

# FREMONT COUNTY SUBDIVISION REGULATIONS

FILED JAN 4 2011  
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FREMONT COUNTY CLERK  
STATE OF WYOMING

Adopted  
Board of County Commissioners  
June 1982

Amended  
January 1985

Amended  
December 1992

Amended  
February 1998

Amended  
March 2001

Amended  
October 15, 2002

Amended  
June 27, 2006

Amended  
March 6, 2007

Amended  
January 13, 2009

Amended  
December 28, 2010

FREMONT COUNTY  
SUBDIVISION REGULATIONS

RESOLUTION

BOARD OF COUNTY COMMISSIONERS  
FREMONT COUNTY, WYOMING

WHEREAS the regulation and control of the subdivision of land, including mobile home parks, lying within the unincorporated area of Fremont County is vested in the Board of County Commissioners by Wyoming Statutes 18-5-301 through 18-5-315 (1997 Edition); and

WHEREAS the Board of County Commissioners did request the Fremont County Planning Commission to prepare and recommend certain subdivision regulations and from time to time amendments thereto; and

WHEREAS the Fremont County Planning Commission has prepared and recommended such recommendations to the Board of County Commissioners on May 22, 2008; and

WHEREAS the Board of County Commissioners did receive said recommendations and after thoroughly reviewing them did properly advertise and hold a public hearing on September 23, 2008; and

WHEREAS all testimony given at the public hearing has been carefully and thoughtfully considered; and

WHEREAS the Board of County Commissioners has determined that the health, safety, and welfare of the citizens of Fremont County, Wyoming will be substantially benefited by the adoption and enforcement of the following subdivision regulations.

NOW THEREFORE BE IT RESOLVED:

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CHAPTER I  
TITLE, AUTHORITY, PURPOSE AND DEFINITIONS

Section 1. Title. This resolution shall be known as the “Fremont County Subdivision Regulations.” These regulations establish rules and standards governing the platting of land into subdivisions administrative procedures to be followed by the Board of County Commissioners and the Planning and Zoning Commission and set forth penalties for violations thereof.

Section 2. Authority. The regulation and control of the subdivision of land within the unincorporated areas of Fremont County are vested in the Fremont County Board of County Commissioners by Wyoming Statutes (1997 Edition) Title 18 Chapter 5, Section 101 through Section 315.

Section 3. Purpose and Intent. The purpose of the Fremont County Subdivision Regulations is to implement the ongoing Comprehensive Planning Program in Fremont County intended to safeguard the public health, safety, and general welfare by establishing minimum regulations and standards of design, improvement, survey and construction of subdivisions and land developments hereafter platted in Fremont County in order to provide and insure the orderly and proper growth thereof and to aid in the prevention of pollution of land and water resources.

Section 4. Definitions. For the purposes of these regulations, certain words, terms and phrases as used herein shall have the following meanings:

Accessory Structure – Any additional structure either attached or free standing, which is located on an individual lot including, but not limited to, awning, patio cover, carport, porch, storage unit, shelter or screen.

Block – A piece or parcel of land or group of lots entirely surrounded by streets and/or land on one side of a street lying between the streets and un-subdivided lands, railroads or parks, bodies of water or waterways.

Board of County Commissioners – Shall mean the Board of County Commissioners of Fremont County, Wyoming.

Building Setback Line – A line drawn parallel to and a prescribed distance from the street right-of-way line(s) which establishes the minimum distance allowable between the street right-of-way line(s) and any building or structure or portion thereof.

Building Site – A lot or parcel of land containing not less than the prescribed minimum area required by any applicable regulations at the time and occupied or intended to be occupied by buildings or structures.

Cluster Subdivision – A single family residential subdivision of land containing lots which are smaller than allowed under the zoning district regulations, if applicable,

provided that the land area saved in the lot reduction is included in the subdivision as common open space.

**Common Area** – An area of land set aside within a subdivision for the use in common by the residents thereof, such areas shall be subject to approved legal controls and the governing body may require that it be made a party to legal agreements thereof.

**Comprehensive Mater Plan** – Shall mean the Comprehensive Master Plan of Fremont County, Wyoming, when and as adopted, amended and supplemented, including revisions.

**Conditional Approval** – An affirmative action by the Planning Commission indicating approval of a Preliminary Plat subject to certain stipulations.

**Contiguous** – Touching at a point or along a boundary.

**Dependent Mobile Home** – Any mobile home that does not have a flush toilet or shower.

**Dwelling Unit** – Means a place of residence and may be located in either a single or multiple dwelling unit building.

**Easement** – A grant by the owner of the use of certain land by the public, a corporation or person for specific and designated uses and purposes.

**Engineer** – As used in these regulations means a person licensed by the State of Wyoming as a professional engineer.

**Engineering Plans** – Plans, profiles, cross-sections, and other required details for the construction of improvements, prepared in conjunction with the final plat and in compliance with the standards of design and construction as required by the Board of County Commissioners.

**Exceptions** – Any parcel of land located within the perimeter of the subdivision, but which is not included on the plat.

**Final Approval** – Approval of the final plat by the Board of County Commissioners as evidenced by certification on the plat by said Board of County Commissioners of Fremont County, Wyoming. Final approval constitutes authorization to record the final plat.

**Flood Hazard** – Possible occurrence of overflow storm water causing flooding of lands or improvements, or having sufficient velocity to transport or deposit debris, to scour the surface soil, to dislodge or damage buildings, or to cause erosion of the banks or channels of waterways, streams and rivers.

**Geologist** – As used in these regulations means a person licensed by the State of Wyoming as a professional geologist.

**Governing Body** – Means the Board of County Commissioners of Fremont County, Wyoming.

**Ground Anchors** – Devices placed in the ground such as cast-in-place concrete “dead men” eyelets embedded in concrete slabs or runways, screw augers, arrowhead anchors or other devices.

**Independent Mobile Home** – A mobile home that has a flush toilet and a bathtub or shower.

**Irrigation Facilities** – Means canals, ditches, laterals, conduits, gates, pumps, reservoirs and any allied equipment necessary for the supply, delivery, storage and drainage of irrigation waters.

**Lease** – To grant the possession and use of land to another in return for rent or other consideration.

**Lot** – A piece or parcel of land separated from other pieces or parcels by legal description, as in a subdivision, or by metes and bounds, for the purposed of sale, lease, or separate use.

**Lot Width** – The distance between side lot lines measured parallel to the street at the minimum front setback line.

**Lot Depth** – The shortest distance, measured on a line parallel to the axis of the lot, between points on the front and rear lot lines.

**Lot Lines** – A line bounding a lot.

**Mobile Home** – A single prefabricated structure, of over eight (8) feet in width and thirty-three (33) feet in length, designed for transportation after fabrication on streets and highways on its own wheels and chassis and arriving at the site where it is to be occupied as dwelling complete and ready for assembly operations, location on jacks or permanent foundation and connection to utilities.

**Mobile Home Park Subdivision** – A parcel of land which has been so designated and improved that it contains six (6) or more lots or sites available for the occupancy of mobile homes. (See other related definitions).

**Mobile Home Lot** – A parcel of land for the placement of a mobile home and the exclusive use of its occupants within a mobile home park.

**Mobile Home Stand** – The part of the mobile home lot reserved for the actual placement of the mobile home.

**Mountain Subdivision** – A subdivision in which over twenty-five (25%) percent of its area is in slopes exceeding twenty percent (20%).

**Municipal Critical Area** – An area defined and delineated by official ordinance of an incorporated municipality and accepted and approved by official resolution of the Board of County Commissioners in which subdivision or mobile home court development could adversely affect the health, safety and welfare of the municipality. Such areas shall generally be limited to a distance of one-half (1/2) mile from municipal water sources, septic treatment facilities and sanitary landfills.

**Parcel** – “Parcel” means a contiguous piece of property lawfully created or conveyed of record as a single piece of property.

**Pedestrian Way** – A walkway for pedestrians designed as an integral part of a subdivision either for public or private use and delineated on the preliminary and final plat.

**Personal Notice** – The sending of notice by certified letter with return receipt request, mailed by the Planning Department, cost to be paid for by petitioner.

**Planning Commission** – The Planning and Zoning Commission of Fremont County, consisting of five members (5), as appointed by the Board of County Commissioners.

**Planned Unit Development (PUD)** – A development containing a variety of residential types (i.e. single family and multi-family) and related commercial, industrial and recreational facilities designed as a single project in which certain normal restrictions and regulations, such as lot size, density, setbacks and land use may be relaxed in return for development conformance to an approved plat.

**Plat** – A map of a subdivision.

**Preliminary Plat** – A preliminary plat, including supporting data, indicating a proposed subdivision development, prepared in accordance with Chapter III, Section I of these regulations.

**Final Plat** – A map of all or part of a subdivision conforming to an approved preliminary plat, prepared in accordance with the provisions of Chapter III, Section 2 of these regulations.

**Recorded Plat** – A final plat bearing all the executed certifications of approval required by these regulations and duly recorded in Fremont County, Wyoming.

**Re-Plat** – A re-plat includes:

1. Any change in any street layout or any other public improvement;
2. Any change in any lot line;
3. Any change in the amount of land reserved for public use or the common use of lot owners;
4. Any change in any easement shown on the approved plat;
5. Any change that affects any map legally reached prior to the adoption of any regulations controlling subdivisions.

**Ponding of Surface Water** – Water originating on or in the vicinity of the subdivision which, due to the condition of the ground surface, does not reach a drainage channel or conduit.

**Private Street** – Any parcel of land or nonexclusive easement not owned by a public entity and not accepted for dedication to the general public, that is used or intended to be used for vehicular access to a building site.

**Public Improvement Standards** – The County standards and design criteria required by the Board of County Commissioners regulating the design and construction of public improvement in Fremont County, and as provided in these regulations.

**Public Utilities** – Underground, above ground or overhead facilities furnishing to the public, electricity, gas, steam, communications, water, drainage, sewage disposal, flood control, irrigation water, refuse disposal, etc., owned and operated by any person, firm, corporation, county department, city or board duly authorized by applicable laws.

**Regular Subdivision** – The subdivision of one (1) or more units of land into six (6) or more units of land.

**Re-subdivision** – Re-subdivision is the creation of additional lots from the number originally approved and platted, or the reconfiguration of lots and street in a significant deviation from the original approved plat.

“Sell” or “sale” includes sale as evidenced by the delivery of a deed, contract for deed, lease, assignment, auction, or award by lottery concerning a subdivision or any part of a subdivision. “Sell” or “sale” does not include a contract to sell which is expressly contingent upon the recording of the final plat by the county clerk, if all funds paid by the buyer under the contract are escrowed with a financial institution located in this state or a title company licensed to do business in this state until the final plat is recorded and the seller tenders the deed or the contract to sell is cancelled or the buyer and seller agree otherwise in writing.

**Simple Subdivision** – A simple subdivision is the subdivision of one (1) or more units of land into not more than a total of five (5) units of land. A parcel of land as it existed as of the date of the adoption of this resolution may have only one simple subdivision of a total of 5 lots created within that parcel, once for every three (3) year period, unless a variance

is recommended by the Fremont County Planning Commission and approved by the Board of County Commissioners.

**Skirting** – Any type of wainscoting around the lower part of a mobile home covering the wheels and undercarriage.

**Steep Slope** – Any land having an average slope of fifteen percent (15%) or more. A steep slope shall be determined by measurement of an average slope perpendicular to the proposed street line between the proposed rear lot line and the center of the street. Any block frontage shall be considered a steep slope area if the slope of thirty percent (30%) or more of its length equals or exceeds fifteen percent (15%).

**Street** – Any existing or proposed street, avenue, boulevard, road, lane, parkway, place, bridge, viaduct, or easement for vehicular access; or a street shown on a plat heretofore approved pursuant to applicable laws; or a street on a plat duly filed and recorded in Fremont County, Wyoming. A street includes all land within the street right-of-way whether improved or unimproved, and includes such improvements as pavement, shoulders, curbs, gutters, sidewalks, parking spaces, bridges, viaducts, lawn and trees.

**Arterial Street** – A general term including freeways, expressways, major arterial street and interstate, state and county highways having regional continuity.

**Collector Street** – A street generally with limited continuity serving the primary function of moving traffic between arterial streets and local streets and the secondary function of providing access to abutting properties.

**Local Street** – A street serving the primary function of providing access to abutting property.

**Frontage Road** – A local street parallel to and abutting an arterial street which provides access to abutting property, intercepts other local streets, and controls access to the arterial street.

**Cul-de-sac** – A short local street having one end permanently terminating in and including a vehicular turning area.

**Alley** – A public way providing secondary vehicular access and service to properties.

**Mountain Roads** – Roads used for access in areas that have steep slopes, environmental problems, heavy snowfall and require special design considerations.

**Parkways** – Roads developed primarily for low speed traffic to provide access to recreational areas, scenic attractions and vistas and historical and cultural sites and areas.  
**Street and Highway Plan** – An element of a Comprehensive Master Plan that provides for development of a system of streets and highways.

Subdivider – The person, firm, corporation, partnership, association, syndicate, trust or other legal entity that files application and initiates proceedings for the subdivision of land in accordance with applicable laws.

Subdivision – Means the creation or division of a lot, tract, parcel or other unit of land for the immediate or future purpose of sale, building development or redevelopment, for residential, recreational, industrial, commercial or public uses. The word “subdivide” or any derivative thereof shall have reference to the term subdivision, including mobile home courts, the creation of which constitutes a subdivision of land.

Unless the method of sale or other disposition is adopted for the purpose of evading the provisions of these regulations, these regulations shall not apply to any subdivision of land that:

1. Is a division of land made outside of platted subdivisions for the purpose of a single gift or sale to a member of the landowner’s immediate family, subject to the following requirements:
  - a. A member of the immediate family is limited to any person who is a natural or adopted child, stepchild, spouse, sibling, grandchild, grandparent or parent of the landowner;
  - b. The purpose of the division is to provide for the housing, business or agricultural needs of the grantee;
  - c. The land shall have been titled in the name of the grantor for a period of not less than five (5) years prior to the division and parcels created under this paragraph shall be titled in the name of the immediate family member for whom the division is made for a period of not less than one (1) year unless such parcels are subject to involuntary transfer including, but not limited to, foreclosure, death, judicial sale, condemnation or bankruptcy;
  - c. No parcel smaller than five (5) acres created under this paragraph shall be further divided unless the owner obtains a subdivision permit pursuant to W.S. 18-5-304.
  - e. Where the landowner is a corporation and eighty percent (80%) of the shares are held by individuals related by blood or marriage, the sale or gift may be made subject to the provisions of this section to an immediate family member of any shareholder who has owned at least five percent (5%) of the outstanding shares for at least five (5) years continuously before the date of the sale or gift.
2. May be created by any court of this state pursuant to the law of eminent domain, by operation of law or by order of any court in this state;

3. Is created by a lien, mortgage, deed of trust or any other security instrument, easements and rights-of-way;
4. Concerns lands located within incorporated cities and towns;
5. Is created by the sale or other disposition of land to the state of Wyoming or any political subdivision thereof;
6. Affects railroad rights-of-way;
7. Is a sale or other disposition of land for agricultural purposes or affects the alignment of property lines for agricultural purposes;
8. Is created by boundary line adjustments where the parcel subject of the sale or other disposition is adjacent to and merged with other land owned by the grantee;
9. Creates cemetery lots;
10. Is created by the acquisition of an interest in land in the name of the husband and wife or other persons in joint tenancy or as tenants in common, and the interest shall be deemed for purposes of this subsection as only one (1) interest.
11. A division of land creating a parcel five (5) acres or less for the purpose of establishing unmanned communication facilities, compressor stations, metering stations, fiber optic booster stations or similar unmanned facilities.
12. The sale or disposition of separate parcels of land that were separate when lawfully created or conveyed and which have not been combined by a recorded instrument of conveyance signed by all of the owners.

This article shall not apply to the sale or other disposition of land where the parcels involved are thirty-five (35) acres or larger, subject to the requirement that ingress and egress and utility easements shall be provided to each parcel by binding and recordable easements of not less than forty (40) nor more than sixty (60) feet in width to a public road unless specifically waived by the grantee or transferee in a binding and recordable document.

Method of sale which shall be considered as purposeful evasion shall include but not necessarily be limited to the following:

Chain Deeding – This method of sale is one in which an owner of a parcel retains a part of what he owns and conveys the rest to a second party who in turn retains a part of what he receives and conveys the remainder to a third party.

**Cell Splitting** – This method of sale is one in which the owner of a parcel divides it into two parcels which are then conveyed to two other parties who in turn do the same thing with that which they receive.

Whenever a parcel which existed on July 1, 2001 is divided with the exception of the above numbered exemptions, a subdivision has been created.

**Subdivision Master Plan (S.M.P.)** – A preliminary map showing the tentative layout of streets and arrangement of land uses, community facilities, proposed water supply, sewage disposal method, drainage, topography, environmental considerations, vegetative cover, existing conditions, wildlife and fisheries considerations and additional information as may be required to properly consider the proposed development meeting the requirements of Chapter II, Section 2 of these regulations.

**Tent Trailer** – A vehicle less than twenty (20) feet in length with an expandable enclosure of canvas, fabric, or metal constructed in such a manner that temporary facilities for sleeping or dwelling are provided.

**Tie Downs** – Any device designated for the purpose of securing a mobile home to ground anchors.

**Trail** – A way designed for use by horses, snowmobiles, 4-wheel drive vehicles, motor bikes, bicycles, pedestrians or other specific use and delineated on the subdivision plat.

**Travel Trailer** – A vehicle used or so constructed as to permit its being used as a conveyance upon public streets and highways and duly licensable as such, constructed in such a manner as will permit occupancy thereof as a temporary or seasonal dwelling.

**Truck Camper** – A vehicle used or so constructed as to permit its being used as a conveyance upon public streets and highways and duly licensable as such, constructed in such a manner that temporary facilities for dwelling or sleeping are provided upon frame or bed of such vehicle. Such facilities may be either permanently or temporarily attached.

**Variance** – A modification of certain requirements of these regulations when, in the opinion of the governing body, justification and reasonableness has been determined and it is necessary to serve the best interest of Fremont County.

**Water Supply System** – Includes development of the source and all structures for conveyance of raw water to the treatment plant or delivery systems; all water treatment plants including disinfection facilities; water supply systems used for irrigation and stock water; and all finished water delivery systems including pipelines, pumping stations and finished water storage facilities.

## Section 5. General Responsibilities.

**Subdivider** – Shall prepare plats and plans consistent with design criteria and standards and accomplish improvements consistent with improvement standards as contained in these regulations and as set forth by the board of County Commissioners and shall process plats and plans in accordance with the provisions set forth herein.

**Planning Director** – Shall be responsible for providing technical planning advice to the subdivider, planning commission, and Board of County Commissioners. Review all proposed subdivisions for conformance with existing land development regulations, ordinances and standards, and to coordinate the public and private interests.

**Planning Commission** – The Planning Commission shall review the material required by these regulations and shall, after evaluation, make findings and recommendations to the Board of County Commissioners concerning an application within forty-five (45) days from the date of filing with the Planning Commission or the Secretary of the Planning Commission. If no action is taken by the Planning Commission within that time, the plat shall be deemed to be approved by the Planning Commission.

**Board of County Commissioners** – The Board of County Commissioners shall have final jurisdiction and shall approve or disapprove the subdivision application and issue a subdivision permit or ruling within forty-five (45) days after receiving a report and recommendation from the Planning Commission.

## CHAPTER II PLATTING PROCEDURES

Section 1. Outline of Procedures. The preparation, submission, review, and approval of all regular subdivision plats shall proceed through the stages as listed below.

Section 2. Stage I – Pre-application Conference Stage. The Pre-application Conference stage of subdivision platting comprises an investigatory period preceding actual preparation of the preliminary plat by the subdivider. During this stage the subdivider shall make known his intentions to the Planning Department and be advised of specific public objectives related to the proposed subdivision and other details regarding platting procedures and requirements. During this stage, the proposed subdivision shall be reviewed for conformance with existing land development regulations, ordinances and standards; it shall be determined whether a variance to an existing regulation, ordinance or standard is necessary to permit said development; and if so, an application for such variance shall be permitted with the preliminary plat. In carrying out the purposes of the Pre-Application Conference Stage, the subdivider and the Planning Department shall be responsible for the following actions:

1. Action by the Subdivider – The subdivider shall meet with the Planning Director of Staff and present a general outline, including, but not limited to:
  - a. Sketch plans and ideas regarding land use, street and lot arrangement and tentative lot sizes.
  - b. Tentative proposals regarding water supply, sewage disposal, storm drainage and street improvements.
  - c. Tentative proposals regarding the following applicable subjects; natural hazard areas, environmental problems, wildlife and fisheries considerations, erosion controls, vegetative cover and grading proposals, soils problems, percolation tests and any other considerations which are a factor in reviewing the proposed development.
2. Actions by the Planning Department – The Planning Department shall advise the subdivider of procedural steps, overall design conformance, compliance with existing land development regulations, ordinances and standards. The Planning Department shall then proceed with the following investigations and report its findings to the subdivider;
  - a. Review the adequacy of community facilities in relation to the proposed development.
  - b. Review the proposed development for conformance with existing land development regulations and ordinances.

- c. Determine, if possible. Potential problems that could affect the proposed development.
    - d. Determine whether a Subdivision Master Plan shall be prepared and approved prior to preparation and consideration of a preliminary plat.
  3. Subdivision Master Plan (S.M.P.) – Whenever the land within proposed subdivision is part of a larger land area owned by the subdivider, the development of which is reasonably expected, the Planning Director shall require that a Subdivision Master Plan be prepared for the entire land holding. The Subdivision Master Plan shall be prepared to a scale and accuracy commensurate with its purpose, and shall include, but not be limited to:
    - a. General street patterns with particular attention to functional vehicular circulation and relationship to existing Streets and Highway Plan, if adopted.
    - b. Proposed land uses and relationship to community facilities.
    - c. Methods proposed for sewage disposal, water supply, storm water drainage and solid waste disposal.
    - d. Approximate lot sizes and design layout.
    - e. General size and location of open space.
    - f. Topography and drainage.
  4. When the Subdivision Master Plan has been approved by the Planning Director, it shall be submitted to the Planning Commission at the earliest date possible for general review and comments. Conditional approval of the Subdivision Master Plan by the Planning commission shall constitute the general design approach to be followed in the preparation of all preliminary plats within its boundaries. If development is proposed to take place in several stages, the Subdivision Master Plan shall show the proposed staging. The Subdivision Master Plan shall be kept up-to-date by the subdivider and revised to show any changes in design. The Subdivision Master Plan shall be presented as supporting data for each preliminary plat.

Section 3. Stage II – Preliminary Plat Stage. The Preliminary Plat Stage includes preparations, review, and Planning Commission action on the preliminary plat. Processing of the preliminary plat will be expedited by submission of all information essential to determining the intended character and general guidance to the subdivider so that the preliminary plat will satisfy requirements as to form and content as set forth in these regulations.

1. Preliminary Plat Submission and Review

- a. A minimum of fifteen (15) copies of the preliminary plat and any required supporting data, prepared in accordance with these regulations and specifically with Chapter III, Section 2 shall be filed with the Planning Department at least twenty one days prior to the regularly scheduled meeting of the Planning Commission.
- b. The submittal shall be checked by the Planning Department for completeness, and, if it meets all requirements of these regulations it shall be assigned a case number; if incomplete, it shall be returned and the subdivider notified as to its deficiencies.
- c. All preliminary plats for subdivisions of land including mobile home courts lying within one (1) mile of an incorporated municipality, within a "Municipal Critical Area" or within one-half (1/2) mile of a municipality owned airport must be submitted to said municipality for consideration, recommendation, and approval.

2. Preliminary Plat Approval

- a. When the requirements of these regulations and the Planning Department have been met, the preliminary plat is placed on the agenda for the next regular meeting of the Planning Commission for review and action. The adjacent land owners, as listed by the subdivider will be notified by certified letter of the meeting date so they may attend and make comment.
- b. If satisfied that the plat meets all objectives and requirements of existing land development regulations, ordinances, and standards, the Planning Commission will approve the preliminary plat and authorize the subdivider to proceed with the preparation of the final plat and necessary engineering drawings.
- c. If the plat is generally acceptable but requires modification or revision before the final plat is prepared, the Planning Commission may grant conditional approval requiring the incorporation of such required revisions and modifications in the preparation of the final plat and engineering plans.
- d. If the preliminary plat is found to be in substantial non-conformance with the existing regulations and standards or if serious problems are raised by surrounding property owners or within other required reports, the Planning Commission may disapprove the preliminary plat. All new submittal of plats for the same land area shall satisfactorily address the problems raised during the initial preliminary plat review.

e. The subdivider or his authorized representative may attend the meeting of the Planning Commission when the preliminary plat is submitted for action.

3. Significance of Preliminary Plat Approval – Preliminary plat approval constitutes authorization for the subdivider to proceed with the preparation of the final plat and engineering plans. Preliminary approval is based on the following items:

- a. The conditions under which preliminary approval is granted shall not be changed prior to expiration date.
- b. Approval is valid for a period of twelve (12) months from the date of the Planning Commission’s action and may be extended once for six (6) months at the discretion of the Planning Commission.
- c. Such other terms and conditions as may be specified at the time of such approval of the preliminary plat.

Section 4. Stage III - Final Plat Stage. The final plat stage includes final design and engineering of the subdivision and the preparation, submission, review and action on the final plat and engineering plans.

1. Pre-Submission Requirements

- a. Preparation of the Final Plat – The final plat shall conform closely to the approved preliminary plat and be prepared in accordance with these regulations and specifically with Chapter III, Section 3 of these regulations.
- b. Easement for Utilities – The final plat submittal shall include a letter signifying approval of utility easements by all public utilities involved.

2. Final Plat Submission

- a. The subdivider shall file with the Planning Department the final plat and fifteen (15) true copies thereof at least twenty one (21) days prior to the next Planning Commission meeting at which the plat will be acted upon. If the final plat is in accordance with the approved preliminary plat and is approved by the Planning Commission, the County Clerk will be so informed and s(he) will then schedule its consideration with the Board of County Commissioners.
- b. All final plats for subdivisions of land including mobile home courts lying within one (1) mile of an incorporated municipality, within a “Municipal Critical Area” or within one-half (1/2) mile of a municipal owned airport

must be submitted to said municipality for consideration, recommendation, and approval. The proposed subdivision or mobile home court must meet all applicable subdivision and mobile home court regulations being enforced by the municipality. No final plat for the land lying within the areas described above will be considered by the County until it has been approved by the municipality.

### 3. Final Plat Approval

- a. Upon notification from the Planning Department that the plat has been processed, the County Clerk shall place the case on the agenda of the next regular Board of County Commissioners' meeting, or as soon thereafter as possible, at which time the Board of County Commissioners shall approve or disapprove the final plat.
- b. If the Board of County Commissioners disapproves the final plat, such reasons shall be recorded in the minutes and the subdivider so notified. If the Board of County Commissioners finds for final approval of the plat, the County Clerk shall make sure that all required certifications have been duly signed and that engineering plans have been approved and shall notify the subdivider that the plat is ready to be recorded.
- c. Recording – The subdivider shall record the final plat in the Office of the County Clerk of Fremont County, Wyoming, within one (1) year after the date of approval, otherwise the plat shall be considered void. The fee provided by applicable laws shall be paid by the subdivider at the time of recording. The subdivider shall furnish the Planning Department with one (1) true copy of the final plat showing evidence of the recording.

Section 5. Mobile Home Parks. For specific procedures regarding mobile home parks see Chapter VI of these regulations.

Section 6. Corrected Plats, Re-plats, and Re-Subdivisions. The following procedures shall be followed in the filing of amendments to existing recorded plats.

1. If, after the approval and recording of a final plat, errors are found in the language or numbers on the recorded plat, the subdivider shall file a properly signed, corrected or revised original Mylar or linen with the Planning Department. The plat shall be noted CORRECTED PLAT under the name of the subdivision. Notations shall be made on the face of the plat listing all corrections made and the drawer and page number where the original plat was recorded. The Department shall review the plat for corrections, secure the signature of the proper public officials on the corrected plat and present the plat to the Board of County Commissioners for the reaffirmation of their approval and to the County Clerk for recording.

2. Changes to already approved and filed subdivisions determined to be reviewed as “re-plats” may be reviewed under the same procedure as that for simple subdivisions.
3. Whenever a developer or lot owner(s) desire to re-subdivide all of, or a portion of, an already approved final subdivision plat, the developer or lot owner(s) shall first obtain approval for the re-subdivision by the same procedures prescribed for the subdivision of land. The subdivision shall be identified as the RE-SUBDIVISION OF \_\_\_\_\_,
4. If approved the proposed re-subdivision will be placed on the next available County Commission agenda, or as soon thereafter as reasonably possible. The Board of County Commissioners shall review the re-subdivision application and recommendations by the Planning Commission and shall approve, conditionally approve, or disapprove the application.

Section 7. Withdrawal of Approval. The Board of County Commissioners may withdraw its approval of a subdivision plat if and when it is determined that information provided by the subdivider, upon which such a decision was based, is false or inaccurate.

Section 8. Vacation of a Plat of Record. A subdivider or land owner may make application to the Planning Commission to vacate any plat or portion thereof under the following conditions:

1. The plat to vacate is a legal plat of record.
2. Vacation of the subdivision will not interfere with the development of, nor deny access via a public thoroughfare to, adjoining properties, utility services or other improvements.
  - a. Procedure – The land owner(s) shall present a “petition for vacation” to the Planning Department properly signed and executed. The document will be submitted to the Planning Department a sufficient length of time before the Planning Commission meeting where the request is to be reviewed in order for the Planning Department to review the vacation request and prepare a list of adjacent landowners. Adjacent landowners will be notified at least two (2) weeks prior to the meeting, of the time and place of the Planning Commission meeting where the vacation request will be reviewed. The Planning Commission shall review the petition and send its recommendations to the Board of County Commissioners. The Board of County Commissioners shall approve or deny the petition. If the petition is approved, it shall then be recorded in the office of the County Clerk and recorded. All fees for the recording of such vacation shall be paid for by the landowner(s) of the vacated plat.

## Section 9. Simple Subdivisions.

No subdivision of land or the commencement of the physical layout or construction of a subdivision shall occur without first obtaining a subdivision permit from the Board of Fremont County Commissioners.

The subdivision of one (1) or more units of land into not more than a total of five (5) units of land is defined by Fremont County as a "Simple Subdivision."

1. Simple Subdivision shall meet the following requirements:
  - a. The applicant shall apply to the Fremont County Planning Department for a simple subdivision permit. A fee of one hundred fifty dollars (\$150.00) shall accompany the application.
  - b. The applicant shall submit to the County Planning Commission and the Board of County Commissioners evidence that it has complied with Wyoming State Statute 18-5-306 subsection (b) 2001 Edition and Chapter III, Section 2, (9.)(e.) of these regulations regarding review of the simple subdivision by the local conservation district. A copy of the letter from the local conservation district with recommendations shall be placed on file in the Office of the Fremont County Planning Department. The Planning Department shall notify the County Planning Commission and Board of County Commissioners of the receipt of verification by the local conservation district.
2. A plat shall be submitted containing the following:
  - a. Date of preparation, scale, north arrow and name of subdivision correctly spelled. Include any notes involving water sources, roads and easements. The location and dimensions of existing and proposed streets, alleys, roads, highways, public ways, utility rights-of-way, easements parks and the location of proposed permanent buildings and structures if known. Roads shall be dedicated as public or private;
  - b. Certificate of surveyor;
  - c. Name of subdivider;
  - d. Name of subdivision, correctly spelled, with complete legal description including section, township and range;
  - e. Designation as a SIMPLE SUBDIVISION;
  - f. Dedication and certification of owners, dated, signed by all owners of record and notarized. W.S. 34-12-103: The plat shall contain a statement

to the effect that “the above or foregoing subdivision of (here insert a correct description of the land or parcel subdivided) as appears on this plat, is with the free consent, and in accordance with the desires of the undersigned owners and proprietors”, which shall be signed by the owners and proprietors, and shall be duly acknowledged before some officer authorized to take the acknowledgement of deeds;

- g. Approval of city county planning commission. Subdivisions within one (1) mile of a municipality will have both;
- h. Approval of city council or county commissioners. Subdivisions within one (1) mile of a municipality will have both;
- i. Lots and blocks clearly designated (if applicable). W.S. 34-12-102. “...accurately describe all the subdivisions of such tract or parcel of land numbering the same by progressive numbers, and giving dimensions, and length and breadth thereof, and the breadth and courses of all the streets and alleys established therein...”;
- j. A county clerk’s recordation area set aside on the plat;
- k. The medium of presentation shall be on 24 x 36 inch Mylar or other acceptable photographic or other kind of reproduction on good quality linen or polyester base film in a minimum thickness of four-thousandths (0.004) inch. The original must be drawn in waterproof black ink or acetate ink. Permanent black ink shall be used for signatures;
- l. A water rights disclaimer shall be located conspicuously on the plat that states: “STATE LAW DOES NOT RECOGNIZE ANY RIPARIAN WATER RIGHT. YOU SHALL HAVE NO RIGHT TO IRRIGATION WATER FLOWING PAST OR THROUGH THIS SUBDIVISION OTHER THAN THAT WHICH IS SPECIFICALLY ADJUDICATED OR APPROPRIATED TO YOUR LOT VIA THE STATE ENGINEER’S OFFICE OR THE STATE BOARD OF CONTROL”;  
  
“NO LOT OWNER SHALL IMPEDE, OBSTRUCT, DIVERT, OR IN ANY WAY POLLUTE ANY IRRIGATION DITCH ON LAND WITHIN THIS SUBDIVISION”;
- m. The subdivider shall place the words conspicuously on the plat: “NO PUBLIC MAINTENANCE OF STREETS OR ROADS ARE ANTICIPATED”;
- n. The subdivider shall place the words conspicuously on the plat: “ALL UTILITY RIGHTS-OF-WAY AND EASEMENTS SHOWN ON THIS PLAT ARE FOR THE BENEFIT OF ALL PROPERTY OWNERS



6. The subdivider shall provide adequate evidence to demonstrate that:
  - a. The subdivided land is free of all encumbrances and that any person who offers any part of the subdivision for sale or who solicits any offer for the purchase thereof, directly or through agents, may convey merchantable title thereto free of any encumbrances, subject only to a proportionate share of real property taxes or assessments charged or assessed for the year in which any sale may be legally affected; or
  - b. Binding arrangements have been made by any such person to assure purchaser of any part of the subdivision that upon full payment of the full purchase price a deed can and will be delivered conveying merchantable title thereto free of any assessments thereon as may be levied or assessed for the year in which such sale may be legally affected.
  
7. Irrigation Water – Water Rights
  - a. Prior to final approval by the Board of County Commissioners the subdivider shall provide:
    - A plan, a copy of which was submitted to and approved by the Planning Commission prior to the final approval of the subdivision application, for the distribution of the water rights appurtenant to the land to be subdivided. The plan shall specify the amount of total irrigated land and the amount of distribution of the water to each of the lots within the subdivision.
  
8. Roads. Recommended Minimum Standards Only
  - a. Road Design – Road design performance standards may be found in Table 1 on page 49 of the Fremont County Subdivision Regulations. Simple subdivision roads should be constructed to a minimum design standard as that for regular subdivision internal roads with less than 250 average daily traffic or standards acceptable to the Planning Commission and the Board of County Commissioners.
  - b. Road Construction Practices – All road construction practices and material should be in conformance with the latest edition of “Fremont County Road and Bridge Department Design Standards for Fremont County Roads”.
  - c. Road Sub-Grades – Roads extending across soils’ designated as having severe or moderate limitation on local road building by the Natural Resources Conservation Service should be designed and constructed to compensate for the soils poor sub-grade characteristics. This may require rerouting, drainage, compaction, additional sub-base or base course materials or the use of construction fabrics.

- d. Gravel Roads – The minimum acceptable base is four (4) inches of pit run course aggregate or equivalent native material and four (4) inches of a crushed  $\frac{3}{4}$  inch minus gravel approved by the Planning Department Staff or a licensed professional engineer.
- e. Bridges and Culverts – All bridges and culverts should be designed by a professional engineer and meet the same standards as those for regular subdivisions.
- f. Signs – The developer should install “Stop” and “Yield” signs as required and all road name signs.

9. Monumentation

- Survey monumentation shall meet the standards set for regular subdivisions with the addition that witness corners for lot corners will be established whenever the lot corners are located within road easements.

10. Access

- a. By filing an application for subdivision or simple subdivision, the subdivider certifies that this subdivision has access to a public road. It is the subdivider’s responsibility to verify that the subdivision has outlet to a public road and to provide proof of such to the Planning Commission. Fremont County, the Fremont County Planning Commission, and the Fremont County Planning Department are not responsible for error or fraud on the part of the subdivider and are not liable for any damages therefrom.

CHAPTER III  
SUBDIVISION PLAT AND SUPPLEMENTARY  
INFORMATION REQUIREMENTS

Section 1. General. All subdivision plats shall contain and/or be accompanied by certain minimum amounts of information as described in the following paragraphs.

By filing an application for subdivision or simple subdivision, the subdivider certifies that this subdivision has access to a public road. It is the subdivider's responsibility to verify that the subdivision has outlet to a public road and to provide proof of such to the Planning Commission. Fremont County, the Fremont County Planning Commission, and the Fremont County Planning Department are not responsible for error or fraud on the part of the subdivider and are not liable for any damages therefrom.

Section 2. Preliminary Plats

1. Form and Scale – Preliminary plat information required herein shall be shown graphically on one or more plat sheets with written data entered directly thereon or on separate sheets accompanying the plat. The plat scale shall be selected to produce an overall plan sheet measuring 24 x 36 inches.
2. Information Required on Preliminary Plats –
  - a. Proposed subdivision name; location by section, township, range, and meridian.
  - b. Name, address, and telephone number of the subdivider.
  - c. Name, address, and telephone number of the engineer or surveyor who shall be licensed in the State of Wyoming.
  - d. Graphic scale, north point and date of preparation including dates of any subsequent revisions.
  - e. A small scale location map showing the perimeter of the subdivision and its relationship to existing community facilities including arterial streets, railroads, shopping areas, recreation facilities, waterways, water bodies and other pertinent areas.
  - f. Topography by contours related to the approved U.S. Datum – The contour interval shall not be greater than two (2) feet if the ground slope is less than three percent (3%) nor larger than ten (10) feet for ground slopes greater than three percent (3%). In some instances topographic contour intervals will be accepted that are greater than ten (10) feet when slope conditions are such that ten foot (10) intervals are impractical.

- g. The location of existing major clusters of trees shall be delineated on the plat.
- h. Within or adjacent to the plat, the location, widths and names of all streets, railroads, utility rights-of-way, alleys, public areas, easements, permanent structures, and town or city boundaries.
- i. All recorded plats abutting the proposed plat or across a boundary street from the plat.
- j. Dimensions of subdivision plat boundaries.
- k. Street layout, including location and width of streets, alleys, pedestrian ways, and easements including connections to adjoining platted subdivisions and un-subdivided lands, proposed names of all streets.
- l. Location, width and proposed use of easements.
- m. Locations, extent and proposed use of land to be dedicated or reserved for public or private homeowner's use.

### 3. Supplementary Information

- a. Names and addresses of all adjoining property owners including those properties separated from the proposed subdivision property by a roadway or other legal easement.
- b. Proposed methods of water supply and sewage disposal.

### 4. A Study evaluating the sewage disposal system proposed for the subdivision and the adequacy and safety of the system. The study shall, at a minimum, include the following:

- a. Identification of the method of sewage disposal or sewage system to serve the subdivision and identification of the entity or entities responsible for the design, construction, operation and maintenance of the proposed facility;
- b. A report completed by a Wyoming registered professional engineer certifying to the adequacy and safety of the proposed sewage system. The report shall address, at a minimum, the following issues:
  - An assessment of the adequacy of the proposed sewer system in relation to the proposed population density of the subdivision and any other existing or proposed land and water uses in the vicinity of the subdivision that may affect the adequacy of the system;

- An estimate of the total number of gallons per day of sewage to be treated where a central sewage treatment facility is proposed;
- A demonstration that technical requirements and design standards of the Department of Environmental Quality applicable to central sewage collection and treatment facilities can and will be met;
- Where utilization of or connection to an existing private or public wastewater facility is proposed, certification that application to such entity has been made and that the entity can and will provide service;
- A detailed demonstration that the proposed sewer system for the subdivision is compatible with the proposed water system for the subdivision. The study shall demonstrate that the operation of the sewer system will not affect the suitability or safety of the proposed water supply;
- Certification that the proposed sewage system will meet all county, state and federal standards. The certification shall address the relationship of the development to any local or state approved water quality management plans established pursuant to section 201 of the federal Clean Water Act, 33 U.S.C. section 1281;
- Where on-lot disposal is proposed, the demonstration shall include results of percolation testing, adequacy and feasibility of separation distances from existing or proposed water supplies, or from individual wells where not water supply is proposed, adequacy of soil conditions and separation from groundwater and ability of the system to meet design standards.

5. If no public sewage disposal system is proposed:

- a. The application shall contain information concerning on-lot sewage disposal including results of percolation testing, adequacy and feasibility of separation distances from existing or proposed water supplies, or from individual wells where no water supply is proposed, adequacy of soil conditions and separation from groundwater; and
- b. The words “**NO PROPOSED SEWAGE DISPOSAL SYSTEM**” in bold capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements and plats relating to the subdivision.
- c. If the subdivider proposes to utilize adjoining property for sewers, drainage, sewer lines, power lines or other utilities, the subdivider shall provide copies of binding easements of not less than ten (10) feet in width for the proposed facilities from each property owner over whose land such

services shall extend and shall provide a minimum access roadway right-of-way of sixty (60) feet to the subdivision for all public ways;

- d. A study evaluating the water supply and distribution system proposed for the subdivision and the adequacy and safety of the system. The study shall, at a minimum, include the following:
6. A report completed by a Wyoming registered professional engineer certifying to the adequacy and safety of the proposed water supply, treatment and distribution system. The report shall address, at a minimum, the following issues:
    - a. Identification of the type of water distribution system proposed to serve the subdivision and identification of the entity or entities responsible for the design, construction, operation and maintenance of the proposed facility;
    - b. The estimated total number of gallons per day for the subdivision water system;
    - c. Evidence that public or private water suppliers can and will supply water to the proposed subdivision, stating the amount of water available for use within the subdivision and the feasibility of extending service to that area;
    - d. Evidence concerning the potability of the proposed water supply for the subdivision;
    - e. Evidence that the proposed water supply will be compatible with and not be adversely affected by the sewage system proposed for the subdivision;
  7. A report completed by a Wyoming registered professional engineer certifying that a water supply that is sufficient in terms of quality, quantity, and dependability will be available to ensure an adequate supply of water for the type of subdivision proposed. The report shall include:
    - a. A narrative summary of:
      - The geologic setting of the water source and the area of influence such as nearby communities, major streams and aquifers described by a Wyoming professional geologist;
      - The quantity, quality, and source of the water to be used including proposed and existing surface and groundwater facilities;

- The proposed disposal of water not consumed, including water obtained under permits, storm drainage, dewatering, sewage and other wastewater sources.
- b. A detailed discussion of all water supply sources for the proposed subdivision and a concise description of water availability in the area. Information shall include:
  - A delineation of primary sources of water, secondary sources and occasional or seasonal sources;
  - Graphic location of all water supply sources including treatment facilities and ponds;
  - Documentation of all data sources on the occurrence and availability of surface and groundwater.
- c. Information concerning the adequacy of the proposed water supply, including:
  - Historic stream flows and well levels;
  - Senior water rights;
  - Flood damage and flood protection;
  - Impact of and protection from supply shortages.
- d. List of all surface and groundwater rights which will be used or which may be affected, including state engineer application and permit numbers, and description of expected effects;
- e. Plans for the mitigation of possible water right conflicts resulting from the use of water within the proposed subdivision;
- f. Tabulations, graphs, calculations, narrative and other supporting material necessary to expand or to explain other information provided;
- g. Where the proposed source of water for the subdivision is a groundwater source, a written opinion from a registered professional geologist that the proposed source is sufficient in terms of quality, quantity, and dependability for the type of subdivision proposed;
- h. Detailed estimates by a Wyoming registered professional engineer of all construction costs and proposed method of financing for the proposed

water supply and distribution system and the sewage system for the subdivision.

8. If no domestic water source is proposed by the subdivider:
  - a. The Application shall include a report by a Wyoming registered professional geologist providing his opinion relative to the potential availability and quality of groundwater from individual wells within the proposed subdivision; and
  - b. The words “NO PROPOSED DOMESTIC WATER SOURCE” in bold capital letters shall appear on all offers, solicitations, advertisements, contracts, agreements, and plats relating to the subdivision.
  
9. Supplementary Information
  - a. Names and addresses of all adjoining property owners including those properties separated from the proposed subdivision property by a roadway or other legal easement.
  - b. Proposed methods of water supply and sewage disposal.
  - c. Proposed responsibility for road maintenance.
  - d. Status and description of irrigation water rights.
  - e. Soil Suitability report – The subdivider shall obtain review and recommendations from the local conservation district regarding soil suitability, erosion control, sedimentation and flooding problems. The soil report must be submitted with the preliminary plat.
  - f. Information of Ownership – The subdivider shall provide a list of all persons and entities having an equitable interest in the property proposed for subdivision. Such listing shall include the record title holders, mortgages, and contract buyers.

Section 3. Final Plats. The following information is that which is required to be placed on all final plats as submitted therewith.

1. Medium of Presentation – The final plat shall be drawn in permanent black ink on linen or polyester base film.

The final plat submitted for official county approval shall be either the original drawing or a photographic reproduction on a polyester film. Diazo reproductions on polyester film will not be accepted. Overall sheet size shall be 24”x 36”. If more than two (2) sheets are required, the final plat shall include an index sheet of the same dimensions as other sheets showing the

entire plat on one sheet and indicating the portion thereof contained on each of the other sheets.

2. Survey and Other Descriptive Information –

- a. Name of subdivision and location by section, township, range, meridian, and county, including a complete legal description.
- b. Name, address, and registration number of the engineer or surveyor who shall be licensed in Wyoming.
- c. Graphic scale, north point, and date of preparation.
- d. Bearings, distances and curve data on subdivision perimeter boundaries and lot boundaries. Bearings shall be shown to seconds of arc and distances to hundredths of a foot. Curve data shall include radius, central angle, chord bearing, and distance and arc lengths. (Permissible error of closure 1-10,000)
- e. Location of city, town, and other governmental agency boundary lines crossing or adjoining the subdivision.
- f. Location and description of cardinal points to which all dimensions, angles, bearings, and similar data on the plat shall be referenced. The subdivision shall be tied to a minimum of two (2) corners, established in the United States Land Survey, and the plat shall be tied to any contiguous plat(s). Ties for all public corners shall be shown.
- g. Location and description of all physical encroachments upon the boundaries of the tract.
- h. Total acreage of the subdivision and total number of lots.
- i. Street name, right-of-way lines, courses, lengths, width of all streets, alleys, pedestrian ways, and utility easements or easements of any kind, radii, points of tangency and central angles of all curvilinear streets and alleys; radii of all intersections.
- j. All permanent drainage ways, irrigation canals, laterals and ditches shall be accurately located and recorded on the final plat.
- k. All utility and public service easements including designation whether public access of utilities.
- l. All lots shall be numbered consecutively throughout the plat. Exceptions, open space and common areas shall be so designated.

- m. Location of all adjoining subdivisions by name and all un-platted land by ownership.
  - n. If any portion of the land within the boundaries of the final plat is subject to inundation, storm flow conditions, geologic hazard or other hazard, the land so affected shall be clearly marked and noted on the plat sheet or sheets.
  - o. Whenever the subdivision is contained within the boundaries of more than one (1) district for which separate taxes are levied, the boundaries of such districts shall be located and shown accurately on the final plat.
  - p. All areas contained within the 100-year flood prone areas delineated by the Federal Emergency Management Agency and areas determined to be subject to inundation by the local conservation district and the Natural Resource Conservation Service.
3. Disclaimers, Dedications and Certifications of Ownership – The following additional statements relative to water supply, sewage disposal, irrigation water rights, road maintenance, telephone services and dedication of land also need to be made on the plat under the conditions described.
- a. Private Roads and Streets – If the roads and streets within the plat are to remain private and no public maintenance is contemplated, the subdivider shall put a legend on the plat of the subdivision and on the contracts or agreements for the sale and purchase of lots within the subdivision showing in capital letters “NO PUBLIC MAINTENANCE OF STREETS OR ROADS”.
  - b. Private Sewage Disposal – If no public sewage disposal system is proposed by the subdivider, the words “NO PROPOSED PUBLIC SEWAGE DISPOSAL SYSTEM” in bold capital letters shall appear on the plat and all offers, solicitations, advertisements, contracts and agreements relating to the subdivision.
  - c. Private Water Supply.
    - Disclaimer Statement – If no water source other than individual wells is proposed by the subdivider the words “NO PROPOSED DOMESTIC WATER SOURCE” shall appear on the plat and all offers, solicitations, advertisements, contracts and other agreements relating to the subdivision in bold capital letters.
    - Availability Statement – If there is to be no proposed domestic source of water provided within the subdivision the subdivider shall include a statement on the plat, beneath the above required disclaimer statement, describing known conditions regarding the general availability of

ground water within the area. Such statement might refer to the well logs of neighboring wells or on site test wells. If no information is available regarding ground water the statement would simply say that no such information exists.

- d. **Surface Water Rights Disclaimer** – Whenever the subdivision is bounded or intersected by a natural stream or river the subdivider shall include an additional disclaimer statement in capital letters on the face of the plat to read as follows:

“STATE LAW DOES NOT RECOGNIZE ANY RIPARIAN WATER RIGHT. YOU SHALL HAVE NO RIGHT TO IRRIGATION WATER FLOWING PAST OR THROUGH THIS SUBDIVISION OTHER THAN THAT WHICH IS SPECIFICALLY ADJUDICATED OR APPROPRIATED TO YOUR LOT VIA THE STATE ENGINEERS OFFICE OR THE STATE BOARD OF CONTROL”.

- e. **Telephone Service Disclosure** – If telephone service cannot be provided to the subdivision by the telephone company servicing the area the subdivider shall include a telephone service disclosure statement on the plat of the subdivision and on all contracts or agreements for the sale and purchase of lots within the subdivision notifying all purchasers and prospective purchasers of the lack of such service.
  - f. **Certification of Ownership and Dedication Statement** – Every final plat shall contain a statement signed by the owners of record stating that they are in fact such owners and that they have caused such plat to be prepared and approve of its recording with the County of Fremont. The statement shall also contain appropriate wording indicating the subdivider’s intended disposition of roads, utility and irrigation easements etc.
  - g. Sample “Certification of Ownership and Dedication” statements can be found in the appendix at the end of these regulations.
  - h. **Mineral Estate** – The subdivider shall put a legend on the plat showing capital letters “THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE”.
4. **Certification of Plat Approval by Others** – The following certifications of approval from others must be placed on the final plat. Example certification of approval from others may be found in the appendix at the end of these regulations.
    - a. **Surveyor’s Certification** – Certification by a Wyoming licensed surveyor to the effect that the layout represents a survey made by him or her that

dimensional and other details are correct and that monuments have been set in accordance with these regulations.

- b. Cities and Towns Certifications – Certificate of approval by incorporated cities and towns, if applicable, in accordance with Wyoming Laws.
  - c. Board of County Commissioners’ Certification – Certification of approval by the Board of County Commissioners to be signed by the Chairman of said Board of County Commissioners and attested by the County Clerk.
  - d. County Clerk’s Certification – Certificate of recordation from the County Clerk.
  - e. Planning Commission Certification – Certificate of plat approval by the Chairman of the Planning Commission and attested by the County Clerk.
5. Improvement Construction Plans – Construction plans and specifications shall be prepared, when applicable, for the following proposed improvements. Two (2) copies of such plans shall be submitted with the final plat.
- a. Sewage collection and disposal.
  - b. Water supply and distribution systems including fire protection.
  - c. Irrigation water distribution systems.
  - d. Roadway and street construction including paving, gravel, curb and gutter where applicable.
  - e. Walkways.
  - f. Recreation area development.
  - g. Lighting.
  - h. Solid waste disposal.
  - i. Fencing and landscaping.
6. Drawings for the above facilities should show, where applicable, plan views, typical cross sections and vertical profiles.
7. Approval of Improvements Plans by Others – The following approvals from other must be obtained and evidence of such approval submitted with the final plat.