

FREMONT COUNTY SUBDIVISION REGULATIONS

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

<p>Filed with the Fremont County Clerk State of Wyoming January 20, 2009</p>
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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.

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.

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 – A parcel of land in Fremont County is defined as a parcel of land as described on a deed and received by an individual or corporation at a single point in time as a contiguous unit. Parcel descriptions that do not physically touch would be considered a separate parcel.

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.

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.

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.

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 (1) 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 dollars (\$100.00) 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 LOCATED WITHIN THIS PLAT AND ALL PROPERTY OWNERS WHO REQUIRE SERVICES BEYOND THIS SUBDIVISION”;
 - o. The fact that a plat is accepted does not ensure there are no errors or omissions.
3. Ingress and egress and utility easements shall be provided to each parcel by binding and recordable easements. Easements for utilities only shall be a minimum of twenty (20) feet in width. Easements for ingress and egress shall be a minimum of thirty (30) feet in width. Utility easements and ingress and egress easements shall not overlap.

All permanent drainage ways & water conveyances which deliver water, both incoming supply and irrigation waste water to another property owner, shall be accurately located and recorded on the final plat.

- a. The Fremont County Planning Commission shall receive and evaluate applications and submit a recommendation, both in an efficient and timely manner, to the Board of Fremont County Commissioners based on their findings. Adjacent landowners of the proposed subdivision shall be notified of the time and place of the planning commission meeting were the proposed development is to be reviewed.
 - b. The Board of Fremont County Commissioners shall review the application and shall approve or disapprove the simple subdivision application and issue a permit or ruling. The board of Fremont County Commissioners shall reserve the authority to apply reasonable restrictions, limitations, or modifications deemed necessary to protect bona-fide and legitimate health and safety issues related to, or caused by, the subdivision.
4. If, after the final approval of a simple subdivision the developer or owner of a lot or lots of that simple subdivision wishes to re-subdivide one or more lots within that subdivision the re-subdivision shall be reviewed under the provisions of the regular subdivision procedures and minimum standards.
5. Open Title Commitment: The subdivider shall submit an “Open Title Commitment” prepared by a title company to the Planning Department as part of the application packet.
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 50 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.

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.

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.
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.
- a. Water Supply and distribution – Whenever a central water supply and distribution system is proposed the plans for such system must be approved by the Wyoming Department of Environmental Quality.
 - b. Sewage Collection and Disposal – Whenever a centralized system of sewage collection and disposal is proposed the plans for such system must be approved by the Wyoming Department of Environmental Quality.
8. Irrigation Water – Water Rights. Prior to final approval by the Board of County Commissioners the subdivider shall provide:

- a. Evidence that the subdivider has submitted to the state engineer the documentation necessary to relinquish the water rights and has notified purchasers and the board of this action; or
 - b. Evidence that the subdivider has submitted to the state engineer the documentation necessary to change the use, place of use or point of diversion to provide for beneficial use of the water rights outside the subdivision; or
 - c. A plan, a copy of which was submitted to and approved by the state engineer 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 distribution of the water to the lots within the subdivision and shall include all appropriate applications for change of use, change of place of use, or change of diversion or means of conveyances in accordance with W.S. 41-3-103, 41-3-104 or 41-3-114; and
 - d. If the subdivision is located within an irrigation district or within lands served by a ditch, irrigation company or association or by an unorganized ditch, evidence that the plan has been submitted to the district board, company, or association, or the remaining appropriators in the case of an unorganized ditch for their review and recommendations; and
 - e. Evidence that the subdivider will specifically state on all offers and solicitations relative to the subdivision his intent to comply with this paragraph and that the seller does not warrant to a purchaser that he shall have any rights to the natural flow of any stream within or adjacent to the proposed subdivision. He shall further state that the Wyoming law does not recognize any riparian rights to the continued natural flow of a stream or river for persons living on the banks of the stream or river.
9. Utility Easements – The subdivider shall obtain approval of all proposed utility easements from those utility companies (electric, telephone, cable TV, gas, etc.) who will be providing service to the subdivision.
- a. The following note regarding utility easements shall be included on all plats:
 - “All utility rights-of-way and easements shown on this plat are for the benefit of all property owners located within this plat and all property owners who require services beyond this subdivision.”
10. Homeowners Association Documents – Whenever it is proposed that certain common facilities (e.g. roads, water systems, sewer systems, park areas etc.)

be owned and maintained by a homeowners association the subdivider shall submit with his final plat the following documents:

- a. Declaration of Restrictive Covenants – Such covenants must contain appropriate wording which will establish each person buying property within the subdivision as a member of the homeowners association.
 - b. Articles of Incorporations – Formal articles of incorporation signed by and filed with the Secretary of State.
 - c. By-Laws of the Association – By-laws of the association which set up all rules necessary for the internal operation of the association.
 - d. In the case of a phased development with multiple filings the homeowners association may be established at the final approval of the last phase or filing. The subdivider shall be responsible for maintenance of all common facilities, including but not limited to the cost and execution of the maintenance of roads to the level of Fremont County Road Standards, until the establishment of a homeowners association.
11. Evidence of Ability to Convey Title – The subdivider shall submit an “Open Title Commitment” prepared by a title company to the Planning Department as part of the application packet.
- a. The subdivider shall provide adequate evidence to demonstrate that:
 - 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
 - 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 encumbrances, subject only to a proportionate share of such taxes and assessments thereon as may be levied or assessed for the year in which such sale may be legally effected.
12. Public Notice Given – The subdivider shall furnish proof that he has published notice of his intent to apply for a permit once each week for two (2) weeks within thirty days prior to filing his permit application with the Board of County Commissioners.

13. Permit Application – When making formal application for a subdivision permit the subdivider shall submit a copy of a completed subdivision permit application form (copies available at the Planning Department) to the Board of County Commissioners. Such form shall be submitted at the time of meeting with the Board to obtain approval of the final plat.
14. Permit Fee – All applications for a subdivision permit shall be accompanied by the payment of a permit fee which shall be greater if either one hundred dollars (\$100) or ten dollars (\$10) per lot, up to a maximum fee of one thousand dollars (\$1,000). All fees shall be credited to the County general fund.
15. Recording Fee – All subdivision plats shall be accompanied by a recording fee of \$50.00 when submitted to the County Clerk and Records Office for official filing and recording.

Section 4. Self-Imposed Restrictions. (Restrictive Covenants) If the subdivider (owner) places restrictions on any of the land contained in the subdivision greater than those required by these regulations, such restrictions or reference thereto may be required to be indicated on the subdivision plat, or the Planning Commission may require that restrictive covenants be recorded with the County Clerk and Records Office.

CHAPTER IV
CONSTRUCTION AND MAINTENANCE OF IMPROVEMENTS

Section 1. Required Improvements. It shall be the responsibility of the subdivider to construct all required improvements within subdivisions and to make provision for the continued maintenance thereof. The following paragraphs describe those improvements that are required, the necessity to enter into a formal improvements agreement with the County and acceptable guarantees.

ON-SITE IMPROVEMENTS:

Type of Improvements	When Required
Monumentation	All Subdivisions
Streets and Roads	Regular Subdivisions
Storm Drainage	Regular Subdivisions
Primary Electric Service	Regular Subdivisions
Telephone Service	Regular Subdivisions
Central Water Supply	When an existing public system with adequate capacity is reasonably accessible: or, whenever lot density is such that private wells and septic systems cannot be permitted.
Central Sewer System	Whenever an existing public sewer system with adequate capacity is reasonably accessible; or, whenever the public health will be endangered by the operation of individual septic systems; or, whenever lot density is such that private wells and septic systems cannot be permitted.
Irrigation Distribution Systems	Whenever existing irrigation water rights are to be subdivided.
Recreational Areas	Mobile Home Parks
Walkways	Mobile Home Parks

Driveways	Mobile Home Parks
Service Buildings	Mobile Home Parks
Parking Spaces	Mobile Home Parks
Fire Protection	Mobile Home Parks and subdivisions with central water systems.
Street Lighting	Mobile Home Parks
Street Name and Traffic Safety Signs	All Subdivisions

1. Off-Site Improvements:

- a. Whenever access from a public road to a subdivision is to be provided over land that does not lie within the boundaries of the proposed subdivision it shall be the responsibility of the subdivider to improve said access road (if such improvement is necessary) to meet the minimum standards for roadway development within subdivisions contained within these regulations.
- b. Whenever, in the opinion of the County, a proposed subdivision will create a traffic burden on an existing public road that will require major improvements in order to protect the health, safety, and welfare of the public the County will reserve the right to deny approval of such subdivision until the subdivider has entered into a formal agreement with the County to share a proportionate part of the costs necessitated by the construction of the subdivision.
 - The proportionate share to be paid by the subdivider shall be in accordance with the proportionate share of the total traffic on said road contributed by the proposed subdivision if fully developed and occupied.
 - The subdivider's share and manner and method of payment shall be included in a separate agreement mutually acceptable to the County and the subdivider.

Section 2. Agreement to Install Improvements.

1. Prior to final plat approval by the County the subdivider shall have executed an agreement between himself and the County providing:

- a. An estimate of all materials, labor and cost thereof to complete all required improvements.
 - b. Specified completion date.
 - c. That all improvements will be constructed in accordance with the minimum standards established within these regulations.
2. If the subdivider wishes to complete the development of the subdivision in several phases, separate improvements agreements shall be entered into for each phase before the final plat is approved.

Section 3. Performance Guarantee. Prior to the granting of final approval by the board of County Commissioners the subdivider shall provide evidence to the Board that adequate financial resources are available to complete all improvements specified within the performance agreement. The applicant shall provide such evidence by depositing on of the following three items with the Board:

1. Performance Bond – The subdivider shall deposit with the County a subdivision performance bond obtained from a surety bonding company authorized to do business in the State of Wyoming. The bond shall be payable to the County and shall be in an amount equal to the entire cost, as estimated by the subdivider and approved by the Planning Commission, of installing all contracted improvements. The duration of the bond shall be until such time as the improvements are accepted by the County and the surety bonding company is formally notified by the Board of County Commissioners of such acceptance.
2. Escrow Account – The subdivider shall deposit cash, or other instrument readily convertible to cash at face value, either with the County or in escrow with a bank. The use of any instrument other than cash, and, in the case of an escrow account, the bank with which the funds are deposited, shall be subject to the approval of the Board of County Commissioners. The amount of the deposit shall be at least equal to the cost, as estimated by the subdivider and approved by the Planning Commission, of installing all required improvements.
 - a. In the case of an escrow account, the subdivider shall file with the Board of County Commissioners (to be retained within the Planning Department file) an agreement between the financial bank and himself guaranteeing the following:
 - Funds equal to or greater than the estimated cost of the required improvements within the subdivision have been placed on deposit with said bank. (The actual amount on deposit shall be indicated on the agreement.)

- That the funds of said escrow account shall be held in trust until released by the Board of County Commissioners and may not be used or pledged by the subdivider as security in any other matter during that period.
 - And in the case of a failure on the part of the subdivider to complete said agreements, then the bank shall immediately make the funds in said account available to the County for use in the completion of those improvements.
3. Letter of Credit – The subdivider shall provide, from a bank or other reputable financial institution subject to approval of the Board of County Commissioners, an irrevocable letter of credit. This letter shall be deposited with the Board of County Commissioners and retained within the Planning Department file. Said letter of credit shall certify the following:
- a. That the creditor does guarantee funds in an amount equal to the cost, as estimated by the subdivider and approved by the Planning Commission, of completing all required improvements.
 - b. That in the case of failure on the part of the subdivider to complete the specified improvements within the required time period, the creditor shall pay to the Board of County Commissioners immediately, and without further action, such funds as are necessary to finance the completion of those improvements up to the limit of credit stated in the letter.
 - c. That this letter of credit may not be withdrawn, or reduced in amount, until released by the Board of County Commissioners.

Section 4. Release of Performance Guarantee. From time to time as the required public improvements in a subdivision are completed, the subdivider shall apply in writing to the County for partial or full release of collateral. Upon receipt of such application, the County or its agent shall inspect the public improvements which have been completed. If the County determines from such an inspection that the improvements have been made in accordance with the final plat and the requirements of these regulations, a portion of the collateral shall be released; however, collateral sufficient to cover the cost of the uncompleted improvements shall be retained.

Section 5. Performance Guarantee Alternative. As an alternative procedure and at the request of the subdivider, the Board of County Commissioners may approve a final plat and instruct the Planning Department to retain said plat from recording until such time as all improvements are completed in accordance with County standards. This procedure, when approved by the Board of County Commissioners shall be in lieu of the performance guarantees described previously. An executed performance agreement as approved by the Board of County Commissioners shall still be submitted with the final

plat. The performance agreement shall require that all improvements be completed within a specified time period approved by the Board of County Commissioners. When the required improvements are completed, inspected and found to be in accordance with County standards and the approved drawings and specifications the Planning Department will notify the subdivider that the plat may then be recorded. After the plat is recorded with the County Clerk and Recorder's Office the sale of lots may proceed according to the approved and recorded plat.

Section 6. Maintenance of Improvements. It shall be the responsibility of the subdivider to maintain all improvements within the subdivision until such improvements are formally accepted by the County by official motion of the Board of County Commissioners or until conveyed to a homeowners association legally incorporated and recorded with the Wyoming Secretary of State's Office.

1. It is the policy of the Board of County Commissioners that subdivision roads may be accepted for maintenance only under the following conditions:
 - a. Roadways within the subdivision are dedicated to public use.
 - b. All roadway surfaces have been constructed and maintained to meet County subdivision regulation standards.
2. Roadways which are not up to County standards at the time maintenance is requested will not be accepted until they are brought up to such standards (currently in effect at the time of acceptance).
 - a. All access driveways to occupied lots are constructed in accordance with the "Rules and Regulations for the Construction of Access Driveways and Turnouts to Fremont County Roadways" as adopted by the Board of County Commissioners.
 - b. Seventy-five percent (75%) of all the lots within the subdivision have been sold, built upon, and occupied as year round residences.
 - c. A written request for such maintenance is made to the Board of County Commissioners by either the subdivider, a majority of the landowners, or a homeowner's association.

CHAPTER V
DESIGN PRINCIPLES AND IMPROVEMENT STANDARDS
REGULAR SUBDIVISIONS

Section 1. General Provisions.

1. Conformance with Existing Land Development Regulations, Ordinances and Standards – Every subdivision shall conform to existing land development regulations, ordinances and standards as adopted by the Board of County Commissioners and to Wyoming State Statutes.
2. Design Standards General – The design and development of subdivisions shall preserve, insofar as possible, natural terrain, natural drainage, existing top soil and existing trees.
3. Site Considerations:
 - a. Steep land, unstable land and areas having inadequate drainage shall be noted and unless acceptable provisions are made for eliminating or controlling problems which may endanger health, life or property, such areas shall not be platted for residential occupancy.
 - b. Any land in a natural drainage channel shall not be platted for occupancy unless adequate provisions to eliminated or control flood hazards are made and approved. The provisions shall be made to protect the health, safety, and welfare of the public, as well as to eliminate any flood hazard resulting from the development of the area.

Section 2. Monumentation.

1. Permanent monuments of either concrete or iron shall be located flush with the ground in the following locations and capped with metal caps showing LS# and location. Whenever a boundary or public monument falls within a platted street right-of-way it shall be protected by a metal box.
 - a. Angles in the external boundary of the subdivision.
 - b. Subdivision boundary at least every twelve hundred feet (1200’).
 - c. Subdivision boundary corners.
 - All lot corners, angle points and points of curve shall be monumented in the field by iron pipes three quarters (3/4) of an inch in diameter by twenty-four (24) inches long. Iron pipe and iron bar monuments shall

be capped with a standard aluminum surveyor's cap containing sufficient information to identify the location of the monument and LS#.

Section 3. Roadway Ownership and Maintenance.

1. Ownership – All roadways within subdivisions shall be constructed over a land parcel separate from the area included within the lots that is either dedicated to public use or to a legally created subdivision homeowners association. In the case of a phased development with multiple filings the homeowners association may be established at the final approval of the last phase or filing.
2. Maintenance – The subdivider shall make legal provisions for the maintenance of subdivision roads either by Fremont County or a homeowners association. (See Chapter IV, Section 6 of these regulations) The subdivider shall be responsible for maintenance of all common facilities, including but not limited to the cost and execution of the maintenance of roads to the level of Fremont County Road Standards, until the establishment of a homeowners association.

Section 4. Location and Arrangement.

1. Half-Roads – Half roads shall be prohibited except where it is necessary to provide right-of-way proposed by existing land development regulations, ordinances, and standards to complete a road pattern already begun, or to insure reasonable development of adjoining lands where a platted half-road exists abutting the subdivision.
2. Dead-End Roads – Dead end roads shall be prohibited except in locations necessary for future road connections to adjacent lands.
3. One-Way Roads – One-way roads shall be subject to approval.
4. Access – Two (2) points of access to the subdivision should be provided when there are fifteen (15) or more lots proposed or when the potential for more than fifteen (15) lots exists.
5. Roads shall conform to existing Roadway Master Plan if adopted.
6. Roads shall be aligned to join the planned or existing roads.
7. Roads shall be designed to bear a logical relationship to the topography.
8. Roadways shall be extended to adjacent land boundaries when in the Planning Commissions opinion such roadways will improve access to potentially developable lands and would facilitate the development of a coordinated road

system within a developing area. Factors to be taken into consideration when making such a requirement shall include but not necessarily be limited to the following:

- a. Physical suitability of adjacent lands for future development.
- b. Present development trend within the area revealed from on-site observations.
- c. Future development trends anticipated within various County planning needs.

Section 5. Roadway Design and Construction.

1. Road Design – Road design performance standards may be found in Table 1. It should be noted that these standards do not include on-street parking. Roads expected to bear heavy commercial or industrial traffic are not included. Their design should be determined on a case by case basis with the assistance of a professional engineer.
2. Road Construction Practices – All road construction practices and materials shall be in conformance with the latest edition of “Standards and Specification for Road and Bridge Construction” published by the Wyoming Department of Transportation.
3. Road Sub-grades – Roads extending across soils designated as having severe or moderate limitations on local road building by the Natural Resource Conservation Service shall 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 other measures.
4. Base and Surface Courses, Pavement:
 - a. Gravel Roads – The minimum acceptable base is six (6) inches of pit run course aggregate or equivalent native material approved by a professional engineer. The minimum acceptable surface course is two (2) inches of crushed course aggregate, Wyoming Highway Grading W.
 - b. Paved Roads – The minimum acceptable base is four (4) inches of crushed course aggregate. The minimum acceptable pavement is two (2) inches of bituminous pavement, a chip seal of sand and gravel wearing course shall be applied.
5. Signs – The developer shall install “Stop” and “Yield” signs as are required in Table 1 at all street access points to state, federal, and county roads.

6. Bridges and Culverts

a. Bridges – Shall be designed by a licensed professional engineer. Bridges shall be inspected by the designing engineer or authorized representative during construction and certified by the designing engineer that the bridge was constructed as designed. Bridge design shall meet the standards and specifications of the Wyoming Department of Transportation. All bridges shall be designed to pass the storm water runoff event of a 100-year storm without damage to the bridge structure, abutments, adjoining roadbed or surrounding properties. The bridge shall be designed with adequate freeboard to accommodate the passage of anticipated debris loads. Abutments shall be so designed that they are protected from erosion caused by natural stream flow.

b. Culverts

➤ Minor Culverts – Culverts placed within the internal road system within a subdivision shall be designed to pass the storm water runoff of a 10-year storm without inflicting damage to the roadway or surrounding properties.

➤ Major Culverts – Culverts placed under single access roadways to subdivisions shall be designed to pass the storm water of a 25-year storm without inflicting damage to the roadway or surrounding properties. If such culvert required is to be larger than 48 inches in diameter the storm frequency designed for shall be increased to the 100-year storm.

7. Cattle Guards – Cattle Guards, when required, shall be the same width as the required roadway surface and meet the standards and specifications of the Wyoming Department of Transportation.

8. Dead-End Roads (Temporary) – Whenever it is necessary to continue roadways within a subdivision to the property boundary to provide for extension onto adjacent properties that may be developed at a later date such roadways shall be terminated with a T or L shaped turnaround. Such turnaround shall be constructed within a special easement provided for such purpose. It shall be noted on the plat that the land area outside the normal road right-of-way within the special easement shall revert to abettors whenever the street is continued.

TABLE 1 – ROAD DESIGN STANDARDS

ADT	Through Rds.		Internal Rds.		Mt. Rds.
	(>250)	(<250)	(>250)	(<250)	
Design Speed	40-50	30-50	30	20-30	20
Traveled Way Width	24 ft.	24 ft.	22 ft.	20 ft.	18 ft.
Surface Type	Gravel	Gravel	Gravel	Gravel	Gravel
Minimum Grade	0.3%	0.3%	0.3%	0.3%	0.3%
Maximum Grade	8%	10%	8%	10%	12%
Cross Slope	2%	2%	2%	2%	2%
R-O-W	60 ft.	60 ft.	60 ft.	50 ft.	50 ft.
Shoulder	4 ft.	2 ft.	2 ft.	2 ft.	2 ft.
Max. Fore Slope	2:1	2:1	2:1	2:1	2:1
Max. Back Slope	2:1	2:1	2:1	1:1	1:1

Guardrail shall be required for fore slopes steeper than 2:1.

Intersections “T” intersections preferred over 4-way; aligned within ten (10) degrees of perpendicular within 100 feet of the intersection; 125 minimum offset.

Maximum vertical gradient of the intersecting street shall not exceed three (3) percent for a minimum of 50 feet preceding intersection.

Traffic Signs – Through roads ADT 250+ shall be protected by “stop” signs.

Through roads ADT 250- shall be protected by “yield” signs.

Cul-de-sacs – Right-of-way radius 35 feet.

Traveled surface radius 25 feet.

Drainage Ditches – Wide shallow parabolic or broadly triangular borrow pits ditches. These shall be appropriately reseeded after construction.

Vertical Clearance – Minimum of 18 feet on all roads.

Section 6. Blocks and Lots.

1. Blocks – Block length and widths shall be suitable for the uses contemplated and shall be adequate for requirements pertaining to minimum lot sizes and dimensions. Block lengths exceeding fifteen hundred feet (1500') shall be discouraged.
2. Lots - The following guidelines shall apply to the layout of lots;
 - a. Lots that are to contain both private septic and water systems shall contain a minimum of one (1) acre.
 - b. Lots that are to contain only private water or septic systems (but not both) shall contain a minimum of one-half (1/2) acre.
 - c. Lots that are to receive both centralized water and sewer services shall contain a minimum of 7,200 square feet.
 - d. Lot dimensions and minimum areas shall be at least as large as required by other applicable regulations.
 - e. Lots of a larger size than specified in paragraphs (a) through (d) may be required whenever evidence submitted by others, gained from on-site review, reveal conditions that indicate high probability of slope failure or severe erosion if development occurs at the intensities normally allowed. Reports submitted by the National Resource Conservation Service, registered Civil Engineers, Engineering Laboratories and other qualified professionals having expertise in soils, geology, and hydrology shall be considered as adequate evidence. Persons wishing to appeal the larger lot size requirement shall accompany such an appeal with a commitment; to be contained in the required Public Improvements Agreement, formally recorded restrictive covenants etc., to implement modern engineering practices and techniques to prevent such probable slope failure and erosion. Such practices and techniques must be outlined in a formal written report prepared by a Wyoming Registered Civil Engineer regarding the specific site in question.
 - f. Each Lot shall have vehicular access to a public street.
 - g. Lots with double frontage shall be avoided, except where essential to provide separation from major arterials or from incompatible land use.
 - h. Side lot lines shall be substantially at right angles or radial to street lines.
 - i. Cross-walks shall be provided through blocks exceeding one thousand feet (1,000') in length.

- j. Lots that have a depth to width ratio of greater than 3 to 1 shall be discouraged.

Section 7. Pedestrian Ways. Pedestrian ways with a right-of-way width of ten (10') may be required where, in the opinion of the Board of County Commissioners, they are necessary for pedestrian circulation within the subdivision or access to community facilities. The extent of improvements required for pedestrian ways shall be considered on an individual basis. Pedestrian ways of greater or lesser width may be required by the Board of County Commissioners.

Section 8. Storm Drainage. The responsibility for the provision of adequate drainage within all subdivisions shall be that of the subdivider. All subdivision plans shall include provisions for adequate storm drainage as shown in the FHA's minimum grading standards.

1. Storm Drainage Requirements

- a. All subdivision lots shall be graded or in such a natural state that storm waters are positively drained away from all building foundations.
- b. Minimum lot surface slopes shall be two percent (2%).
- c. No lots shall be created which shall impound surface water runoff from adjacent lots.
- d. The velocity of flow in an open ditch shall not exceed four feet (4') per second in soil ditches or six feet (6') per second in grass ditches. Paved gutters will be required if velocities are greater than those specified or if it is otherwise likely that destructive erosion will result.
- e. Where drainage swales or ditches are necessary to provide uninterrupted drainage throughout the subdivision adequate easements shall be provided and deed restrictions and/or covenants shall be established that will prevent individual lot owners from altering or in anyway obstructing said drainage ways.

Section 9. Water Supplies.

1. Existing Public System – Whenever an existing public water system with adequate capacity is reasonably accessible connection with that system shall be utilized and service shall be provided to each lot. The subdivider shall, at the time of final plat submission provide written certification from the municipality or public agency that it does in fact intend to provide said water supply services.

2. Private Centralized System – A private centralized system may be required by the Board of County Commissioners when, in their opinion, adequate and suitable water cannot be provided to each lot on an individual well basis. In such instances, said system must be built in accordance with the requirements of, and be approved by, the Wyoming Department of Environmental Quality.
3. All domestic community water supply and distribution systems must be certified by the designing engineer that the system was constructed as designed or if altered that all changes and alterations meet applicable design and construction standards.
4. Private Wells – Individual wells will be permitted in subdivisions that are not accessible to an existing public water system and where no centralized system is proposed. Individual well permits must be obtained from the State Engineer.

Section 10. Irrigation Water Distribution.

1. Distribution System – Whenever existing irrigation water rights are to remain with the land and be allocated to the resultant lots created by the subdivision, the subdivider shall be responsible for the design and construction of a water distribution system in accordance with guidelines adopted by the State Engineer’s Office. (A copy of which is available at the County Planning Department.) The water distribution system shall include all ditches, tiles, diversion structures, metering devices, etc., necessary for the continued withdrawal of the water appropriated to each lot.
2. Management System – It shall be the responsibility of the subdivider, when irrigation rights are to be divided and appropriated to the several lots within the proposed subdivision to include irrigable acreage figures on each lot on the final plat and to establish through the use of covenants, an irrigation organization composed of those persons who own irrigated land within the subdivision. Said covenants shall make provisions for water management within the subdivision including the designation of one representative to be responsible for coordinating water distribution to the individual lots and for requesting water delivery from the irrigation or ditch company serving the area.

Section 11. Sewage Disposal.

1. Public System – Public sanitary sewers shall be installed in all subdivisions that are reasonably accessible to an existing or planned public sewer system. Sewage disposal systems constructed shall conform to the requirements of, and be approved by, the Wyoming Department of Environmental Quality.

2. Private Centralized System – Private Centralized sewage treatment systems may be required by the Board of County Commissioners, when in their opinion, the public health will be endangered by the operation of individual absorption fields. If such systems are required, they shall be constructed in accordance with the requirements of, and be approved by, the Wyoming Department of Environmental Quality.
3. All domestic community sewage systems must be certified by the designing engineer that the system was constructed as designed, or if altered all changes and alterations meet applicable design and construction standards.
4. Private Septic Fields – Individual septic disposal systems may be constructed only in areas that are not reasonable accessible to a public sewer system. Such individual systems must be constructed in accordance with the requirements of the Water Quality Rules and Regulations of the Wyoming Department of Environmental Quality and Fremont County.

Section 12. Fire Protection. Whenever a subdivision is to be serviced with a community or centralized water system the following fire protection requirements shall be met.

1. There shall be adequate water system storage capacity to provide 5,000 gallons of water in storage at all times for fire protection services.
2. There shall be a minimum of one (1) fire hydrant having national Standard threads serviced by a 6 inch water main conveniently located and easily accessible for fire department drafting operations.

Section 13. Utilities. All utilities such as electricity, telephone, gas, etc. shall be located underground within easements (15 feet minimum in width) provided for such placement.

1. Variances may be granted by the Board of County Commissioners when, in their opinion, the underground placement is not physically or financially feasible. Conditions under which the underground placement of electric and telephone lines may be of questionable feasibility would include:
 - a. Areas of extreme rockiness.
 - b. Areas heavily irrigated or sub-irrigated.
 - c. Subdivisions with an average lot size over 4 acres.
 - d. Subdivisions previously platted in which the subdivider did not install the primary electric service. (Prior subdivision regulations did not require the subdivider to install utilities.)
 - e. Industrial park subdivisions.

Section 14. Solid Waste Disposal. The open dumping of solid waste within the County is strictly prohibited. Solid waste must be both hauled to and deposited in an existing public sanitary landfill, or when this is impossible, a private solid waste disposal site shall be created which shall comply in every respect with the requirements of the Solid Waste Division of the Wyoming Department of Environmental Quality.

Section 15. Road Naming Principles & Signs.

1. Principles
 - a. Road names and suffixes shall be designated by the subdivider subject to approval by the Planning Commission.
 - b. Be short (under twelve (12) letters if possible).
 - c. Have a simple spelling and easy pronunciation.
 - d. Be related to the type of importance of the street. For example, the terms “Boulevard” and “Parkway” should be used only when the street being names is a divided street with a landscaped median.
 - e. Bear the same name as the existing street when the proposed street will be connected to and extend the existing street.
2. Signs – Road name signs shall be installed at all road intersections within every subdivision and shall be of such design and material as approved by the County.

CHAPTER VI
MOBILE HOME PARKS
PROCEDURAL REQUIREMENTS AND DESIGN STANDARDS

Section 1. Purpose. The purpose of this Section is to set forth those procedural, information and design requirements for mobile home parks which are different from those for regular conventional subdivisions. Unless otherwise stated in this Section all other procedural, information and design standards may be assumed to be the same as those for regular subdivisions.

Section 2. Procedural and Information Requirements. All applications for mobile home park subdivisions shall be made in accordance with the procedures established in Chapter II of these regulations and shall contain all information and supporting data required within Chapter II of these regulations as modified by the following:

1. Preliminary Plats
 - a. Location of common storage area, when applicable.
 - b. Location of common recreation areas.
 - c. Location of proposed buildings, when applicable.
 - d. Location of solid waste collection points.
 - e. Location of fire protection facilities.
 - f. Location of proposed lighting.
 - g. Location of common walkways.
 - h. Landscaping and fencing scheme when applicable.
 - i. Typical mobile home lot plan drawn to scale of 1"=10' including lot boundaries, mobile home stand and surface grading, utility connections and parking spaces.
2. Final Plats
 - a. The final mobile home park subdivision plat (2 copies) containing or accompanied by all information, certifications and reports required in Chapter III, Section 3 of these regulations as modified by the following:
 - b. Lots Not to Be Sold

- c. If the lots within the mobile home park are not to be sold it will not be necessary to provide evidence of unencumbered ownership or other ability to convey a clear title to lot purchasers.
 - d. Monumentation of lot corner will not be required if lots are not to be sold. External boundary line description will still be necessary however.
3. Additional Engineering Information – The following engineering and design information in addition to the requirements of Chapter III, Section 5 on page 42 shall be supplied with mobile home parks.
- a. Location and design of refuse collection facilities.
 - b. Fencing location and details, if applicable.
 - c. Location and design of fire protection facilities.
 - d. Development plans of recreation areas.
 - e. Lighting location and design.
 - f. Service building floor plan, when applicable.
4. Additional Certification 2 – Certification from the electric utility company providing services to the mobile home park that the lighting plan complies with the design standards contained within these regulations.

Section 3. Design and Construction Standards.

1. General
- a. No part of a mobile home park shall be used for non-residential purposes unless such use is in conformance with non-residential uses specified on the plat. Noting contained in this section shall prohibit the sale of mobile homes located in the mobile home park and connected to services.
 - b. Sale or transfer of title to lots within mobile home parks shall not occur until all requirements of the Fremont County Subdivision Regulations have been met, including the submittal of evidence of property ownership and ability to convey a clear title to lot purchasers.
 - c. Conditions of soil, ground water level, drainage and topography shall not create hazards to the property or adjacent properties, or to the health and safety of the occupants.

2. Density

- a. The maximum density of mobile home parks shall be regulated by the separation requirements and recreation area requirements as set forth in these regulations. Density will vary with different sizes of mobile home units, accessory structures used in the park and the type of layout proposed.
- b. No more than one (1) mobile home shall be located on one (1) mobile home lot.
- c. The accumulated occupied area of the mobile home and its accessory structures on a single mobile home lot shall not exceed one half (1/2) of the respective area.

3. Recreation Requirements

- a. All mobile home parks containing fifteen (15) or more mobile homes shall reserve, in a convenient location a minimum of six (6%) percent of the gross area of the mobile home park or not less than five thousand square feet, whichever is greater, for recreational development. These reserved areas shall contain recreational facilities and apparatus for children that shall include three (3) of the following or similar facilities; slides, swings, climbers, sand pits, tether ball, or volley ball courts, paved sidewalks or other areas for roller skating and bicycling. The mobile home park plan shall include development plans for the common recreation areas.
- b. The area reserved for recreation shall not include any area designated as a roadway, mobile home space, storage area, or any area required for setbacks. Such recreation areas may be used as temporary storm water detention areas.
- c. Storage Areas – It is recommended that an outdoor storage area surfaced with gravel or a similar substance for boats, boat trailers, camping units, horse trailers etc. be provided within the mobile home park in an amount equal to or greater than one hundred (100) square feet per individual mobile home lot within the mobile home park. Enclosure and screening of the area with a wall or fence approximately six (6') feet in height is also recommended.

4. Setbacks and Clearances

- a. Mobile homes shall be so located on each mobile home lot so that there shall be a minimum setback of twenty-five (25) feet from any building within the park, ten (10) feet from any front property line of a public

collector or arterial road. Setback requirements shall not apply to accessory structures on the respective mobile home lots.

- b. Minimum clearance between mobile homes shall be twenty-five (25) feet. Minimum clearance between accessory structure and a mobile home on an adjacent lot shall be fifteen (15) feet.
5. Location Identification – Each mobile home lot shall be numbered or lettered and such number or letter shall be a minimum of three (3) inches in height and shall be placed on a permanent marker or stand, on front of the mobile home in such a position as to be easily read at or near the access driveway.
6. Roadways
 - a. General – All mobile home spaces shall front upon a roadway fully within the boundaries of the park. Said roadways shall have an unobstructed access to a public road. No mobile home lot within a mobile home park shall be permitted to have direct access on to existing roads outside the mobile home park.
 - b. Right-of-way – Minimum 50 feet.
 - c. Traveled Way Width – Minimum 24 feet (on street parking prohibited).
 - d. For all other aspects of road design and construction, bridges, culverts, signing etc. see Chapter V, Sections 4 and 5 of these regulations.
7. Walkways
 - a. Walkway Location – All mobile home parks shall be provided with safe convenient all season walkways a minimum of three feet (3) in width between park streets and common facilities provided for park residents.
 - b. Walking Surface – All walkways shall be surfaced with a minimum of four inches (4) of concrete or two inches (2) of asphalt pavement.
8. Lighting Design – All streets, common walkways, recreation areas, storage areas, common parking areas shall be illuminated in such manner that light intensity at eye level shall be within a range of 0.5 to 4.0 foot candles. It is intended that lighting within the above mentioned areas be at relative low levels adequate for security purposes without excessive glare or dark spots.
9. The Mobile Home Lot
 - a. The location of lots on the ground shall be in accordance with the approved and recorded plat.

b. Lot Area – Forty five hundred square feet minimum.

10. Mobile Home Stand

a. All mobile home lots shall contain a mobile home stand area graded and surfaced as to provide a stable well-drained foundation for the anticipated mobile home.

b. Lot area grading around the mobile home stand shall provide positive surface drainage away from the mobile home unit.

11. Driveways – Improved driveways, surfaced with a minimum of two (2) inches of gravel, a minimum of ten (10) feet in width shall be provided on each mobile home lot. A parking turnout may be considered as the required driveway.

12. Parking – The design criteria for vehicle parking shall be based upon two (2) parking spaces per mobile home lot. Parking spaces may be either located on each mobile home lot or in other common areas off of the mobile home park streets. Each parking space shall have a minimum dimension of nine (9) feet by twenty (20) feet. All common parking areas shall be surfaced with a minimum of 4 (4) inches of compacted gravel with a maximum aggregate size of two (2) inches. Individual or lot parking spaces shall be surfaced in the manner required above for driveways.

13. Skirting and Tie Downs – In order to conserve on heating costs, prevent water and sewer lines from freezing, avoid overturning and improve on general appearance it is strongly recommended that all mobile homes be skirted with masonry, masonite, aluminum, wood and other durable material and that they be securely anchored.

14. Accessory Structures – Accessory structures may be constructed to provide additional storage benefit to the individual mobile home, such a structure shall not be used as a complete independent living unit. Accessory structures shall not obstruct required openings for light and ventilation of the mobile home, nor shall they be located so as to prevent inspection of mobile home utility connections.

Section 4. Fire Protection.

1. Parks With Less Than Fifty Units – Mobile home parks designed for less than fifty (50) units shall provide on-site fire hydrant for water drafting operations by the local fire district and water storage facility containing a minimum of five thousand (5,000) gallons of water for fire fighting purposes

at all times. This requirement may be waived if one of the following conditions exists:

- a. The local fire district warden has determined that a sufficient supply of water is available from a pond, stream, reservoir, hydrant or other source within one (1) mile of the park.
 - b. The park contains less than twenty-five (25) mobile homes and the spacing between all units is a minimum of forty (40) feet.
2. Mobile Home Parks With Over Fifty Units – Mobile home parks designed for fifty (50) or more mobile homes shall contain fire protection facilities designed in accordance with the following:
- a. Storage – All mobile home park water systems shall contain sufficient storage over and above that required for normal domestic use to provide the following minimum supply for fire protection.

Number of Mobile Home Units	Minimum Water Storage for Fire Protection
50-99	7,500 gallons
100 and over	10,000 gallons
50-100	Hydrants – Fire hydrants equipped with national standard threads shall be located throughout the mobile home park in sufficient number and of such spacing as to be within three hundred feet (300) of each mobile home stand.

Section 5. Service Building.

1. Service Building – Each mobile home park which permits dependent units of any kind shall be provided with a service building equipped with toilet and bath facilities for each sex; The number of facilities required shall be in a ratio as stated in the following table:

# of Parking Spaces	Toilets M – W		Urinals	Sinks M – W		Showers M – W		Other
1-15	1	2	2	2	2	2	2	
16-30	2	3	3	3	3	2	2	
31-45	3	4	3	4	4	3	4	
46-60	4	5	4	5	5	5	6	
61-80	4	5	4	5	5	5	6	

All service buildings must have a minimum of one slop sink.

Note: For determination of the needed plumbing fixtures, all unit spaces not served by a sewer connection and within three hundred (300) feet radially of the service building will be considered as available for utilization of dependent travel trailer, truck campers, tents and tent unit.

CHAPTER VII
MODIFICATION AND VARIANCE OF REGULATIONS

Where, in the opinion of the Board of County Commissioners, there exists extraordinary conditions of topography, land ownership, environmental conditions or other circumstances which would better serve the interests of the public, the Board of County Commissioners may modify or vary the provisions of these regulations in such a manner and to the minimum extent necessary to carry out the intent of these regulations. Any modification and variance desired by the subdivider to the provisions of these regulations shall be contained in a letter filed by the subdivider at the time of preliminary plat submittal to the Planning Department.

CHAPTER VIII
AMENDMENTS

The Board of County Commissioners may amend these regulations from time to time as necessary and appropriate. Any such amendments shall be proposed by or submitted to the Planning Commission for approval, disapproval or recommendation. Any amendment of these regulations must be accomplished by a majority vote of the Board of County Commissioners. Before final adoption of any amendment, the Board of County Commissioners shall hold a public hearing preceded by a forty-five (45) day notice to the general public in a newspaper of general circulation in the County.

CHAPTER IX
SEVERABILITY

If any provision of these regulations be held invalid by a court or competent jurisdiction, such invalidity shall not affect other provisions which can be given effect without the invalid provisions, and to this end the provisions of these regulations are declared to be severable.

CHAPTER X
REPEAL OF PREVIOUSLY ADOPTED REGULATIONS

All subdivision regulations and public improvement standards previously adopted by the Board of County Commissioners of Fremont County are hereby repealed.

CHAPTER XI
PROHIBITION AGAINST CIRCUMVENTION OF THESE REGULATIONS

No person, firm, corporation or other legal entity shall hereinafter sell, lease, or agree to sell, contract to sell or transfer any lot, piece or parcel of land which constitutes a subdivision, as defined by these regulations and Wyoming State Statutes, until after the plat thereof has been recorded in accordance with the provisions of these regulations and other applicable laws and regulations.

CHAPTER XII VIOLATIONS AND PENALTIES

Any person who willfully violates any provision of these regulations or any rule or order issued under these regulations, and any person who, as an agent for a subdivider, developer or owner of subdivided lands, offers for sale any unsubdivided lands or subdivision without first complying with the provisions of these regulations shall, upon conviction, be fined not more than five hundred (500) dollars or be imprisoned in the county jail for not more than thirty (30) days or be punished by both fine and imprisonment. Each day of conviction constitutes a new offense.

CHAPTER XIII MISREPRESENTATION PENALTY

Any person who knowingly authorizes, directs or aides in the publication, advertisement, distribution or circulation of any false statement or misrepresentation concerning any subdivision for sale, in this or any other state, and every person with knowledge that any such advertisement, prospectus, pamphlet or letter concerning land or any subdivision thereof contains any written statement that is false or fraudulent in any material part of who issues, circulates, publishes or distributes the same, or causes the same to be circulated, published or distributed, shall upon conviction be imprisoned for a period not to exceed thirty (30) Days or be fined not to exceed five hundred (500) dollars. Each day of violation constitutes a new offense.

CHAPTER XIV INVESTIGATORY POWERS

Section 1. Right to Investigate. If the Board of County Commissioners has reason to believe that a person has engaged in activity which violates any provision of these regulations, it shall make an investigation and to the extent necessary, may administer oaths or affirmations and upon its own motion or upon request of any party, may subpoena witnesses, compel their attendance, adduce evidence, and require the production of any matter which is relevant to the investigation, including the existence, description, nature, custody, condition and location of any books, documents or other tangible things and the identity and locations of persons having knowledge or relevant facts or any other matter reasonably calculated to lead to the discovery of admissible evidence.

Section 2. Right to Obtain Records. If any person subject to the provisions of these regulations has records required in Section 1 located outside this state, the person shall either make them available directly to the Board of County Commissioners or its representative to examine them at the place where they are maintained. The Board of County Commissioners may designate representatives, including comparable officials of the State where the records are located, to inspect them on the Board of County Commissioners behalf.

Section 3. Right to Apply to District Court. Upon failure without lawful excuse to obey a subpoena or to give testimony and upon reasonable notice to all persons affected thereby, the Board of County Commissioners may apply to any District Court for an order compelling compliance.

CHAPTER XV
APPEALS

A decision of the Board of County Commissioners may be reviewed by the District Court and the Wyoming State Supreme Court as set forth in Wyoming Statutes 18-5-203.

CHAPTER XVI
ADOPTION

This resolution setting forth various rules, regulations and development standards applying to the subdivision of land and the platting thereof within Fremont County, Wyoming shall be in full force and effect after its adoption by the Board of County Commissioners and its proper filing with the County Clerk and Recorder in accordance with the requirements of the Wyoming Administrative Procedures Act.

APPROVED AND ADOPTED THIS 13th DAY OF January, 2009.

Board of County Commissioners
Fremont County, Wyoming

(Signature on File)

Douglas L. Thompson, Chairman

Pat Hickerson, Vice Chairman

(Signature on File)

Dennis Heckart, Commissioner

Keja Whiteman, Commissioner

(Signature on File)

Dennis Christensen, Commissioner

ATTEST:

(Signature on File)

Julie Freese, County Clerk

SURVEYOR'S CERTIFICATION

I, _____, do hereby certify that I am a registered land surveyor licensed under the laws of the State of Wyoming, that this plat is a true, correct and complete plat of the _____ as laid out, platted, dedicated and shown hereon, that such plat was made from an accurate survey of said property by me and under my supervision and correctly shows the location and dimensions of the lots, easements, and streets of said subdivision as the same are staked upon the ground in compliance with Fremont County subdivision regulations governing the subdivision of land.

In witness, whereof, I have set my hand and seal this _____ day of _____ AD, 20 ____.

Registered Land Surveyor

Number: _____

PLANNING COMMISSION CERTIFICATION

This plat approved by the Fremont County Planning and Zoning Commission on this _____ day of _____, 20 ____.

Chairman

CLERK OR RECORDER'S CERTIFICATE

This plat was filed for record in the Office of the Clerk and Recorder at _____, _____, 20 ____ and is duly recorded in Book _____, Page _____.

Clerk

Deputy

ENGINEER'S CERTIFICATE

I, _____ do hereby certify that I am a Civil Engineer licensed under the laws of the State of Wyoming, that these plats, construction drawings, specifications and other engineering representations hereby made by me are accurate and in compliance with the subdivision regulations and standards adopted by Fremont County and are in accordance with applicable State and Federal environmental and health regulations.

In witness, whereof, I have set my hand and seal this _____ day of _____, 20 ____.

Wyoming Licensed Engineer

Registration Number

COUNTY COMMISSIONERS CERTIFICATE

This plat is hereby approved by the Board of County Commissioners of Fremont County, Wyoming this _____ day of _____, 20 ____ for filing with the Clerk and Recorder of Fremont County subject to the provision that approval in no way obligates Fremont County for financing or constructing any of the improvements on lands, streets or easements.

Dated this _____ day of _____, 20 ____.

Chairman

Witness my hand and seal of the County of Fremont this _____ day of _____, 20 ____.

ATTEST: _____
County Clerk and Recorder.