

Chapter 8

GUARANTEE OF PERFORMANCE

11-8-1: TYPE AND AMOUNT OF GUARANTEE:

The type of guarantee shall be in the form of a bond, irrevocable letter of credit that cannot be released without approval of the city council, or a cash deposit in an amount equal to the cost of the required improvements, as determined by the city council. (Ord. 6-18-81C, 6-18-1981)

11-8-2: DURATION:

- A. Specified: The duration of the bond or other insurance shall be for two (2) years from the date of approval of the subdivision by the city council.
- B. Extension: An extension of time may be granted by the city council upon application by the subdivider, provided such application is submitted at least sixty (60) days prior to the expiration of the bond, and provided the issuer of the bond is willing to extend the time of the assurance. (Ord. 6-18-81C, 6-18-1981)

11-8-3: DEFAULT:

In the event that the subdivider is in default or fails or neglects to satisfactorily install the required improvements within two (2) years from the date of approval of the plat by the city council, or to pay all liens in connection therewith, the city council may declare the bond or other assurance forfeited and the city may install or cause the required improvements to be installed using the proceeds from the collection of bond or other assurance to defray the expense thereof. (Ord. 6-18-81C, 6-18-1981)

11-8-4: FINAL DISPOSITION AND RELEASE:

The subdivider shall be responsible for the quality of all materials and workmanship. At the completion of the work, or not less than ten (10) days prior to the release date of the bond or other assurance, the building official shall make a preliminary inspection of the improvements and shall submit a report to the city council setting forth the conditions of such facilities. If all liens are paid, and other conditions thereof are found to be satisfactory,

the city council shall release the bond or other assurance. If the condition of material or workmanship shows unusual depreciation or does not comply with the acceptable standards of durability or if any outstanding liens are not paid, the city council may declare the subdivider in default. (Ord. 6-18-81C, 6-18-1981)