

SECTION 9

FEE'S

- 9.1 Filing Fee for Preliminary Plan. Upon the filing of a Preliminary Plan for a subdivision, or any portion thereof, the subdivider shall pay a filing fee of twenty-five (25) dollars.
- 9.2 Filing Fee for Final Plan. Upon the filing of a Final Plan for a subdivision or any portion thereof, the subdivider shall pay a filing fee of twenty-five (25) dollars plus one (1) dollar for each lot shown on the Final Plat.
- 9.3 Performance Guarantee.
- 9.3.1 The subdivider shall be required to furnish a Performance Guarantee to guarantee actual construction and installation of ALL improvements within two (2) years after the approval of the Final Plan. The Performance Guarantee shall not be less than the estimated cost of the improvements as determined by the City Engineer.
- 9.3.2 If the required improvements are not completed within the time allowed, the City shall enforce the Performance Guarantee by all appropriate legal and equitable remedies, collect said money, and complete the required improvements in behalf of the City. Renewal of the Performance Guarantee may be made upon the approval of the Council for an additional period of time specified by the Council, provided that application for renewal is made at least thirty (30) days prior to the expiration of said bond.
- 9.3.3 The Performance Guarantee shall be made in one of the following manners:
- 9.3.3.1 A Performance Bond issued by a surety company, a title insurance company, or a financially reliable corporate security engaged in the business of signing bonds in the State of Missouri, approved by the City Attorney and Council; or
- 9.3.3.2 An Escrow Agreement, to be held in a special Escrow Account, subject to the audit of the City, approved by the City Attorney and Council, in one of the following forms:

Cash, or

An irrevocable letter of credit or commitment from a lending institution to the Escrow Agent guaranteeing to said Escrow Agent the availability of Escrow Funds, from time to time upon demand, or

Certificates of deposit, treasury bills, or other readily negotiable instruments, endorsed to the Escrow Agent.

- 9.3.3.3 In lieu of posting a Performance Bond or Escrow Agreement as specified in Sections 9.3.3.1 and 9.3.3.2, the subdivider may elect to deposit, in an Escrow Account, the amount required. The Escrow Agreement shall provide that the escrowed funds are held by a qualified Escrow Depository, approved by the City Attorney and Council, in a special account to be dispersed by the escrow holder solely for the payment of labor and materials used in the construction and installation of the improvements guaranteed as the work progresses and as approved by the Council. In no event shall an authorization be given for the release of, nor shall the the escrow holder release, more than ninety (90) percent of the Escrow Fund until the improvements have been completed in a satisfactory manner in accordance with this Ordinance and approved by the Council.

9.4 Maintenance Guarantee.

- 9.4.1 Unless the Council provides by either ordinance, resolution, or other procedure, the subdivider shall submit as part of the Final Plan, a Maintenance Agreement setting forth the person, corporation, trustees, or other agency responsible for the assessment and collection of monies for the maintenance of ALL improvements within the subdivision, and
- 9.4.2 The subdivider shall maintain and keep in repair the streets and curb and gutter improvements for a period of one (1) year from the date of the

completion of said improvements. To guarantee this maintenance, a Maintenance Bond may be accepted by the Council in the amount of the contract price of the improvements against defects in workmanship and materials for the one (1) year period. The bond, if accepted, shall be filed with the City Clerk and be from a surety company licensed to do business in the State of Missouri and approved by the City Attorney and Council.

9.5 Construction Permit.

- 9.5.1 Prior to the installation of any improvements, the subdivider shall obtain a Construction Permit from the City Clerk. The permit shall authorize the construction of only those improvements contained within the Improvement Plans. The charge for said permit shall be equivalent to one (1) percent of the estimated cost of all improvements required by this Ordinance. Said payment shall be used to defray the cost of inspection of said improvements during the construction period.
- 9.5.2 In lieu of the one (1) percent inspection fee, the Council may accept a certificate from a registered professional engineer certifying that the engineer has inspected all of the improvements installed and that the materials and specifications contained therein are in compliance with the approved Improvement Plans.
- 9.5.3 In addition to all fees provided for herein, the subdivider shall pay for and arrange for inspections as may be required by ordinances and regulations of other agencies having jurisdiction.