

Sec. 25-87. - Private streets.

Private streets shall be allowed within the City only at the absolute discretion of the City Commission in individual circumstances and subject to the following terms and conditions and any other terms and conditions deemed necessary by the City Commission to protect the health, safety and welfare of the citizens of the City.

- (a) Private streets may be permitted in all zoning districts.
- (b) All streets serving two or more sites shall be not less than 50 feet in width and shall be 24 feet in pavement width.
- (c) No private street or drive shall exceed 900 feet between points of intersection with a public street; providing that a private street or drive terminating in a paved turnabout not less than 80 feet in diameter and not over 400 feet in overall length may be utilized to serve sites.
- (d) All private streets must be constructed to standards applicable for publicly dedicated streets including sidewalks and swales, within the City as said requirements shall exist when a permit to construct said streets is obtained. If a permit lapses, the standards that will apply are those in effect when the next permit is obtained.
- (e) All street yard setbacks shall be measured along private streets from the building edge of the sidewalk. The edge of the walk shall be at least 13 feet from the edge of the pavement.
- (f) All private streets must be self-contained, that is they must be interior residential streets and not through streets for public use.
- (g) There must be a covenant placed upon the records requiring future owners of property surrounding the private street to maintain said street and its drainage appurtenances for as long as it remains a private street.
- (h) The City shall receive an option in recordable form authorizing it to purchase the private street(s) at a cost of \$1.00, said option to remain in effect for a period of at least 50 years.
- (i) All private streets shall be open to all City vehicles, all emergency vehicles and all City personnel at all times, by means of a recordable easement or other appropriate document. City police are to be authorized to have complete access at all times to enforce all existing laws, ordinances and motor vehicle regulations on all private streets.
- (j) All private streets must be completely constructed in accordance with the City and DOT standards, and approved by the appropriate City officials, prior to the issuance of any building permits for homes to be located thereon. Upon completion of all building on the street, the last $\frac{3}{4}$ inch or greater layer of asphalt surface shall be constructed and such construction shall be approved by the City Engineer. It is not intended that this subparagraph modify or reduce any applicable municipal construction standards, and any stricter standards will control in the event of a conflict.
- (k) The party developing a private street shall be required to post with the City a bond in accordance with [section 24-82](#), public improvement bonds, in an amount equal to 110 percent of the cost of the streets and drainage therefor, guaranteeing completion of the work within 18 months of commencement of construction to City's standards. If the work is not completed within 18 months, the City shall be given the right to complete the work. Any extra costs shall be chargeable to the developer. This bond is in addition to all other bonds required by City regulations.

- (l) Prior to approval by the City Commission, there must be recorded a covenant relieving the City, county, and entity of any liability for any injuries which may occur as a result of the street being a private street. Said cov also hold the City and county harmless for all attorney's fees incurred.
- (m) A private street will be allowed only if all utilities are authorized to go thereon for any improvements or utility work needed on, near or about the road and if all utility easements required by said utilities prior to construction are provided. All paved surfaces shall be asphalt. Concrete is specifically prohibited, other than sidewalks.
- (n) Street lights shall be erected in accordance with section 25-86, street and parking lot lighting.
- (o) As a prerequisite to acceptance of ownership of a private street at the request of those obligated to maintain it by the City, the physical condition of that street must meet then existing City standards and be so certified by an engineer licensed in Florida.
- (p) Guardhouses may be constructed adjacent to private streets, subject to section 23-97, guardhouses.
- (q) If road right-of-way is dedicated to public in the future, all structures, including, but not limited to, guardhouses, pumps, gates, etc., shall be removed from the right-of-way.