

SECTION XIV ADMINISTRATION

14.0 AUTHORITY

Under the authority vested in the Planning Board of the Town of West Springfield by Section 81-Q of Chapter 41 of the General Laws as amended and all subsequent amendments thereto, said Board hereby adopts these Rules and Regulations governing the Subdivision of land in the Town of West Springfield under the Subdivision Control Law, Section 81-K through 81-GG, inclusive, Chapter 41, of the General Laws, as amended.

14.1 VALIDITY AND SEVERABILITY

Should any section or provision of these Rules and Regulations be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of these Rules and Regulations.

14.2 INVALIDATION BY STATE LAW OR COURT DECISION

Any part of these Regulations subsequently invalidated by a new state law or State or Federal court decision or modification of an existing state law or State or Federal Court decision shall automatically be brought into conformity with the new or amended law, and shall be deemed to be effective immediately, without recourse to a public hearing and the customary procedures for amendment or repeal of such regulations.

14.3 AMENDMENTS

These Rules and Regulations or any portion thereof may be amended from time to time by the Planning Board in accordance with Section 81-Q, of the Subdivision Control Law.

14.4 TABLE OF CONTENTS AND INDEX

The administrative content of these areas of the Rules and Regulations may be revised from time to time by administrative action of the Planning Board and/or the Planning Department.

14.5 APPENDICES

Appended to the Regulations hereto are appendices for the administration of these Regulations. The administrative content of these forms may be revised from time to time by administrative action of the Planning Board and/or the Planning Department.

14.6 MISREPRESENTATION

Any person who the Board determines has intentionally misrepresented or falsified any facts submitted for review under these Rules and Regulations shall be prohibited from participating in or requesting any Board action for five years from the date of determination of the Board. Board determination shall require a 4/5 affirmative vote of the Board. The decision of the Board shall be filed with the Town Clerk's office with notice being sent by certified mail, return receipt, to the person and, with respect to registered engineers and land surveyors, to the Massachusetts Board of Registered Professional Engineers and Professional Land Surveyors.

14.7 OWNERSHIP OF SUBMITTED MATERIALS

The Town of West Springfield shall become the sole owner of all materials submitted to the Town in connection with the application and administration of these Rules and Regulations except as provided for herein.

14.8 ISSUANCE OF BUILDING PERMITS AND OCCUPANCY PERMITS

14.81 No building permit shall be issued by the Building Commissioner for any structures within a subdivision that is under construction until:

- roadway improvements have been installed that provide adequate access for emergency vehicles; and
- two copies of an as-built plan showing the location and elevation of water, sanitary sewer and stormwater utilities along with laterals servicing the building lots have been submitted to and approved by the Department of Public Works.

14.82 No occupancy permits shall be issued by the Building Commissioner for any structures within a subdivision that is under construction until a monetary performance guarantee has been approved by the Planning Board and duly enacted.