

**12.01.150 Cost Estimates and Construction Bonds**

Failure to comply with these Standards may result in denial of plan or development permit approval, revocation of prior approvals, or legal action for forfeiture of performance guarantee.

- A. CONSTRUCTION PERFORMANCE GUARANTEES:** In lieu of the completion of any required improvements prior to approval of a final plat, short plat or other land-use action, the developer shall provide a performance guarantee in an amount and with satisfactory surety and conditions providing for and securing to Kittitas County the actual design, construction and installation of such improvements within a period specified by the Director. The Director will enforce the guarantee through appropriate legal and equitable remedies. If a surety bond is provided for public or private roads, the amount of the bond shall equal one hundred and thirty-five (135%) of the estimated design and construction cost. When a letter of escrow or cash is used, which will be acceptable only for public roads, the amount covered shall be for one hundred fifteen percent (115%) of the estimated construction cost as reviewed and concurred by the Public Works Director

The amount of the financial guarantee may be reduced during construction proportionally to the amount of work completed, as said work is approved by the Public Works Director.

Building Permits will not be issued until road construction is completed or bonded to the subject dwelling or structure and approved by the County or a licensed professional engineer. The developer is legally and financially responsible for ensuring all roads are constructed in accordance with this code.

- B. MAINTENANCE PERFORMANCE GUARANTEES:** The successful performance of public improvements shall be guaranteed for a period of not less than two years from the date of acceptance or Final Construction Approval (which ever is last). The amount of the maintenance guarantee shall be ten percent (10%) of the construction cost and the form of the maintenance financial guarantee shall be approved by the Public Works Director. Maintenance guarantees will not be required when the required performance guarantee is \$1,000.00 or less.

**12.01.160 Public Road System**

- A. General**

The Washington Revised Code (RCW 36.75.010) defines public roads as every highway or part thereof, outside the limits of incorporated cities and towns which has not been designated as a state highway or roads over private lands that have been dedicated to the public deed and accepted