

NOTICES OF SUBSTANTIVE POLICY STATEMENTS

The Administrative Procedure Act requires the publication of substantive policy statements issued by agencies (A.R.S. § 41-1013(B)(14)). Substantive policy statements are written expressions which inform the general public of an agency's current approach to rule or regulation practice. Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that a substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

BOARD OF TECHNICAL REGISTRATION

[M11-83]

1. Title of the substantive policy statement and the substantive policy statement number by which the substantive policy statement is referenced:

12. Survey Monuments In Subdivisions

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

February 22, 2011

3. Summary of the contents of the substantive policy statement:

The Board interprets the term "subdivision" to mean those land divisions where the plat recording process follows rules and regulations defined by local government entities such as cities and counties. In many such cases, the requirement to set the corner monuments prior to recording the Final Plat cannot be complied with.

Board rule R4-30-301(4) states: "A registrant shall comply with state, municipal, and county laws, codes, ordinances, and regulations pertaining to the registrant's area of practice," and R4-30-301(6) states: "A registrant shall apply the technical knowledge and skill that would be applied by other qualified registrants who practice the same profession in the same area and at the same time."

If local subdivision regulations allow for the recording of a subdivision plat without having all of the survey monuments set, an acceptable interim practice would include placing all exterior boundary monuments at the time of filing the preliminary plat and recording a Record of Survey in compliance with state statutes. Interior property corners shall then be monumented as soon as completion of the infrastructure and improvements make it practical to do so. If such monuments should differ from the type described on the Final Plat, a Record of Survey shall be filed showing these differences.

All monuments set shall be under the direct supervision of the surveyor of record. If for any reason the surveyor of record is not available to supervise the setting of the interior corner monuments, subsequent to the recording of the Final Plat, the replacement surveyor shall set monuments with his/her identifying number and a Record of Survey shall be recorded in accordance with the state statutes.

4. A statement as to whether the substantive policy statement is a new statement or a revision:

This is a new Policy Statement.

5. The name and address of the person to whom questions and comments about the substantive policy statement may be directed:

Name: Patricia Sandino
Board of Technical Registration

Address: 1110 W. Washington St., Suite 240
Phoenix, AZ 85007

Telephone: (602) 364-4946

6. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

Copies of Substantive Policy Statement number 12 are available from the Board of Technical Registration, located at 1110 W. Washington St., Suite 240, Phoenix, AZ 85007 at no charge, and is also available on our web site at www.azbtr.gov.