

Chapter 545

SUBDIVISION OF LAND

[HISTORY: Adopted by the Village Board of the Village of Plover 6-4-1985 as Ch. 18 of the 1985 Code. Amendments where noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. 212.
Numbering of buildings — See Ch. 220.
Driveways and culverts — See Ch. 260.
Streets and sidewalks — See Ch. 467.
Wastewater Utility — See Ch. 502.
Water — See Ch. 505.
Floodplain and shoreland-wetland zoning — See Ch. 530.
Official Map — See Ch. 538.
Zoning — See Ch. 550.

§ 545-1. Purpose.¹

- A. The purpose of this chapter is to regulate and control the subdivision of land within the corporate limits and extraterritorial plat approval jurisdiction of the Village of Plover. These regulations are designed to protect and provide for the public health, safety, and general welfare of the municipality; to lessen congestion in the streets and highways; to further the orderly layout and use of land; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate adequate provisions for transportation, water, sewerage, storm drainage, and other public requirements; to facilitate the further resubdivision of larger tracts into smaller parcels of land; to encourage the orderly and beneficial development of the community through appropriate growth management techniques assuring the timing and sequencing of development; to assure proper urban form and open space; to protect environmentally critical areas; to protect areas from premature urban development; to ensure that public facilities and services are available concurrent with development and will have sufficient capacity to serve the proposed subdivision; and to provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the municipality, having particular regard to the avoidance of congestion and accommodating anticipated traffic.
- B. These regulations are made with the reasonable consideration, among other things, of the character of the Village, with a view of conserving the value of the buildings placed upon land, providing the best possible environment for human habitation and for encouraging the most appropriate use of land.
- C. These regulations are formulated to facilitate enforcement of development standards as outlined in Chapter 212, Building Construction, and Chapter 550, Zoning, of this Code and

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

to guide the future growth and development of the Village in accordance with the Comprehensive Plan and Official Map of the Village of Plover.

- D. In general, residential subdivisions will be encouraged to provide generous distances between building sites and existing industries and between building sites and high-capacity streets, highways, and expressways and freeways to act as buffers against noise and noxious fumes.

§ 545-2. Abrogation and greater restrictions. ²

This chapter shall not repeal, abrogate, annul, impair or interfere with any existing easements, covenants, deed restrictions, agreements, rules, regulations or permits previously adopted or issued pursuant to law. However, whenever this chapter imposes greater restrictions, the provisions of this chapter shall govern.

§ 545-3. Interpretation. ³

The provisions of this chapter shall be held to be minimum requirements and shall be liberally construed in favor of the Village and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

§ 545-4. Definitions and word usage. [Amended by Ord. No. 12-04⁴; Ord. No. 4-13]

For the purpose of this chapter, certain words and terms are herewith defined. The singular includes the plural, and the plural includes the singular; the word "shall" is mandatory and not discretionary.

ALLEY — A public or private service roadway providing a secondary means of access to abutting property and not intended for general traffic circulation.

ARTERIAL STREETS AND HIGHWAYS — Streets or highways which provide rapid movement of concentrated volumes of traffic over relatively long distances. They principally provide for movement of persons and goods between activity areas.

BLOCK — A unit of land bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways, or any other barrier to the continuity of development.

BUILDING — Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

BUILDING SETBACK LINE — A line parallel to the street defined by Chapter 550, Zoning, of this Code beyond which buildings may not be erected.

BUILDING SITE — A parcel of land occupied or intended to be occupied by a structure as permitted under applicable zoning regulations.

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

CERTIFIED SURVEY MAP — A map of a land split prepared in accordance with Ch. 236, Wis. Stats., of the Wisconsin statutes and § 545-9 of this chapter. (See also the definition of "subdivision, minor" below.)

COLLECTOR STREET — A street used, or intended to be used, to provide moderate-speed movement of persons and goods within large areas. Collector streets are basically local streets which usually, because of more directness of routing and higher capacity than other local streets, receive higher volumes of traffic to be distributed from or collected toward nearby arterial streets.

COMPREHENSIVE PLAN — The extensively developed plan adopted by the Village Board on April 6, 2005, and amendments thereto pursuant to Ch. 66, Wis. Stats.

CUL-DE-SAC STREET — A minor street with only one outlet and culminating in a turnaround.

DRAINAGEWAY — Any natural or artificial watercourse, trench, ditch, swale, or similar depression into which surface water flows.

EXTRATERRITORIAL JURISDICTION — The unincorporated area within 1 1/2 miles from the corporate limits of the Village of Plover, Wisconsin.

FINAL PLAT — The map or plan for a subdivision, and any accompanying material, as described in § 545-8 of this chapter.

FRONTAGE STREET — A minor street, usually parallel to a highway or an arterial street, to reduce the number of driveways that intersect with the highway or arterial street.

GRADE — The slope of a road, street or other public way specified in percent.

GREENWAY — A linear open space established along a natural corridor such as a waterway or drainageway or over land along a railroad right-of-way converted to recreational use or any other purpose deemed by the Village to be for the public good or welfare.

IMPROVEMENT, PUBLIC — Any improvement, facility, or service, together with its associated site or right-of-way, necessary to provide transportation, drainage, utilities, or similar essential services and facilities for which the Village may ultimately assume the responsibility for maintenance and operation.

LOT — A designated parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law, to be separately owned, used, developed, or built upon in accordance with Chapter 550, Zoning, of this Code.

LOT, CORNER — A lot abutting two or more streets at their intersection or on two parts of the same street forming an interior angle of less than 135°.

LOT, THROUGH — A lot that fronts on two parallel streets or that fronts on two streets that do not intersect at the boundaries of the lot. On a through lot, both street lines shall be deemed front lot lines.

MINOR (LOCAL) STREET — A street that provides frontage for access to abutting lots and carries slow-speed traffic primarily having a destination or origin on the street itself.

OUTLOT — A remnant parcel of land not to be used for building purposes so designated on the plat.

PRELIMINARY PLAT — A map showing the salient features of a proposed subdivision submitted to the Plan Commission for purposes of preliminary consideration as described in this chapter.

PUBLIC WAY — Any public road, street, highway, walkway, drainageway or part thereof.

REPLAT — The process of changing the boundaries of a recorded subdivision plat or part thereof. The legal dividing of a large block, lot or outlot within a recorded subdivision plat without changing exterior boundaries of the block, lot or outlot is not a replat.

ROADWAY — That portion of the street which is used for vehicular traffic.

SUBDIVIDER — Any person, firm or corporation having an interest in land that is the subject of an application for subdivision. Developers shall be considered subdividers.

SUBDIVISION — When used alone, "subdivision" shall include both major and minor subdivisions. A replat is also a subdivision.

SUBDIVISION, MAJOR

- A. The division of a lot, parcel or tract of land by the owner or his agents for the purpose of sale, replat or of building development where:
 - (1) The act of division creates five or more parcels or building sites, 15 acres each or less in area; or
 - (2) Five or more parcels or building sites of four acres each or less in area are created by successive divisions within a period of five years.
- B. Exception. If a master plan has been approved for residential, commercial or manufacturing development, a major subdivision shall be where:
 - (1) The act of division creates five or more parcels or building sites of 1 1/2 acres each or less in area; or
 - (2) Five or more parcels or building sites of 1 1/2 acres each or less in area are created by successive divisions within a five-year period.
- C. The definitions herein shall apply with equal effect to the division or creation of parcels or building sites whether or not said tracts shall at such time be part of a previously platted subdivision.

SUBDIVISION, MINOR (CERTIFIED SURVEY MAP) — Any division of land not defined as a major subdivision. Minor land divisions include the division of land by the owner or subdivider resulting in the creation of two, but not more than four, parcels or building sites, any one of which is less than 40 acres in size or the division of a block, lot or outlot within a recorded subdivision plat into not more than four parcels or building sites without changing the exterior boundaries of said block, lot or outlot. Such minor land division shall be made by a certified survey map prepared in accordance with this chapter.

§ 545-5. General provisions.

- A. Jurisdiction. The jurisdiction of this chapter shall include all incorporated lands within the

Village and the extraterritorial plat approval jurisdiction area. However, in no instance shall the provisions of this chapter apply to the following:⁵

- (1) Transfers of interests in land by will or pursuant to court order.
 - (2) Leases for a term not to exceed 10 years, mortgages or easements.
 - (3) The sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by this chapter or other applicable laws or ordinances.
 - (4) The sale or exchange of parcels of land between a governmental agency and an owner of adjoining property.
- B. Compliance. No subdivider shall divide any land located within the corporate limits of the Village of Plover or within the extraterritorial jurisdiction as described in § 545-4 herein without it being in compliance with all requirements of this chapter, the duly approved Village Comprehensive Plan and approved plan components, including Chapter 550, Zoning, of this Code, applicable local regulations and the provisions of Ch. 236, Wis. Stats. The Plan Commission shall review and make a recommendation to the Village Board. The Village Board shall approve, conditionally approve, or reject the plat or certified survey map. This requirement shall also apply for any division of land within the Village's extraterritorial jurisdiction. No subdivision shall be entitled to record and no improvements shall be made to land without compliance with all requirements of this chapter, duly approved by the Village of Plover Board of Trustees.⁶
- C. Land suitability. No land shall be subdivided which is held unsuitable for any proposed use by the Plan Commission. Where the subdivision of a tract of land contains a portion of land unsuitable for development because of flooding, inadequate drainage, high groundwater, soil and rock formations with severe limitations for development, severe erosion potential, unfavorable topography, inadequate water supply or sewage disposal capabilities or any other feature likely to be harmful to the health, safety or welfare of future residents of the proposed subdivision or of the community, the procedure shall be as follows: [Amended by Ord. No. 32-93]
- (1) Poor drainage. Land subject to ponding, due to poor permeability or poor drainage or for other causes determined by the Plan Commission, and if such land is not zoned as a conservancy or floodplain or similar district on the applicable zoning map, shall be subject to the following requirements:
 - (a) The developer shall cause such land to be carried in a drainage easement in the individual deeds affected thereby and no permit shall be issued for a building therein; in addition, appropriate notations shall be placed on the face of the final plat; or
 - (b) The developer may, at his own expense, prepare a development proposal for the problem area. It shall be submitted for Plan Commission approval and shall be

5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

6. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

accompanied by a site plan and adequate engineering data to ensure that the public health, safety and welfare will not be violated if approved and by a surety bond to the Village to ensure that such will be done at a specified time.

- (2) Floodable conditions, drainageways and high groundwater. No development shall be allowed in floodable areas except as permitted in Chapter 530, Floodplain and Shoreland-Wetland Zoning, of this Code. In designing plats, drainage easements and certified soil tests shall be shown on the plat where conditions warrant, as determined by the Community Development Manager, and building permits shall not be issued therein. Provisions of county shoreland ordinances shall also be complied with when subdividing land located outside the Village limits.
- (3) Determination by the Plan Commission. Adverse soil conditions for the contemplated development in a proposed subdivision shall be determined by the Plan Commission from sources available to it. Where soil interpretations determine a tract of land is unsuitable for development under existing conditions, the developer may submit a proposal for development through engineering design indicating how the problem may be overcome. The proposal procedure is identical to Subsection C(1)(b) above. The Plan Commission, in applying the provisions of this chapter, shall, in writing, cite the particular facts upon which it bases its conclusion that the land is not suitable for the proposed use and afford the subdivider an opportunity to present evidence regarding such suitability at a public hearing. Thereafter, the Plan Commission may affirm, modify or withdraw its determination of unsuitability.

D. Dedication and reservation of land.

- (1) Streets and drainageways. Whenever a tract of land to be subdivided embraces all or part of a street, drainageway, easement or other public way which has been designated in the adopted Comprehensive Plan, Official Map or adopted plan components, such public way shall be made a part of the plat by the subdivider in the locations and dimensions indicated on such plan. Such dedications shall become effective upon the approval and recording of the final plat.
- (2) Other public sites. Whenever a proposed park or other public land other than streets, drainageways, easements or other public ways designated in the Comprehensive Plan, the Official Map or adopted plan components of the Village is embraced, all or in part, in a tract of land to be subdivided, these proposed public lands shall be made a part of the plat and shall be reserved by the subdivider for a period not to exceed two years, unless released by the Village or extended by mutual agreement for acquisition by the Village at undeveloped land costs. In the event that the subdivider and the Village cannot agree on the sale price, the Village shall commence condemnation under Ch. 32, Wis. Stats.
- (3) Land abutting lakes and streams. Whenever feasible, all public access to the low-water mark of navigable lakes and streams required by § 236.16(3), Wis. Stats., shall be at least 100 feet wide and contain land characteristics acceptable to the Plan Commission. The land lying between the meander line established in accordance with § 236.20(2)(g), Wis. Stats., and the water's edge and any otherwise unplattable lands which lie between a proposed subdivision and the water's edge shall be included as part

of lots, outlots or public dedications in any plat abutting a lake or stream. This requirement applies not only to lands proposed to be subdivided but also to all lands under option to the subdivider or in which he holds an interest and which are contiguous to the lands proposed to be subdivided and which abut a lake or stream as provided in § 236.16(4), Wis. Stats.

- (4) Underground utilities. The entire Village shall be designated as an underground utility area, except for the following exceptions: [Added by Ord. No. 5-88; amended by Ord. No. 24-88]
 - (a) Electrical transmission lines carrying over 24,900 volts.
 - (b) Aboveground utility lines in any zoning district or industrial park shall be a conditional use approved by the Plan Commission for recommendation to the Village Board.⁷

E. Improvements. Before the final plat is approved, the subdivider shall enter into a contract with the Village agreeing to install all required improvements and shall file with such contract a surety bond or other satisfactory security meeting the approval of the Village Board as a guarantee that such improvements will be completed by the subdivider or his subcontractors within the time limit established by the Board. (See § 545-11 regarding required public improvements.)

F. Fees. [Amended by Ord. No. 2-01]

- (1) General. The subdivider shall pay the Village all fees as hereinafter required at the time specified.
- (2) Preliminary plat review fees.
 - (a) The subdivider shall pay a fee as provided in the Village Fee Schedule⁸ to the Village Treasurer at the time of first application for approval of any preliminary plat to assist in defraying the cost of review.
 - (b) The reapplication fee as provided in the Village Fee Schedule shall be paid to the Village Treasurer at the time of reapplication for approval of any preliminary plat that has been previously reviewed.
- (3) Final plat review fee.
 - (a) The subdivider shall pay a fee as provided in the Village Fee Schedule to the Village Treasurer at the time of first application for approval of the final plat to assist in defraying the cost of review.
 - (b) The reapplication fee as provided in the Village Fee Schedule shall be paid to the Village Treasurer at the time of reapplication for approval of any final plat that has been previously reviewed.

⁷. Editor's Note: Original § 18.05(5), Park fees, which immediately followed this subsection, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. II). See now Ch. 323, Impact Fees, Art. II, Park Facilities.

⁸. Editor's Note: See Ch. A600, Fees.

- (4) Minor subdivision review fee. The subdivider shall pay a fee as provided in the Village Fee Schedule plus the recording fee to the Village Treasurer at the time of application for approval of such subdivision to assist in defraying the cost of review.
- (5) Other fees. The subdivider shall pay any other fees due the Village applicable to the property being reviewed prior to the release of the final plat or minor subdivision. Such fees due the Village prior to release of the final plat or minor subdivision include, but are not limited to, existing special assessments, construction observation fees, and subdivision review fees.⁹

§ 545-6. Plat or map approval procedure.

A. Preliminary consultation. [Amended by Ord. No. 23-90; Ord. No. 2-01]

- (1) Prior to presenting a preliminary plat or layout of a possible subdivision, the developer should meet with the Community Development Manager, Village Engineer, and any other department heads deemed necessary to review this chapter and other areas of this Code which may apply to the project, such as:
 - (a) Availability of sewer and water service.
 - (b) The Village's street numbering system and garbage pickup and recycling program.
 - (c) The information the Village will need about the design in either Autocad or GIS format.
 - (d) Any other information at the Village's disposal which would affect the areas to be developed.
- (2) Prior to presenting a preliminary plat or layout of a possible subdivision, the developer or his representative shall meet with at least two of the following Village officials to go over the layout and use of the proposed subdivision: Village President, Village Administrator, Community Development Manager or Village Engineer.

B. Official preliminary plat. [Amended by Ord. No. 23-90]

- (1) At least five days prior to the next Plan Commission meeting, five copies of the preliminary plat should be mailed or presented to the Village Clerk, who shall then forward copies to the appropriate Village staff for comment and schedule it for consideration at the next Plan Commission meeting. The plat shall be prepared at a scale of not more than 100 feet to the inch, shall be clearly marked "Preliminary Plat" and shall show correctly on its face the following information:
 - (a) Title under which the proposed subdivision is to be recorded.
 - (b) Legal description and general location of the proposed subdivision.
 - (c) Date, scale and North arrow.

9. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- (d) Names and addresses of the owner, subdivider and land surveyor preparing the plat.
 - (e) The entire area contiguous to the proposed plat owned or controlled by the subdivider shall be included even though only a portion of the area is proposed for immediate development.
 - (f) All other items listed in § 545-7B of this chapter, although some of these requirements may be waived if they are not pertinent to the area to be subdivided.
- (2) Within 20 days of the date of receiving the copies of the plat, any state or county agency having authority to review the plat shall notify the subdivider and all approving or objecting authorities of any objection based upon failure of the plat to comply with the statutes or rules which its examination is authorized to cover, or, if all objections have been satisfied, it shall so certify on the face of a copy of the plat and return that copy to the Village Clerk. The plat shall not be approved or deemed approved until any objections have been satisfied. If the objecting agency fails to act within the twenty-day limit it shall be deemed to have no objection to the plat.¹⁰
 - (3) The Village Board, upon the recommendation of the Plan Commission, shall, within 90 days of the filing of the plat, approve, approve conditionally or reject the plat or map following review of the preliminary plat and other material submitted for conformity with this chapter and administrative rules and regulations and negotiations with the subdivider on changes deemed advisable and the kind and extent of which will be required. This time for acting on the preliminary plat may be extended upon mutual written agreement.
 - (4) The action of the Village Board shall be noted on two copies of the preliminary plat or map. One copy shall be returned to the subdivider with the date and action endorsed thereon and, if approved conditionally or rejected, the conditions or reasons therefor. The second copy shall be filed with the Village Clerk.

C. Final plat procedure. [Amended by Ord. No. 5-89; Ord. No. 2-01]

- (1) A written application for approval and four copies of the final plat shall be submitted to the Village Clerk within 24 months of approval of the preliminary plat and at least 15 days prior to the meeting of the Plan Commission at which action is desired. However, if approval of the plat must be obtained from another approving authority subsequent to approval by the Plan Commission, the final plat shall be submitted within 24 months of such approval. The Plan Commission may, however, waive compliance within the twenty-four-month time limit in either case.¹¹
- (2) The Village Clerk shall forward the final plat to the Plan Commission for its recommendation. The Plan Commission shall refer the final plat to the Village Board within 45 days of its submission. Action on the final plat by the Village Board shall be

10. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

11. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

subject to approval by all state and county reviewing agencies.¹²

- (3) The subdivider shall be responsible for forwarding the original plat to the State Department of Administration in accordance with § 236.12, Wis. Stats., after action by the Plan Commission. The Village Board action on a plat after referral from the Plan Commission shall be subject to the approval of the State Department of Administration. The Board shall approve or reject the plat within 60 days unless the time is extended by agreement with the subdivider. Reasons for rejection shall be stated in the minutes of the Board meeting and a copy forwarded to the subdivider. The final plat, if permitted by the Plan Commission, may constitute only that portion of the approved preliminary plat which the subdivider proposes to record at the time of submittal.¹³
 - (4) The Village Board shall approve the final plat if all the provisions of this chapter and Ch. 236, Wis. Stats., are complied with.
 - (5) Ten copies of the approved final plat shall be filed with the Village Clerk.
 - (6) At the time of final plat approval, when all development costs of capital project improvements are to be paid by the Village and special assessed against benefiting properties, the developer shall sign a waiver of special assessment notices and hearings form which includes the request for special assessments, a waiver of notice of public hearing in accordance with § 66.0703(7)(b), Wis. Stats., and a statement of approval for the Village to commence the bidding process.
- D. Recordation. After the final plat has been approved by the Village Board and any other approving agencies, the subdivider shall record the plat with the County Register of Deeds in accordance with § 236.25, Wis. Stats., within six months.¹⁴
- E. Replat. When it is proposed to replat a recorded subdivision or part thereof so as to change the boundaries of a recorded subdivision or part thereof, the subdivider or person desiring to replat shall vacate or alter the recorded plat as provided in §§ 236.40 through 236.44, Wis. Stats. The subdivider or person desiring to replat shall then proceed as specified in Subsections A through D of this section.
- (1) The Village Clerk shall schedule a public hearing before the Plan Commission when a preliminary plat of a replat of lands within the Village's jurisdiction is filed and shall cause notices of the proposed replat and public hearing to be mailed to the owners of all properties within the limits of the exterior boundaries of the proposed replat and to the owners of the proposed replat.
 - (2) The subdivider shall furnish the names of all property owners within 200 feet of the exterior boundaries of the proposed replat to the Village Clerk. Such names shall be obtained from the tax roll.
- F. Minor subdivision (certified survey map) procedure. When it is proposed to divide land into

12. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

13. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

14. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

less than four parcels, the subdivider shall file six copies of the certified survey map prepared in accordance with § 545-9 of this chapter and the letter of application with the Village Engineer at least 25 days prior to the meeting of the Plan Commission at which action is desired.

- (1) Review by Plan Commission. The Plan Commission shall review the map for conformance with this chapter and all provisions of this Code, rules, regulations and adopted plan components which affect it. The Plan Commission shall, within 40 days from the date of filing of the map, submit its recommendation to the Village Board.
- (2) Village Board action. Upon reviewing the recommendation of the Plan Commission, the Village Board shall, within 90 days from the date of the filing of the certified survey map, approve, approve conditionally or reject the map unless continued by agreement with the subdivider. If the map is rejected, the reasons for rejection shall be stated in the minutes of the meeting and a written statement sent thereof to the subdivider. If the map is approved, the Village Board shall direct the Village Engineer to so certify on the face of the map.¹⁵
- (3) Recordation. The Village Clerk shall record the map with the County Register of Deeds within six months after the date of the last approval by the Village Board and any other approving agencies.¹⁶

§ 545-7. Preliminary plat.

- A. General. A preliminary plat shall be required for all subdivisions and shall be based upon a survey by a registered land surveyor, and the plat, prepared on reproducible material at a scale of not more than 100 feet to the inch, shall be clearly marked "Preliminary Plat" and shall show correctly on its face the following information:
 - (1) Title under which the proposed subdivision is to be recorded.
 - (2) Legal description and general location of the proposed subdivision.
 - (3) Date, scale and North arrow.
 - (4) Names and addresses of the owner, subdivider and land surveyor preparing the plat.
 - (5) The entire area contiguous to the proposed plat owned or controlled by the subdivider shall be included on the preliminary plat even though only a portion of the area is proposed for immediate development. The Plan Commission may waive this requirement where it is unnecessary to fulfill the purpose and intent of this chapter and undue hardship would result from strict application thereof.
- B. Plat data. All preliminary plats shall show the following:
 - (1) Approximate length and bearing of the exterior boundaries of the proposed subdivision referenced to a corner established in the United States Public Land Survey and the total acreage encompassed thereby.

15. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

16. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- (2) Contours at vertical intervals of not more than one foot where the slope of the ground surface is less than 10% and of not more than two feet where the slope of the ground surface is 10% or more. Elevations shall be marked on such contours based on mean sea level datum or, where in the judgment of the Plan Commission undue hardship would result because of the remoteness of the parcel from a mean sea level reference elevation, another datum may be used. Elevation datum shall be obtained from the Village Engineer.
- (3) Water elevations of adjoining lakes and streams at the date of the survey and approximate high and low water elevations, all referring to the same datum used for the contours.
- (4) Location, right-of-way width and names of all existing and proposed streets, alleys or other public ways, easements, railroad and utility rights-of-way and all section and quarter section lines within the exterior boundaries of the plat or immediately adjacent thereto.
- (5) Location and names of any adjacent subdivisions, parks, schools and cemeteries, and owners of record of abutting unplatted lands.
- (6) Type, width and elevation of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto together with any legally established center-line elevations, all referring to the datum used for the contours.
- (7) Location, size and invert elevation of any existing sanitary or storm sewers, culverts and drainpipes, the location of manholes, catch basins, hydrants, and power and telephone poles and the location and size of any existing gas mains within the exterior boundaries of the plat or immediately adjacent thereto. If no sewer mains are located on or immediately adjacent to the tract, the nearest such sewer mains which might be extended to serve the tract shall be indicated by their direction and distance from the tract, size and invert elevations.
- (8) Locations of all existing property boundary lines, structures, drives, streams and watercourses, marshes, rock outcrops, wooded areas, railroad tracks and other similar significant features within the tract being subdivided or immediately adjacent thereto.
- (9) Approximate dimensions of all lots together with proposed lot and block numbers.
- (10) Location and approximate dimensions of any sites to be reserved or dedicated for parks, playgrounds, drainageways or other public use or which are to be used for group housing, shopping centers, church sites or other nonpublic uses not requiring lotting.
- (11) Approximate radii of all curves.
- (12) Existing zoning and proposed use on and adjacent to the proposed subdivision.
- (13) Corporate limits lines.
- (14) Any proposed lake and stream access, with a small drawing clearly indicating the location of the proposed subdivision in relation to the access.
- (15) Any proposed lake and stream improvement or relocation and proposed filling,

grading, lagooning and dredging and notice of application for the approval of the Division of Environmental Protection, Department of Natural Resources, when applicable and approval from any other agency having jurisdiction over any of the above.

- (16) Seasonally wet areas.
 - (17) Protective covenants when the subdivider intends to regulate land use in the proposed subdivision and otherwise protect the proposed development.
 - (18) The results and data of one certified soil test for every 10 proposed lots in the subdivision. This data shall include, specifically, the historical high groundwater elevation in respect to the proposed final grade of the subdivision. The exact location of these tests shall be determined by the Community Development Manager during the preliminary consultation. [Added by Ord. No. 32-93]
- C. Street plans and profiles. The subdivider shall provide street plans and profiles showing existing ground surface and proposed and established street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision when requested by the Public Works Manager, and all elevations, plans and profiles shall meet the approval of the Village. [Amended by Ord. No. 32-93]
 - D. Utility or drainage easement plans and profiles. The subdivider shall provide easement plans and profiles showing existing ground surface and proposed and established easement grades, including extensions for a reasonable distance beyond the limit of the proposed subdivision when requested by the Village Engineer or any utility.
 - E. Testing. The Village may require the subdivider to make additional borings and soundings in designated areas to ascertain subsurface soil, rock and water conditions, including depth to bedrock and depth to groundwater table. [Amended by Ord. No. 32-93]
 - F. Affidavit. The surveyor preparing the preliminary plat shall certify on the face of the plat that it is a correct representation of all existing land divisions and features and that he has fully complied with the provisions of this chapter.

§ 545-8. Final plat.

- A. General. A final plat prepared by a registered land surveyor shall be required for all subdivisions. It shall comply in all respects with the requirements of § 236.20, Wis. Stats.
- B. Additional information. The final plat shall show correctly on its face, at a scale of one inch equals 100 feet, in addition to the information required by § 236.20, Wis. Stats., the following:
 - (1) Exact street width along the right-of-way line of any obliquely intersecting street.
 - (2) All lands reserved for future public acquisition or reserved for the common use of property owners within the plat. If common property is located within the plat, then provisions for its use and maintenance must also be provided with the plat.
 - (3) Special restrictions required by any approving or objecting agency relating to access

control along public ways or to the provision of planting strips.

- (4) The historical high groundwater elevation, as determined in the preliminary plat process, shall be shown and recorded with the final plat. [Added by Ord. No. 32-93]
- C. Deed restrictions. Any deed restrictions and utility or drainage easements attached to the subdivision shall be filed with or placed on the face of the final plat.
 - D. Surveying and monumenting. All final plats shall meet all the surveying and monumenting requirements of § 236.15, Wis. Stats.
 - E. State plane coordinate system. When the plat is located within a quarter section, the corners of which have been relocated, monumented and coordinated, the plat shall be tied directly to one of the section or quarter corners so relocated, monumented and coordinated. The exact grid bearing and distance of such tie shall be determined by field measurements, and the material and Wisconsin state plane coordinates of the monument marking the relocated section or quarter corner to which the plat is tied shall be indicated on the plat. All distances and bearings shall be referenced to the Wisconsin coordinate system.
 - F. Certificates. All final plats shall provide all the certificates required by § 236.21, Wis. Stats., and in addition the surveyor shall certify that he has fully complied with all the provisions of this chapter and provide a certificate for Plan Commission approval.
 - G. Reproducible tracing supplied. All subdividers of land within the Village limits shall provide the Village with a mylar film reproducible tracing at least 3 mil in thickness. Such reproducible shall be completely legible and capable of reproducing red, blue, black or brown line prints with the white backgrounds. Such reproducible shall be of the final plat which was approved by the Village Board. This subsection shall apply to all land divisions coming under the jurisdiction of this chapter and shall include metes and bounds and certified surveys. The above reproducible shall be placed on file in the office of the Village Engineer.
 - H. Proposed grades.
 - (1) All subdividers of land within the Village limits shall provide the Village with the following proposed established grades: street center line, top of both curbs and the private property edge of the public sidewalk. The sidewalk grades shall be provided at the intersection of each side property and the front property lines.
 - (2) The subdivider shall provide the Village with finished grades on all utility easements where underground electric power or telephone cable is to be installed. Such utility easements shall be finished graded in accordance with the grades provided before utilities are installed.
 - (3) The subdivider shall provide proposed building grades (elevation of the first floor above the earth's surface) for all lots within the subdivision. These grades shall be located at the building setback lines designated in Chapter 550, Zoning, of this Code. All grades shall be in relation to Village datum. Such datum shall be obtained from the Village Engineer. All grades shall be approved by the Village Board. The grades shall be shown as follows: "B.G. 000.00."

- I. GIS Requirements. All subdividers of land within the Village limits shall provide the Village with the following data on floppy or hard disk in a format compatible with PC ARC/INFO or AutoCAD: [Added by Ord. No. 25-89]
- (1) Base map. Base map of subdivision, including all road rights-of-way, platted lots and the perimeter of any buildings included in the plat.
 - (2) Sewer facilities. Sewer facilities, to be provided in as-built format following completion of construction.
 - (a) Sewer data shall include all sewer mains, size, material, depth and slope.
 - (b) Sewer lateral location, size and material.
 - (c) Lift station design and layout.
 - (d) Force main size, materials, depth and slope.
 - (e) Private sewer facilities, e.g., lift stations and force mains.
 - (f) Manhole depth, invert and rim elevations, cover type, material and type (sanitary or storm sewer).
 - (g) Easements.
 - (3) Water facilities. Water facilities, to be provided in as-built format following completion of construction.
 - (a) Water lateral location, size, materials, serial number and date installed.
 - (b) Curb stop brand, location, size, serial number and date installed.
 - (c) Corporation stop brand, location, size, serial number and date installed.
 - (d) Water main size, material, type and depth.
 - (e) Water main plugs, caps, etc.
 - (f) Valve brands, location, size, serial number and date installed.
 - (g) Fire flow capacity.
 - (h) Hydrant locations.
 - (i) Easements.
 - (4) Other utilities.
 - (a) Gas main size and depth.
 - (b) Power and telephone poles.
 - (c) Electric, telephone and cable television underground facilities.
 - (d) Easements for gas, electric, cable and telephone.
 - (5) Other improvements.

- (a) Any future streets.
- (b) Streetlights.
- (c) Any type of right-of-way locations not mentioned above.
- (d) Road improvements, curb and gutter (if used), and street paving width.

§ 545-9. Certified survey map.

- A. General. A certified survey map prepared by a registered land surveyor shall be required for all minor subdivisions. It shall comply in all respects with the requirements of § 236.34, Wis. Stats.
- B. Additional information. The map shall show correctly on its face, in addition to the information required by § 236.34, Wis. Stats., the following:
 - (1) All existing buildings, watercourses, drainage ditches and other similar significant features pertinent to proper land division.
 - (2) Setbacks or building lines from public rights-of-way or shorelines as provided in Chapter 550, Zoning, of this Code and the Official Map.
 - (3) All lands reserved for future acquisitions.
 - (4) Date of the map.
 - (5) Graphic scale.
 - (6) All streets, sanitary sewers, storm sewers, curb and gutter, and all other utilities.
 - (7) Name and address of the owner, subdivider and the surveyor, including his registration number.
- C. State plane coordinate system. Where the map is located within a quarter section, the corners of which have been relocated, monumented and coordinated, the map shall be tied directly to one of the section or quarter corners so relocated, monumented and coordinated. The exact grid bearing and distance of such tie shall be determined by field measurements, and the material and Wisconsin state plane coordinates of the monument marking the relocated section or quarter corner to which the map is tied shall be indicated on the map. All distances and bearings shall be referenced to the Wisconsin coordinate system.
- D. Certificates.
 - (1) The surveyor shall certify on the face of the map that he has fully complied with all the provisions of this chapter.
 - (2) Dedication of streets and other public areas shall require the owner's certificate and the mortgagee's certificate in substantially the same form as required by § 236.21(2)(a), Wis. Stats., and the approval of the Village Board.

§ 545-10. Design standards.

A. Location of site.

- (1) General plan. The location and design of any subdivision or other division shall conform to any applicable Village comprehensive plan or segment thereof.
- (2) Objectionable areas. Land subject to hazards of life, health or property damage as may be caused by fire, floods, disease or noise or land considered to be uninhabitable for other reasons may not be subdivided for building purposes unless the hazard has been eliminated or the plans show adequate safeguards correcting the hazards.
- (3) Nearby development. A subdivision shall be coordinated with existing nearby development or neighborhoods so that the area as a whole shall be developed harmoniously in a coordinated manner.

B. Natural and historical features.

- (1) All natural and historical features which will add to the attractiveness and value of the land being divided shall be preserved.
- (2) Planting screens may be required along zoning district lines as buffer strips along railroad rights-of-way, alongside heavily traveled highways where lots are backed into the roadway, or for any such use as may be deemed appropriate and consistent with the total development of the Village.

C. Street arrangement. The subdivider shall dedicate land for and improve streets as provided herein. Streets shall conform to any applicable official map regulation in effect. In areas for which an official map has not been completed, the street layout shall recognize the functional classification of various street types and shall be developed and located in proper relation to existing and proposed streets, with due regard to topographical conditions, natural features, utilities, land uses and public convenience and safety. The subdivision shall be designed to provide each lot with satisfactory access to a public street. The following conditions shall apply for street arrangement in all proposed subdivisions:

- (1) Arterial streets. Arterial streets shall be arranged to provide ready access to centers of employment, high-density residential areas, centers of government activity, community shopping areas, community recreation, and points beyond the boundaries of the community. They shall also be properly integrated with and related to the existing and proposed system of major streets and highways and shall be, insofar as is practicable, continuous and in alignment with existing or planned streets with which they are to connect.
- (2) Collector streets. Collector streets shall be arranged to provide ready collection of traffic from residential areas and conveyance of this traffic to the major streets and highway system and shall be properly related to special traffic generators such as schools, churches and shopping centers and other concentrations of population and to the major streets into which they feed.
- (3) Minor streets. Minor streets shall be arranged to conform to the topography, to discourage use by through traffic, to permit the design of efficient storm and sanitary sewerage systems and to require the minimum street area necessary to provide safe and convenient access to abutting property.

- (4) Street extension. Proposed streets shall extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless, in the opinion of the Plan Commission and the Village Board, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of adjacent land tracts. Such streets shall terminate with a temporary turnaround of 120 feet right-of-way diameter and a roadway of not less than 90 feet in diameter.
 - (5) Arterial street protection. Whenever the subdivision contains or is adjacent to an arterial street, the Plan Commission may restrict all access; whenever the subdivision contains or is adjacent to a collector street, the Plan Commission may restrict residential access. Limitation of access and separation of through and local traffic shall be provided by reversed frontage, with screen planting contained in a nonaccess reservation along the rear property line, or by the use of frontage streets.
 - (6) Reserve strips prohibited. Reserve strips controlling access to streets or alleys shall be prohibited except where their control is definitely placed with the Village.
 - (7) Alleys. Alleys may be required in commercial and industrial districts to provide for off-street loading and service access but shall not be approved in residential districts unless required by unusual topography or other exceptional conditions. Dead-end alleys shall not be approved, and alleys shall not connect to a federal, state or county trunk highway.
 - (8) Street names. Street names shall not duplicate or be similar to existing street names in the Village or surrounding municipalities, and existing street names shall be projected or continued wherever street alignment is continuous.
- D. Limited access right-of-way treatment. Whenever the proposed subdivision contains or is adjacent to a limited access street or railroad right-of-way, the design shall provide the following treatment:
- (1) When lots within the proposed subdivision require access restrictions, the following shall be lettered on the face of the plat: "Direct Vehicular Access to (Name of Street) from Lots Abutting Such Street is Prohibited."
 - (2) A street parallel to a restricted access street or railroad right-of-way, when intersecting a major street or collector street which crosses such railroad or street, shall be located at a minimum distance of 250 feet from such street or railroad right-of-way. Such distance, where desirable and practicable, shall be determined with due consideration of the minimum distances required for the future separation of grades by means of appropriate approach gradients.
 - (3) Minor streets immediately adjacent and parallel to railroad right-of-way shall be avoided.
- E. Street design standards.
- (1) Rights-of-way. [Amended by Ord. No. 9-85]
 - (a) Minimums. The minimum right-of-way of all proposed streets shall be as

specified on any applicable street plan officially adopted by the Village, or, if no width is specified, the minimum right-of-way shall be as follows:

Type of Street	Minimum Right-of-Way (feet)
Arterial	120
Collector	80
Minor	66
Frontage	66
Alley	24

- (b) Exceptions. The minimum right-of-way may be reduced on a minor street to 50 feet with the approval of the Plan Commission and the Village Board as part of the plat approval process under the following conditions:
 - [1] When only two lanes of traffic are involved.
 - [2] When the street would be no more than 750 feet in length.
- (2) Minimum roadway width compliance. Minimum roadway width and surface width of all new subdivision roads shall comply with the Village street standards.
- (3) Cul-de-sac streets. Cul-de-sac streets designed to have one end permanently closed shall not normally exceed 500 feet in length. Such streets shall terminate in a circular turnaround having a minimum right-of-way radius of 75 feet and a minimum roadway radius of 45 feet. [Amended by Ord. No. 8-90]
- (4) Street grades provided to Village. All street grades shall be provided to the Village by the subdivider as outlined in § 545-8H of this chapter.
- (5) Street grades.
 - (a) Unless necessitated by exceptional topography, subject to the approval of the Plan Commission, the maximum center-line grade of any street or public way shall not exceed the following:
 - [1] Arterial streets: 6%.
 - [2] Collector streets: 8%.
 - [3] Minor streets, alleys and frontage streets: 10%.
 - (b) The grade of any street shall in no case exceed 10% or be less than 0.5%. Street grades shall be established wherever practicable so as to avoid excessive grading, the promiscuous removal of ground cover and tree growth and general leveling of the topography. All changes in street grades shall be connected by vertical curves of a minimum length equivalent in feet to 15 times the algebraic difference in the rates of grade for arterial streets and 1/2 this minimum for all other streets.
- (6) Radii of curvature. When a continuous street center line deflects at any one point by more than 10°, a circular curve shall be introduced having a radius of curvature on such center line of not less than the following:

- (a) Arterial streets and highways: 400 feet.
 - (b) Collector streets: 200 feet.
 - (c) Minor streets: 100 feet.
- (7) Tangent. A tangent at least 100 feet in length shall be provided between reverse curves on arterial and collector streets.
- (8) Street width and corner radius requirements. The year after installation of the thirty-two-foot roadway, a minimum of 22 feet of bituminous surface at a compacted depth of two inches with minimum twenty-foot corner radii shall be constructed by the subdivider with an individual review of each roadway, excluding those zoned R-1 Single-Family Residential District, R-2 Single-Family Residential District, and R-4 Single- and Two-Family Residential District, to be made by the Plan Commission and the Public Works Committee as to width of roadway necessary to manage the projected vehicular traffic. [Added by Ord. No. 19-87]
- (9) Half street regulations. Half streets shall be prohibited except where:
- (a) The other half has already been dedicated.
 - (b) The half street's alignment is shown on the Official Map.
- (10) Compaction percent. All roads to be constructed shall be designed and specified to have a compaction percent of at least 95% for the upper four feet and at least 90% at all lower levels of any street serving the proposed subdivision. A minimum of two compaction tests are required for every 300 linear feet of utility installation. One test is required at the midpoint between top of pipe and road subgrade and at the road subgrade. One compaction test is required every 200 linear feet for subgrade and binder course. Additional compaction tests shall be performed as directed by the on-site Village representative. The compaction tests and costs associated with such tests are the responsibility of the subdivider. [Added by Ord. No. 15-89; amended by Ord. No. 19-89; Ord. No. 2-01]
- F. Street intersections. Streets shall intersect each other as nearly as possible at right angles and in no instance shall be less than 70°. Not more than two streets shall intersect at one point unless approved by the Plan Commission.
- (1) The number of intersections along major streets and highways shall be held to a minimum. Whenever practicable, the distance between such intersections shall not be less than 1,200 feet.
 - (2) Property lines at street intersections shall be rounded with a minimum radius of 15 feet or of a greater radius when required by the Plan Commission.
 - (3) Street intersections with center-line offsets of less than 125 feet shall not be approved.¹⁷
- G. Blocks. The widths, lengths and shapes of blocks shall be suited to the planned use of the

17. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

land, zoning requirements, need for convenient access, control and safety of street traffic, and the limitations and opportunities of topography.

- (1) Length. Blocks in residential areas shall not, as a general rule, be less than 400 feet nor more than 1,500 feet in length unless otherwise dictated.
- (2) Pedestrianways. Pedestrianways of not less than 10 feet in width may be required near the center and entirely across any block over 900 feet in length where deemed essential by the Plan Commission to provide adequate pedestrian circulation or access to schools, shopping centers, churches or transportation facilities.
- (3) Width. Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic or where lots abut a lake or stream. Width of lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated and the area zoning provisions for such use.
- (4) Utility easements. All residential utility lines and all industrial and commercial lines may be placed on easements provided for by the subdivision along rear lot lines except where lots abut a lake or stream. Residential utility lines within the subdivision shall be placed underground.

H. Lots. The size, shape and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The lots shall be designated to provide an aesthetically pleasing building site and a proper architectural setting for the building contemplated.

- (1) Side lot lines shall generally be at right angles to street lines which the lots face. Lot lines shall follow municipal boundary lines rather than cross them.
- (2) Double frontage and reversed frontage lots shall be prohibited except where necessary to provide separation of residential development from through traffic or to overcome specific disadvantages of topography and orientation.
- (3) Every lot shall front or abut on a public street for a distance of at least 30 feet.
- (4) Area and dimensions of lots shall conform to the requirements of Chapter 550, Zoning, of this Code. Whenever a tract is subdivided into parcels with areas in excess of the zoning requirements, such parcels shall be arranged and dimensioned so as to allow resubdivision of any such parcels into normal lots in accordance with the provisions of this chapter.
- (5) Lots should be designed with a suitable proportion between width and depth. Neither long, narrow nor wide shallow lots are normally desirable. Normal depth should not exceed 2 1/2 times the width or be less than 100 feet.
- (6) Width of lots shall conform to the requirements of Chapter 550, Zoning, of this Code.
- (7) Corner lots shall be designed with extra width to permit adequate building setback from both streets and in no instance less than 80 feet wide.

- (8) Lands lying between the meander line and the water's edge and any otherwise unplattable lands which lie between a proposed subdivision and the water's edge shall be included as part of lots, outlots or public dedications in any plat abutting a lake or stream.
- I. Storm drainage. Storm sewers, culverts and related facilities shall be designed to permit the unimpeded flow of natural watercourses, ensure the drainage of all low points along the line of streets, and provide positive drainage away from on-site sewage disposal facilities.
 - (1) Storm drainage facilities must be designed not only to handle the anticipated peak discharge from the property being subdivided but also the anticipated increase in runoff that will occur when all the property at a higher elevation in the same drainage basin is fully developed.
 - (2) In the design of storm drainage facilities, special consideration shall be given to preventing excess runoff onto adjacent property.
 - J. Sanitary sewers. In areas that have a sanitary sewer on or near the proposed subdivision, the agency providing that service shall determine the feasibility of service and the requirements to be followed by the subdivider.
 - K. Commercial and industrial areas. In these areas, the land division shall be designed with consideration of site conditions to permit the best possible layout to serve the public. A development plan containing landscape treatment should be transmitted. Consideration shall be given to the following items:
 - (1) Traffic circulation and parking of cars.
 - (2) Efficient delivery and pickup.
 - (3) Efficient arrangement of space for present use and future expansion.
 - L. Easements. Where a subdivision is traversed by a watercourse, drainageway or stream, an adequate drainageway or easement may be required to handle stormwater runoff. The location, width, alignment and improvement of such drainageway or easement shall be approved by the Plan Commission and the Public Works Committee.

§ 545-11. Required public improvements.

As required by § 545-5E of this chapter, the subdivider shall enter into a contract with the Village agreeing to install all public improvements required by the Village Board and shall file with the contract a surety bond or other satisfactory security meeting the approval of the Village Board and reviewed by the Village Administrator as a guarantee that such improvements shall be completed by the subdivider or his subcontractors within the time limit established by the Village Board. In lieu of the above, the subdivider and the Village may enter into an agreement providing for Village construction of such improvements; in such event, the subdivider shall waive notice and hearing for special assessments as provided in § 66.0703(7)(b), Wis. Stats., and notice that the lots are subject to special assessments shall be placed on the final plat. Such improvements shall include the following:

- A. Grading and graveling. After installation of temporary block corner monuments by the

subdivider and the establishment of street grades, the subdivider shall grade and gravel the full width of the right-of-way of all streets proposed to be dedicated in accordance with the plans and specifications approved by the Village Board. The subdivider shall grade the roadbeds in the street right-of-way to subgrade.

- B. Surfacing. After all utility and stormwater drainage improvements have been installed over one winter, the subdivider shall surface all roadways in the street proposed to be dedicated to the widths prescribed in these regulations and the Comprehensive Plan or Official Map.
 - (1) Such surfacing shall be done in accordance with plans and specifications approved and adopted by the Village.
 - (2) The cost of surfacing in residential areas in excess of 24 feet, in commercial areas in excess of 36 feet, and in industrial areas in excess of 40 feet in width shall be borne by the Village.
- C. Rural street sections. When rural street sections have been approved, the subdivider shall finish grade all shoulders and road ditches, install all necessary culverts at intersections and, if required, surface ditch inverts to prevent erosion and sedimentation in accordance with plans and standard specifications approved by the Village Board.
- D. Stormwater drainage facilities.
 - (1) The developer shall construct stormwater drainage facilities which shall include curb and gutter, catch basins and inlets, storm sewers, road ditches and open channels as may be required by the Village Engineer to provide adequate surface drainage for the subdivision.
 - (2) Storm drainage facilities, where needed, shall be designated to permit the unimpeded flow of natural watercourses, ensure the drainage of all points along the line of streets, and provide positive drainage away from on-site sewage disposal facilities. In designating storm drainage facilities, special consideration shall be given to protection against shoreland erosion and siltation of surface waters and preventing excess water runoff on adjacent property. The Plan Commission or the Village Board may require that easements or drainageways of widths sufficient to accommodate anticipated stormwater runoff be provided. All stormwater drainage facilities shall be constructed in accordance with plans and standard specifications approved by the Village Board upon the recommendation of the Village Engineer.
- E. Public sanitary sewer and private sewage disposal systems. [Amended by Ord. No. 11-06¹⁸]
 - (1) In areas that have a sanitary sewer system on or near the proposed subdivision, the Water and Wastewater Utility Committee and the Plan Commission shall determine the feasibility of service and the procedures to be followed by the subdivider in joining the system. If feasible, a public sanitary sewer system adequate to service the subdivision and compatible with the Village-wide sanitary sewer development plan shall be provided and include a lateral connection for each lot and a satisfactory connection to the Village sanitary sewer system. Each lateral shall be marked in the field by a stake

18. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

visible above the ground. A locator wire shall be affixed to the lateral and run from the sewer main connection point to the lateral termination. The locator wire shall meet Village specifications.

- (2) If public sewer facilities are not available, the subdivider shall make provision for adequate private sewage disposal systems as specified by the State Department of Commerce.
 - (a) In areas that are not to be served by sewer systems, on-site sewage disposal systems utilizing soil absorption fields shall be permitted only when soil tests conducted in accordance with Ch. Comm 85, Wis. Adm. Code, indicate the systems will function adequately.
 - (b) The Plan Commission may prohibit the installation of sewage disposal facilities requiring soil absorption systems where such systems would impair water quality, and the Commission may, with approval of the Division of Environmental Protection, Department of Natural Resources, allow alternative methods of waste treatment and disposal, including but not limited to package treatment plants or incinerator or chemical toilets.
 - (c) Plans for private sewage disposal systems not utilizing soil absorption fields shall be approved in writing by the Department of Commerce and the Plan Commission. The subdivider shall clearly indicate on the face of the plat and in any deed of conveyance that soil absorption fields are not to be used.

F. Sewer mains and water mains traversing other lands and lift stations. [Amended by Ord. No. 34-88]

- (1) Subject to the provisions of Subsection E above and Subsection G(2) below, if it is necessary to traverse unimproved land with sanitary sewer or water to serve the subdivision, the Village shall install such sanitary sewer main and water main and the subdivider shall pay the cost of such construction. The Village will reimburse the subdivider to the extent that special assessments are levied on other property for such construction. In the event that such special assessments are deferred, the subdivider shall be reimbursed when the special assessments are paid or when installment payments commence. The Village Board may authorize the subdivider to construct any sanitary sewer facility as hereinbefore provided. However, in the event that such construction benefits land outside the subdivision, authorization shall be granted only if the subdivider waives in writing any and all rights to reimbursement from the Village. [Amended by Ord. No. 26-94]
- (2) If a sewage lift station is necessary to serve the subdivision, the subdivider shall share in the cost of the lift station and associated force main in the same ratio that the land area of the subdivision bears to the total area served by the lift station. It is assumed that the project shall be assessed against the benefiting property and, if assessed, the procedure in Subsection F(1) above shall be followed.

G. Public water system. [Added by Ord. No. 29-88; amended by Ord. No. 33-88; Ord. No. 34-88; Ord. No. 26-94]

- (1) Required. The subdivider shall install a public water main system to serve the subdivision meeting all requirements of Chs. NR 108, NR 109 and NR 811, Wis. Adm. Code, and Chapter 413, Plumbing Standards, of this Code and the Village-wide water system development plan, together with a lateral connection, marked with a stake visible above the ground, to each lot. In addition, fire hydrants in accordance with standards established by the Village Board shall be placed not less than 300 feet apart unless a greater distance is approved by the Village Board. In the event that the Village water system has not been extended to or near the subdivision, the subdivision mains shall be capped to prevent infiltration.
 - (2) Exceptions. If the nearest connection point to the Village water system via existing public right-of-way or utility easements is greater than 1,320 feet from the subdivision, the Village Board may allow the subdivider to delay installation of a public water main system to serve the subdivision until such time as the Village water main is extended within 1,320 feet of the subdivision. The Village Board shall require the subdivider to provide well tests every six months for nitrates and pesticides in the area before granting an exception to the water main installation. The Village Board shall require a developer's agreement with the subdivider indicating the subdivider's agreement to the installation of the public water main system to serve the subdivision when the Village water main is within 1,320 feet of the subdivision via existing public right-of-way or utility easements. This developer's agreement shall be recorded along with the subdivision plat so that all lot purchasers have a written record acknowledging probable future water assessments. The Village Board shall also require the subdivider to provide construction plans for the water main system to serve the subdivision.
- H. Other utilities. The subdivider shall cause gas, electrical power and telephone facilities to be installed in such a manner as to make adequate service available to each lot in the subdivision. Whenever underground electric, telephone or cable service is requested by either the subdivider or the servicing utility, all easements shall be dedicated by the subdivider. Proposed easements shall be not less than 12 feet nor more than 20 feet in width, centered on property lines and finished graded in accordance with § 545-8H(2) of this chapter. Plans indicating the proposed location of all gas, electrical power, telephone and cable distribution and transmission lines required to service the plat shall be approved by the particular utility having jurisdiction and the Village Engineer.
- I. Streetlamps. The subdivider shall install streetlamps of a type acceptable to, and in accordance with, plans and standard specifications set by the Village Engineer and the applicable utility company and only after Village Board approval. The Village Board may place special assessments against the benefiting property owners for operation and maintenance of decorative light systems, and this assessment may be levied at any time the Village Board deems necessary. [Amended by Ord. No. 2-01]
- J. Street signs. Street signs shall be provided and installed by the developer according to the specifications and locations provided by the Village Engineer.
- K. Lot grading. If topographic or surface water conditions warrant, the Village Engineer shall require that a grading plan be submitted prior to the approval of a proposed plat. [Amended by Ord. No. 2-01]

- L. Survey monuments. The subdivider shall install survey monuments in accordance with the requirements of § 236.15, Wis. Stats.
- M. Dedication of facilities and improvements. All facilities and improvements installed prior to the final approval of the plat shall be dedicated to the Village, along with streets and other public areas, upon approval of the plat. Facilities and improvements completed under bond or other financial guarantee, after approval of the plat, shall be considered dedicated to the Village upon their approval and acceptance and release of the bond or other guarantee. Prior to the release of the bond or other guarantee, the subdivider shall file a one-year maintenance guarantee bond guaranteeing the timely repair of any defects that may occur in the ensuing year.

§ 545-12. Phase development.

The installation of improvements within a subdivision in phases is permitted. When a subdivider desires to use this method, he shall file with the Plan Commission, through the Village Engineer, a detailed written and graphic schedule of the proposed development. Such schedule shall include plans showing all improvements to be constructed in each phase, the various phases and a timetable for their completion. The schedule shall be submitted along with the request for final plat review. During final plat review, the Plan Commission shall approve, conditionally approve, alter or reject the proposed phase development. Upon Plan Commission approval, such Commission shall recommend that the Village Board approve the phase development and schedule, along with the Village Board approval of the final plat.

- A. Only those phase areas which are contiguous to other completed phases within the subdivision or other completed subdivisions shall be permitted to proceed with development.
- B. Building permits shall not be issued for erection of a structure on any lot within any phase area until all the requirements of this chapter have been met, except as provided in § 545-11B of this chapter.

§ 545-13. Construction or installation of improvements. [Amended by Ord. No. 2-01]

- A. Commencement. No construction or installation of improvements shall commence in a proposed subdivision until the preliminary plat has been approved by the Village Board and other approving agencies and the construction plans have been approved by the Village Engineer and the Village Board. If construction occurs prior to the release of the final plat or minor subdivision, the subdivider shall be responsible for payment of actual engineering construction observation costs as billed by the Village Treasurer subject to the Village billing practices. If construction is not completed or not started and the subdivider requests the release of the final plat or minor subdivision, the subdivider shall pay the estimated engineering construction observation costs or balance thereof. Upon completion of the construction, an accounting shall be made of the actual engineering construction observation costs and settlement for actual engineering construction observation costs made with the subdivider.
- B. Building permits. No building permit shall be issued for erection of a structure on any lot not of record until all the requirements of this chapter have been met. [Amended by Ord. No. 2-01]

- C. Plans. The following plans and accompanying construction specifications shall be required by the Plan Commission and the Village Board before authorization of construction or installation of improvements:
- (1) Street plans and profiles showing existing and proposed grades, elevations and cross sections of required improvements. See § 545-8H(1) of this chapter.
 - (2) Sanitary sewer plans and profiles showing the locations, grades, sizes, elevations and materials of required facilities in compliance with current Village standards and applicable Department of Natural Resources administrative rules.
 - (3) Storm sewer plans and profiles showing the location, grades, sizes, cross sections, elevations and materials of required facilities in compliance with current Village standards and applicable Department of Natural Resources administrative rules.
 - (4) Additional special plans or information as required by the Village Engineer.
- D. Working drawings. After the work is completed, working drawings showing both horizontal and vertical locations of all underground utilities as they were actually installed shall be provided to the Village by the subdivider.
- E. Inspection. The subdivider, prior to commencing any work within the subdivision, shall make arrangements with the Village Engineer to provide for inspection. Such arrangements shall be made in writing. The Village shall not perform any maintenance on any utility or accept the responsibility thereof until all utility installation has been accepted by Village Board resolution. Such resolution shall be adopted only after all bonds or other guarantees have been released in accordance with the requirements governing the installation of public utilities. The subdivider shall reimburse the Village for the cost of construction observation supplied by the Village. Under no circumstances shall any construction take place without a qualified inspector present based on the following: full-time engineering construction observation for utility installation and part-time engineering construction observation (as determined by the Village Engineer) for drainage and street installation. [Amended by Ord. No. 2-01]
- F. Engineering costs. All engineering costs shall be provided by the subdivider. Copies of all plans and specifications required to perform any or all required construction shall be submitted to the Village Board for approval. Any construction requiring Department of Natural Resources approval shall be submitted for approval by the Village Board after the Department of Natural Resources approval has been granted or shall be conditionally approved subject to Departmental approval. Three copies of each shall be required. Also, one copy bearing the approval of the Department of Natural Resources and all applicable agencies shall be provided to be placed on file in the office of the Village Clerk. All improvement tests (sanitary sewer infiltration, concrete, etc.) shall be caused by the subdivider at his expense. [Amended by Ord. No. 2-01]

§ 545-14. Enforcement.

The Village Engineer shall enforce the provisions of this chapter.

§ 545-15. Appeals.

Any person aggrieved by an objection to a plat or failure to approve a plat may appeal therefrom as provided in §§ 236.13(5) and 62.23(7)(e)(10), (14) and (15), Wis. Stats.

§ 545-16. Prohibited acts.

No person shall build upon, divide, convey, record or monument any land in violation of this chapter or the Wisconsin Statutes and no person shall be issued a Village Board building permit authorizing the building on or improvement of any subdivision or replat within the jurisdiction of this chapter and not of record as of the effective date of this chapter until the provisions and requirements of this chapter have been fully met. The Village may institute appropriate action or proceedings to enjoin violations of this chapter or the applicable Wisconsin Statutes.

§ 545-17. Violations and penalties.

Any person who fails to comply with the provisions of this chapter shall, upon conviction thereof, forfeit not less than \$100 nor more than \$1,000 and the cost of prosecution for each violation and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until payment thereof for a period not to exceed six months. Each day a violation exists or continues shall constitute a separate offense.

- A. Recordation improperly made has penalties as provided in § 236.30, Wis. Stats.
- B. Conveyance of lots in unrecorded plats has penalties as provided for in § 236.31, Wis. Stats.
- C. Monuments disturbed or not placed have penalties as provided for in § 236.32, Wis. Stats.
- D. Assessors' plats may be ordered by the Village when a subdivision is created by successive divisions as provided in § 236.31(2), Wis. Stats.