



**Land Division
and
Platting Code
Chapter 54
of the
Municipal Code
of the
Village of
Sister Bay, Wisconsin**

Amended:

April 19, 2005

October 2, 2007

Village Land Division Code

Chapter 54

Land Division Code

Table of Contents

INTRODUCTION	3
Sec. 54.01 Introduction and Purpose.....	3
Sec. 54.02 Abrogation and Greater Restrictions.....	3
Sec. 54.03 Interpretations.....	3
Sec. 54.04 Severability.....	3
Sec. 54.05 Repeals.....	3
Sec. 54.06 Title.....	3
Sec. 54.06 Adoption.....	3
GENERAL PROVISIONS.....	4
Sec. 54.40 General Provisions.....	4
Sec. 54.41 Land Suitability.....	5
Sec. 54.42 Condominium Developments.....	5
Sec. 54.43 Miscellaneous Provisions.....	6
OFFICIAL MAP	8
Sec. 54.50 Official Map.....	8
Sec. 54.51 Changes and Additions.....	8
Sec. 54.52 Zoning Permits.....	8
Sec. 54.53 Municipal Improvements.....	8
Sec. 54.54 Appeals.....	8
Sec. 54.55 Certified Copy of Map.....	8
Sec. 54.56 Map to be Filed with Register of Deeds.....	9
Sec. 54.57 Enforcement.....	9
PLAT REVIEW AND APPROVAL.....	11
Sec. 54.60 Preliminary Consultation.....	11
Sec. 54.61 Submission of Preliminary Plat.....	11
Sec. 54.62 Preliminary Plat Review and Approval.....	12
Sec. 54.63 Final Plat Review and Approval.....	13
Sec. 54.64 Replat.....	14
Sec. 54.65 Determination of Adequacy of Public Facilities and Services.....	15
TECHNICAL REQUIREMENTS FOR PLATS AND CERTIFIED SURVEYS.....	17
Sec. 54.80 Technical Requirements for Preliminary Plats.....	17
Sec. 54.81 Technical Requirements for Final Plats.....	19
Sec. 54.82 Requirements for Certified Survey Maps.....	21
REQUIRED IMPROVEMENTS.....	22
Sec. 54.100 Improvements Required.....	22
Sec. 54.101 Development Agreements Required for Proper Installation of Improvements.....	22
Sec. 54.102 Required Construction Plans; Village Review; Inspections.....	26
Sec. 54.103 Street, Curb and Gutter Improvements and Drainage Facilities.....	27
Sec. 54.104 Sidewalks and Bikeways.....	28
Sec. 54.105 Sanitary Sewerage System.....	28
Sec. 54.106 Water Supply Facilities.....	33
Sec. 54.107 Other Utilities.....	33
Sec. 54.108 Street Lamps.....	34
Sec. 54.109 Street Signs.....	35
Sec. 54.110 Street Trees.....	35
Sec. 54.111 Erosion Control.....	35

Village Land Division Code

Sec. 54.112 Easements.....	35
Sec. 54.113 Over-Sizing and Off-Site Facilities.....	36
Sec. 54.114 Acceptance of Improvements and Dedications.....	36
Sec. 54.115 Site Grading.....	37
DESIGN STANDARDS	39
Sec. 54.120 General Street Design Standards.....	39
Sec. 54.121 Block Design Standards.....	41
Sec. 54.122 Lot Design Standards.....	42
Sec. 54.123 Drainage and Stormwater Management System.....	43
Sec. 54.124 Reserved.....	45
Sec. 54.125 Grading.....	45
PARK AND PUBLIC LAND DEDICATIONS.....	47
Sec. 54.140 General Park and Public Land Dedication Requirements.....	47
Sec. 54.141 Land Dedication.....	47
Sec. 54.142 Development of Park Area.....	47
FEES.....	49
Sec. 54.160 Administrative and Other Fees.....	49
Sec. 54.161 Levy of Special Assessments.....	49
Sec. 54.162 Includable Costs.....	49
Sec. 54.163 Engineer’s Report.....	50
Sec. 54.164 Notice and Hearing.....	50
Sec. 54.165 Waiver of Notice and Hearing.....	50
Sec. 54.166 Resolution Levying Assessments.....	50
Sec. 54.167 Reserved.....	51
Sec. 54.168 Appeal of Special Assessments.....	51
Sec. 54.169 Property Excluded from Special Assessment.....	51
Sec. 54.170 Special Charges.....	51
Sec. 54.171 Payment Plans.....	51
Sec. 54.172 Existing Deferred Special Assessments.....	51
Sec. 54.173 Village Owned Property.....	51
Sec. 54.174 Notice of Levy of Special Assessment.....	51
Sec. 54.175 Schedule of Rates for Assessments.....	51
Sec. 54.176 Oversizing Rates and Policy.....	51
Sec. 54.177 Reserved.....	51
Sec. 54.178 Corner Parcels.....	51
Sec. 54.179 Double Frontage Parcels.....	52
Sec. 54.180 Lots Created by Re-division or Combination.....	52
Sec. 54.181 Reconstruction Jurisdiction and Policy.....	52
Sec. 54.182 Other Authority Retained.....	53
VARIATIONS; PENALTIES AND VIOLATIONS.....	55
Sec. 54.190 Variations and Exceptions.....	55
Sec. 54.191 Enforcement, Penalties and Remedies.....	55
Sec. 54.192 Disclaimers on Approvals.....	57
Sec. 54.193 Restrictions for Public Benefit.....	58
DEFINITIONS.....	60
Sec. 54.200 Definitions.....	60
INDEX.....	64
MAP AND TEXT AMENDMENTS	66
APPENDIX OF ILLUSTRATIONS	67

Village Land Division Code

1

INTRODUCTION

2 **Sec. 54.01 Introduction and Purpose.**

3 (a) Introduction. In accordance with the au-
4 thority granted by Sections 236.13(1)(b)
5 and 236.45 of the Wisconsin Statutes and
6 for the purposes listed in Sections 236.01
7 and 236.45 of the Wisconsin Statutes, the
8 Board of Trustees of the Village of Sister
9 Bay, Wisconsin, does hereby ordain as fol-
10 lows: The provisions of this chapter shall
11 be held to be minimum requirements
12 adopted to promote the health, safety,
13 comfort, prosperity and general welfare of
14 the Village.
15 (b) Purpose. The purpose of this chapter is to
16 promote the public health, safety and
17 general welfare of the community. The
18 regulations are designed to lessen con-
19 gestion in the highways and streets; to fos-
20 ter the orderly layout and use of land; to
21 secure safety from fire, panic and other
22 dangers; to provide adequate light and
23 air, including access to sunlight for solar
24 collectors; to discourage overcrowding of
25 the land; to facilitate adequate provision
26 for transportation, public water and sew-
27 erage, parks, playgrounds and other pub-
28 lic necessities; and to facilitate the further
29 division of large tracts of land into smaller
30 parcels. The regulations are made with
31 the reasonable consideration of, but not
32 limited to, the present character of the
33 Village and its environs, with the objec-
34 tives of conserving the value of the land
35 and improvements placed thereon, pro-
36 viding the most appropriate environment
37 for human habitation, encouraging com-
38 merce and tourism, protecting open
39 spaces, and providing for the most ap-
40 propriate use of land in the Village.

41 **Sec. 54.02 Abrogation and Greater**
42 **Restrictions.**

43 It is not intended by this chapter to repeal, abro-
44 gate, annul, impair, or interfere with any existing
45 easements, covenants, agreements, rules, regula-
46 tions or permits previously adopted or issued
47 pursuant to law. However, where this chapter
48 imposes greater restrictions, the provisions of
49 this chapter shall govern.

50 **Sec. 54.03 Interpretations.**

51 In their interpretation and application, the provi-
52 sions of this chapter shall be held to be mini-
53 mum requirements and shall be liberally con-
54 strued in favor of the Village and shall not be
55 deemed a limitation or repeal of any other
56 power granted by the Wisconsin Statutes.

57 **Sec. 54.04 Severability.**

58 If any provision of this chapter is invalid or un-
59 constitutional, or if the application of this chap-
60 ter to any person or circumstances is invalid or
61 unconstitutional, such invalidity or unconstitu-
62 tionality shall not affect the other provisions or
63 applications of this chapter which can be given
64 effect without the invalid or unconstitutional
65 provision or application.

66 **Sec. 54.05 Repeals.**

67 All other ordinances or parts of ordinances of
68 the Village inconsistent or conflicting with this
69 chapter, to the extent of the inconsistency only,
70 are hereby repealed.

71 **Sec. 54.06 Title.**

72 This chapter shall be known as, referred to, or
73 cited as the "VILLAGE OF SISTER BAY LAND DI-
74 VISION AND PLATTING CHAPTER."

75 **Sec. 54.06 Adoption.**

76 This code was adopted as Ordinance No. 104-
77 110904 on November 9, 2004 and was effective
78 upon publication on November 13, 2004.

Village Land Division Code

1	GENERAL PROVISIONS	52	
		53	
		54	(7) tary, building and official mapping ordinances.
2	Sec. 54.40 General Provisions.	55	(7) The Village Comprehensive Plan and Official Map, or components thereof:
3	Wisconsin Administrative Code. The rules of	56	
4	administrative agencies having rule-making au-	57	a. Whenever a parcel to be subdivided embraces any part of a street, highway or greenway designated in said Comprehensive Plan or Official Map, such part of such proposed public way shall be platted and dedicated by the subdivider in the location and at a width indicated along with all other streets in the subdivision.
5	thority in Wisconsin, published in a loose-leaf,	58	
6	continual revision system, as directed by Sec.	59	b. Where a proposed public ground shown on the Comprehensive Plan or Official Map of the Village is located in whole or in part within the proposed subdivision, such proposed public ground or park shall be dedicated to the public when dedication is required by this chapter.
7	35.93 and Chapter 227 of the Wisconsin Statutes,	60	
8	including subsequent amendments to those	61	(8) All applicable rules contained in the Wisconsin Administrative Code not listed in this Subsection.
9	rules.	62	(9) The sewer and water rules of the Sister Bay Sewer and Water Utility on file with the Public Service Commission of the State of Wisconsin concerning sewer and water installations and services.
10	(a) <u>Compliance.</u> No person shall divide any	63	
11	land located within the jurisdictional limits	64	(b) <u>Jurisdiction.</u> The provisions of this chapter, as they apply to divisions of tracts of land into less than five parcels, shall not apply to:
12	of these regulations which results in a	65	(1) Transfers of interests in land by will or pursuant to court order;
13	subdivision, land division, land conveyance,	66	(2) Leases for a term not to exceed ten years, mortgages or easements;
14	consolidation, or a replat as defined	67	(3) Sale or exchange of parcels of unplatted land between adjoining property owners or where no additional lot is created.
15	herein; no such subdivision, land division,	68	
16	land conveyance, consolidation, or replat	69	(c) <u>Certified Survey.</u> Any division of land other than a subdivision as defined in Sec. 236.02(8), Wisconsin Statutes, shall be surveyed and a certified survey map prepared as provided in Sec. 236.34, Wisconsin
17	shall be entitled to recording; and no	70	
18	street shall be laid out, nor improvements	71	
19	made to land, nor building permits issued	72	
20	for any land division without compliance	73	
21	with all requirements of this chapter and	74	
22	the following:	75	
23	(1) The provisions of Ch. 236 and Sec.	76	
24	80.08, Wisconsin Statutes	77	
25	(2) The rules of the Division of Plumbing,	78	
26	Wisconsin Department of	79	
27	Commerce, contained in Wis.	80	
28	Adm. Code Chapter H85 for subdivisions	81	
29	not served by public sewer.	82	
30	(3) The rules of the Division of Highways,	83	
31	Wisconsin Department of	84	
32	Transportation contained in Wis.	85	
33	Adm. Code Chapter HY 33 for	86	
34	subdivisions which abut a state	87	
35	trunk highway or connecting street.	88	
36	[Note that compliance with Trans	89	
37	233 may be required for other	90	
38	types of development in 2005.]	91	
39	(4) The rules of the Wisconsin Department	92	
40	of Natural Resources	93	
41	contained in the Wis. Adm. Code	94	
42	for the Floodplain Management	95	
43	Program, and the Shoreland/ Wet-	96	
44	lands Management Program.	97	
45	(5) Comprehensive plans or components	98	
46	of such plans prepared by	99	
47	state, regional, county or municipal	100	
48	agencies duly adopted by the	101	
49	Board of Trustees.	102	
50	(6) All applicable local and county	103	
51	regulations, including zoning, sani-	104	
		105	

Village Land Division Code

Sec. 54.41 Land Suitability.

Sec. 54.42 Condominium Developments.

1 sin Statutes, subject to approval of the
2 Board of Trustees.
3 (d) Compliance; Issuance of Permits. The Vil-
4 lage shall not recognize, and no zoning,
5 building or other permits shall be issued
6 by the Village authorizing the building on,
7 occupancy, or improvement of any parcel
8 of land not on record as of the effective
9 date of this chapter until the provisions
10 and requirements of this chapter have
11 been fully complied with and a resolution
12 approving the land division has been
13 adopted by the Board of Trustees of the
14 Village.
15 (e) Applicability to Condominiums. This
16 chapter is expressly applicable to condo-
17 minium developments within the Village's
18 jurisdiction, pursuant to Sec. 703.27(1),
19 Wisconsin Statutes
20 (f) Recording of Plats or Certified Surveys.
21 Plats and certified surveys, approved by
22 the Board of Trustees, must be recorded
23 with the Door County Register of Deeds.
24 The number, volume and page of the re-
25 cording shall be filed with the Village
26 Clerk, Zoning Administrator and Village
27 Engineer prior to issuance of any permits.

28 **Sec. 54.41 Land Suitability.**

29 (a) Suitability. No land shall be subdivided
30 for residential or commercial use which is
31 held unsuitable for such use by the Board
32 of Trustees, upon the recommendation of
33 the Plan Commission, for reason of flood-
34 ing, inadequate drainage, unfavorable to-
35 pography or any other feature likely to be
36 harmful to the health, safety, or welfare of
37 the future residents of the proposed sub-
38 division or of the community. The Board
39 of Trustees, in applying the provisions of
40 this Section, shall in writing recite the par-
41 ticular facts upon which it bases its con-
42 clusion that the land is not suitable for
43 residential use and afford the subdivider
44 an opportunity to present evidence re-
45 garding such unsuitability if he/she so de-
46 sires. Thereafter the Board of Trustees,
47 upon the recommendation of the Plan
48 Commission, may affirm, modify, or with-
49 draw its determination of unsuitability.
50 (b) Existing Flora. The subdivider shall make
51 every effort to protect and retain all exist-
52 ing trees, shrubbery, vines, and grasses
53 not actually lying in public roadways,
54 drainage ways, building foundation sites,

55 private driveways, soil absorption waste
56 disposal areas, paths, and trails. Such trees
57 are to be protected and preserved during
58 construction in accordance with sound
59 conservation practices, possibly including
60 the preservation of trees by well islands or
61 retaining walls whenever abutting grades
62 are altered, pursuant to a landscaping
63 plan filed by the subdivider.

64 **Sec. 54.42 Condominium Developments.**

65 (a) Purpose.

- 66 (1) The Board of Trustees hereby finds
67 that certain issues arise in condo-
68 minium developments that require
69 limited applicability of this chapter
70 to condominium developments. The State
71 Legislature has recognized that subdivi-
72 sion ordinances may apply to condominiums
73 but that subdivision ordinances shall
74 not impose burdens upon condo-
75 miniums that are different from
76 those imposed on other property
77 of a similar character not subject to
78 a declaration of condominium.
79 (2) The factor that makes this chapter
80 applicable to a condominium de-
81 velopment is the creation of multi-
82 ple, distinct property entities at or
83 near the ground surface, subject to
84 property taxation as separate "par-
85 cels," with each property entity
86 having different ownership and
87 management. The Village deter-
88 mines that this factor makes a con-
89 dominium development dissimilar,
90 both physically and in ownership,
91 from developments in which the
92 land and improvements are under
93 unitary ownership, management,
94 and control.
95 (3) Thus, the Board of Trustees hereby
96 finds that new condominium de-
97 velopments can place impacts on
98 community resources in the same
99 manner as other new develop-
100 ments which are characterized by
101 division of land into lots. These
102 impacts include:
103 a. Additional population den-
104 sity.
105 b. Possibility of use of particu-
106 lar land in a manner unsuit-
107

Village Land Division Code

1 able to the land's character- 55
2 istics. 56
3 c. Additional demands upon 57
4 Village area parks, recrea- 58
5 tion areas and utility facili- 59
6 ties. 60
7 d. Additional traffic and street 61
8 use. 62
9 (b) Exceptions. This Section shall not apply to 63
10 the following condominiums: 64
11 (1) Any condominium plat recorded 65
12 prior to the effective date of this 66
13 chapter. 67

14 **Sec. 54.43 Miscellaneous Provisions.**

15 (a) Dedications. 70
16 (1) Effect of Recording on Dedications. When any plat is certified, 71
17 signed, acknowledged and recorded 72
18 as prescribed by Chapter 236, 73
19 Wisconsin Statutes, every donation 74
20 to grant to the public or any person, 75
21 society or corporation marked 76
22 or noted as such on said plat shall 77
23 be deemed a sufficient conveyance 78
24 to vest the fee simple of all 79
25 parcels of land so marked or 80
26 noted, and shall be considered a 81
27 general warranty against such donors, 82
28 their heirs and assigns to the 83
29 said donees for their use for the 84
30 purposes therein expressed and no 85
31 other; and the land intended for 86
32 the streets, alleys, ways, commons 87
33 or other public uses as designated 88
34 on said plat shall be held by the 89
35 Village, in which said plat is situated 90
36 in trust to and for such uses 91
37 and purposes. 92
38 (2) Dedications to Public Accepted by 93
39 Approval. When a final plat of a 94
40 subdivision has been approved by 95
41 the Village and all other required 96
42 approvals are obtained and the 97
43 plat is recorded, such approval 98
44 shall constitute an acceptance for 99
45 the purpose designated on the plat 100
46 of the uses of all lands shown
47 thereon as dedicated to the public,
48 including street dedications.
49 (b) Adoption of More Restrictive Provisions.
50 To accomplish the purposes of this chapter,
51 inasmuch as the Village has established
52 the Plan Commission, the Board of
53 Trustees pursuant to Sec. 236.45, Wisconsin
54

sin Statutes, adopts additional platting requirements which are deemed more restrictive than the general provisions of said statutes and no plat shall be approved by the Board of Trustees, nor shall the same be entitled to be recorded unless said plat complies with such additional requirements as may appear in this chapter.

(c) Inspection of Public Improvements within Subdivision. All required land improvements to be installed under the provisions of this chapter shall be subject to inspection at all times by the Village Engineer or other authorized person and no underground improvements shall be covered unless this subdivider, his/hers agents, servants or contractors shall have first obtained permission to cover any underground installation from the department authorized to make such inspection.

(d) Zoning Permit. No zoning permit shall be issued by any governing official for the construction of any building, structure or improvement to land or any lot within a subdivision or other land division as defined herein which has been approved for platting or dividing until all requirements of this chapter have been fully complied with and until a contract has been awarded for the construction of all such improvements. All zoning permits shall be subject to the approval of the Zoning Administrator.

(e) Occupancy Permit. No occupancy permit shall be granted by any governing official for the use of any structure within a subdivision approved for platting or replatting until required utility and public improvement facilities have been installed, made ready to service the property and approved by the Village and that roadways providing access to the subject lot or lots have been constructed or are in the course of construction and are suitable for vehicular traffic.

Village Land Division Code

Sec. 54.43 Miscellaneous Provisions.

Sec. 54.43 Miscellaneous Provisions.

1

Reserved.

Village Land Division Code

Sec. 54.50 Official Map

Sec. 54.55 Certified Copy of Map

1 **OFFICIAL MAP**

52 tions do not affect any land outside the
53 area being platted.

2 **Sec. 54.50 Official Map**

3 There is hereby established, as the Official Map
4 of the Village of Sister Bay, the Map which ac-
5 companies and is made a part of this Ordinance
6 bearing the date of March 12, 1985. This map is
7 hereby designated as the "Official Map of the Vil-
8 lage of Sister Bay," and all notations, references,
9 and other information shown thereon shall be as
10 much a part of this Ordinance as though the mat-
11 ters and information thereon were fully de-
12 scribed herein. The Official Map shall show the
13 location and extent of all platted and existing
14 streets, highways, drainageways, parkways, parks
15 and playgrounds, airports and airport affected
16 areas, and historic districts within the corporate
17 limits of the Village of Sister Bay and its extraterri-
18 torial plat approval jurisdiction as heretofore laid
19 out, adopted and established by law, except that
20 drainageways outside the Village limits shall not
21 be included on the Official Map.

22 **Sec. 54.51 Changes and Additions**

23 (a) Changing Map. The Board of Trustees may
24 change or add to the Official Map so as to
25 establish the exterior lines of; widen; nar-
26 row; extend; or close any platted, exist-
27 ing, proposed, or planned streets, high-
28 ways, drainageways, parkways, and parks
29 or playgrounds, except that drainageways
30 outside the Village limits shall not be in-
31 cluded on the Official Map.

32 (b) Referral to Plan Commission. The Board
33 of Trustees shall refer any change or addi-
34 tion to the Official Map to the Village Plan
35 Commission for review and report
36 thereon prior to adoption. The Village
37 Plan Commission shall report its recom-
38 mendation to the Board of Trustees within
39 60 days.

40 (c) Public Hearing. A public hearing of parties
41 in interest and citizens before the Board
42 of Trustees shall be required before any
43 changes or additions to the Official Map
44 are effective. Notice of the public hearing
45 shall be published as a Class 2 notice pur-
46 suant to Chapter 985 of the Wisconsin
47 Statutes.

48 (d) Changes Not Requiring a Hearing.
49 Changes and additions made by duly ap-
50 proved subdivision plats shall not require
51 a public hearing if the changes or addi-

54 **Sec. 54.52 Zoning Permits**

55 (a) Zoning Permits Required. For the purpose
56 of preserving the integrity of the Official
57 Map, a zoning permit shall be required for
58 any structure or part thereof that shall
59 hereafter be located, erected, moved, re-
60 constructed, extended, enlarged, con-
61 verted, or structurally altered. No permit
62 shall hereafter be issued for any building
63 in any existing or proposed street, high-
64 way, drainageway, or parkway shown on
65 the Official Map. No permit for the erec-
66 tion of any building shall be issued unless
67 a street or highway giving access to such
68 proposed structure has been duly placed
69 on the Map.

70 (b) Surveys Required. The Zoning Administra-
71 tor may require each applicant for a build-
72 ing permit to submit a plan, prepared and
73 certified by a registered land surveyor,
74 showing accurately the location of any
75 proposed building with reference to any
76 street, highway, drainageway, or parkway
77 shown on the Official Map.

78 **Sec. 54.53 Municipal Improvements**

79 No public water, sewer or other municipal utility
80 or improvement shall be constructed in any
81 street, highway, or parkway within the jurisdic-
82 tional area of this Ordinance until such street,
83 highway, or parkway is duly placed on the Offi-
84 cial Map.

85 **Sec. 54.54 Appeals**

86 The Board of Zoning Appeals shall have the
87 power to review any administrative decision of
88 the Village Zoning Administrator to deny a per-
89 mit for the erection of a structure under this Or-
90 dinance and to grant relief from the require-
91 ments of this Ordinance under the provisions of
92 Sections 62.23(6)(e), (f), and (g) of the Wisconsin
93 Statutes.

94 **Sec. 54.55 Certified Copy of Map**

95 There shall be a certified copy of the Official
96 Map described in Section 54.50. The certified
97 copy shall be kept in the office of the Village
98 Clerk, and shall be available for inspection by
99 any interested person during regular office
100 hours. The certified copy shall bear on its face a
101 certification that it is a true copy of the Official

Village Land Division Code

1 Map described in and accompanying this Ordinance and shall show the date of adoption of this Ordinance and shall be signed by the President and countersigned by the Village Clerk. Thereafter no change or addition to such Official Map shall become effective until it shall have been indicated by the appropriate convention on the aforesaid certified copy of the Official Map and a certificate placed thereon or attached thereto bearing the number and date of adoption of the amending ordinance. The certificate shall be signed by the President and countersigned by the Village Clerk.

14 **Sec. 54.56 Map to be Filed with Register of Deeds**

15
16 The Village Clerk shall be responsible immediately upon adoption of the Official Map or any amendment thereto for recording a true copy of the Official Map, as adopted or amended, with the Register of Deeds of the County of Door, Wisconsin.

22 **Sec. 54.57 Enforcement**

23 It shall be the duty of the Village Zoning Administrator to enforce the provisions of this Ordinance.

26 (a) Zoning Permit. No zoning permit shall be issued by any governing official for the construction of any building, structure or improvement to land or any lot within a subdivision or other land division as defined herein which has been approved for platting or dividing until all requirements of this chapter have been fully complied with and until a contract has been awarded for the construction of all such improvements. All zoning permits shall be subject to the approval of the Zoning Administrator.

39 (b) Occupancy Permit. No occupancy permit shall be granted by any governing official for the use of any structure within a subdivision approved for platting or replatting until required utility and public improvement facilities have been installed, made ready to service the property and approved by the Village and that roadways providing access to the subject lot or lots have been constructed or are in the course of construction and are suitable for vehicular traffic.

Village Land Division Code

Sec. 54.57 Enforcement

Sec. 54.57 Enforcement

1

Reserved.

Village Land Division Code

Sec. 54.60 Preliminary Consultation.

Sec. 54.61 Submission of Preliminary Plat.

1	PLAT REVIEW AND APPROVAL	52	
		53	
		54	
2	Sec. 54.60 Preliminary Consultation.	55	
3	Before filing of an application for the approval of	56	
4	a Preliminary Plat or certified survey map, the	57	
5	subdivider shall submit a conceptual plan and	58	
6	consult with the Village Engineer and the Zoning	59	
7	Administrator for advice regarding general sub-	60	
8	division requirements. Information on meeting	61	
9	dates, agenda deadlines and filing requirements	62	(b) <u>Plans and Specifications.</u> Subsequent to
10	may be obtained from the Zoning Administrator.	63	Plan Commission approval, the owner
11	The conceptual plan would show the relation-	64	shall file with the Village Engineer three
12	ship of the proposed subdivision or certified sur-	65	copies of plans and specifications for
13	vey map to traffic arteries and existing com-	66	public improvements required by this
14	munity facilities. This consultation is intended to	67	chapter. The Village Engineer shall exam-
15	inform the subdivider of the purpose and objec-	68	ine the plat or map and final plans and
16	tives of these regulations, the Comprehensive	69	specifications of public improvements for
17	Plan, comprehensive plan components and plan	70	technical details and, if he/she finds them
18	implementation devices of the Village and to	71	satisfactory, shall so certify in writing to
19	otherwise assist the subdivider in planning	72	the Plan Commission. If the plat or map or
20	his/hers development. This step does not re-	73	the plans and specifications are not satis-
21	quire formal application, fee or filing of a plat	74	factory, the Village Engineer shall return
22	with the Plan Commission or Board of Trustees	75	them to the owner and so advise the Plan
23	but may include a preliminary sketch.	76	Commission.
		77	(c) <u>Proof of Ownership.</u> A title insurance pol-
24	Sec. 54.61 Submission of Preliminary	78	icy or a commitment for title insurance,
25	Plat.	79	and an accepted offer-to-purchase shall
26	(a) <u>Submission.</u>	80	be submitted to the Zoning Administrator.
27	(1) Required. Any person contemplating	81	(d) <u>Filing Fees.</u> A filing fee shall be paid in ac-
28	the subdivision of land within	82	cord with the Municipal Code.
29	the Village, before submitting a final	83	(e) <u>Affidavit.</u> The surveyor preparing the Pre-
30	plat for approval shall be re-	84	liminary Plat shall certify on the face of the
31	quired to file with the Zoning Ad-	85	plat that it is a correct representation of all
32	ministrator for filing with the Vil-	86	existing land divisions and features and
33	lage Clerk at least 14 days prior to a	87	that he/she has fully complied with the
34	regular meeting of the Plan Com-	88	provisions of this chapter.
35	mission, the number of prints	89	(f) <u>Street Plans and Profiles.</u> The subdivider
36	specified by the Zoning Adminis-	90	shall provide street plans and profiles
37	trator of a preliminary plat con-	91	showing existing ground surface, and pro-
38	forming to the Master Plan, Official	92	posed and established street grades, in-
39	Map and the Subdivision Design	93	cluding extensions for a reasonable dis-
40	Standards of this chapter.	94	tance beyond the limits of the proposed
41	(2) Official Filing. The submission of	95	subdivision when requested.
42	the prints of the preliminary plat	96	(g) <u>Soil Testing.</u> Upon the request of the Plan
43	shall constitute official filing and	97	Commission or Village Engineer, the sub-
44	the Village Clerk shall note on each	98	divider shall provide a preliminary soils
45	print the date filed and shall forth-	99	report, listing the types of soil in the pro-
46	with forward copies to the follow-	100	posed subdivision, their effect on the sub-
47	ing:	101	division and a proposed soil testing and
48	a. Four copies to the Supervi-	102	investigation program. Pursuant to the
49	sor of the Plat Review Unit	103	public policy concerns prescribed in Sec-
50	in the Department of Ad-	104	tion 54.41, [See page 5] above the Village
51	ministration.	105	Engineer may require that borings and
		106	soundings be made in specified areas to

Village Land Division Code

1 ascertain subsurface soil, rock and water
2 conditions, including depth to bedrock
3 and depth to ground water table.
4 Referral to Other Agencies and Utilities.
5 (1) Utilities. The subdivider shall also
6 forward a copy to the local electric,
7 cable TV and telephone utilities.
8 (2) County and State Agencies. The
9 Village Clerk shall, within two days
10 after the filing of the Preliminary
11 Plat, transmit an adequate number
12 of copies to the Plan Commission,
13 copies to the County Planning De-
14 partment and copies to the Super-
15 visor of the Plat Review Unit in the
16 Wisconsin Department of Admini-
17 stration who may retransmit to the
18 Wisconsin Department of Trans-
19 portation if the subdivision abuts
20 or adjoins a state trunk highway or
21 a connecting street and the Wis-
22 consin Department of Industry,
23 Labor and Human Relations if the
24 subdivision is not served by the
25 public sewer and provision for
26 such service has not been made.
27 The County Planning Department,
28 the Wisconsin Department of Ad-
29 ministration, the Wisconsin De-
30 partment of Development, the
31 Wisconsin Department of Trans-
32 portation and the Wisconsin De-
33 partment of Industry, Labor and
34 Human Relations shall be hereinaf-
35 ter referred to as objecting agen-
36 cies. The Zoning Administrator
37 shall also transmit a copy of the
38 Preliminary Plat to other affected
39 Village departments for their re-
40 view and recommendations con-
41 cerning matters within their juris-
42 diction.
43 (3) Action by Outside Agencies.
44 Within 20 days of the date of re-
45 ceiving the copies of the Prelimi-
46 nary Plat, any state or county
47 agency having authority to object
48 under Subsection (e)(2) above shall
49 notify the subdivider and all ap-
50 proving or objecting authorities of
51 any objection based upon failure
52 of the plat to comply with the stat-
53 utes or rules which its examination
54 is authorized to cover, or, if all ob-
55 jections have been satisfied, it shall

56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109

so certify on the face of a copy of
the plat and return that copy to the
approving authority from which it
was received. The plat shall not be
approved or deemed approved
until any objections have been sat-
isfied. If the objecting agency fails
to act within the 20 day limit, it
shall be deemed to have no objec-
tion to the plat. The recommenda-
tions of Village departments shall
also be transmitted to the Plan
Commission within 20 days from
the date the plat is filed.

Sec. 54.62 Preliminary Plat Review and Approval.

(a) Official Approval. The Plan Commission shall, within 90 days of the submission of the preliminary plat to said body, review the plat and negotiate with the subdivider on changes deemed advisable, and approve, approve conditionally or reject the plat. The subdivider and his/hers surveyor shall be notified in writing of any conditions of approval or the reasons for rejections. Pursuant to Sec. 236.12, Wisconsin Statutes no approval shall be granted until it has been certified that there is no objection to the plat by any agency authorized to object.

Additional Filing.

- (1) Nothing herein contained shall prohibit the filing of additional preliminary plats regardless of whether the first one has been approved.
- (2) The subdivider may resubmit to the Village Clerk corrected copies of the rejected plat.
- (3) Effect of Preliminary Plat Approval. Approval or conditional approval of a Preliminary Plat shall not constitute automatic approval of the Final Plat. Conditional approval may be granted subject to satisfactory compliance with pertinent provisions of this chapter and Chapter 236, Wisconsin Statutes. The Preliminary Plat shall be deemed an expression of approval or conditional approval of the layout submitted as a guide to the preparation of the Final Plat, which will be subject to further consid-

Village Land Division Code

Sec. 54.63 Final Plat Review and Approval.

Sec. 54.63 Final Plat Review and Approval.

1 eration by the Plan Commission
2 and Board of Trustees at the time
3 of its submission.
4 (b) Preliminary Plat Amendment. Should the
5 subdivider desire to amend the Prelimi-
6 nary Plat as approved, he/she may re-
7 submit the amended plat which shall fol-
8 low the same procedure outlined herein,
9 unless the amendment is, in the opinion
10 of the Plan Commission, of such scope as
11 to constitute a new plat, in which such
12 case it shall be refiled.

13 **Sec. 54.63 Final Plat Review and** 14 **Approval.**

15 (a) Filing Requirements.
16 (1) The subdivider shall prepare a Fi-
17 nal Plat in accordance with this
18 chapter; and upon installation of
19 the public improvements required
20 for the subdivision, and upon ac-
21 ceptance of said improvements by
22 the Village Engineer, shall file 22
23 copies of the Plat and the applica-
24 tion with the Village Clerk at least
25 14 days prior to the meeting of the
26 Plan Commission at which action is
27 desired. A written transmittal letter
28 shall identify all substantial
29 changes that have been made to
30 the plat since the Preliminary Plat.
31 When the subdivider expects the
32 Village to act as the transmitting au-
33 thority in accordance with Sec.
34 236.12, Wisconsin Statutes, the ap-
35 plication shall state that transmittal
36 responsibilities lie with the Village
37 and shall contain a list of the other
38 authorities to which the plat must
39 be subjected and shall be accom-
40 panied by such additional fees and
41 copies of the plat as are necessary
42 to be transmitted to such authori-
43 ties.
44 (2) If the Village is acting as the trans-
45 mitting authority, the Village Clerk
46 shall, within two days after filing,
47 transmit copies to the County
48 Planning Department, copies to
49 the Supervisor of the Plat Review
50 Unit in the Wisconsin Department
51 of Administration for them and for
52 their retransmission of copies to
53 the Wisconsin Department of
54 Transportation if the subdivision

55 abuts or adjoins a state trunk high-
56 way or a connecting street and the
57 Wisconsin Department of Industry,
58 Labor and Human Relations if the
59 subdivision is not served by a pub-
60 lic sewer and provision for service
61 has not been made, to all affected
62 Village boards, commissions and
63 committees and the original Final
64 Plat and adequate copies to the
65 Plan Commission. The County
66 Highway Department, the Wiscon-
67 sin Department of Agriculture,
68 Trade and Consumer Protection,
69 the Wisconsin Department of Tran-
70 sportation, and the Wisconsin De-
71 partment of Industry, Labor and
72 Human Relations shall be hereinaf-
73 ter referred to as objecting agen-
74 cies.
75 (3) The Final Plat shall conform to the
76 Preliminary Plat as approved and
77 to the requirements of all applica-
78 ble ordinances and state laws and
79 shall be submitted for certification
80 of those agencies having the au-
81 thority to object to the plat as pro-
82 vided by Sec. 236.12(2), Wisconsin
83 Statutes
84 (4) The Village Clerk shall refer 11 cop-
85 ies of the Final Plat to the Plan
86 Commission for the Zoning Ad-
87 ministrator and for distribution to
88 other Village departments. The
89 recommendations of the Plan
90 Commission shall be made within
91 30 days of the filing of the Final
92 Plat.
93 (5) A filing fee shall be paid in accor-
94 dance with the Municipal Code.
95 (b) Plan Commission Review.
96 (1) The Plan Commission shall exam-
97 ine the Final Plat as to its confor-
98 mance with the approved Prelimi-
99 nary Plat, any conditions of ap-
100 proval of the Preliminary Plat, this
101 chapter and all applicable ordi-
102 nances, rules, regulations, compre-
103 hensive plans and comprehensive
104 plan components which may affect
105 it and shall recommend approval,
106 conditional approval or rejection
107 of the Plat to the Board of Trustees.
108 (2) The objecting state and county
109 agencies shall, within 20 days of

Village Land Division Code

Sec. 54.64 Replat.

Sec. 54.64 Replat.

1 the date of receiving their copies
2 of the Final Plat, notify the subdivi-
3 der and all other approving and
4 objecting agencies of any objec-
5 tions. If there are no objections,
6 they shall so certify on the face of
7 the copy of the Plat and shall re-
8 turn that copy to the Village. If an
9 objecting agency fails to act within
10 20 days, it shall be deemed to have
11 no objection to the Plat.

12 (3) The Plan Commission shall, within
13 30 days of the date of filing of the
14 Final Plat with the Village Clerk,
15 recommend approval, conditional
16 approval or rejection of the Plat
17 and shall transmit the Final Plat and
18 application along with its recom-
19 mendations to the Board of Trus-
20 tees. The Plan Commission may
21 hold the matter in abeyance if
22 there is incomplete or inadequate
23 information.

Board of Trustees Review and Approval.

24 (4) The Board of Trustees shall, within
25 60 days of the date of filing the
26 original Final Plat with the Village
27 Clerk, approve or reject such Plat
28 unless the time is extended by
29 agreement with the subdivider. If
30 the Plat is rejected, the reasons
31 shall be stated in the minutes of
32 the meeting and a written state-
33 ment of the reasons forwarded to
34 the subdivider. The President and
35 Village Clerk may not inscribe their
36 approval on the Final Plat unless
37 the Village Clerk certifies on the
38 face of the Plat that the copies
39 were forwarded to objecting agen-
40 cies as required herein, the date
41 thereof and that no objections
42 have been filed within 20 days or,
43 if filed, have been met.

44 (5) The Board of Trustees shall, when it
45 determines to approve a Final Plat,
46 give at least ten days' prior written
47 notice of its intention to the Mu-
48 nicipal Clerk of any municipality
49 within 1,000 feet of the Final Plat,
50 but failure to give such notice shall
51 not invalidate any such plat.

52 (6) Failure of the Board of Trustees to
53 act within 60 days, the time having
54 not been extended and no unsatis-
55

56 fied objections having been filed,
57 the plat shall be deemed ap-
58 proved.

59 (c) Recordation. After the required im-
60 provements have been installed and the
61 Final Plat has been approved by the Board
62 of Trustees, the Village Clerk shall cause
63 the certificate inscribed upon the Plat at-
64 testing to such approval to be duly exe-
65 cuted and the Plat returned to the sub-
66 divider for recording with the County Reg-
67 ister of Deeds. The Register of Deeds
68 cannot record the Plat unless it is offered
69 within six months from the date of Pre-
70 liminary Plat approval or 30 days after the
71 date of Final Plat approval. Recording fees
72 shall be paid by the subdivider.

73 (d) Final Copies. The subdivider shall file ten
74 copies of the Final Plat as approved with
75 the Village Clerk for distribution to the
76 approving agencies, affected utilities and
77 other affected agencies for their files. The
78 subdivider shall provide to the Village En-
79 gineer a digital file in an acceptable for-
80 mat that contains the plat.

81 (e) Partial Platting. The Final Plat may, if per-
82 mitted by the Board of Trustees, constitute
83 only that portion of the approved Pre-
84 liminary Plat which the subdivider pro-
85 poses to record at the time.

86 (f) Optional Processing Procedure. Where
87 the developer chooses to follow the op-
88 tional procedure in processing the plat as
89 provided by Sec. 236.12, Wisconsin Stat-
90 utes, the Village Clerk and Plan Commis-
91 sion shall modify their procedure and the
92 wording of the necessary certificate and
93 approval accordingly.

Sec. 54.64 Replat.

94 (a) Except as provided in Section 70.27(1),
95 Wisconsin Statutes, when it is proposed
96 to replat a recorded subdivision, or part
97 thereof, so as to change the exterior
98 boundaries of a recorded subdivision, or
99 part thereof, the applicant or person wish-
100 ing to replat shall vacate or alter the re-
101 corded Plat as provided in Sections
102 236.40 through 236.44 of the Wisconsin
103 Statutes. The applicant or person wishing
104 to replat shall then proceed, using the
105 approval procedures for Preliminary and
106 Final Plats prescribed in this chapter.

107 (b) Whenever an approved Final Plat is sub-
108 mitted for re-
109 proved plat, and which has

Village Land Division Code

Sec. 54.65 Determination of Adequacy of Public

Sec. 54.65 Determination of Adequacy of Public

1 not been recorded with the Register of
2 Deeds, said plat shall be reapproved by
3 the Board of Trustees. No Final Plats shall
4 be reapproved by the Board of Trustees
5 following the expiration of the six month
6 period. Such plats shall be submitted as a
7 new plat. All previous approvals shall be
8 null and void and shall have no further
9 bearing on the subsequent review and
10 approval of the plat by the Village.

11 **Sec. 54.65 Determination of Adequacy of** 12 **Public Facilities and Services.**

13 (a) A Preliminary Plat, Final Plat or certified
14 survey map shall not be approved unless
15 the Plan Commission and the Board of
16 Trustees determine that adequate public
17 facilities and public services will be avail-
18 able to meet the needs of the proposed
19 land division and that no public funds
20 other than those already provided in an
21 adopted capital or operating budget are
22 required; the Board of Trustees, at its dis-
23 cretion, may waive this provision if the
24 Board of Trustees agrees to use bonding
25 or other means of financing for the pro-
26 ject.

27 (b) The applicant shall furnish any data re-
28 quested by the Zoning Administrator who
29 shall transmit this information to the ap-
30 propriate commission(s), committee(s)
31 and staff for review; the Zoning Adminis-
32 trator shall act as coordinator of the re-
33 ports from staff to the Plan Commission
34 and Board of Trustees on the adequacy of
35 water, sanitary and storm sewers, fire ser-
36 vice, parks and open space and recreation
37 facilities and transportation facilities.

38 (c) Public facilities and public services for a
39 proposed land division may be found to
40 be adequate when the following condi-
41 tions exist:

42 (1) The proposed land division is lo-
43 cated in a sanitary sewer service
44 area where adequate sanitary
45 sewer service is presently available
46 for extension, under construction
47 or designated by the Board of Trus-
48 tees for extension of sewer service
49 within the current capital budget
50 year and funds are specifically pro-
51 vided for such extension either
52 from public or private financing.
53 The Plan Commission and the
54 Board of Trustees shall consider

55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108

the recommendations of the Vil-
lage Engineer, Utility Commission,
and the appropriate committee(s)
on the capacity of trunk lines and
of sewerage treatment facilities
and any other information pre-
sented.

(2) The proposed land division is lo-
cated within a service area con-
tiguous to an arterial transmission
water main of adequate capacity
for the proposed development or
if the water distribution system that
is needed is under construction or
scheduled for construction within
the current budget year, and funds,
either public or private, are avail-
able for the program. The Plan
Commission and the Board of Trus-
tees shall consider the recommen-
dations from the Village's Utility
Commission, Village Engineer, and
the appropriate committee(s) on
line capacities, water sources and
storage facilities, as well as any
other information presented.

(3) The Village Administrator verifies
to the Board of Trustees that ade-
quate funds, either public or pri-
vate, are available to insure the in-
stallation of all necessary storm wa-
ter management facilities.

(4) The Village Administrator can
demonstrate to the Plan Commis-
sion and the Board of Trustees that
street maintenance and refuse col-
lection services, either public or
private, are so situated that ade-
quate and timely service can be
provided so as not to involve dan-
ger or injury to the health, safety or
general welfare to the future resi-
dents of the proposed land divi-
sion or existing Village residents.

(5) The Plan Commission verifies that
the future residents of the pro-
posed land division can be assured
park, recreation and open space
facilities and services which meet
the standards of the Village's Com-
prehensive Plan.

(6) The Fire Department verifies that
timely and adequate service can
be provided to the residents.

Village Land Division Code

- 1 (7) The proposed land division is ac-
2 cessible by existing or officially
3 mapped, publicly maintained, all-
4 weather roadway system, ade-
5 quate to accommodate both exist-
6 ing traffic and that traffic to be gen-
7 erated by the proposed land divi-
8 sion in accordance with the Official
9 Map and Village Standards.
- 10 (d) Where the Plan Commission and the
11 Board of Trustees determine that one or
12 more public facilities or services are not
13 adequate for the proposed development,
14 but that a portion of the area could be
15 served adequately, or that careful phasing
16 of the development could result in all
17 public facilities and public services being
18 adequate, conditional approval may in-
19 clude only such portions or may specify
20 phasing of the development.
- 21 (e) No land shall be divided which has been
22 officially mapped as a public lands storm
23 water management facility or is deter-
24 mined by the Board of Trustees to be un-
25 suitable for use by reason of flooding, bad
26 drainage, severe erosion potential or un-
27 favorable topography, or any other fea-
28 ture likely to be harmful to health, safety
29 or welfare of future residents or landown-
30 ers in the proposed land division or of the
31 community.
- 32 (f) If the proposed improvements or project
33 are located outside the corporate limits of
34 the Village and seek to connect to the
35 sanitary sewer or water systems, then the
36 Utility Commission shall review the pre-
37 liminary engineering calculations and de-
38 termine if the proposed improvements or
39 project have an impact on the existing wa-
40 ter or sanitary sewer system. The Village
41 Engineer shall evaluate the preliminary
42 engineering calculations submitted to the
43 Utility Commission and report in writing
44 as to the impact on the system and the
45 adequacy of the system to serve. The Util-
46 ity Commission will submit a report and
47 recommendation to the Plan Commission
48 and Board of Trustees for their considera-
49 tion. The construction of system im-
50 provements outside the corporate limits
51 of the Village shall be under the control of
52 the Liberty Grove Sanitary District #1
53 and/or the Town of Liberty Grove as
54 modified by the agreements between the
55 District, Town and the Village.

Village Land Division Code

Sec. 54.80 Technical Requirements for

Sec. 54.80 Technical Requirements for

1 **TECHNICAL REQUIREMENTS FOR**
2 **PLATS AND CERTIFIED SURVEYS**

3 **Sec. 54.80 Technical Requirements for**
4 **Preliminary Plats.**

5 (a) General. A Preliminary Plat shall be re-
6 quired for all subdivisions and shall be
7 based upon a survey by a registered land
8 surveyor and the plat prepared and sub-
9 mitted on Mylar or paper of good quality
10 at a scale of not more than 100 feet to the
11 inch and shall show correctly on its face
12 the following information:

13 (1) Title under which the proposed
14 subdivision is to be recorded,
15 which name shall not duplicate or
16 be alike in pronunciation of the
17 name of any plat heretofore re-
18 corded in the Village unless con-
19 sidered an addition to the subdivi-
20 sion.

21 (2) Legal description/location of the
22 proposed subdivision by govern-
23 ment lot, quarter section, town-
24 ship, range, county and state.

25 (3) Date, scale and north point.

26 (4) Names, telephone numbers, and
27 addresses of the owner, and any
28 agent having control of the land,
29 engineer, subdivider, Registered
30 Land Surveyor preparing the plat.

31 (5) Entire area contiguous to the pro-
32 posed plat owned or controlled by
33 the subdivider may be required by
34 the Plan Commission to be in-
35 cluded on the Preliminary Plat
36 even though only a portion of said
37 area is proposed for immediate
38 development. Where a subdivider
39 owns or controls adjacent lands in
40 addition to those proposed for de-
41 velopment at that time, he/she
42 shall submit a concept plan for the
43 development of the adjacent lands
44 showing streets, utilities, zoning
45 districts and other information as
46 may affect the review of the Pre-
47 liminary Plat in question. The Vil-
48 lage Engineer may waive these re-
49 quirements where adjacent devel-
50 opment patterns have already
51 been established.

52 (b) Plat Data. Survey information required
53 below off of the subject parcel or prop-
54 erty may be obtained from mapping
55 sources acceptable to Door County. All
56 Preliminary Plats shall show the following:

57 (1) Exact length and bearing of the ex-
58 terior boundaries of the proposed
59 subdivision referenced to two dif-
60 ferent corners established in the
61 U.S. Public Land Survey and the to-
62 tal acreage encompassed therein.

63 (2) Locations of all existing property
64 boundary lines, structures, drives,
65 streams and water courses,
66 marshes, rock outcrops, wooded
67 areas and other significant features
68 within the tract being subdivided
69 or immediately adjacent thereto.

70 (3) Location, right-of-way width and
71 names of all existing streets, alleys
72 or other public ways, easements
73 and utility rights-of-way and all sec-
74 tion and quarter section lines
75 within the exterior boundaries of
76 the plat or immediately adjacent
77 thereto.

78 (4) Location and names of any adja-
79 cent subdivisions, parks and ceme-
80 teries and owners of record of
81 abutting unplatted lands.

82 (5) Type, width and elevation of any
83 existing street pavements within
84 the exterior boundaries of the plat
85 or immediately adjacent thereto,
86 together with any legally estab-
87 lished centerline elevations.

88 (6) Location, size and invert elevation
89 of any existing or adjoining sanitary
90 or storm sewers, culverts and drain
91 pipes, the location of manholes,
92 catch basins, hydrants, electric and
93 communication facilities, whether
94 overhead or underground and the
95 location and size of any existing
96 water and sewer mains within the
97 exterior boundaries of the plat or
98 immediately adjacent thereto. If no
99 sewers or water mains are located
100 on or immediately adjacent to the
101 tract, the nearest such sewers or
102 water mains which might be ex-
103 tended to serve the tract shall be
104 indicated by the direction and dis-
105 tance from the tract, size and invert
106 elevations.

Village Land Division Code

Sec. 54.80 Technical Requirements for

Sec. 54.80 Technical Requirements for

1	(7)	Corporate limit lines within the exterior boundaries of the plat or immediately adjacent thereto.	56		
2			57		
3			58		
4	(8)	Existing zoning on and adjacent to the proposed subdivision.	59		
5			60		
6	(9)	Source of domestic water supply and type of sewage disposal, locations of sites for community domestic water plant and/or community sewage treatment plant are all subject to rules and regulations of the State Department of Health.	61	(17)	Location, width and names of all proposed streets and public rights-of-way such as alleys and easements.
7			62		
8			63		
9			64		
10			65	(18)	Approximate dimensions of all lots together with proposed lot, or lot and block, numbers. The area in square feet of each lot shall be provided.
11			66		
12			67		
13	(10)	Contours at vertical intervals of not more than five feet where the slope is greater than ten percent (10%) and not more than two feet where the slope is less than ten percent (10%). Elevations shall be referenced to National Geodetic Vertical Datum of 1929 (NGVD-29).	68	(19)	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.
14			69		
15			70		
16			71		
17			72		
18			73		
19			74		
20			75		
21			76		
22	(11)	Profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision. Elevations shall be referenced to National Geodetic Vertical Datum of 1929 (NGVD-29).	77	(20)	Approximate radii of all curves.
23			78	(21)	Any proposed lake and stream access with a small drawing clearly indicating the location of the proposed subdivision in relation to access.
24			79		
25			80		
26			81		
27			82		
28			83		
29			84	(22)	Any proposed lake and stream improvement or relocation, and notice of application for approval by the Army Corps of Engineers or Department of Natural Resources, when applicable.
30	(12)	A draft of a protective covenant whereby the subdivider proposes to regulate land use in the subdivision and otherwise protect the proposed development.	85		
31			86		
32			87		
33			88		
34			89		
35	(13)	High-Water Elevation of all ponds, streams, lakes, flowages and wetlands within the exterior boundaries of the plat or located within 100 feet there from.	90	(23)	Soil tests and reports as may be required by the Village Engineer for the design of roadways, storm drainage facilities, on-site sewage disposal systems, erosion control facilities, and/or other subdivision improvements and features.
36			91		
37			92		
38			93		
39			94		
40	(14)	Water elevation and exact boundaries of all ponds, streams, lakes, flowages and wetlands within the exterior boundaries of the plat or located within 100 feet there from at the date of the survey.	95	(24)	Setbacks and building lines for each lot consistent with the pertinent requirements of the Village Zoning Code.
41			96		
42			97		
43			98		
44			99		
45			100		
46	(15)	Floodland and shoreland boundaries of the 100 year recurrence interval flood or, where such data is not available, the maximum flood of record within the exterior boundaries of the plat or within 100 feet there from.	101	(25)	Design Features.
47			102	a.	Locations and widths of proposed alleys, pedestrian ways and utility easements.
48			103	b.	Layout numbers and preliminary acreages and dimensions of lots and blocks.
49			104	c.	Minimum front, rear, side, and street yard building setback lines.
50			105		
51			106		
52			107		
53	(16)	Location and results of percolation tests within the boundaries of the plat conducted in accordance with	108		
54			109		
55			110		

Village Land Division Code

1	d.	Location and size of proposed sanitary sewer lines and water mains.	56
2			57
3			58
4	e.	Gradients of proposed streets, sewer lines (and water mains, if required).	59
5			60
6	f.	Areas, other than streets, alleys, pedestrian ways and utility easements, intended to be dedicated or reserved for public use, including the size of such area or areas in acres.	61
7			62
8			63
9			64
10			65
11			66
12			67
13	g.	Location and description of survey monuments.	68
14			69
15	h.	An identification system for the consecutive numbering of all blocks and lots within the subdivision.	70
16			71
17			72
18			73
19	i.	Sites, if any, to be reserved for parks or other public uses.	74
20			75
21			76
22			77
23	j.	Sites, if any, for multi-family dwellings, shopping areas, churches or other non-public uses exclusive of single-family dwellings.	78
24			79
25			80
26			81
27	k.	Provisions for surface water management including both minor and major system components, detention/retention facilities, including existing and post development 100 year flood elevations, etc.	82
28			83
29			84
30			85
31			86
32			87
33			88
34			89
35			90
36	l.	Potential re-subdivision and use of excessively deep [over 200 feet] or oversized lots must be indicated in a satisfactory manner to the Village Engineer.	91
37			92
38			93
39			94
40			95
41			96
42	m.	Any wetlands, floodplains, or environmentally sensitive areas provided for by any local, state or federal law.	97
43			98
44			99
45	n.	Locations of holding tanks and septic fields.	100
46			101
47	o.	All easements as required by Section 54.112.	102
48			103
49			104
50	(26)	Where the Zoning Administrator or Village Engineer finds that it requires additional information relative to a particular problem presented by a proposed development in order to review the Pre-	105
51			106
52			107
53			108
54			
55			

liminary Plat, it shall have the authority to request in writing such information from the subdivider.

Sec. 54.81 Technical Requirements for Final Plats.

(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 Section 236.20, Wisconsin Statutes, and this chapter.

(b) Additional Information. The Final Plat shall show correctly on its face, in addition to the information required by Section 236.20, Wisconsin Statutes, the following:

- (1) Exact Length and Bearing of the center line of all streets.
- (2) Exact Street Width along the line of any obliquely intersecting street.
- (3) Exact Location and Description of street lighting and lighting utility easements.
- (4) All Lands Reserved for future public acquisition or roads of easements or reserved for the common use of property owners within the Plat.
- (5) Special Restrictions required by the Board of Trustees, upon the recommendation of the Plan Commission; such as, but not limited to, items relating to access control along public ways or to the provision of planting strips.
- (6) Taxes. Certifications by attached information showing that all taxes, special assessments or other outstanding charges currently due on the property to be subdivided have been paid in full.
- (7) Dimensions of Lot Lines shall be shown in feet and hundredths; no ditto marks shall be permitted. When lot lines are not at right angles to the street right-of-way line, the width of the lot shall be indicated in the narrowest portion of the buildable area in addition to the frontage of the lot at the street right-of-way line.
- (8) A Numbered Identification System for all lots and blocks.

Village Land Division Code

1 (c) Deed Restrictions. Restrictive covenants 56
2 and deed restrictions for the proposed 57
3 subdivision shall be filed with the Final 58
4 Plat and recorded. 59
5 (d) Property Owners Association. The legal 60
6 instruments creating a property owners 61
7 association for the ownership and/or 62
8 maintenance of common lands in the 63
9 subdivision shall be filed with the Final 64
10 Plat. 65
11 (e) Street Dedication. Public rights-of-way for 66
12 streets and other public areas shall be 67
13 dedicated to the Village with Final Plat 68
14 approval. Such dedications shall require 69
15 the owner's certificate and the mort- 70
16 gagee's certificate in substantially the 71
17 same form as required by Sec. 236.21 72
18 (2)(a), Wisconsin Statutes 73
19 Survey Accuracy. 74
20 (1) Examination. The Board of Trustees 75
21 and Plan Commission, or their des- 76
22 ignees, shall examine all Final Plats 77
23 within the Village and may check 78
24 for the accuracy and closure of the 79
25 survey, the proper kind and loca- 80
26 tion of monuments, and legibility 81
27 and completeness of the drawing. 82
28 (2) Maximum Error of Closure. Maxi- 83
29 mum error of closure before ad- 84
30 justment of the survey of the exte- 85
31 rior boundaries of the subdivision 86
32 shall not exceed, in horizontal dis- 87
33 tance or position, the ratio of one 88
34 part in five thousand (1:5,000), nor 89
35 in azimuth, four seconds of arc per 90
36 interior angle. If field measure- 91
37 ments exceed this maximum, new 92
38 field measurements shall be made 93
39 until a satisfactory closure of the 94
40 field measurements has been ob- 95
41 tained; the survey of the exterior 96
42 boundary shall be adjusted to form 97
43 a closed geometric figure. 98
44 (3) Street, Block and Lot Dimensions. 99
45 All street, block and lot dimensions 100
46 shall be computed as closed geo- 101
47 metric figures based upon the con- 102
48 trol provided by the closed exte- 103
49 rior boundary survey. If checks dis- 104
50 close an error for any interior line 105
51 of the plat greater than the ratio of 106
52 one part in three thousand 107
53 (1:3,000), or an error in measured 108
54 angle greater than one minute of 109
55 arc for any angle where the shorter 110

side forming the angle is 300 feet 111
or longer, necessary corrections 112
shall be made. Where the shorter 113
side of a measured angle is less 114
than 300 feet in length, the error 115
shall not exceed the value of one 116
minute multiplied by the quotient 117
of 300 divided by the length of the 118
shorter side; however, such error 119
shall not in any case exceed five 120
minutes of arc. 121
(4) Plat Location. Where the plat is lo- 122
cated within a quarter section, the 123
corners of which have been relo- 124
cated, monumented and coordi- 125
nated by the Village, the tie re- 126
quired by Section 236.20(3)(b), 127
Wisconsin Statutes, may be ex- 128
pressed in terms of grid bearing 129
and distance and Wisconsin state 130
plane coordinates of the monu- 131
ment marking the relocated sec- 132
tion or quarter corner to which the 133
plat is tied shall be indicated on 134
the plat. The grid bearing and dis- 135
tance of the tie shall be deter- 136
mined by a closed survey meeting 137
the error of closure herein speci- 138
fied for the survey of the exterior 139
boundaries of the subdivision. 140
(f) Surveying and Monumenting. All Final 141
Plats shall meet all the surveying and 142
monumenting requirements of Section 143
236.15, Wisconsin Statutes 144
(g) State Plane Coordinate System. Where 145
the plat is located within a quarter- 146
section, the corners of which have been 147
relocated, monumented and coordinated 148
by the Village, the plat shall be tied di- 149
rectly to two of the section or quarter 150
corners so relocated, monumented and 151
coordinated. The exact grid bearing and 152
distance of such tie shall be determined 153
by field measurements, and Wisconsin 154
state plane coordinates of the monument 155
marking the relocated section or quarter 156
corner to which the plat is tied shall be 157
indicated on the plat. All distances and 158
bearings shall be referenced to the Wis- 159
consin Coordinate System, Central Zone, 160
and adjusted to the Village's control sur- 161
vey. 162
(h) Certificates. All Final Plats shall provide all 163
the certificates required by Section 236.21, 164
Wisconsin Statutes; and in addition, the 165

Village Land Division Code

- 1 surveyor shall certify that he/she/she has
2 fully complied with all the provisions of
3 this chapter.
4 (i) Notes: All Final Plats shall contain such
5 notes relevant to restrictions on the use of
6 the lots created.

7 **Sec. 54.82 Requirements for Certified**
8 **Survey Maps.**

- 9 (a) Map Preparation. A certified survey map
10 prepared by a registered land surveyor
11 shall be required for all land divisions not
12 created by a subdivision plat. It shall
13 comply in all respects with the applicable
14 requirements of Sec. 236.20, Wisconsin
15 Statutes, and this chapter.
16 (b) Required Improvements. The provisions
17 of Sections 54.100 to 54.115 [See page 22]
18 shall be applicable to certified survey
19 maps.
20 (c) Other Requirements. All certified survey
21 maps shall be subject to all other applica-
22 ble provisions set forth in this chapter for
23 subdivision plats.
24 (d) Dedication of Streets and Granting of
25 Easements. As a condition of approving a
26 certified survey map, the Village may re-
27 quire the dedication of public streets as
28 shown on the Official Map and the grant-
29 ing of easements for public utilities or
30 public facilities.

Village Land Division Code

Sec. 54.100 Improvements Required.

Sec. 54.101 Development Agreements Required

REQUIRED IMPROVEMENTS

Sec. 54.100 Improvements Required.

(a) General Requirement.

(1) In accordance with the authority granted by Sec. 236.13 of the Wisconsin Statutes, the Village hereby requires that the subdivider shall install all public improvements required by this chapter prior to approval of the Final Plat. As a further condition of approval, the Board of Trustees hereby requires that the subdivider be responsible for the cost of any necessary alterations of any existing utilities which, by virtue of the platting or certified survey map, fall within the public right-of-way.

(2) As a condition for the acceptance of dedication of public rights-of-way, the Village requires that the public ways have been previously provided with all necessary facilities constructed to Village specifications, including, but not limited to, sewerage, storm drainage, water mains and services, grading and improvement of the streets and other public ways, sidewalks, street signing, street lighting and such other facilities required by the Board of Trustees or that a specific portion of the costs be paid in advance as provided in Sec. 66.54(3), Wisconsin Statutes

(b) General Standards. The required public improvements shall be installed in accordance with the engineering standards and specifications which have been established by the Village Engineer and adopted by the Board of Trustees. The improvements shall be made in accordance with established engineering practices, approved prior to the start of construction by the Village Engineer. The "Engineering Design Manual" is the principal source that establishes the requirements. When new or revised standards and/or specifications have been adopted by the Village, work on public improvements not begun within 12 months of the date of the development agreement shall be made to the new or revised standards and/or

specifications. The Village Engineer shall review and approve the construction plans, specifications and calculations for the construction of the required public improvements.

(c) Project Manager. The subdivider shall designate a project manager who shall be readily available on the project site during the construction of the required public improvements. The project manager shall be granted authority on behalf of the subdivider to make decisions related to the construction of the required public improvements as they may arise during the course of the construction. The project manager shall also be responsible for the scheduling and coordination of the required work to construct the required improvements. Correspondence with or verbal orders to the designated project manager shall have the same authority as with the subdivider directly.

(d) Responsibility for Improvements. The installation of all public improvements shall either be administered by the Village Engineer through the public bidding and contracting process, or shall be by the developer under private contract, as authorized by the Board of Trustees. Payment for the cost of such installations by the owner shall be assured by the submittal of a letter of escrow, cash bond or other financial guarantee acceptable to the Village Attorney. If the work is done under private contract the developer shall pay the costs associated with inspection performed by the Village Engineer.

Sec. 54.101 Development Agreements Required for Proper Installation of Improvements.

(a) Development Agreement. The subdivider shall be required to enter into a development agreement with the Village for land division improvements, by agreeing to install the required public improvements as herein provided before the submission and final approval of any plat. The agreement form shall be provided by the Village and may provide for a phasing of public improvements construction, providing such phasing is approved by the Board of Trustees. The Village reserves the right to control the phasing through

Village Land Division Code

Sec. 54.101 Development Agreements Required

Sec. 54.101 Development Agreements Required

1 limits, sequence, and/or additional surety 56
2 so as to provide for continuity of streets, 57
3 sewers, water mains, and other necessary 58
4 public improvements within and between 59
5 the phases. 60
6 Financial Guarantees. 61
7 (1) If the installation of public im- 62
8 provements is administered by the 63
9 Village, the subdivider shall file, 64
10 subject to the approval of the Vil- 65
11 lage Attorney, a certified check, or 66
12 other form of financial guarantee 67
13 as approved by the Village Attor- 68
14 ney, in an amount equal to one 69
15 hundred fifteen percent (115%) of 70
16 the estimate of the cost of im- 71
17 provements, as determined by the 72
18 Village Engineer. The cost of im- 73
19 provements shall also include the 74
20 cost of engineering design, con- 75
21 struction management and inspec- 76
22 tion, Village administrative ex- 77
23 penses and an amount for contin- 78
24 gencies. 79
25 (2) The subdivider may elect to install 80
26 the improvements in construction 81
27 phases provided that: 82
28 a. The phases are specified in 83
29 the development agree- 84
30 ment for land division im- 85
31 provements; 86
32 b. A subsequent phase shall 87
33 not be commenced until 88
34 completion of improve- 89
35 ments of all prior phases, 90
36 except with express written 91
37 authorization of the Zoning 92
38 Administrator and the Vil- 93
39 lage Engineer. 94
40 c. The subdivider minimize 95
41 grading and other distur- 96
42 bances to lands included in 97
43 future construction phases 98
44 in order to prevent erosion; 99
45 and 100
46 d. Erosion control plans and 101
47 measures submitted and 102
48 approved herein shall ad- 103
49 dress the individual phases 104
50 of construction. 105
51 (3) The time limit for completion of a 106
52 phased improvement program 107
53 shall take into account the needs 108
54 and desires of the Village and ad- 109
55 jacent property owners for street 110

and other improvements to serve
lands adjacent to and within the
land division.
(4) As work progresses on installation
of improvements constructed as
part of the agreement, the Village
Engineer, upon written request
from the subdivider from time to
time, is authorized to recommend
to the Village a reduction in the
amount of surety as hereinafter
provided. When portions of con-
struction (water, sanitary sewer,
street, sidewalk, greenway or other
improvements) are completed by
the subdivider and determined ac-
ceptable by the Village Engineer,
he/she is authorized, in his/hers
sole discretion, upon submission
of lien waivers by the sub-divider's
contractors, to reduce the amount
of surety. The amount of surety
remaining shall be equal to one
hundred twenty-five percent
(125%) of the estimate of the Vil-
lage Engineer of costs of work re-
maining to be completed and ac-
cepted and to insure performance
of the one year guarantee as speci-
fied in Subsection (d) below
against defects in workmanship
and materials on work accepted.
As a further guarantee that all obli-
gations under contract for work on
the development are satisfied, the
contractor and subcontractors who
are to be engaged in the con-
struction of utilities or street im-
provements on the street right-of-
way to be dedicated shall be pre-
qualified for such work by the Vil-
lage Engineer prior to commencing
construction.
(5) The subdivider shall agree in the
development agreement to pay all
Village legal fees, Village engineer-
ing fees, Village administrative fees,
street, bikeway and sidewalk as-
sessments, specifically all area
charges for sanitary sewer mains
and all water main assessments, in-
cluding where the land division
abuts existing streets which are not
improved within the Village stan-
dard street improvements (includ-

Village Land Division Code

Sec. 54.101 Development Agreements Required

Sec. 54.101 Development Agreements Required

1 ing, but not limited to curb and
2 gutter, local storm sewer, side-
3 walks, bikeways and an asphaltic
4 concrete or Portland cement con-
5 crete pavement).
6 (b) Waiver of Special Assessment Notice and
7 Hearing. The subdivider shall file with said
8 agreement, subject to the approval of the
9 Village Attorney, a waiver of special as-
10 sessment notices and hearings such that
11 the subdivider, his/hers heirs and assigns
12 (including purchasers of property from
13 the subdivider), waive notice and hearing
14 for and authorize the assessment for any
15 and all of the required public improve-
16 ments in phases of the land division in-
17 tended for future development in accor-
18 dance with Sec. 66.60(18), Wisconsin
19 Statutes
20 (c) Improvement Guarantee. If within one
21 year after the date of final acceptance of
22 any public improvement by the Board of
23 Trustees (or such longer period of time as
24 may be prescribed by laws or regulations
25 or by the terms of any special guarantee
26 required by the terms of said contract as
27 may be necessary due to the phasing of
28 the construction of public improve-
29 ments), any work on any public improve-
30 ment is found to be defective, the subdivi-
31 der shall remove it and replace it with
32 non-defective work in accordance with
33 written instructions given by the Village
34 Engineer. If the subdivider does not
35 promptly comply with the terms of such
36 instructions, or in an emergency where
37 delay would cause serious risk of loss or
38 damage, the Village may cause the re-
39 moval and replacement of said defective
40 work and charge all direct, indirect and
41 consequential costs of such removal and
42 replacement to the improvement guaran-
43 tee instrument.
44 (d) Survey Monumentation. Before final ap-
45 proval of any plat or certified survey
46 within the corporate limits of the Village,
47 the subdivider shall install monuments
48 placed in accordance with the require-
49 ments of chapter 236, Wisconsin Statutes,
50 or as may be required by the Village Engi-
51 neer. All survey monumentation located
52 adjacent to street or public rights-of-way,
53 but not located within street pavement,
54 shall be protected with steel fence posts
55 erected near the survey monumentation.

56 When the land division includes an estab-
57 lished one-half (1/2), one quarter (1/4),
58 one quarter-one quarter (1/4-1/4), or
59 other such section monument, the estab-
60 lished monument shall be preserved
61 and/or fully restored by the subdivider at
62 his/hers cost.
63 (e) Future Public Improvements. Where the
64 map area is located such that it is imprac-
65 tical to install full public improvements at
66 the time of its development, those further
67 improvements will be installed in future
68 years. These may include, but not be lim-
69 ited to, sanitary sewer and laterals, wa-
70 termain and laterals, storm sewer, storm
71 channels, storm laterals, downstream
72 storm drainage improvements, street pav-
73 ing, curb and gutter, sidewalk and street
74 lights. The financing of the cost of said fu-
75 ture improvements shall be accomplished
76 by the applicable special assessment laws,
77 regulations and rates in effect at the time
78 of installation.
79 Financing of Required Public Improvements.
80 (1) The owner shall initially finance the
81 full cost of the public improve-
82 ments required under the agree-
83 ment. As used above, the term "full
84 cost" shall include contract, labor,
85 equipment, material, engineering,
86 inspection, administration and
87 overhead charges. Where an im-
88 provement reflects oversizing, the
89 owner shall be reimbursed by the
90 Village, as specified in the Village's
91 oversizing policy, for such oversiz-
92 ing costs advanced by him on or
93 before the 31st day of March fol-
94 lowing the end of the calendar
95 year in which the oversizing costs
96 are incurred.
97 (2) Where a public improvement, fi-
98 nanced by the owner, is assessed
99 to other benefiting property own-
100 ers, he/she shall be reimbursed for
101 such assessment. Said reimburse-
102 ment shall be paid by the Village to
103 the developer in full on or before
104 the 31st day of March following the
105 end of the calendar year in which
106 an immediate or deferred assess-
107 ment becomes due and payable;
108 but in no event shall such reim-
109 bursement in full by any later than
110 ten years subsequent to the Vil-

Village Land Division Code

Sec. 54.101 Development Agreements Required

Sec. 54.101 Development Agreements Required

1	lage's approval of the agreement,	56	(3)	The property owner shall be re-
2	all in accordance with require-	57		sponsible for damage to and re-
3	ments of this Code of Ordinances.	58		placement of sewer and water lat-
4	(f) <u>Payment of Outstanding Special Assess-</u>	59		erals, water curb stop and box, un-
5	<u>ments.</u> Any special assessment previously	60		derground electric and telephone
6	levied for public improvements fronting	61		cables, and all other existing im-
7	the map area shall be paid in accord with	62		provement facilities and appurte-
8	the respective Board of Trustees resolu-	63		nances thereto damaged during
9	tion authorizing said improvements and	64		the period of home construction
10	financing thereof by the special assess-	65		and/or lot grading or improve-
11	ment process. Where authorized, such	66		ments as may be caused by said
12	payments may be made under the install-	67		developer or his/hers contractors
13	ment plan.	68		while working or traversing within
14	(g) <u>Deed Restrictions.</u> The owner or devel-	69		the certified survey map limits or
15	oper shall prepare and submit, for review	70		on an adjacent parcel or within the
16	and approval by the Village, a draft of	71		abutting street right-of-way.
17	deed restrictions governing the proposed	72	(4)	Prior to issuance of a zoning permit
18	parcel(s). The Village shall record the Vil-	73		for each respective parcel, the de-
19	lage-approved deed restrictions with the	74		veloper, owner or builder shall ob-
20	Register of Deeds of Door County, Wis-	75		tain a driveway permit from the Vil-
21	consin prior to the sale and/or the build-	76		lage, County, or State Highway
22	ing upon, whichever occurs first, of the	77		Department, for installation of a
23	proposed parcels. "Developer," as used in	78		driveway culvert along the respec-
24	the context of these deed restrictions,	79		tive Village street, county road, or
25	shall mean the developer, his/hers heirs,	80		state highway abutting the map
26	personal representatives, successors and	81		area. Such permit must be accom-
27	assigns. Said restrictions shall incorporate,	82		panied by the appropriate fee to
28	but not be limited to, the following provi-	83		the respective highway depart-
29	sions:	84		ment for labor and material provid-
30	(1) A paved driveway approach, con-	85		ed. The culvert shall be installed
31	structed to the specifications of the	86		prior to issuance of the building
32	Village, shall be installed for each	87		permit.
33	parcel within one year after the initial	88	(5)	All electric, telephone and cable
34	occupancy of the house. Such	89		television services on the parcels
35	construction shall be permitted for,	90		shall be via underground service
36	inspected by and approved by the	91		lines.
37	Village Engineer. If the map area is	92	(6)	The property owner of said parcels
38	located along a County or State	93		shall submit with his/hers building
39	Trunk Highway, such permit in-	94		permit application a certified plat
40	spection and approval must be ob-	95		of survey indicating existing and
41	tained from Door County or the	96		proposed parcel corner grades,
42	Wisconsin Department of Trans-	97		proposed house grades and lot
43	portation respectively.	98		grading in accord with the ap-
44	(2) The property owner shall be re-	99		proved grading plan on file with
45	sponsible for maintaining drainage	100		the Village Engineer. No deviation
46	swales on each lot of the certified	101		there from shall be permitted
47	survey map in accord with the ap-	102		unless approved by the Village En-
48	proved site grading plan, so as to	103		gineer.
49	facilitate the planned drainage pat-	104	(7)	A permanent lawn or such plant-
50	terns. The developer shall also	105		ings as approved by the landscap-
51	keep all inlet grates and culverts	106		ing plan shall be established on
52	located on or abutting his/hers	107		each parcel within one year after
53	property free of debris and in a	108		the issuance of the initial occu-
54	condition which allows for the	109		pancy permit for the home on such
55	natural flow of storm water.	110		parcel.

Village Land Division Code

Sec. 54.102 Required Construction Plans; Village

Sec. 54.102 Required Construction Plans; Village

- 1 (8) The property owner agrees to connect the home on each parcel to the Village storm sewer system facilities within one year after such facilities are installed in the abutting street. The owner is advised that at the time of house construction, he/she may want to have the storm sewer service laterals installed on the parcel between the house and the front property line in order to expedite connection to the storm sewer facilities in the street at such time as such facilities are installed by the Village.
- 2
3
4
5
6
7
8
9
10
11
12
13
14
15
16 (9) When installed, each lot owner agrees to pay, when due, the cost of future public improvements such as, but not limited to, storm sewer and laterals, street paving and sidewalk as may be allocable to his/hers parcel.
- 17
18
19
20
21
22
23 (10) The developer, owner or builder shall provide certification from a registered land surveyor or professional engineer that the final grade along all lot lines, in the invert of all drainage swales and at other critical locations as determined by the Village Engineer, complies with the approved grading plan. Such certification shall be on a plan copy with elevations as existing so indicated. All such elevations shall be within the limits outlined in the Engineering Design Manual. If not in compliance, appropriate regrading shall be performed. Such certification shall be provided to the Village Engineer prior to his/hers recommending final plat approval.
- 24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42 (11) Vehicular access to one or more of the parcels may have to be limited or controlled due to unusual circumstances inherent to the map make-up, location and characteristics of the certified survey map, such as corner lots or stub street development.
- 43
44
45
46
47
48
49

- 55 sion, engineering reports, plans and proposed specifications shall be submitted. Construction plans for the required improvements conforming in all respects with the standards set forth in the "Engineering Design Manual" or as specified by the Village Engineer and the ordinances of the Village shall be prepared at the sub-hers seal. Such plans, together with the quantities of construction items, shall be submitted to the Village Engineer for his/hers approval. Upon approval they shall become a part of the contract required. Following approval of the preliminary plat by the Plan Commission, copies of the construction plans and specifications shall be furnished to the Village Engineer for review and approval.
- 56
57
58
59
60
61
62
63
64
65
66
67
68
69
70 (b) Action by the Village Engineer. The Zoning Administrator and the Village Engineer shall review the plans and specifications for conformance with the requirements of this chapter, the Engineering Design Manual, and other pertinent Village ordinances and design standards recommended by the Village Engineer and approved by the Board of Trustees. If the Village Engineer rejects the plans and specifications, he/she shall notify the owner, who shall modify the plans or specifications or both accordingly. When the plans and specifications are corrected, the Village Engineer shall approve the plans and specifications.
- 71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88

Construction and Inspection.

- 89
90 (1) Prior to starting any of the work covered by the plans approved above, written authorization to start the work shall be obtained from the Zoning Administrator and the Village Engineer upon receipt of all necessary permits and in accordance with the construction methods of this chapter.
- 91
92
93
94
95
96
97
98
99 (2) During the course of construction, the Village Engineer shall make such inspections as he/she or the Board of Trustees deems necessary to insure compliance with the plans and specifications as approved. The owner shall pay the actual cost incurred by the Village for such inspections. This fee shall be the actual cost to the Village of inspectors, engineers and other
- 100
101
102
103
104
105
106
107
108
109

Sec. 54.102 Required Construction Plans; Village Review; Inspections.

- 52 (a) Engineering Reports, Construction Plans and Specifications. Following approval of the preliminary plat by the Plan Commis-
- 53
54

Village Land Division Code

1 parties necessary to insure satisfac- 54
 2 tory work. 55
 3 (3) Construction of all improvements, 56
 4 as set forth in Sections 54.103 57
 5 through 54.113, [See page 27] shall 58
 6 conform to current standards and 59
 7 specifications as established by the 60
 8 Village Engineer in the Engineering 61
 9 Design Manual. 62
 10 (c) Record Plans. After completion of all pub- 63
 11 lic improvements and prior to final accep- 64
 12 tance of said improvements, the subdivi- 65
 13 der shall make or cause to be made, 66
 14 three copies of record plans showing the 67
 15 actual "as-built" location of all valves, 68
 16 manholes, stubs, sewers and water mains 69
 17 and such other facilities as the Village En- 70
 18 gineer shall require. These plans shall 71
 19 bear the signature and seal of a profes-
 20 sional engineer registered in Wisconsin.
 21 One of the three plans shall be on Mylar
 22 or some type of plastic film. The presen-
 23 tation of the record plans shall be a con-
 24 dition of final acceptance of the improve-
 25 ments. Such plans shall be filed with the
 26 Village Engineer and the Zoning Adminis-
 27 trator.

28 **Sec. 54.103 Street, Curb and Gutter**

29 **Improvements and Drainage Facilities.**

30 The subdivider shall construct streets, roads and
 31 alleys as outlined on the approved plans based
 32 on the requirements of this chapter.

- 33 (a) General Considerations. The streets shall
 34 be designed and located in relation to ex-
 35 isting and planned streets, to topographi-
 36 cal conditions and natural terrain features
 37 such as streams and existing tree growth,
 38 to public convenience and safety, and in
 39 their appropriate relation to the proposed
 40 uses of the land to be served by such
 41 streets.
 42 (b) Conform to Official Map. The arrange-
 43 ment, width, grade and location of all
 44 streets shall conform to the Official Map.
 45 (c) Street Grading. The subdivider shall pro-
 46 vide plan and profile drawings and speci-
 47 fications to the Village Engineer which in-
 48 dicates the proposed established grades
 49 of all the streets shown on the plat. The
 50 cost of such preparation shall be paid by
 51 the subdivider. After approval of these
 52 grades by the Village Engineer and Board
 53 of Trustees, the subdivider shall grade or

54 cause to be graded the full width of the
 55 right-of-way of the proposed streets, tak-
 56 ing into account the trees within the right-
 57 of-way, in accordance with the approved
 58 drawings and to the cross section ap-
 59 proved by the Village Engineer. Proposed
 60 cross-section shall be in accordance with
 61 Table 54.103. The full width of the right-of-
 62 way shall also include that area between
 63 marginal access streets and major streets
 64 and shall be graded and prepared for
 65 seeding under the supervision of the Vil-
 66 lage Engineer and the Zoning Administra-
 67 tor. Requirements for proposed streets in
 68 zoning districts not listed in Table 54.103
 69 [See page 27] will be set on a case-by-case
 70 basis by the Board of Trustees.

Figure 1 Table 54.103

Zoning District	Typical Street Cross-Section*	Street Lights Required	Street Trees Required
CS-1	Rural	No	No
R-1	Rural	Yes	Yes
R-2	Rural	No	Yes
R-3	Rural	Yes	Yes
R-4	Urban	Yes	Yes
P-1	Rural	Yes	Yes
I-1	Rural	Yes	Yes
B-1	Highway	Yes	Yes
B-2	Urban	Yes	Yes
B-3	Down-town	Yes	Yes

72
 73 *Refers to Detail Drawing number in Appendix A
 74 of the Engineering Design Manual

- 75 (d) Street Surfacing. After completion of the
 76 grading and construction of sewer and
 77 water improvements in the street areas,
 78 the subdivider shall surface, or cause to
 79 be surfaced, the required roadway in such
 80 part and to such specifications as pre-
 81 scribed by the Village Engineer. The sub-
 82 divider shall grade and seed in a Village-
 83 approved manner the parkway area of the

Village Land Division Code

Sec. 54.104 Sidewalks and Bikeways.

Sec. 54.105 Sanitary Sewerage System.

1 street between the street pavement and
2 the lot line or sidewalk.
3 (e) Curb and Gutter; Drainage Facilities. After
4 installation of all utility and storm water
5 drainage improvements, the subdivider
6 shall be required to construct concrete
7 curbs and gutters, or as required in Table
8 54.103, a system of ditches and culverts.
9 The subdivider shall install concrete curb
10 and gutter along both sides of all streets
11 and boulevards shown on the plat. The
12 cost of the curb and gutter, required in-
13 spection, supervision and engineering
14 fees shall be paid for by the subdivider.
15 Wherever possible, provision shall be
16 made at the time of construction for
17 driveway access curb cuts.

Sec. 54.104 Sidewalks and Bikeways.

18 (a) Specifications. The subdivider shall install
19 sidewalks along either or both sides of
20 streets where required by the Board of
21 Trustees in conformance with the Engi-
22 neering Design Manual.
23 (b) Extra-Sized Sidewalks. Wider-than-
24 standard sidewalks may be required by
25 the Plan Commission in the vicinity of
26 commercial areas; and the Board of Trus-
27 tees may require the construction of side-
28 walks in locations other than required
29 under the preceding provisions of this
30 Section if such walks are necessary, in
31 their opinion, for safe and adequate pe-
32 destrian circulation.
33 (c) Location. The subdivider shall be required
34 to provide sidewalks and bikeways where
35 required to Village specifications as fol-
36 lows: Sidewalks and bikeways shall nor-
37 mally be located as far from the traffic
38 lane as is possible, but not closer than six
39 inches to the right-of-way line. Where, as
40 a result of such major obstructions as
41 large and established trees, steep hills,
42 drainageways, or major utility lines, the
43 construction costs of the sidewalk or
44 bikeway in its normal location would be
45 prohibitive, sidewalks or bikeways may be
46 located elsewhere within the street right-
47 of-way, or within an easement, with the
48 approval of the Village Engineer. Side-
49 walks and bikeways constructed at street
50 intersections or within five feet of a legal
51 crosswalk shall include provisions for curb
52 ramping as required by Sec. 66.625, Wis-
53 consin Statutes, and in accordance with

55 Village standards. In all cases where the
56 grades of sidewalks or bikeways have not
57 been specifically fixed by ordinance, the
58 sidewalks and bikeways shall be laid to
59 the established grade of the street [Ref.
60 Sec. 66.615(2), Wisconsin Statutes].
61 (d) Bikeways.
62 (1) Bikeways shall be designed to
63 serve both pedestrian and bicycle
64 traffic in high traffic areas.
65 (2) Bikeways may be installed in lieu
66 of sidewalks.
67 (e) Location Determination. The Village Engi-
68 neer shall determine where sidewalks
69 and/or bikeways are required in accor-
70 dance with this Section.

Sec. 54.105 Sanitary Sewerage System.

71 (a) The subdivider shall submit plan and pro-
72 file drawings and specifications in con-
73 formance with the Engineering Design
74 Manual to the Village Engineer for the in-
75 stallation of water main and water distri-
76 bution facilities, sanitary sewerage facili-
77 ties, holding tanks, septic fields including
78 lateral connections for each lot extended
79 to the lot line. The cost of such installa-
80 tion, including related engineering fees,
81 shall be paid for by the subdivider.
82 (Amended Ordinance 133-100207)
83 (b) Where sanitary sewer lift stations, force
84 mains and grinder pumps are required to
85 lift sewage to a higher elevation and to the
86 gravity sewer system, the subdivider shall
87 have the plan and profile drawings and
88 specifications submitted for installation of
89 sewage lift facilities to the Village Engineer
90 for approval. Installation and inspection,
91 supervision and engineering fees shall be
92 paid for by the subdivider.
93 (c) Generally. The intent of the sewer and
94 water extension requirements in this sec-
95 tion are to provide rules for installing
96 sewers and water mains to maintain uni-
97 formity, to provide for orderly and eco-
98 nomic growth, and to limit the Village's li-
99 ability regarding these utilities. It shall be
100 unlawful for any party to connect to a Vil-
101 lage sewer or water main without comply-
102 ing with the provisions of this chapter.
103 (d) Standard specifications. The required
104 public improvements shall be installed in
105 accordance with the engineering stan-
106 dards and specifications which have been
107 established by the Village Engineer and
108

Village Land Division Code

1 adopted by the Board of Trustees. The
2 improvements shall be made in accor-
3 dance with established engineering prac-
4 tices, approved prior to the start of con-
5 struction by the Village Engineer. The "En-
6 gineering Design Manual" is the principal
7 source that establishes the requirements.
8 The document is on file in the office of the
9 Village Administrator and open to inspec-
10 tion by the public during office hours of
11 the Village Administrator.
12 (e) Sewer and water main extension requests.
13 Within Village boundaries extension re-
14 quests shall be presented to the Village in
15 a petition requesting sewer and water ser-
16 vice. Requests for either sewer or water
17 alone will not be considered. Water
18 mains will be extended for new custom-
19 ers on the following basis: (Amended Or-
20 dinance 133-100207)
21 (1) Where the cost of the extension is
22 to immediately be collected
23 through assessment by the Village
24 against the abutting property, the
25 procedure set forth under Wiscon-
26 sin Statutes, §66.0703 will apply,
27 and no additional customer con-
28 tribution to the utility will be re-
29 quired.
30 (2) Where the Village is unwilling or
31 unable to make a special assess-
32 ment, the extension will be made
33 on a customer-financed basis as
34 follows:
35 a. The applicant(s) will ad-
36 vance as a contribution in
37 aid of construction the total
38 amount equivalent to that
39 which would have been as-
40 sessed for all property un-
41 der (e)(1).
42 b. Part of the contribution re-
43 quired in (e)(2)(a) will be re-
44 fundable. When additional
45 customers are connected to
46 the extended main within
47 10 years of the date of com-
48 pletion, contributions in aid
49 of construction will be col-
50 lected equal to the amount
51 which would have been as-
52 sessed under (e)(1) for the
53 abutting property being
54 served. This amount will be
55 refunded to the original

56 contributor(s). In no case
57 will the contributions re-
58 ceived from additional cus-
59 tomers exceed the propor-
60 tionate amount which
61 would have been required
62 under (e)(1), nor will it ex-
63 ceed the total assessable
64 cost of the original exten-
65 sion.
66 (3) When a customer connects to a
67 transmission main or connecting
68 loop installed at utility expense
69 within 10 years of the date of com-
70 pletion, there will be a contribu-
71 tion required of an amount equiva-
72 lent to that which would have
73 been assessed under (e)(1).
74 (f) Beyond Village boundaries. Extensions
75 requested by property owners outside the
76 Village will not be considered unless an
77 unconditional petition request for an-
78 nexation accompanies the extension re-
79 quest. Design and construction of any ex-
80 tension shall not begin until all annexation
81 proceedings are complete and all proper-
82 ties to be served by sewer and water
83 mains are incorporated in the boundaries
84 of the Village. [See section 54.65(f) page
85 15]
86 (g) Village ownership. All Village-owned
87 sewers and water mains shall be a mini-
88 mum of eight-inch diameter for residen-
89 tial projects and 12 inches for commercial
90 projects. These sewers and water mains
91 shall be owned, designed and con-
92 structed by the Village except as desig-
93 nated in this chapter. No more than one
94 building shall be served by a single sewer
95 or water lateral. Under special conditions,
96 such as a private system conveying
97 wastewater from a group of small cottages
98 or a system serving apartments, the Vil-
99 lage may consider granting a permit for a
100 single lateral. These special conditions
101 will be reviewed on a case-by-case basis.
102 This definition, except under special con-
103 ditions, prohibits the installation of "pri-
104 vate interceptor main sewers" as defined
105 by the Wis. Admin. Code Comm. Chapter
106 82 (after this called the "plumbing code").
107 This definition, except under special con-
108 ditions, also prohibits the installation of a
109 six-inch diameter water main to serve
110 more than one building. The installation

Village Land Division Code

- 1 of an eight-inch diameter sewer or water 55 awards may be made at the discre-
2 main lateral if required to serve a single 56 tion of the Village.
3 building, shall be exempt from the Village 57 (i) Easements and public rights-of-way.
4 ownership requirement unless the Village 58 (1) All Village sewers and water main
5 decides that a future branch extension off 59 extensions shall be constructed in
6 this lateral, may be required to serve fu- 60 public rights-of-way, Village-
7 ture development in which case all or part 61 owned property or on easements
8 of the lateral shall be considered a Vil- 62 acquired by the Village from pri-
9 lage-owned sewer or water main exten- 63 vate property owners. Com-
10 sion. 64 mencement of construction will
11 (h) Village design and bidding. Based on wa- 65 not be permitted until all ease-
12 ter use requirements for property owners 66 ments are acquired.
13 requesting extensions and potential fu- 67 (2) The Village will accept, or enter
14 ture development, the Village Engineer 68 into easements with private prop-
15 shall design sewer and water main exten- 69 erty owners only under the exclu-
16 sions according to State Department of 70 sive terms of the Village and con-
17 Natural Resources (DNR) code require- 71 sideration for each single easement
18 ments and policies and shall obtain plans 72 shall be for \$1.00. Easements shall
19 and specifications approval from the 73 be granted along all routes of
20 DNR. The Village Engineer shall be re- 74 sewer and water mains according
21 sponsible for all aspects of the design, in- 75 to the Village-approved design
22 cluding sizing and layout to accommo- 76 prepared by the Village Engineer.
23 date future development and adherence 77 (3) Easements will prohibit construc-
24 to the Village sewer and water main ex- 78 tion in the easement area and pro-
25 tension design policy. 79 vide access for maintenance, repair
26 (1) Although efforts will be made to 80 or replacement of sewer and water
27 accommodate property owner 81 mains routed through the ease-
28 wishes of routing sewer and water 82 ment. Easements will not include
29 mains, the Village retains the right 83 Village compensation for plantings,
30 to designate the layout to accom- 84 structures or any other items lo-
31 modate future extensions and to 85 cated in the easement area. Con-
32 accommodate connections to the 86 struction in easement areas will in-
33 existing system of sewer and water 87 clude surface restoration of topsoil
34 mains. Whenever possible, the Vil- 88 and seeding and bituminous (but
35 lage water main shall be looped 89 not concrete) replacement to like
36 and the cost of looping shall be 90 quality and thickness.
37 borne by the property owners 91 (4) Easements for the installation of
38 upon which the looping occurs. 92 sewer and/or water mains shall be
39 Upon completion of plans and 93 a minimum of 30 feet in width.
40 specifications, the Village shall bid 94 Easements shall be dedicated to
41 the project according to law. 95 the Village for only sewer and/or
42 (2) Upon DNR approval of the sewer 96 water mains unless otherwise ap-
43 and water main extension, receipt 97 proved by the Village.
44 of all required signed and re- 98 (j) Village inspection of construction. The
45 corded easements, and comple- 99 Village Engineer shall provide inspec-
46 tion of all special assessment pro- 100 tion services during construction according to
47 ceedings, the Village shall award 101 DNR approval conditions.
48 the contract to the lowest respon- 102 (k) Village cost recovery.
49 sible and responsive bidder. The 103 (1) The Village may either require up-
50 Village may award contracts sub- 104 front payment for all costs associ-
51 ject to DNR approval, the acquisi- 105 ated with the sewer and water ex-
52 tion of all easements and the com- 106 tensions or may recover the cost
53 pletion of special assessment pro- 107 through special assessment powers
54 ceedings and these conditional 108 of the Village. Costs include but
109 are not limited to construction, de-

Village Land Division Code

1	sign and inspection, engineering,	56	for any reason. (Amended Ordinance 133-100207)
2	legal fees and any other related	57	
3	costs. Where a request from a private	58	(2) Except circumstances described in
4	real estate developer for a water	59	this section referring to private real
5	main or sewer extension is	60	estate developer requests, the Village
6	made, the Village shall require that	61	shall generally recover costs
7	all costs associated with the extension	62	through special assessments levied
8	be paid upfront by the developer.	63	to property owners on a per foot
9	Upon request for a water	64	basis for sewer and water mains,
10	main or sewer extension by a private	65	and additional charges for service
11	real estate developer, the Village	66	laterals installed in the public right-
12	Engineer shall prepare a cost	67	of-way or easement area. Details of
13	estimate for completing a preliminary	68	assessment allocation will be included
14	plan and an estimate of the	69	in a special assessment engineer's
15	capital costs for the proposed project.	70	report prepared by the Village
16	The costs of the preliminary	71	Engineer. All special assessment
17	engineering plan and preparing	72	proceedings shall be according to
18	the capital cost estimate shall be	73	statute.
19	paid for by the developer before	74	(3) Where a sewer or water main is
20	the Village Engineer beginning this	75	designed for a larger capacity than
21	work. The Village Engineer's capital	76	the property owners being served
22	cost estimate for the proposed	77	require for ultimate capacity (for
23	project shall also be paid to the	78	serving future sewer or water main
24	Village before the Village Engineer	79	extensions) and the sewer or water
25	beginning this work. The Village	80	main is larger than eight-inch
26	Engineer's capital cost estimate for	81	diameter, then the cost increment of
27	the proposed project shall also be	82	pipe size difference between existing
28	paid to the Village before the	83	property ultimate capacity
29	Village Engineer beginning detailed	84	requirements and future extension
30	plans and specifications. At the	85	requirements shall be paid for by
31	completion of the project, the	86	the Village, and the property owners
32	developer shall pay the Village any	87	shall pay costs based on the
33	excess costs associated with the	88	smaller size required for those
34	project above the estimated capital	89	property owner requirements.
35	cost within 30 days of the date	90	(4) The description of cost recovery
36	of the bill or the Village shall	91	applies only to the recovery of
37	refund any surplus amount of the	92	sewer and water main extensions
38	developer. The Village will require	93	and not to connection charges or
39	such upfront payments when a	94	quarterly billing for lift stations,
40	Village sewer and/or water main are	95	wastewater interceptors, wastewater
41	installed within the "interior" of	96	treatment, wells, water storage
42	the real estate owned by the	97	facilities, water booster pump
43	developer. The term "interior" shall	98	stations, administration, operation,
44	mean sewer and water extensions	99	maintenance, replacement costs
45	laid along public rights-of-way or	100	and other system costs not associated
46	easements in which the same	101	directly with the installation of
47	developer owns the real estate on	102	sewer and water main extensions.
48	both sides of the right-of-way or	103	(5) Subdivision developers shall be
49	easement. The Village will also	104	responsible, where the main extension
50	require upfront payment for total	105	has been approved by the
51	cost in areas where a sewer or	106	utility, for the water service lateral
52	water line is bordered on only one	107	installation costs from the main
53	side by the developer's land while	108	through the curb stop and box.
54	the opposite side is bordered by	109	When the cost of a utility main
55	lands not immediately assessable	110	extension is to be collected through

Village Land Division Code

Sec. 54.105 Sanitary Sewerage System.

Sec. 54.105 Sanitary Sewerage System.

1	assessment by the municipality, the	56	that specified in the permits or order
2	actual average water lateral instal-	57	from the board to ensure that
3	lation costs from the main through	58	new sewers and connections to
4	the curb stop and box shall be in-	59	the sewer system are properly de-
5	cluded in the assessment of the	60	signed and constructed.
6	appropriate properties. (Amended	61	(6) Pipes should always be tapped on
7	Ordinance 133-100207)	62	top, and not within six inches (15
8	(l) Private sewer and water lateral and con-	63	cm) of the joint or within 24 inches
9	nection requirements.	64	(60 cm) of another lateral connec-
10	(1) All sewer and water pipes smaller	65	tion. All service connections to
11	than eight-inch for residential or	66	mains must comply with the state
12	twelve-inch for commercial diame-	67	plumbing code. Service connec-
13	ter shall be privately owned except	68	tions to an existing sewer main
14	where serving Village or other pub-	69	shall be made by means of a sad-
15	lic properties.	70	dled wye or specially adapted tee.
16	(2) All property owners requesting	71	Connections to existing tees or
17	sewer and water service must	72	wyes shall be made with an ap-
18	complete an application for a con-	73	proved bonded rubber.
19	nection permit from the Village.	74	(7) Trenches for sewer and water later-
20	No connection may take place un-	75	als shall not be covered without
21	til a connection permit is granted	76	Village inspection of the installa-
22	by the Village. All connections and	77	tion. Any lateral trenches covered
23	service lateral installations shall be	78	without Village inspection shall be
24	according to current Village stan-	79	subject to reopening at the ex-
25	dard specifications and the plumb-	80	pense of the person installing the
26	ing code.	81	laterals and the costs may become
27	(3) After sewer connections have been	82	a lien on the property if not paid
28	introduced into any building or	83	on demand. Where existing build-
29	upon any premises, no alterations,	84	ings previously served by private
30	extensions or attachments shall be	85	waste disposal systems (i.e., con-
31	made unless the party ordering	86	ventional septic systems, holding
32	such tapping or other work exhib-	87	tanks, mound systems, etc.) are to
33	its a permit for the work from the	88	be connected to a Village sewer or
34	administrator.	89	water main, the Village reserves
35	(4) All sewer and water lateral layouts	90	the right to inspect any existing
36	and connections shall be subject	91	service laterals proposed to be
37	to Village review and control. Con-	92	used as part of the connecting ser-
38	struction shall be according to the	93	vice lateral and to require that any
39	Village standard specifications.	94	service lateral not meeting current
40	Restoration shall be such that the	95	plumbing code standards be re-
41	surface is at least as good as its	96	placed up to the point where it ex-
42	original condition. Copies of plans	97	its the structure served.
43	for systems requiring specific	98	(8) The initial water service lateral(s),
44	COMM plan approval shall be	99	not installed as part of a subdivi-
45	made available to the Village be-	100	sion development or an assessable
46	fore any commencement of con-	101	utility extension, will be installed
47	struction.	102	from the main through the curb
48	(5) No person, except those having	103	stop and box by the utility, for
49	special written permission from the	104	which the actual cost will be
50	board or persons in their service	105	charged. (Amended Ordinance
51	and approved by them, will be	106	133-100207)
52	permitted, under any circum-	107	(m) <u>Sewer connection fees.</u> All new users to
53	stances to tap the mains or collec-	108	the sewer system are required to buy into
54	tion pipes. The kind and size of the	109	the system-wide improvements through
55	connection with the pipe shall be	110	an initial connection charge. The initial

Village Land Division Code

Sec. 54.106 Water Supply Facilities.

Sec. 54.107 Other Utilities.

1 connection charge will be levied against
2 each user connected to the sanitary
3 sewer. The single-family residence con-
4 nection charge will be on file in the Vil-
5 lage payable before connection to the
6 sewer. Initial connection charge for mul-
7 tiple-family, commercial or industrial
8 buildings will be based on a multiple of
9 the single-family connection charge or
10 residential equivalent user (REU). The ini-
11 tial connection charge for restaurants or
12 small commercial connections will be
13 based on a multiple of the volume of wa-
14 ter usage and strength of wastewater in
15 comparison to a typical single-family resi-
16 dence residential equivalent user having
17 the following standards:
18 (n) Initial connection charges for motels shall
19 be based on three motel units being
20 equal to one family residence residential
21 equivalent user, except that condomin-
22 ium motels shall be considered based on
23 the extent of plumbing fixtures provided.
24 The Village may amend or alter any con-
25 nection charge after its establishment un-
26 der the terms of this chapter or by resolu-
27 tion passed by the Board of Trustees.

28 **Sec. 54.106 Water Supply Facilities.**

29 (a) Submissions Required. The subdivider
30 shall submit plan and profile drawings
31 and specifications in conformance with
32 the Engineering Design Manual to the Vil-
33 lage Engineer for the installation of water
34 main facilities including the water main,
35 pipe fittings, valves, hydrants, lateral
36 house connections for each lot extended
37 to the lot line. The cost of such installa-
38 tion, inspection, supervision and engi-
39 neering fees shall be paid for by the sub-
40 divider.
41 (b) Fire protection and hydrants. The intent of
42 this section is to insure adequate water
43 supply for fire-fighting purposes to struc-
44 tures and buildings. The Village Engineer
45 and Fire Chief shall certify in writing that
46 sufficient water flow and pressure exists to
47 serve the project for fire protection. For
48 the purpose of placing hydrants, normal
49 access routes are defined as pavement,
50 sidewalks, streets, driveways and paths
51 leading to the building that are clear and
52 maintained year round. The normal ac-
53 cess route does not include grass, parking
54 stalls, ditches, hills, shrub beds, fences,

55 walls or any other area not typically used
56 for ingress or regress to a building.
57 (Amended Ordinance 133-100207)
58 (c) Buildings Where Required. Any building,
59 except single- and two-family dwellings,
60 hereafter erected, shall provide, at the
61 owner's expense, approved water hy-
62 drants. Hydrants shall be located so that
63 no part of a building is more than 300 feet
64 from an approved hydrant by normal ac-
65 cess routes. This requirement may be
66 modified upon written request by the
67 owner to both the Fire Chief and Utility
68 Manager who must both concur in writing
69 why the modification should be permit-
70 ted. The request may be approved only if
71 the fire protection provided to the build-
72 ing is not reduced by the modification.
73 Required hydrants shall be free standing
74 and shall be installed not more than 50
75 feet or less than 25 feet from the building
76 exterior wall. No hydrant shall be placed
77 closer than 50 feet to any other hydrant.
78 The Fire Department Fire Inspector and
79 Utility Manager will approve the actual
80 location of all fire hydrants. Two copies of
81 the building plans including site plan,
82 shall be provided to the Zoning Adminis-
83 trator for Fire Department use, in addition
84 to any copies of building plans required
85 by the Zoning Administrator. (Amended
86 Ordinance 133-100207)
87 (d) Accessibility. All developments in districts
88 other than R-1, R-3, R-4 and CS-1, the
89 buildings, grading and landscaping shall
90 be constructed, installed and maintained
91 in such a fashion that Fire Department can
92 have access around the entire building(s)
93 during the entire year. The Fire Chief shall
94 provide written confirmation of such ac-
95 cess to the Plan Commission prior to sub-
96 division approval.

97 **Sec. 54.107 Other Utilities.**

98 (a) In so far as possible, all utilities, including
99 but not limited to telephone, cable TV,
100 electric, and water shall be installed un-
101 derground with an affidavit by the subdivi-
102 der that the maintenance of said public
103 improvements will be guaranteed by the
104 subdivider due to use of the improve-
105 ments by purchasers and construction
106 traffic.
107 (1) Where telephone and electric ser-
108 vice lines are placed underground

Village Land Division Code

1	entirely throughout a subdivision	56	the developer during the bond pe-
2	area, conduits or cables shall be	57	riod, the developer shall notify the
3	placed within easements or dedi-	58	Village Engineer at least one work
4	cated public ways in a manner	59	day prior to doing the work and
5	which will not conflict with other	60	obtain approval of the Village En-
6	municipal underground services as	61	gineer as to the nature and manner
7	follows:	62	of work to be done.
8	a. All utility companies and	63	(4) Where telephone and electric ser-
9	contractors must get ap-	64	vice lines are placed underground
10	approval from the Village En-	65	entirely throughout a subdivision
11	gineer prior to installing any	66	area, conduits or cables shall be
12	underground lines, cables	67	placed within easements or dedi-
13	or piping in a public right-	68	cated public ways in a manner
14	of-way or easement dedi-	69	which will not conflict with other
15	cated to the Village.	70	municipal underground services.
16	b. All buried power lines, tele-	71	(5) All utility lines for telephone and
17	phone lines and cable tele-	72	electric service shall be buried and
18	vision lines must be off-set a	73	placed in rear line easements
19	minimum of 36" from the	74	where practicable and side lot line
20	water and sewer lines and	75	easements, where necessary, when
21	cannot be located between	76	carried on overhead poles only by
22	the water and sewer lines	77	approval of the Plan Commission.
23	and the edge of pavement.	78	(b) The subdivider shall cause electric power,
24	c. All lines, cables or piping	79	cable television and telephone facilities to
25	must be buried a minimum	80	be installed in such a manner as to make
26	of 18" below final grade in-	81	adequate service available to each lot in
27	cluding the bottom of any	82	the subdivision or certified survey map.
28	and all drainageways,	83	All new electrical distribution, cable tele-
29	ditches and water courses.	84	vision and telephone lines from which
30	Variances may be granted in	85	lots are individually served shall be un-
31	writing by the Village Engi-	86	derground unless the Board of Trustees,
32	neer due to rock depth if	87	upon the recommendation of pertinent
33	State installation codes al-	88	Village utilities or Plan Commission, spe-
34	low.	89	cifically allows overhead poles for the fol-
35	d. All buried power lines, tele-	90	lowing reasons:
36	phone lines and cable tele-	91	(1) Topography, soil, water table, solid
37	vision lines must not be bur-	92	rock, boulders, or other physical
38	ied running parallel to an	93	conditions would make under-
39	existing or proposed road-	94	ground installation unreasonable
40	way. All buried power lines,	95	or impractical; or
41	telephone lines and cable	96	(c) Plans indicating the proposed location of
42	television lines must cross a	97	all electrical power, cable television and
43	roadway in a perpendicular	98	telephone distribution and transmission
44	manner.	99	lines required to service the plat shall be
45	(2) If there is not enough room in the	100	approved by the Village Engineer follow-
46	public right-of-way for the installa-	101	ing approval of the preliminary plat.
47	tion of buried power lines, tele-		
48	phone lines and cable television	102	Sec. 54.108 Street Lamps.
49	lines consistent with these re-	103	Where required by Table 54.103, [See page 27]
50	quirements then the utility com-	104	the subdivider shall install ornamental street
51	pany, contractor or developer	105	lighting, including light standards, underground
52	must acquire additional right-of-	106	burial of connecting electrical lines and related
53	way.	107	appurtenances, along all streets proposed to be
54	(3) Prior to any maintenance, repair or	108	dedicated of a design in accord with Village ap-
55	replacement being performed by	109	proved standards and specifications. Such lamps

Village Land Division Code

Sec. 54.109 Street Signs.

1 shall be placed at each street intersection and at
2 such interior block spacing as may be required
3 by the Village Engineer. Such required improve-
4 ments shall be dedicated to the Village upon
5 such terms and conditions as the Board of Trus-
6 tees may determine.

7 **Sec. 54.109 Street Signs.**

8 (a) The subdivider shall arrange with the Vil-
9 lage and pay the costs of providing the
10 Village standard street signing necessary
11 to serve the development. Such signing
12 shall include street name signs and such
13 temporary barricades and "road closed"
14 signs as may be required by the Village
15 Engineer until the street improvements
16 have been accepted by Board of Trustees
17 resolution.

18 (b) The Village Engineer shall have the au-
19 thority to impose any restrictions to traffic
20 on street improvements not yet accepted
21 by the Village as he/she may deem neces-
22 sary to protect the improvements from
23 damage and to protect the safety of the
24 public. Such restrictions shall include, but
25 not be limited by enumeration to, weight
26 restrictions, street closings, access re-
27 strictions, or the posting of temporary traf-
28 fic control measures.

29 **Sec. 54.110 Street Trees.**

30 Where required by Table 54.103, [See page 27]
31 the subdivider shall plant street trees along all
32 streets within the land division when required by
33 the Board of Trustees. The size, species and loca-
34 tion shall be in accordance with the approved
35 landscaping plan.

36 **Sec. 54.111 Erosion Control.**

37 The subdivider shall comply with State Statutes.

38 **Sec. 54.112 Easements.**

39 (a) Utility Easements. The Board of Trustees,
40 on the recommendation of appropriate
41 departments, utilities and agencies serv-
42 ing the Village, shall require utility ease-
43 ments for poles, wire, conduits, storm and
44 sanitary sewers, water and other utility
45 lines. It is the intent of this chapter to pro-
46 tect all established easements so as to as-
47 sure proper grade, assure maintenance of
48 the established grade, prohibit construc-
49 tion of permanent fences or retaining
50 walls over underground installation and

Sec. 54.112 Easements.

51 prevent the planting of trees in the ease-
52 ment area. Such easements shall be estab-
53 lished at the rear of each lot and along
54 such other lot lines as to provide continu-
55 ity or alignment from block to block. At
56 deflection points in these easements, if
57 overhead utility lines are contemplated,
58 additional easements shall be established
59 for pole-line anchors.

60 (b) Drainage Easements. Drainage easements
61 shall comply with the requirements of the
62 Engineering Design Manual.

63 Easement Locations.

64 (1) Utility easements shall be at least
65 12 feet wide, or wider where rec-
66 ommended by the Village Engi-
67 neer. Evidence shall be furnished
68 to the Plan Commission that ease-
69 ments and any easement provi-
70 sions to be incorporated in the plat
71 or in deeds have been reviewed by
72 the individual utility companies or
73 the organization responsible for
74 furnishing the services involved.

75 (2) All easements dedicated on final
76 plat or certified survey maps for
77 poles, cables or conduits for elec-
78 tricity, telephone or other private
79 utility lines shall be noted thereon
80 as "Utility Easement." All ease-
81 ments for storm and sanitary sew-
82 ers, water and force mains, pedes-
83 trian walks and other public pur-
84 poses shall be noted thereon as
85 "Public Easement for" followed by
86 reference to the use or uses for
87 which they are intended.

88 (c) Deed Restrictions for Easements. Deed
89 restrictions shall accompany each final
90 plat or certified survey map, and shall be
91 filed in the Register of Deeds office. In
92 addition to whatever else may be con-
93 tained therein, such restrictions shall de-
94 scribe the location and width of utility
95 and public easements which are being es-
96 tablished; a description by reference to
97 the final plat or certified survey map shall
98 suffice. Such restrictions shall further re-
99 cite that the utility companies and the
100 public agencies using such easements are
101 granted the right to place, and shall state
102 that the elevation of such easements as
103 graded by the subdivider may not be al-
104 tered thereafter by him, or any subse-
105 quent landowner by more than six inches.

Village Land Division Code

Sec. 54.113 Over-Sizing and Off-Site Facilities.

Sec. 54.114 Acceptance of Improvements and

1 **Sec. 54.113 Over-Sizing and Off-Site**
2 **Facilities.**

3 (a) Design Capacity. All improvements within
4 or entering or leaving the proposed de-
5 velopment shall be installed to satisfy the
6 service requirements for the entire service
7 or drainage area in which the develop-
8 ment is located and the improvements
9 shall be of sufficient capacity to handle
10 the expected development of the overall
11 service area involved.

12 (b) Mains of Large Capacity. Where sanitary
13 sewer mains and water mains of larger
14 capacity than normally necessary are re-
15 quired by the overall system plan to serve
16 the subdivision as delineated in the pre-
17 liminary plat, the subdivider shall be re-
18 quired to pay for the proportionate bene-
19 fit of the installation to his/hers subdivi-
20 sion as established by the Board of Trus-
21 tees in the Village's oversizing policy.

22 (c) Lift Stations. Where sanitary or storm
23 sewer lift stations and force mains are re-
24 quired to lift sewage or clear water to the
25 gravity system, the subdivider shall have
26 plans, profiles, specifications and esti-
27 mated operation and maintenance costs
28 prepared for the installation of such facili-
29 ties to the Village Engineer's require-
30 ments. Equipment similar to existing Vil-
31 lage equipment shall be utilized when-
32 ever possible. The installation, inspection,
33 supervision and engineering fees for lift
34 stations and/or force mains shall be paid
35 for by the subdivider unless otherwise de-
36 termined and agreed upon by the Board
37 of Trustees. Gravity sanitary sewer service
38 shall be employed whenever determined
39 by the Village Engineer to be feasibly ac-
40 cessible.

41 **Sec. 54.114 Acceptance of Improvements**
42 **and Dedications.**

43 (a) Acceptance of Improvements. The dedi-
44 cation of any improvements, utilities,
45 streets, parks, easements, rights-of-way or
46 other lands or rights to the Village or the
47 public shall not be considered accepted
48 by the Village for public ownership until
49 such time as the required public im-
50 provements within the intended dedica-
51 tion are complete and accepted by the
52 Board of Trustees by adoption of a resolu-
53 tion accepting such dedication. Improve-

54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107

ments shall be dedicated to the Village
free and clear of any encumbrances. The
subdivider shall be responsible for and li-
able for the maintenance, safety and op-
eration of all required public improve-
ments until such time as the improve-
ments are accepted by the Board of Trus-
tees by resolution. In the event the Village
must take measures to maintain, operate
or make safe a public improvement exist-
ing or required as a result of the land divi-
sion but which has not yet been accepted
by the Village, the costs of such measures
shall hereby be determined to be Village-
incurred costs to be reimbursed to the
Village by the subdivider in accordance
with the provisions of this chapter.

Inspection and Certification of Improvements.

- (1) After any of the following incre-
ments of the required improve-
ments have been installed and
completed, the subdivider shall
notify the Village Engineer, in writ-
ing, that the work is complete and
ready for final inspection, shall file
reproducible record drawings of
the completed improvements and
shall file lien waivers or affidavits,
in a form acceptable to the Village
Engineer and approved by the Vil-
lage Attorney, evidencing that
there are no claims, actions or de-
mands for damages, based upon
contract or tort arising out of or in
any way related to the project and
that no moneys are owned to any
surveyor, mechanic, contractor,
subcontractor, supplier or laborer
after all required improvements
have been installed. Acceptance of
the improvements may be re-
quested in the following incre-
ments:
- a. Sewer mains and services
(either storm or sanitary).
 - b. Water mains and services.
 - c. Streets comprised of all
grading, gravel, curb and
gutter, culverts and paving.
 - d. Other miscellaneous appur-
tenances to the above in-
crements such as sidewalks,
bikeways, street lighting,
street signing, etc.

Village Land Division Code

Sec. 54.115 Site Grading.

Sec. 54.115 Site Grading.

1 (2) The Village Clerk shall certify that
2 there are no unpaid taxes or un-
3 paid special assessments on any of
4 the lands included in the area of
5 acceptance and shall prepare a fi-
6 nal billing for engineer, inspection
7 and legal fees and submit it to the
8 subdivider for payment. The Vil-
9 lage Engineer shall conduct any
10 necessary final inspections of the
11 improvements and forward a re-
12 port to the Village Clerk recom-
13 mending either approval or disap-
14 proval. When the engineering, in-
15 spection, taxes, special assess-
16 ments and legal fees have been
17 paid and when the necessary lien
18 waivers and affidavits have been
19 filed, the report of the Village Engi-
20 neer and the plat shall be for-
21 warded to the Board of Trustees for
22 approval and acceptance of the
23 improvements and dedications.

24 **Sec. 54.115 Site Grading.**

25 The subdivider shall be required to grade the full
26 land division in accordance with the require-
27 ments of Section 54.125. [See page 45]

Village Land Division Code

Sec. 54.115 Site Grading.

Sec. 54.115 Site Grading.

1

Reserved.

Village Land Division Code

Sec. 54.120 General Street Design Standards.

Sec. 54.120 General Street Design Standards.

1	DESIGN STANDARDS	53	
		54	
		55	
2	Sec. 54.120 General Street Design	56	
3	Standards.	57	
4	(a) <u>Compliance with Statutes.</u> In laying out a	58	
5	certified survey map or subdivision, the	59	
6	owner shall conform to the provisions of	60	
7	Chapter 236, Wisconsin Statutes, and all	61	
8	applicable Village regulations, including	62	
9	the Engineering Design Manual as pub-	63	
10	lished by the Village. In all cases where	64	
11	the requirements of this chapter are dif-	65	(3)
12	ferent from the requirements of Chapter	66	
13	236, the more restrictive provision shall	67	
14	apply.	68	
15	(b) <u>Dedication.</u> The subdivider shall dedicate	69	
16	land and improve streets as provided in	70	(4)
17	this chapter and Section 54.103 [See page	71	
18	27]. Streets shall be located with due re-	72	
19	gard for topographical conditions, natural	73	
20	features, existing and proposed streets,	74	
21	utilities and land uses and public conven-	75	
22	ience and safety. Streets shall conform to	76	
23	official maps adopted by the Board of	77	(5)
24	Trustees. The subdivision or certified sur-	78	
25	vey map shall be so designed as to pro-	79	
26	vide each lot with satisfactory access to a	80	
27	public street or road.	81	
28	(c) <u>Compliance with Comprehensive Plan</u>	82	
29	<u>and Ordinances.</u>	83	
30	(1) The arrangement, character, fea-	84	
31	tures, and layout of land divisions	85	
32	in the Village shall be designed to	86	(6)
33	comply with the standards of this	87	
34	chapter, the Comprehensive Plan,	88	
35	the Official Map, and/or any compre-	89	
36	hensive utility plans and the En-	90	
37	gineering Design Manual or other	91	
38	planning documents which may	92	
39	pertain to the standards of design	93	
40	for land divisions and which have	94	
41	been adopted by the Board of	95	
42	Trustees. In the absence of a street	96	
43	being shown on the Official Map,	97	(d) <u>Areas Not Covered by Official Map or</u>
44	streets shall be provided in loca-	98	<u>Plan.</u> In areas not covered by an Official
45	tions determined necessary by the	99	Map, the layout of streets shall conform to
46	Village Engineer and to the right-	100	the plan for the most advantageous de-
47	of-way widths required in this	101	velopment of adjoining areas of the
48	chapter for the classification of	102	neighborhood. Streets shall be designed
49	street required.	103	and located in relation to existing and of-
50	(2) The arrangement, character, ex-	104	ficially planned streets, topography and
51	tent, width, grade, and location of	105	natural terrain, streams and lakes and ex-
52	all streets shall conform to Village	106	isting tree growth, public convenience
		107	and safety and in their appropriate rela-

Village Land Division Code

Sec. 54.120 General Street Design Standards.

Sec. 54.120 General Street Design Standards.

1 tion to the proposed use of the land to be
2 served by such streets.
3 (e) Arterial Streets and Highways. Provisions
4 shall be made for serving lots for residen-
5 tial use abutting major streets and high-
6 ways by either the use of marginal access
7 streets; backing lots to the primary street
8 with a screen planting contained in a non-
9 access reservation along the rear property
10 line; or deeper lots fronting on the pri-
11 mary street with rear service alleys. These
12 methods are recommended for the pur-
13 pose of providing adequate protection of
14 residential properties and to afford separa-
15 tion of through and local traffic.
16 (f) Width. The right-of-way widths shall be of
17 the width specified on the Official Map or
18 Master Plan, or if no width is specified
19 there, they shall be not less than the width
20 specified below:
21 (1) Arterial Street. 120 feet.
22 (2) Collector Street. 70 feet.
23 (3) Minor Street. 60 feet.
24 (4) Half Street. One-half (1/2) total
25 right-of-way of proposed street.
26 (5) Cul-de-sac Street. 60 feet.
27 (6) Marginal Access Street. 30 feet.
28 (7) One-way Streets in Residential
29 Planned Development District. 50
30 feet
31 (g) Alignment. Horizontal and vertical align-
32 ment of all streets shall conform to the
33 Engineering Design Manual.
34 Cul-de-sac or Dead End Streets.
35 (1) Temporary Cul-de-sacs. A tempo-
36 rary cul-de-sac with a minimum
37 pavement diameter of 65 feet shall
38 be installed for each dead end
39 street in excess of 200 feet meas-
40 ured from the street of origin to the
41 end of its right-of-way. If each side
42 of a dead end street not requiring a
43 cul-de-sac abuts one lot only, the
44 driveway for such lot shall be lo-
45 cated to exit onto the street of ori-
46 gin. If either side of said dead end
47 street abuts two lots, the driveway
48 for the lot nearest the dead end
49 shall be located within the first 30
50 feet nearest the street of origin.
51 Temporary cul-de-sac streets shall
52 be not more than 300 feet in
53 length measured along their center
54 lines from the streets of origin to
55 the ends of their right-of-way.

56 (2) Permanent Cul-de-sacs. Cul-de-sac
57 streets shall be not more than 300
58 feet in length measured along their
59 center lines from the streets of ori-
60 gin to the ends of their right-of-
61 way. The Plan Commission may
62 upon the recommendation of the
63 Fire Chief allow cul-de-sac streets
64 up to 500 feet in length. Each cul-
65 de-sac shall have a terminus con-
66 structed in accord with the Engi-
67 neering Design Manual.
68 Dead End Streets.
69 (3) A zoning permit shall be issued for
70 one residential principal building
71 proposed to be built beyond the
72 terminus point of an existing paved
73 street, and beyond the terminus
74 point of existing sanitary sewer,
75 watermain or storm sewer, only if
76 the sanitary sewer, watermain and
77 storm sewer laterals are installed in
78 a perpendicular manner from the
79 proposed principal building to the
80 street right-of-way or proposed
81 street rights-of-way as depicted in
82 Figure 1 (see appendix at the end of
83 this chapter).
84 (4) A zoning permit shall be issued for
85 one residential principal building
86 proposed to be built beyond the
87 terminus point of an existing street
88 or beyond the terminus point of an
89 existing sanitary sewer, watermain
90 or storm sewer only if a temporary
91 cul-de-sac is installed with the ter-
92 minus point of the proposed cul-
93 de-sac installed at least 75 feet
94 from the terminus of the existing
95 pavement or to a point perpen-
96 dicular to the midpoint of the pro-
97 posed principal building, which-
98 ever is greater, as depicted in Fig-
99 ure 2 (see appendix at the end of
100 this chapter).
101 (5) A zoning permit shall not be issued
102 for a second residential principal
103 building which is proposed to be
104 built across the street from a prin-
105 cipal building as described in sub.
106 (a) and (b) unless all public im-
107 provements including paved
108 streets, storm sewer or other storm
109 drainage facility, sanitary sewer and
110 watermain are installed across the

Village Land Division Code

1 entire frontage of the lot or parcel 56
2 on which the building is located, 57
3 or across the minimum lot frontage 58
4 for the zoning district in which the 59
5 property is located, whichever is 60
6 less, provided that a temporary 61
7 cul-de-sac is installed in accor- 62
8 dance with sub. (b), as depicted in 63
9 Figure 3 (see appendix at the end 64
10 of this chapter). 65
11 (6) If in the judgment of the Village 66
12 Engineer a physical feature that ex- 67
13 ists beyond the terminus of the 68
14 new pavement, described in sub. 69
15 (c), prevents this pavement from 70
16 being extended further, the tem- 71
17 porary cul-de-sac described in sub. 72
18 (c) May, at the discretion of the 73
19 Plan Commission and Board of 74
20 Trustees, be required to be a per- 75
21 manent cul-de-sac, as depicted in 76
22 Figure 4 (see appendix at the end 77
23 of this chapter). 78
24 (h) Half Streets. Where a half street exists ad- 79
25 jacent to the subdivision, the other half of 80
26 the street shall be dedicated by the sub- 81
27 divider. Platting of new half streets along 82
28 property lines shall not be permitted ex- 83
29 cept by approval of the Plan Commission. 84
30 (i) Intersections. 85
31 (1) Streets shall intersect as nearly as 86
32 possible at right angles and not 87
33 more than two streets shall inter- 88
34 sect at one point unless approved 89
35 by the Plan Commission. 90
36 (2) Street jogs with center line offsets 91
37 of less than 125 feet shall be 92
38 avoided. Where streets intersect 93
39 major streets, their alignment shall 94
40 be continuous. 95
41 (j) Street Names. New street names shall not 96
42 duplicate the names of existing streets, 97
43 but streets that are continuations of others 98
44 already in existence and named shall bear 99
45 the names of the existing streets. Con- 100
46 tinuous streets that change directions 101
47 shall be given a distinct street name for 102
48 each street segment of a different direc- 103
49 tion. Street names shall be subject to ap- 104
50 proval by the Plan Commission. 105
51 (k) Limited Access Highway Treatment. 106
52 Whenever the proposed subdivision con- 107
53 tains or is adjacent to a limited access 108
54 highway, arterial street, the design shall 109
55 provide the following treatment:

- (1) Subdivision Lots. When lots within the proposed subdivision back upon the right-of-way of an existing or proposed limited access highway, a planting strip at least 30 feet in depth shall be provided adjacent to the highway in addition to the normal lot depth. This strip shall be part of the platted lots but shall have the following restriction lettered on the face of the plat: "This strip reserved for the planting of trees and shrubs, the building of structures or use for vehicular access hereon prohibited."
- (2) Streets Parallel to a Limited Access Highway. Streets parallel to a limited access highway when intersecting a major street and highway or collector street which crosses the highway, shall be located at a minimum distance of 250 feet from the highway right-of-way. Such distance, where desirable and practicable, shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.
- (3) Minor Streets. Minor streets immediately adjacent and parallel to railroad rights-of-way shall be avoided, and location of minor streets immediately adjacent to arterial streets and highways rights-of-way shall be avoided in residential areas.

Sec. 54.121 Block Design Standards.

(a) Length; Arrangement.

- (1) The maximum lengths of blocks containing lots of 75 feet and over in width shall be 1,800 feet, and the maximum length of blocks containing lots less than 75 feet shall be 1,200 lineal feet. No blocks shall be less than 900 lineal feet in length unless approved by the Plan Commission.
- (2) No specific rule concerning the shape of blocks is made, but blocks must fit readily into the overall plan of the subdivision and their design must evidence consideration of topographical condi-

Village Land Division Code

1 tions and surface drainage, lot
2 planning, traffic flow, public open-
3 space areas and water and sewer-
4 age requirements.
5 (3) Blocks intended for commercial
6 and institutional use must be des-
7 ignated as such, and the plan must
8 show adequate off-street areas to
9 provide for parking, loading docks
10 and such other facilities as may be
11 required to accommodate motor
12 vehicles.
13 (b) Pedestrian Pathways. Pedestrian pathway
14 easements not less than 12 feet wide or
15 rights-of-way not less than 20 feet wide
16 through the center of a block more than
17 900 feet long, may be required by the
18 Plan Commission, where deemed essen-
19 tial to provide circulation or access to
20 playgrounds, shopping centers, trans-
21 portation and other community facilities.

22 Sec. 54.122 Lot Design Standards.

23 (a) Size. The size, shape and orientation of
24 lots shall be appropriate for the location
25 of topography of the land division, and
26 for the type of development contem-
27 plated, provided that no lot shall be
28 smaller in area than the minimum lot size
29 for the appropriate zone as established by
30 the Village Zoning Code.

31 Lot Dimensions.

32 (1) Width and area of lots shall con-
33 form to lot width and area re-
34 quirements set forth in the Zoning
35 Code. The minimum lot width as
36 required by the setback regulations
37 for a particular zoning district shall
38 be along the minimum building
39 setback line (front) as located in
40 those zoning regulations.
41 (2) Depth of lots shall be in accor-
42 dance with Plan Commission re-
43 quirements but not less than 115
44 feet in depth for interior lots and
45 90 feet in depth for corner lots.
46 (3) Depth and width of properties re-
47 served or laid out for commercial
48 purposes shall be adequate to pro-
49 vide for the off-street service, park-
50 ing and loading facilities required
51 by the type of use and develop-
52 ment contemplated.
53 (4) Residential lots abutting on major
54 streets and highways shall be plat-

55 ted with sufficient depth to permit
56 adequate separation between the
57 buildings and such traffic ways in
58 accord with the setback provisions
59 of the particular zoning district.
60 (5) Butt lots shall be platted at least
61 five feet wider than the average in-
62 terior lots in developments con-
63 taining lots less than 12,000 square
64 feet in area.
65 (6) Lots abutting upon a water course,
66 drainage way, channel or stream,
67 shall be an additional depth or
68 width as required to provide an
69 acceptable building site.
70 (b) Corner Lots. Corner lots should be de-
71 signed to permit full setback on both
72 streets as required by the applicable zon-
73 ing district requirements.
74 (c) Access to Public Streets. Every lot shall
75 front or abut on a public street. Lots with
76 an access only to private drives or streets
77 shall be permitted only with Plan Com-
78 mission approval.
79 (d) Lot Lines. Side lot lines shall be substan-
80 tially at right angles or radial to street
81 lines.
82 (e) Large Lots. Where lots are created of a
83 size larger than normal for the area, the
84 Plan Commission may require that the
85 plat be so designed as to allow for the
86 possible future re-subdivision of such lots
87 into normal sizes compatible with the
88 area.
89 (f) Municipal Boundaries. Lots shall follow
90 municipal boundary lines whenever prac-
91 ticable, rather than cross them.
92 (g) Through Lots. Through lots shall be
93 avoided except where necessary to pro-
94 vide separations of residential develop-
95 ment from traffic arteries or to overcome
96 specific disadvantages of topography and
97 orientation.
98 (h) Natural Features. In the dividing of any
99 land, regard shall be shown for all natural
100 features, such as tree growth, water
101 courses, historic spots or similar condi-
102 tions which, if preserved, will add attrac-
103 tiveness and stability to the proposed de-
104 velopment.
105 (i) Land Remnants. All remnants of lots be-
106 low minimum size left over after dividing
107 of a larger tract must be added to adja-
108 cent lots, or a plan shown as to future use

Village Land Division Code

1 rather than allowed to remain as unusable 55
2 parcels. 56
3 (j) Trunk Highway Proximity. All lots adjacent 57
4 to state trunk and federal highways shall 58
5 be platted with additional depth neces- 59
6 sary to provide for a building setback line 60
7 not less than 50 feet from the nearer right- 61
8 of-way line or 110 feet from the centerline, 62
9 whichever is more restrictive (Ref. Wis. 63
10 Adm. Code HY 33). The subdivider may 64
11 appeal this requirement to the Village En- 65
12 gineer. Upon written request of the Vil- 66
13 lage Engineer; the Wisconsin Department 67
14 of Transportation is hereby authorized to 68
15 then determine building setback re- 69
16 quirements equal to or less than those re- 70
17 quired above in all land divisions (includ- 71
18 ing certified surveys) adjacent to state and 72
19 federal highways in accordance with the 73
20 authority granted in the Administrative 74
21 Code. The required building setback line 75
22 and additional lot depth shall be platted 76
23 so as to accommodate such required 77
24 building setbacks. 78
25 (k) Easement Allowance. Lots containing side 79
26 yard pedestrian or drainage easements 80
27 shall be platted to include additional 81
28 width in allowance for the easement. 82
29 (l) Drainage Way and Watercourses. Lots 83
30 abutting upon a water course, drainage 84
31 way, channel or stream shall have such 85
32 additional depth or width as required by 86
33 the Village Engineer to obtain building 87
34 sites that are not subject to flooding from 88
35 a post-development 100 year storm. 89

36 Sec. 54.123 Drainage and Stormwater 37 Management System. 91

38 (a) Purpose. The following provisions in this 92
39 Section are established to preserve and 93
40 provide properly located public sites and 94
41 facilities for drainage and stormwater 95
42 management as the community develops, 96
43 and to insure that the costs of providing 97
44 and developing such public sites are equi- 98
45 tably apportioned on the basis of serving 99
46 the need for the management of increa- 100
47 sed stormwater quantities resulting 101
48 from land development. 102
49 (b) Drainage System Required. A drainage 103
50 system complying with the Engineering 104
51 Design Manual shall be provided by the 105
52 subdivider. The Plan Commission shall 106
53 not recommend for approval any land di- 107
54 vision that does not provide adequate 108
109

means for storm water or flood water run-
off. A final plat shall not be submitted and
approved until the subdivider installs
drainage improvements specified in this
Section.

(1) A drainage system shall be de-
signed and constructed by the sub-
divider to provide for the proper
drainage of the surface water of the
land division and the drainage area
of which it is a part. Design shall be
in conformance with the Engineer-
ing Design Manual. A Final Plat
shall not be submitted and ap-
proved until the subdivider installs
drainage improvements specified
in this Section.

(2) Lots shall be laid out to provide
positive drainage away from all
buildings, and individual lot drain-
age shall be coordinated with the
general storm drainage pattern for
the area. Drainage shall be de-
signed to avoid concentration of
storm drainage water from each lot
to adjacent lots.

(3) The Plan Commission shall not rec-
ommend for approval any subdivi-
sion plat which does not provide
adequate means for stormwater or
floodwater runoff. Any stormwater
drainage system will be separate
and independent of any sanitary
sewer system. Storm sewers, where
necessary, shall be designed in ac-
cordance with all governmental
regulations, and a copy of design
computations for hydraulic capaci-
ties shall accompany plans submit-
ted by the design engineer.

Drainage System Plans.

(4) The subdivider shall submit to the
Village at the time of filing a Pre-
liminary Plat a drainage plan and
engineering report on the ability of
existing watercourse channels,
storm sewers, culverts and other
improvements pertaining to drain-
age or flood control within the
subdivision to handle the addi-
tional runoff which would be gen-
erated by the development of the
land within the subdivision. Addi-
tional information shall be submit-
ted to adequately indicate that

Village Land Division Code

1 provision has been made for dis- 56
2 disposal of surface water without any 57
3 damage to the developed or un- 58
4 developed land downstream or 59
5 below the proposed subdivision. 60
6 (c) Drainage System Requirements. The sub- 61
7 divider shall install all the storm drainage 62
8 facilities indicated on the plans required 63
9 in Subsection (a) of this Section necessary 64
10 to serve, and resulting from, the phase of 65
11 the land division under development: 66
12 (1) Street Drainage. Street drainage 67
13 systems shall comply with the re- 68
14 quirements in the Engineering De- 69
15 sign Manual. 70
16 (2) Off-Street Drainage. Off-street 71
17 drainage systems shall comply with 72
18 the requirements in the Engineer- 73
19 ing Design Manual. 74
20 (d) Protection of Drainage Systems. The sub- 75
21 divider shall adequately protect all 76
22 ditches to the satisfaction of the Village 77
23 Engineer. 78
24 (e) Drainage Easements. Storm water and 79
25 drainage easements or right-of-ways shall 80
26 be provided in accordance with the Engi- 81
27 neering Design Manual. 82
28 (f) Dedication of Drainageways. Whenever a 83
29 parcel is to be subdivided or consolidated 84
30 and embraces any part of a drainageway 85
31 identified on a Village Comprehensive 86
32 Storm Water Management Plan, master 87
33 plan and/or official map or any portion 88
34 thereof, such part of said existing or pro- 89
35 posed public drainageway shall be plat- 90
36 ted and dedicated by the subdivider as an 91
37 easement or right-of-way in the location 92
38 and at the size indicated along with all 93
39 other streets and public ways in the land 94
40 division. Whenever any parcel is to be 95
41 subdivided or consolidated and is part of 96
42 a drainage district established under the 97
43 authority of chapter 88, Wisconsin Stat- 98
44 utes, and the subdivider shall petition the 99
45 Circuit Court to transfer the jurisdiction of 100
46 that portion of the drainage district being 101
47 subdivided or consolidated to the Village 102
48 in accordance with chapter 88.83, Wis- 103
49 consin Statutes 104
50 (g) Dedication/Preservation of Storm Water 105
51 Management Facilities. The subdivider 106
52 shall dedicate sufficient land area for the 107
53 storage of storm water to meet the needs 108
54 to be created by the proposed land de- 109
55 velopment and in accordance with the

standards for on-site detention and as de-
termined by the Village Engineer. When-
ever a proposed storm water manage-
ment facility (e.g., detention or retention
basin) shown on the Comprehensive
Storm Water Management Plan, master
plan and/or official map is located, in
whole or in part, within the proposed
land division, ground areas for providing
the required storage capacity in such pro-
posed public facility shall be dedicated to
the public to the requirements of the
master plan and/or official map. Storage
areas necessary to serve areas outside the
land division shall be held in reserve for a
period of five years from the date of final
plat approval for future dedication to the
Village or other appropriate agency.

(h) Storm Drainage Facilities. The subdivider,
at his/hers cost, shall install all drainage
facilities identified in the Erosion Control
Plan or determined by the Village Engi-
neer as being necessary for the manage-
ment of all lands and roadways within the
development. In addition, drainage ca-
pacity through the development from
other areas shall be provided in accor-
dance with a Comprehensive Surface Wa-
ter Management Study, if applicable. All
required storm drainage facilities shall be
constructed and operational prior to ac-
ceptance of any dedications and/or pub-
lic improvements served by the storm
drainage facilities.

(i) Major Drainage System. The sub-divider
shall install all major drainage system
components necessary to reduce incon-
venience and damages from infrequent
storms. Major system components shall
include large channels and drainageways,
streets, easements and other paths and
shall be capable of accommodating post-
development runoff in excess of that ac-
commodated by minor system compo-
nents resulting from the design rainfall
event as specified in the Engineering De-
sign Manual for storms with return fre-
quencies greater than ten years up to and
including the 100 year return event.

(j) Stormwater Drainage Control. Drainage
and storm water management systems for
new development and redevelopment
shall comply with the requirements in the
Engineering Design Manual.

Village Land Division Code

Sec. 54.124 Reserved.

Sec. 54.125 Grading.

- 1 **Sec. 54.124 Reserved.** 54
- 2 **Sec. 54.125 Grading.** 55
- 3 The subdivider shall grade each land division in 56
- 4 order to establish street, block and lot grades in 57
- 5 proper relation to each other and to topography 58
- 6 as follows: 59
- 7 (a) Master Site-Grading Plan. 60 (c) Block Grading. Block grading shall be
- 8 (1) A master site-grading plan shall be 61 completed by one or more of the follow-
- 9 prepared by the subdivider in con- 62 ing methods:
- 10 formance with the standards in the 63 (1) Regrading along the side or rear lot
- 11 Engineering Design Manual by a 64 lines which provides for drainage
- 12 professional engineer for all new 65 to the public drainage facilities.
- 13 land divisions and this plan shall be 66 (2) Parts of all lots may be graded to
- 14 approved by the Village Engineer 67 provide for drainage to a ditch or
- 15 prior to the approval and recording 68 to a swale, provided any ditches or
- 16 of the final plat. This plan shall be 69 swales are in public drainage ease-
- 17 prepared in accordance with the 70 ments.
- 18 requirements and standards of the 71 (3) Draining across rear or side lot
- 19 Village. 72 lines may be permitted provided
- 20 (2) All subdivisions or certified survey 73 that the course of drainage is
- 21 maps creating lots that back onto 74 within a public drainage easement
- 22 an arterial or collector street shall 75 and is toward public drainage fa-
- 23 design and place on the grading 76 cilities.
- 24 plans an earthen berm, the height 77 (d) Miscellaneous Grading Requirements.
- 25 and slope of which conform to the 78 (1) Grading shall be in conformance
- 26 Engineering Design Manual. The 79 with the Engineering Design Man-
- 27 berm shall be landscaped with ap- 80 ual.
- 28 appropriate plantings to provide a 81 (2) The topsoil stripped for grading
- 29 visual screen from casual view. 82 shall not be removed from the site
- 30 (3) After approval or modification of 83 unless identified in the Erosion
- 31 these plans by the Village Engineer, 84 Control Plan approved by the Vil-
- 32 the full width of the right-of-way of 85 lage Engineer as not being neces-
- 33 the proposed streets within the 86 sary for erosion control or site
- 34 subdivision and the entire subdivi- 87 landscaping purposes. Topsoil
- 35 sion lot area shall be graded in 88 shall be uniformly returned to the
- 36 accordance with the master site- 89 lots when rough grading is fin-
- 37 grade plan. The owners of the sub- 90 ished. Topsoil piles shall be leveled
- 38 division lots shall adhere to those 91 and seeded for erosion control in
- 39 plans. 92 accord with Village-approved
- 40 (4) Upon completion of all street and 93 specifications prior to the Village
- 41 subdivision grading, the grades 94 releasing the two year guarantee
- 42 shall be checked by the Village En- 95 provision on public improvements
- 43 gineer and certified by the subdivi- 96 in the streets adjacent to the lots
- 44 der to determine that the comple- 97 on which the topsoil is stockpiled.
- 45 ted grading work is in accord- 98
- 46 ance with the master site grading 99
- 47 plan. 100
- 48 (5) The cost of all required grading 101
- 49 work, supervision, certification, in- 102
- 50 spection and engineering fees shall 103
- 51 be paid for by the subdivider. 104
- 52 (b) Right-of-Way Grading. The subdivider 105
- 53 shall grade the full width of the right-of-

Village Land Division Code

Sec. 54.125 Grading.

Sec. 54.125 Grading.

1

Reserved.

Village Land Division Code

1 **PARK AND PUBLIC LAND**
2 **DEDICATIONS**

3 **Sec. 54.140 General Park and Public**
4 **Land Dedication Requirements.**
5 (a) Parks and Other Public Areas. In order
6 that adequate open spaces and sites for
7 public uses may be properly located and
8 preserved as the community develops,
9 and in order that the cost of providing the
10 public park and recreation sites and facilities
11 necessary to serve the additional
12 families brought into the community by
13 subdivision development may be most
14 equitably apportioned on the basis of the
15 additional need created by the individual
16 subdivision development, and coordinated
17 with the environmental pattern and
18 land use goals established by the Village,
19 the following provisions of this Article are
20 established.
21 (b) Consideration in Plat Layout. In the design
22 and layout of plats, consideration shall be
23 given to the provision of the foregoing
24 open space and public use areas that are
25 compatible with the specific terrain and
26 related use characteristics of the site and
27 would serve to implement the recommendations
28 of the Comprehensive Master Plan of the Village.
29 (c) Dedication of public access to water.
30 Subdivisions abutting on a navigable lake
31 or stream shall, according to the provisions
32 of Wisconsin Statutes 236.16(3), provide
33 access at least 60 feet wide to the
34 low water mark so that there will be public
35 access, which is connected to existing
36 public roads not more than at one-half-
37 mile intervals as measured along the lake
38 or stream shore, except where greater intervals
39 and wider access is agreed upon
40 by the state department of natural resources
41 and the state department of development,
42 and excluding shore areas where public parks
43 or open spaces and streets or roads on either
44 side of a stream are provided. Such access
45 shall be dedicated to the Village.
46
47
48 **Sec. 54.141 Land Dedication.**
49 (a) Dedication. Within the Village, a
50 subdivider shall be required to dedicate
51 sufficient land area to implement the Village's

52 recommendations for bikeway purposes,
53 pertaining to their property, as set forth in
54 the Village's Comprehensive Master Plan.
55 In areas of the Village where the Official
56 Map has bikeway areas, these areas shall
57 be dedicated for such use as the land adjacent
58 to it is platted.
59 Payment in Lieu of Dedication.
60 (1) For all residential developments, a
61 fee as set forth in the Municipal Code
62 shall be paid for each new dwelling unit
63 or lot.
64 (2) All payments shall be made in full
65 to the Village prior to Board of Trustees
66 approval of the land division or development.
67
68 **Sec. 54.142 Development of Park Area.**
69 (a) When parklands are dedicated to the
70 Village, the subdivider may be required by
71 the Village Engineer to:
72 (1) Properly grade and contour for
73 proper drainage;
74 (2) Provide surface contour suitable
75 for anticipated use of area as approved
76 by the Village Engineer;
77 and
78 (3) Cover areas to be seeded in accord
79 with Village-approved specifications. It
80 shall be the responsibility of the subdivider
81 to maintain the area until the Village
82 accepts the dedication.
83 (b) It shall be the responsibility of the
84 Village to maintain the dedicated areas
85 upon their dedication and acceptance by
86 the Village.
87 (c) The Board of Trustees may require
88 certification of compliance by the
89 subdivider with the applicable provisions
90 of this chapter. The cost of such report
91 shall be paid by the subdivider.
92 (d) If the subdivider fails to satisfy the
93 requirements of this Section, the Board
94 of Trustees may contract said completion
95 and bill such costs to the subdivider,
96 following a public hearing and written
97 notice to the subdivider of noncompliance.
98 Failure to pay such costs may result in
99 the immediate withholding of all building
100 permits until such costs are paid.
101 (e) The subdivider shall pay all costs of
102 public improvements in the public streets
103 adjacent to or within all public and/or
104 park lands.
105

Village Land Division Code

Sec. 54.142 Development of Park Area.

Sec. 54.142 Development of Park Area.

1

Reserved.

Village Land Division Code

1	FEES	52	ever, such reviews shall be conducted
		53	only as staff time permits.
2	Sec. 54.160 Administrative and Other	54	(d) <u>Filing Fees.</u> All land division documents
3	Fees.	55	and requests for vacation of street right-
4	(a) <u>General.</u> The subdivider shall pay the Vil-	56	of-way shall be accompanied by the ap-
5	lage all fees as hereinafter required and at	57	propriate fee as set forth in the Municipal
6	the times specified before being entitled	58	Code.
7	to recording of a plat or certified survey	59	(e) <u>Objecting Agency Review Fees.</u> The sub-
8	map. At the time of submission of a plat	60	divider shall transmit all fees required for
9	or certified survey, the Plan Commission,	61	state and county agency review to the Vil-
10	at its sole discretion, may require the sub-	62	lage Clerk at the time of application. Said
11	divider to make a good faith deposit with	63	review fees shall be retransmitted to the
12	the Village Treasurer to cover, in all or	64	proper state and county review agency by
13	part, the expenses anticipated to be in-	65	the Village Clerk. Said fees shall be appli-
14	curring by the Village because of the land	66	cable, where appropriate, to review fees
15	division. Unused portions of such fund	67	required by the Wisconsin Department of
16	may be refunded to the subdivider.	68	Administration and the County Planning
17	(b) <u>Engineering Fee.</u> The subdivider shall pay	69	Department.
18	a fee equal to the actual cost to the Village	70	(f) <u>Taxes and Assessments.</u> All outstanding
19	for all engineering work incurred by the	71	assessments, personal property taxes, real
20	Village in connection with the plat or cer-	72	estate taxes and all other debts due to the
21	tified survey map, including inspections	73	Village shall be due prior to the signing of
22	required by the Village pursuant to Sec-	74	the Final Plat or Certified Survey map by
23	tion 54.102(c). [See page 26] The subdivi-	75	the Village.
24	der shall pay a fee equal to the actual	76	Sec. 54.161 Levy of Special Assessments.
25	cost to the Village for such engineering	77	The cost of installing or constructing any public
26	work and inspection as the Board of Trus-	78	work or improvement by the Village may be
27	tees and/or Village Engineer deems nec-	79	charged under this section, in whole or in part,
28	essary to assure that the construction of	80	to the property benefited by such work or im-
29	the required improvements is in compli-	81	provement and the Board of Trustees may levy
30	ance with the plans, specifications and	82	an assessment against such benefited property in
31	ordinances of the Village or any other	83	the manner provided herein.
32	governmental authority. Engineering work	84	Sec. 54.162 Includable Costs.
33	shall include the preparation of construc-	85	(a) The cost of any work or improvement to
34	tion plans, standard specifications, in-	86	be paid in whole or in part by special as-
35	spection, and administration of the engi-	87	essment levied against property may in-
36	neering work.	88	clude the following:
37	<u>Administrative Fees.</u>	89	(1) The direct and indirect cost
38	(1) The subdivider shall pay a fee to	90	thereof;
39	the Village equal to the cost of any	91	(2) The damages occasioned thereby;
40	legal, administrative or fiscal work	92	(3) The interest on bonds or notes is-
41	which may be undertaken by the	93	ssued in anticipation of the collec-
42	Village in connection with the plat	94	tion of the assessments;
43	or certified survey map.	95	(4) A reasonable charge for the ser-
44	(2) All land division documents and	96	vices of the administrative staff of
45	requests for vacation of street right-	97	the Village;
46	of-way shall be accompanied by	98	(5) The cost of any architectural, engi-
47	the appropriate fee as required by	99	neering and legal services;
48	the Municipal Code.	100	(6) Any other items of direct or indi-
49	(c) <u>Concept Plan.</u> There shall be no fee for	101	rect cost, which may reasonably be
50	the Village's review of a concept or sketch	102	attributed to the proposed work or
51	plan of a proposed land division. How-	103	improvement.

Village Land Division Code

Sec. 54.163 Engineer's Report.

Sec. 54.166 Resolution Levying Assessments.

- 1 (7) The amount to be assessed against
2 all property for any such proposed
3 work or improvement shall be ap-
4 portioned among the individual
5 parcels in the manner designated
6 by the Board of Trustees.
- 7 (b) The amount assessed against any property
8 for any work or improvement, which
9 represents an exercise of the Village's tax-
10 ing power, shall not exceed the actual
11 value of the benefits conferred on the
12 property. An assessment levied under the
13 police power must benefit the property
14 and the assessment shall be levied on a
15 reasonable basis as determined by the
16 Board of Trustees.

Sec. 54.163 Engineer's Report.

17 Prior to levying a special assessment, the Board
18 of Trustees, by preliminary resolution, shall direct
19 that special assessments be levied and shall di-
20 rect that the Village Engineer prepare and file
21 with the Village Clerk, for public inspection,
22 his/hers report which shall consist of:
23

- 24 (a) A copy of the preliminary or final plans
25 and specifications of the proposed work
26 or improvement.
- 27 (b) An estimate of the entire cost of the pro-
28 posed work or improvement or the actual
29 cost thereof based on contracts awarded.
- 30 (c) An estimate of that portion of the total
31 cost of the improvement to be levied
32 against the benefited properties.
- 33 (d) An estimate, as to each parcel of property
34 affected, of:
- 35 (1) The assessment of benefits to be
36 levied.
- 37 (2) The damages to be awarded for
38 property taken, damaged, or ad-
39 versely affected.
- 40 (3) The net amount of such benefits
41 over damages or the net amount of
42 such damages over benefits.
- 43 (4) A statement that the property
44 against which the assessments are
45 proposed is benefited, where the
46 work or improvement constitutes
47 an exercise of the police power. In
48 such cases the estimates required
49 under Subsection (d) above, shall
50 be replaced by a schedule of the
51 proposed assessments.

Sec. 54.164 Notice and Hearing.

52 Upon completion and filing of the Engineer's
53 Report, the Village Clerk shall cause notice to be
54 given stating the nature of the proposed work or
55 improvement, the general boundary lines of the
56 proposed assessment district or area including,
57 in the discretion of the Board of Trustees, a small
58 map thereof, the place and time at which all per-
59 sons interested, or their agents or attorneys, may
60 appear before the Board of Trustees and be
61 heard concerning the matters contained in the
62 report. Such notice shall be published as a Class
63 1 notice, under chapter 985 Wisconsin Statutes.
64 A copy of such notice shall be mailed, at least
65 ten days before the hearing or proceeding, to
66 every interested person whose post office ad-
67 dress is known, or can be ascertained with rea-
68 sonable diligence. The hearing shall commence
69 not less than ten and not more than 40 days after
70 publication of the notice.
71

Sec. 54.165 Waiver of Notice and Hearing.

72 The Board of Trustees may, without any notice or
73 hearing hereunder, levy and assess the whole or
74 any part of the cost of any municipal work or im-
75 provement as a special assessment upon the
76 property benefited thereby whenever notice and
77 hearing thereon is waived in writing by all the
78 owners of property affected by such special as-
79 sessment.
80
81

Sec. 54.166 Resolution Levying Assessments.

82 After hearing persons interested in the proposed
83 assessment levy, the Board of Trustees may ap-
84 prove, disapprove, or modify the proposed as-
85 sessments or it may refer the report to the Engi-
86 neer with such direction, as it deems necessary
87 to accomplish a fair and equitable assessment.
88 Upon approval of the Engineer's report, the
89 Board of Trustees shall adopt a resolution levying
90 the special assessment as finally approved. The
91 resolution shall contain the following:
92
93

- 94 (a) Confirmation of the Engineer's report
- 95 (b) A determination that the proposed work
96 or improvement constitutes an exercise
97 either of the police power, or the taxing
98 power.
- 99 (c) A determination that the assessments may
100 be paid in annual installments and the
101 number and due date of such installments
102 and the interest thereon pursuant to Sec-
103 tion 66.54(7), Wisconsin Statutes.

Village Land Division Code

Sec. 54.167 Reserved.

Sec. 54.178 Corner Parcels.

1 (d) A statement, if applicable, that the as-
2 assessments or a portion of the assessments
3 so levied is long term 20 year pursuant to
4 Section 66.605, Wisconsin Statutes.

5 **Sec. 54.167 Reserved.**
6

7 **Sec. 54.168 Appeal of Special**
8 **Assessments.**

9 Any person having an interest in any parcel of
10 land affected by any determination of the Board
11 of Trustees may appeal there from to the Door
12 County Circuit Court in the manner provided in
13 Section 66.60(12), Wisconsin Statutes.

14 **Sec. 54.169 Property Excluded from**
15 **Special Assessment.**

16 If any property included within the proposed as-
17 sessment district or area shall be excluded from
18 assessment, the proposed assessment shall be
19 computed and paid by the Village, Water and
20 Sewer Utility, or storm water drainage district as
21 determined by the Board of Trustees.

22 **Sec. 54.170 Special Charges.**

23 Special charges for services rendered by the Vil-
24 lage may be imposed by the Board of Trustees
25 pursuant to Section 66.60(16), Wisconsin Stat-
26 utes.

27 **Sec. 54.171 Payment Plans.**

28 (a) Except those properties that are subject to
29 subsection (b) the property owner may
30 pay special assessments as follows:

31 (1) Within 30 days of the date of the
32 levy.

33 (2) Within five years of the date of the
34 levy in equal annual installments
35 on the property tax bill with interest
36 as determined in the final as-
37 sessment resolution.

38 (3) Within ten years of the date of the
39 levy in equal annual installments
40 on the property tax bill with interest
41 as determined in the final as-
42 sessment resolution.

43 (b) For those properties which are vacant or
44 have one residential dwelling unit, that
45 are two and one-half (2 ½) acres or more
46 in area, or have 330 feet or more of as-
47 sessed frontage, payment shall be made
48 within 20 years of the date of the levy in
49 equal annual installments on the property

50 tax bill with interest as determined in the
51 final assessment resolution.

52 **Sec. 54.172 Existing Deferred Special**
53 **Assessments.**

54 (a) The Village Clerk shall keep a record of all
55 existing deferred and active special as-
56 sements. The annual tax bill for each
57 property subject to a deferred special as-
58 sessment shall indicate this condition by
59 inserting the word "Deferred" under the
60 special assessment column.

61 (b) Before the issuance of any building or
62 plumbing permit, the Zoning Administra-
63 tor or designee shall refer the application
64 for permit to the Village Clerk to deter-
65 mine if any special assessment is out-
66 standing against the parcel involved.

67 (c) The Village will comply with the assess-
68 ment and deferment conditions as previ-
69 ously established by assessment resolu-
70 tion unless the property owner(s) so af-
71 fected agree to a change.

72 **Sec. 54.173 Village Owned Property.**

73 There shall be no special assessment levied
74 against Village property. The cost of the project
75 which otherwise would be levied against Village
76 property shall be the Village's financial responsi-
77 bility.

78 **Sec. 54.174 Notice of Levy of Special**
79 **Assessment.**

80 An Assessment Notice shall be mailed to each af-
81 fected property owner after final determination
82 of all costs and computations for all affected
83 properties has been completed.

84 **Sec. 54.175 Schedule of Rates for**
85 **Assessments.**

86 The Board of Trustees shall annually determine
87 and establish assessment rates.

88 **Sec. 54.176 Oversizing Rates and Policy.**

89 The schedule of rates and the policy on oversiz-
90 ing shall be determined and adopted by the
91 Board of Trustees by Resolution, pursuant to the
92 Municipal Code.

93 **Sec. 54.177 Reserved.**

94 **Sec. 54.178 Corner Parcels.**

95 (a) When special assessments are deter-
96 mined on a front foot basis and a corner

Village Land Division Code

Sec. 54.179 Double Frontage Parcels.

Sec. 54.181 Reconstruction Jurisdiction and

1 lot abuts the work or improvement, the
2 assessment against the parcel shall be deter-
3 mined as follows:
4 (b) When the improvement is installed abut-
5 ting both the long frontage side and the
6 short frontage side of a corner parcel, the
7 assessment shall be determined by multi-
8 plying the full per foot assessment rate
9 times the sum of the short side frontage
10 plus that portion of the long side frontage
11 in excess of 100 feet.
12 (c) When the improvement is installed abut-
13 ting only the long frontage side of a corner
14 parcel, and no previous assessment
15 for the same improvement has been
16 made, the assessment shall be deter-
17 mined as in (a) above.
18 (d) When the improvement is installed abut-
19 ting only the short frontage side of a corner
20 parcel, and no previous assessment
21 for the same improvement has been
22 made, the assessment shall be deter-
23 mined by multiplying the full per foot as-
24 sessment rate times the length of the short
25 side.
26 (e) When the improvement is installed abut-
27 ting only the long frontage side of a corner
28 parcel, and a previous assessment for
29 the same improvement has been made
30 for the short side, the assessment shall be
31 determined by multiplying the full per
32 foot assessment rate times that portion of
33 the long frontage side in excess of 100
34 feet.
35 (f) When the improvement is installed, abut-
36 ting only the short frontage side of a corner
37 parcel and a previous assessment has
38 been made for the long side, there shall
39 be no additional assessment for the initial
40 100 feet of the short side. The portion in
41 excess of 100 feet shall be assessed under
42 the provisions of subsection (b) above.
43 (g) If the improvement is installed on either
44 the long frontage side or short frontage
45 side of a parcel previously assessed for
46 the same improvement, and no corner lot
47 computation was made, the assessment
48 shall be determined by adding the short
49 side frontage to that portion of the long
50 side frontage in excess of 100 feet, and
51 from that sum subtracting the previously
52 assessed frontage, and then multiplying
53 the full per foot assessment rate times the
54 difference.

55 **Sec. 54.179 Double Frontage Parcels.**
56 (a) When special assessments are deter-
57 mined on a front foot basis and a double
58 frontage parcel (a parcel that runs through
59 an entire block and has frontage on two
60 different streets or public rights-of-way)
61 abuts the work or improvement, the as-
62 sessment against the parcel shall be deter-
63 mined as follows:
64 (b) If, after an investigation and report by the
65 Zoning Administrator, the Board of Trus-
66 tees determines that under the provisions
67 of the zoning ordinance it is possible to
68 divide the parcel into two parcels, one
69 fronting each street, the parcel shall be
70 subject to an assessment for each frontage
71 when the improvement abutting the
72 frontage is installed. In such cases, the as-
73 sessment against each frontage shall be
74 determined and treated as separate as-
75 sements. The assessment for the vacant
76 frontage shall be assessed under the pro-
77 visions of Section 54.178.
78 (c) If such a parcel cannot be divided to cre-
79 ate two parcels, there shall be no assess-
80 ment for the same benefit from the same
81 type of improvement installed abutting
82 the second frontage.
83 (d) The assessment shall become due as
84 specified by the resolution levying special
85 assessments for that frontage which abuts
86 the assessable improvement.

87 **Sec. 54.180 Lots Created by Re-division** 88 **or Combination.**

89 An investigation shall be made by the Zoning
90 Administrator to determine if a parcel, under the
91 provisions of the zoning ordinance, may rea-
92 sonably be divided or combined in such a way as
93 to create additional parcels. The results of this
94 investigation shall be reported to the Board of
95 Trustees, which shall determine the special as-
96 sements on a reasonable, case-by-case, basis.

97 **Sec. 54.181 Reconstruction Jurisdiction** 98 **and Policy.**

99 (a) The following criteria shall apply:
100 (1) Reconstruction of sanitary sewer
101 and water main are under the ju-
102 risdiction of the Sister Bay Water
103 and Sewer Utility.
104 (2) Those facilities under the jurisdic-
105 tion of the Village include the fol-
106 lowing: storm sewer, drainage

Village Land Division Code

Sec. 54.182 Other Authority Retained.

Sec. 54.182 Other Authority Retained.

- 1 ditches, detention and retention
2 structures, storm water manage-
3 ment districts, laterals, streets,
4 sidewalks, bike paths, bridges, cul-
5 verts and headwalls, street lighting,
6 street trees, parks, playgrounds,
7 and Village installed service con-
8 nections.
- 9 (b) Reconstruction assessment shall be based
10 on a combination of the zoning category
11 of a property and the road classification,
12 by use, of the street in which the facility
13 assessed is located. For facilities installed
14 in easements, the zoning category of a
15 property shall be the only consideration
16 in assessing reconstruction costs. The ef-
17 fective rate of assessment shall be ob-
18 tained from the appropriate Schedule of
19 Rates table, which applies to the facility,
20 which has been reconstructed.
- 21 (c) The policies and rates of assessment for
22 reconstruction of facilities under Village
23 jurisdiction shall be determined and ap-
24 proved by the Board of Trustees and shall
25 be set forth by Ordinance. The rates set by
26 this Ordinance shall be effective begin-
27 ning on 1 January and shall apply for the
28 entire calendar year.

29 **Sec. 54.182 Other Authority Retained.**

30 It is not intended by the enactment of this ordi-
31 nance to deprive the Board of Trustees of any
32 power conferred by Sections 66.53 through
33 66.698, Wisconsin Statutes, but any limitations
34 contained therein and any procedures pre-
35 scribed therein for the levy of special assess-
36 ments or special charges shall not apply to the
37 exercise of the special assessment authority con-
38 tained herein.

Village Land Division Code

Sec. 54.182 Other Authority Retained.

Sec. 54.182 Other Authority Retained.

1

Reserved.

Village Land Division Code

1	jurisdiction of this chapter not of record	56		feiture as prescribed in the Mu-
2	as of the effective date of this chapter un-	57		nicipal Code.
3	til the provisions and requirements of this	58	(6)	Failure to Replace Removed or Dis-
4	chapter have been fully met. The Village	59		turbed Monument. Any person
5	may institute appropriate action or pro-	60		who fails to replace properly any
6	ceedings to enjoin violations of this chap-	61		monument or survey marker by
7	ter or the applicable Wisconsin Statutes.	62		him removed or disturbed when
8	(b) <u>Penalties.</u>	63		ordered to do so by any officer of
9	(1) General Violations. Any person,	64		the Village shall be subject to the
10	firm or corporation who fails to	65		forfeiture as prescribed in the Mu-
11	comply with the provisions of this	66		nicipal Code.
12	chapter shall, upon conviction	67	(7)	Failure to Comply with the Master
13	thereof, be subject to forfeiture as	68		Site Grading Plan. Any property
14	prescribed in the Municipal Code.	69		owner who fails to comply with the
15	Each day a violation exists or con-	70		master site grading plan pursuant
16	tinues shall constitute a separate	71		to Section 54.125(a) shall be subject
17	offense.	72		to forfeiture as prescribed in the
18	(2) Forfeiture for Not Proper Re-	73		Municipal Code. Each day a viola-
19	recording. Any person causing	74		tion exists or continues shall con-
20	his/hers final plat to be recorded	75		stitute a separate offense.
21	without submitting such plat for	76	(8)	<u>Failure to Comply With the Official</u>
22	approval as herein required, or	77		<u>Map.</u> Any person, firm, or corpora-
23	who shall fail to present the same	78		tion who fails to comply with the
24	for record within the time specified	79		provisions of this section shall,
25	after approval shall be subject to	80		upon conviction thereof, forfeit not
26	the forfeiture as prescribed in the	81		more than two hundred dollars
27	Municipal Code.	82		(\$200.00) and not less than fifty
28	(3) Transfer of Lots in Unrecorded Plat.	83		dollars (\$50.00) and cost of prose-
29	Any subdivider or his/hers agents	84		cution for each violation, and in
30	who offers or contracts to convey,	85		default of payment of such forfei-
31	or conveys, any subdivision as de-	86		ture and costs shall be imprisoned
32	defined in Sec. 236.02(8), Wisconsin	87		in the Door County jail until pay-
33	Statutes, or lot or parcel which lies	88		ment thereof but not exceeding 30
34	in a subdivision as defined in Sec.	89		days. No damages shall be allowed
35	236.02(7), Wisconsin Statutes,	90		for the taking by any governmental
36	knowing that the final plat thereof	91		agency, for street, highway, drain-
37	has not been recorded may, upon	92		ageway, or parkway purposes, any
38	conviction, be subject to the forfei-	93		building erected in violation of this
39	ture as prescribed in the Municipal	94		ordinance.
40	Code.	95		<u>Revocation of Permits and/or Approvals.</u>
41	(4) Penalty for Disturbing or Not Plac-	96	(9)	The Village Engineer or Zoning
42	ing Monuments. Any owner, sur-	97		Administrator may revoke or sus-
43	vveyor or subdivider who fails to	98		pend any permit or approval is-
44	place monuments as prescribed by	99		sued under the regulations of this
45	this chapter when subdividing land	100		chapter and may stop construction
46	shall be subject to the forfeiture as	101		or use of approved materials,
47	prescribed in the Municipal Code.	102		equipment, methods of construc-
48	(5) Knowingly Removing or Disturbing	103		tion, devices or appliances for any
49	Monuments. Any person who	104		of the following reasons:
50	knowingly removes or disturbs any	105	a.	Whenever the Village Engi-
51	monument or survey marker within	106		neer shall find at any time
52	the Village without permission of	107		that applicable ordinances,
53	any governing authority or who	108		laws, orders, plans, specifi-
54	fails to report such disturbance or	109		cations and agreements are
55	removal shall be subject to the for-	110		not being complied with

Village Land Division Code

1 and that the subdivider or 56
2 his/hers contractor has re- 57
3 fused to conform after writ- 58
4 ten warning or instruction 59
5 has been issued to him. 60
6 b. Whenever the continuance 61
7 of any construction be- 62
8 comes dangerous to life or 63
9 property. 64
10 c. Whenever there is any viola- 65
11 tion of any condition or 66
12 provisions of the applica- 67
13 tion for permit, or of the 68
14 permit or of any approval. 69
15 d. Whenever, in the opinion of 70
16 the Village Engineer or Zon- 71
17 ing Administrator, the sub- 72
18 divider has provided inade- 73
19 quate management of the 74
20 project. 75
21 e. Whenever any false state- 76
22 ment or misrepresentation 77
23 has been made in the appli- 78
24 cation for permit, plans, 79
25 drawings, data specifica- 80
26 tions or certified lot or plot 81
27 plan on which the issuance 82
28 of the permit or approval 83
29 was based. 84
30 f. Whenever there is a viola- 85
31 tion of any of the conditions 86
32 of an approval or occu- 87
33 pancy given by the Village 88
34 Engineer or Zoning Admin- 89
35 istrator for the use of all ma- 90
36 terials, equipment, methods 91
37 of construction, devices or 92
38 appliances. 93
39 (10) The notice revoking a permit or 94
40 approval shall be in writing and 95
41 may be served upon the applicant 96
42 of the permit, owner of the prem- 97
43 ises and his/hers agent, if any, 98
44 and/or on the person having 99
45 charge of construction. 100
46 (11) A revocation placard shall also be 101
47 posted upon the premises in ques- 102
48 tion by the Village Engineer or 103
49 Zoning Administrator. 104
50 (12) After the notice is served upon the 105
51 persons as aforesaid and posted, it 106
52 shall be unlawful for any person to 107
53 proceed thereafter with any con- 108
54 struction operation whatsoever on 109
55 the premises, and the permit

which has been so revoked shall
be null and void, and before any
construction or operation is again
resumed, a new permit, as re-
quired by this chapter, shall be
procured and fees paid therefore,
and thereafter the resumption of
any construction or operation shall
be in compliance with the regula-
tion of this chapter. However, such
work as the Village Engineer or
Zoning Administrator may order as
a condition precedent to the re-
issuance of the building permit may
be performed, or such work as
he/she may require for the preser-
vation of life and safety.
(13) Any appeals of such revocations or
suspensions must be made in writ-
ing and within seven calendar days
to the Village Clerk for considera-
tion by the Board of Trustees at its
next regularly scheduled meeting,
provided the appeal is filed not
less than seven days prior to the
meeting date.
(14) The Zoning Administrator is hereby
directed to withhold the issuance
of building permits within the land
division until compliance with the
provisions of this chapter is ob-
tained.
(15) The Zoning Administrator is hereby
directed to withhold the issuance
of occupancy permits within the
land division if violations of this
chapter may result in health or
safety problems for the occupants.

Sec. 54.192 Disclaimers on Approvals.

(a) The purpose of requiring approvals under
this chapter is to insure the health, safety,
comfort, prosperity and general welfare of
the Village. This chapter shall not be in-
terpreted as placing any responsibility or
liability on any Village official, Village em-
ployee, or the Village as a municipal cor-
poration for the granting of approval, or
the denial of any approval. All approvals
rendered as part of this chapter shall be
considered as being approved condition-
ally based on the information and circum-
stances apparent at that time.
(b) Approvals issued by the Village shall not
be construed as an assumption or expres-

Village Land Division Code

Sec. 54.193 Restrictions for Public Benefit.

Sec. 54.193 Restrictions for Public Benefit.

1 sion of any responsibility, warranty, or
2 guarantee, for the design or construction
3 of any improvements within the land divi-
4 sion.

5 **Sec. 54.193 Restrictions for Public** 6 **Benefit.**

7 Pursuant to Sec. 236.293, Wisconsin Statutes, any
8 restriction placed on platted lands by covenant,
9 grant of easement, land division, certified survey
10 or consolidation approval, which was required
11 by the Village and which names a public body or
12 public utility as grantee, promisee or beneficiary,
13 vests in the public body or utility the right to en-
14 force the restriction by law or in equity against
15 anyone who has interest in the land subject to
16 the restriction. The restriction may be released or
17 waived by resolution of the Board of Trustees.

Village Land Division Code

Sec. 54.193 Restrictions for Public Benefit.

Sec. 54.193 Restrictions for Public Benefit.

1

Reserved.

Village Land Division Code

Sec. 54.200 Definitions.

Sec. 54.200 Definitions.

DEFINITIONS

Sec. 54.200 Definitions.

In this chapter, all terms used which are defined in Ch. 236, Wisconsin Statutes, shall have the same meaning as ascribed thereto in the chapter, and as the chapter may hereafter be amended, unless otherwise defined in this chapter or unless the context and/or subject matter clearly indicates otherwise. All words used in the present tense include the future tense; the singular includes the plural and the plural the singular; the word "person" includes associations, co-partnerships or corporations; "he/she" means "he/she" or "she" and "his/hers" means "his/hers" or "her"; and the term "shall" is mandatory while the word "may" is permissive. The following definitions shall be applicable in this chapter:

Bikeway. A bike route completely apart from a street and restricted to bicycle, pedestrian, and maintenance vehicle traffic.

Block. An area of land within a subdivision that is entirely bounded by a combination or combinations of streets, exterior boundary lines of the subdivision and streams or water bodies.

Building Setback Line. Lines drawn within a lot the appropriate distance, based upon the zoning district in which the lot is located, from the front, rear and side lot lines that identify the buildable area of the lot.

Butt Lots. Lots the rear lot lines of which abut the side lot lines of other lots platted in the same block not separated by an alley or other open space.

Commission. The Plan Commission created by the Board of Trustees pursuant to Sec. 62.23 of the Wisconsin Statutes.

Comprehensive Development Plan. A comprehensive plan prepared by the Village indicating the general locations recommended for the various functional classes of land use, places and structures and for the general physical development of the Village and includes any unit or part of such plan separately adopted and any amendment to such plan or parts thereof.

Concept Plan. A preliminary drawing, made to approximate scale, of a proposed land division for discussion purposes.

Condominium Development. A real estate development in which a condominium form of ownership pursuant to chapter 703, Wisconsin Statutes, is utilized.

Consolidation. Legally merging two or more recorded parcels into a single parcel.

Conveyance. Where the title or any part thereof is transferred by the execution of a land contract, deed or other legal means.

Correction Instruments. Any recordable document correcting distance, angles, directions, bearings, chords, block or lot numbers, and street names and shall include all other details concerning the corrected item(s) shown on a recorded plat.

Crosswalk. A public right-of-way across a block to be used by pedestrians and/or for underground utilities.

Division of Land. A division of a lot, parcel or tract of land by the owner thereof or the owner's agent for any purpose, including sale or development.

Drainageway. An open area of land, either in an easement or dedicated right-of-way, the primary purpose of which is to carry storm water on the ground surface in lieu of an enclosed storm sewer. Drainageways may serve multiple purposes in addition to their principal use including, but not limited to, maintenance, storm water detention, park development, and other related uses.

Easement. The area of land set aside or over or through which a liberty, privilege or advantage in land, distinct from ownership of the land, is granted to the public or some particular person or part of the public.

Engineering Design Manual. The publication published by the Village Engineer, and adopted by the Board of Trustees, that establishes uniform standards for the design and construction of public works improvements.

Final Plat. The final map, drawing or chart on which the subdivider's plan of subdivision is presented for approval and which, if

Village Land Division Code

Sec. 54.200 Definitions.

Sec. 54.200 Definitions.

1 approved, will be submitted to the
2 County Register of Deeds for recording.

3 Flood Fringe. Those flood lands, outside the
4 floodway, subject to inundation by the
5 100-year recurrence interval flood. For the
6 purpose of zoning regulation, the flood
7 fringe consists of the Flood Fringe Overlay
8 District. The unobstructed flood fringe
9 does not provide for conveyance of
10 floodwaters, but does provide flood stor-
11 age area during a flood event.

12 Floodplain. That land which has been or may be
13 hereafter covered by the flood water dur-
14 ing the "regional flood" or 100-year recur-
15 rence interval flood. The floodplain in-
16 cludes the floodway and the flood fringe,
17 and may include other floodplain desig-
18 nations for regulatory purposes.

19 Floodway. A designated portion of the 100-year
20 floodplain that will safely convey the
21 regulatory flood discharge with small, ac-
22 ceptable upstream and downstream in-
23 creases, limited in Wisconsin to 0.01 foot
24 unless special legal measures are pro-
25 vided. The floodway, which includes the
26 channel, is that portion of the floodplain
27 not suited for human habitation.

28 Lot Area, Gross. The total area within the lot lines
29 of a lot, including any streets rights-of-
30 way.

31 Lot Area, Net. The total area within the lot lines
32 of a lot, excluding any street rights-of-way.

33 Lot Depth. The average dimension of a parcel
34 measured from the rear lot line to the
35 front lot line along each side yard setback.

36 Lot Lines. The peripheral boundaries of a lot as
37 defined herein.

38 Lot Width. The width of a parcel of land meas-
39 ured at the buildable area.

40 Lot, Corner. A lot situated at the junction of and
41 abutting on two or more intersecting
42 streets, or a lot at the point of deflection
43 in alignment of a continuous street, the
44 interior angle of which does not exceed
45 one hundred thirty-five degrees (135°).

46 Lot, Through. A lot having a pair of opposite lot
47 lines along two more or less parallel pub-
48 lic streets and which is not a corner lot.
49 On a "through lot," both street lines shall
50 be deemed front lot lines.

51 Lot. A designated parcel, tract or area of land es-
52 tablished by plat, subdivision, or as oth-
53 erwise permitted by law, to be used, de-
54 veloped or built upon.

55 Master Plan. The composite of the functional
56 and geographic elements of the master
57 plan or any segment thereof in the form of
58 plans, maps, charts and textual material as
59 adopted by the Village in the form of
60 General Development Plan, Zoning Ordina-
61 nance, Official Map, Master Sanitary
62 Sewer Plan, Master Storm Sewer Plan,
63 Master Watermain Plan, any other plan-
64 ning documents, or a combination of any
65 or all of them.

66 Minimum Street Right-Of-Way Width. All streets
67 having widths specified on the master
68 plan or official map and no full street
69 right-of-way shall be less than 60 feet
70 wide, unless the Board of Trustees shall
71 otherwise permit by ordinance.

72 Official Map. A map indicating the location,
73 width, and extent of existing and pro-
74 posed streets, highways, drainageways,
75 parks, playgrounds, and other facilities, as
76 adopted by the Board of Trustees pursu-
77 ant to Ch. 62.23(6), Wisconsin Statutes

78 Outlot. A portion of a subdivision or other land
79 division not of standard "lot" size but pro-
80 vided as a remnant of the subdivision, the
81 intention of which is to either redivide it
82 in the future into "lots" or combine it with
83 one or more other adjacent "outlots",
84 "lots" or unplatted parcels to create a
85 buildable lot.

86 Owner or Subdivider. Shall include any firm, as-
87 sociation, partnership, private corpora-
88 tion, public or quasi-public corporation,
89 or a combination of any of them, or other
90 legal entity having sufficient proprietary
91 interest in the land sought to be subdivi-
92 ded to commence and maintain pro-
93 ceedings to subdivide the same.

94 Parcel. Contiguous lands under the control of a
95 subdivider whether or not separated by a
96 combination of streets, exterior subdivi-
97 sion boundary lines, streams, or other wa-
98 ter bodies.

99 Pedestrian Pathway. A public way which is in-
100 tended for the convenience of pedestri-

Village Land Division Code

Sec. 54.200 Definitions.

Sec. 54.200 Definitions.

1 ans only; it may also provide public right-
2 of-way for utilities.

3 Person. Includes the plural as well as the singular
4 and may mean any individual, firm, asso-
5 ciation, syndicate, partnership, corpora-
6 tion, trust, or any other legal entity.

7 Plan Commission. The Village Plan Commission.

8 Planned Unit Development or PUD. A form of
9 development usually characterized by a
10 unified site design for a number of hous-
11 ing units. The concept usually involves
12 clustering of buildings, providing com-
13 mon open space, and mixing different
14 types of housing (single family, duplexes,
15 and multi-family). Ordinances permitting
16 planned unit developments permit plan-
17 ning a project and calculating densities for
18 the entire development rather than on an
19 individual lot-by-lot basis. It is hereby de-
20 clared that regulating planned unit devel-
21 opments require greater involvement of
22 public officials in site plan review and de-
23 velopment aspects of both zoning and
24 land division regulation, since such devel-
25 opments require exceptions from both
26 types of regulation.

27 Plat. A map of a subdivision.

28 Preliminary Improvement Plans. Existing topog-
29 raphy, storm water detention analysis,
30 sanitary sewer and water main system
31 plans.

32 Preliminary Plat. The Preliminary Plat map, draw-
33 ing or chart indicating the proposed lay-
34 out of the subdivision to be submitted to
35 the Village for its consideration as to
36 compliance with the Comprehensive De-
37 velopment Plan and these regulations
38 along with required supporting data.

39 Protective Covenants. Contracts entered into be-
40 tween private parties or between private
41 parties and public bodies pursuant to Sec.
42 236.293, Wisconsin Statutes, which con-
43 stitute a restriction on the use of all pri-
44 vate or platted property within a sub-
45 division for the benefit of the public or
46 property owners and to provide mutual
47 protection against undesirable aspects of
48 development which would tend to impair
49 stability of values.

50 Public Improvement. A public sewer, water
51 mains, storm water relief provisions,

52 highways and parkways, sidewalks, street
53 lighting and shall include all other public
54 improvements reasonably to be required
55 by the Board of Trustees or the Plan
56 Commission and shall not be limited be-
57 cause of enumeration and whether or not
58 such improvements are shown on the of-
59 ficial map.

60 Recording a Plat. The filing of the original of the
61 final plat with the Register of Deeds.

62 Replat. The process of changing, or a map or plat
63 which changes, the boundaries of a re-
64 corded subdivision plat or part thereof.
65 The legal dividing of a large block, lot or
66 outlot within a recorded subdivision plat
67 without changing exterior boundaries of
68 said block, lot or outlot is not a replat.

69 Residential Dwelling Unit or Dwelling Unit. A
70 group of rooms including at least a
71 kitchen or kitchenette, sanitary facilities,
72 and a bedroom; and providing, or in-
73 tended to provide, living quarters for not
74 more than one family.

75 Right-of-Way. A public way dedicated to the
76 public for its intended use.

77 Shorelands. Those lands within the following
78 distances: one thousand (1,000) feet from
79 the high-water elevation of navigable
80 lakes, ponds and flowages or three hun-
81 dred (300) feet from the high-water eleva-
82 tion of navigable streams or to the land-
83 ward side of the floodplain, whichever is
84 greater.

85 Sight Distance. A minimum sight distance afford-
86 ing clear visibility along the center line of
87 all major streets.

88 Street, Alley. A public right-of-way affording only
89 secondary access to abutting properties
90 and not intended for general traffic circu-
91 lation.

92 Street, Arterial. A public street or highway used
93 or intended to be used to connect and
94 serve collector streets, residential, com-
95 mercial or industrial land uses. Arterial
96 streets and highways include freeways
97 and expressways, state trunk and county
98 trunk highways, and other high use
99 streets.

100 Street, Collector. A Street which will carry traffic
101 from a minor street to a major street sys-

Village Land Division Code

Sec. 54.200 Definitions.

Sec. 54.200 Definitions.

1 tem and includes principal entrance
2 streets of developed areas and the pri-
3 mary circulating streets within a devel-
4 oped area.

5 Street, Cul-de-sac. A short street having but one
6 end open to traffic and the other end be-
7 ing permanently terminated in a vehicular
8 turnaround.

9 Street, Dead End. A street permanently or tem-
10 porarily closed at one end, with or with-
11 out turnarounds.

12 Street, Frontage. A minor street auxiliary to and
13 located on the side of an arterial street for
14 control of access and for service to the
15 abutting development.

16 Street, Half Street. A street, either existing as or
17 proposed to be, half of the required right-
18 of-way width with the intention that the
19 adjoining half will be platted at the time
20 the adjoining lands are subdivided; or an
21 existing street, of which, due to reasons of
22 ownership, only half of the right-of-way is
23 within the boundaries of a proposed land
24 division or annexation.

25 Street, Local or Minor. A street designed to pro-
26 vide access to abutting property and lead-
27 ing into collector streets.

28 Street, Major. A public thoroughfare capable of
29 accommodating continuity of fast or
30 heavy traffic, having an established right-
31 of-way width of at least one hundred
32 twenty (120) feet.

33 Street, Private. A roadway created by an ease-
34 ment for use only by the abutting property
35 owners which is not dedicated to the Vil-
36 lage.

37 Street. A public way for pedestrians and vehicu-
38 lar traffic and utility access including, but
39 not limited to, highways, thoroughfares,
40 parkways, through highways, roads, ave-
41 nues, boulevards, lanes, places, and
42 courts, and any pavements, turf, fixtures,
43 facilities, structures, plantings, signs, and
44 other elements of the right-of-way.

45 Structure. Anything constructed or erected, the
46 use of which requires more or less per-
47 manent location on the ground, or at-
48 tached to something having permanent
49 location on the ground, excepting public
50 utility fixtures and appurtenances.

51 Subdivider. Any person, firm, corporation,
52 agent, partnership, or entity of any sort,
53 which divides or proposes to divide, by
54 plat or certified survey, or replat land in
55 any manner, including such heirs and as-
56 signs as may be responsible for the obli-
57 gations of the subdivider under the provi-
58 sions of this chapter.

59 Subdivision Design Standards. The guides, prin-
60 ciples and specifications for the prepara-
61 tion of subdivision plans indicating,
62 among other things, the minimum and
63 maximum dimensions of the various ele-
64 ments set forth in the preliminary plat.

65 Subdivision. Subdivision is a division of a lot,
66 parcel or tract of land by the owner
67 thereof or the owner's agent for the pur-
68 pose of sale or of building development
69 where: a: The act of division creates five
70 or more parcels, lots or building sites of
71 one and one-half (1-1/2) acres each or less
72 in area; or b: Five or more parcels, lots or
73 building sites of one and one-half (1-1/2)
74 acres each or less in area are created by
75 successive divisions within a period of five
76 years.

77 Village. The Village of Sister Bay, Wisconsin, and,
78 where appropriate, it's Board of Trustees,
79 commissions, committees and authorized
80 officials.

81 Wetlands. An area where water is at, near or
82 above the land surface long enough to be
83 capable of supporting aquatic or hydro-
84 phytic vegetation and which has soils in-
85 dicative of wet conditions. (Sec. 23.32(1),
86 Wisconsin Statutes)

87 Wisconsin Administrative Code. The rules of
88 administrative agencies having rule-
89 making authority in Wisconsin, published
90 in a loose-leaf, continual revision system,
91 as directed by Sec. 35.93 and Chapter 227
92 of the Wisconsin Statutes, including sub-
93 sequent amendments to those rules.

Village Land Division Code

1

INDEX

abrogation, 3
administration, 11, 12, 13, 24, 31, 50
agriculture, 13
amendments, 4, 64
annexation, 29, 64
appeals, 58
application, 3, 11, 13, 14, 18, 25, 32, 50, 52, 56, 58
applications, 3
authority, 3, 4, 12, 13, 19, 22, 35, 43, 44, 50, 54, 57, 64
average, 42, 62
B-1 general business district, 27
B-2 downtown business transition district, 27
B-3 downtown business district, 27
bedroom, 63
berm, 45
bikeways, 24, 28, 37
block design standards, 41
boundaries, 14, 17, 18, 20, 29, 42, 62, 63, 64
building permit, 4, 25, 47, 56, 58
cemeteries, 17
certified survey map, 4, 11, 15, 21, 22, 25, 26, 34, 35, 36, 39, 45, 50
churches, 19, 39
compliance, 4, 5, 12, 26, 27, 39, 47, 50, 56, 58, 63
condominium, 5, 6, 33, 61
condominium developments, 5
conservation, 5
construction plans, 22, 26, 50
corner lot, 26, 42, 53, 62
CS-1 countryside district, 27, 33
curb, 24, 25, 27, 28, 37
curb and gutter, 27, 28
dedication, 6, 20, 36, 37, 44
definitions, 61
density, 5
development, 4, 5, 11, 12, 15, 16, 17, 18, 19, 22, 23, 24, 26, 30, 35, 36, 39, 40, 42, 43, 44, 45, 47, 56, 61, 62, 63, 64
districts, 17, 27, 33, 54
DNR, 30, 31
Door County, 5, 17, 25, 52
drainage, 5, 16, 18, 22, 24, 25, 26, 28, 36, 40, 42, 43, 44, 45, 47, 52, 54
drainage plan, 43
driveway, 5, 25, 28, 40
driveways, 5
dwelling unit, 47, 52, 63
dwellings, 19
easements, 21, 28, 30, 31, 34, 35, 43, 44, 45, 59, 61, 64
erosion control, 18, 35, 44, 45
establishment, 33
FAR, 28, 34
fences, 35
final plat, 6, 11, 12, 13, 14, 15, 19, 20, 21, 22, 26, 35, 36, 43, 44, 45, 50, 57, 61, 63
findings, 56
fire, 3, 15, 16, 33, 40
fire chief, 33, 40
flooding, 5, 16, 43
floodplain, 4, 62, 63
floodway, 62
flora, 5
government, 17
grading, 22, 23, 25, 26, 28, 33, 37, 45, 57
greater restrictions, 3
gutter, 24, 28, 37
hearing, 24, 51
hearings, 24
housing, 18, 63
I-1 institutional district, 27
institutional, 42
interpretation, 3
jurisdiction, 4, 5, 12, 44, 53, 54, 57
lakes, 18, 39, 63
land dedication, 47
land division, 1, 4, 5, 6, 9, 11, 15, 16, 21, 22, 23, 24, 35, 36, 37, 39, 42, 43, 44, 45, 47, 50, 57, 58, 59, 61, 62, 63, 64
land suitability, 5
landscaping, 5, 26, 33, 35, 45
light, 3, 35
loading, 42
loading dock, 42
lot area, 45, 62
lot width, 42, 62
lots abutting, 42
maintenance, 15, 20, 30, 32, 34, 35, 36, 61
maps, 39, 56, 62
minimum lot width, 42
motel, 33
motels, 33
municipal code, 1, 11, 13, 47, 50, 52, 57
natural features, 39, 42
occupancy permit, 6, 9, 26, 58
open space, 3, 15, 47, 61, 63
organization, 35

Village Land Division Code

other permits, 5
over-sizing, 36
P-1 park district, 27
parking, 42
pedestrian, 18, 19, 28, 35, 42, 43, 61, 62
penalties, 56, 57
plan commission, 5, 6, 11, 12, 13, 14, 15, 16, 17, 19, 20, 26, 28, 34, 35, 39, 40, 41, 42, 43, 50, 56, 61, 63
planned unit development, 56, 63
planting strip, 19, 41
plat of survey, 25
platted, 4, 41, 42, 43, 44, 47, 59, 61, 63, 64
plumbing code, 30, 32
preliminary plat, 11, 12, 13, 14, 15, 17, 19, 26, 35, 36, 43, 56, 63, 64
public facilities, 15, 16, 21
public facilities, 15
public hearing, 47
public parks, 47
public sanitary sewer, 18
public services, 15, 16
public streets, 21, 42, 47, 62
PUD, 63
purpose, 3, 5, 6, 11, 40, 43, 56, 58, 61, 62, 64
purpose and intent, 56
R-1, 27, 33
R-2, 27
R-3, 27, 33
R-4, 27, 33
reconstruction, 53, 54
reduction, 23
regulations, 3, 4, 11, 13, 18, 24, 39, 42, 43, 56, 57, 63
restaurants, 33
retaining walls, 5, 35
review and recommendations, 12, 56
right-of-way, 17, 20, 22, 23, 25, 27, 28, 31, 34, 39, 40, 41, 43, 44, 45, 50, 61, 62, 63, 64
sanitary sewer system, 16, 43
sanitary sewers, 35
setback, 19, 42, 43, 61, 62
setback line, 19, 42, 43, 61
severability, 3
shopping centers, 18, 39, 42
shoreland, 18
shorelands, 63
sidewalk, 23, 24, 26, 28
sidewalks, 22, 24, 28, 37, 54, 63
signs, 35, 64
single-family, 19, 33
single-family dwellings, 19
site grading, 22, 23, 25, 26, 27, 28, 33, 37, 45, 57
site plan, 63
site plan review, 63
special assessments, 19, 24, 25, 30, 31, 37, 50, 51, 52, 53, 54
statutes, 3, 4, 5, 6, 12, 13, 14, 19, 20, 21, 22, 24, 28, 35, 39, 44, 47, 51, 52, 54, 56, 57, 59, 61, 62, 63, 64
storm water, 15, 16, 25, 28, 39, 43, 44, 52, 54, 61, 63
storm water drainage, 43
stormwater management system, 43
streams, 17, 18, 27, 39, 61, 62, 63
street lights, 35
street pavement, 17, 24, 28
street signs, 35
street trees, 35, 54
structure, 6, 9, 32, 64
subdivision, 4, 5, 6, 9, 11, 12, 13, 14, 17, 18, 19, 20, 21, 34, 36, 39, 41, 42, 43, 45, 47, 57, 61, 62, 63, 64
subdivision plat, 21, 43, 63
swales, 25, 26, 45
topography, 5, 16, 34, 39, 42, 45, 63
traffic, 6, 9, 11, 16, 28, 34, 35, 39, 40, 42, 61, 63, 64
traffic circulation, 63
transmission, 15, 35
treatment facilities, 15
tree, 27, 39, 42
unplatted, 4, 17, 62
utility commission, 15, 16
variance, 34, 56
variances, 34
village administrator, 15, 29
village attorney, 22, 23, 24, 36, 56
village engineer, 5, 6, 11, 13, 14, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 39, 41, 43, 44, 45, 47, 50, 51, 56, 57, 58, 61
violations, 56, 57, 58
water main, 15, 17, 19, 22, 23, 27, 29, 30, 31, 32, 33, 36, 53, 63
water supply, 18, 33
water supply facilities, 33
wells, 31
zoning administrator, 5, 6, 9, 11, 12, 13, 15, 19, 23, 26, 27, 52, 53, 56, 57, 58
zoning code, 18, 42
zoning permit, 6, 9, 25, 40

Village Land Division Code

MAP AND TEXT AMENDMENTS

This section contains a chronological record of changes to the Official Map or text of the Land Division Code.

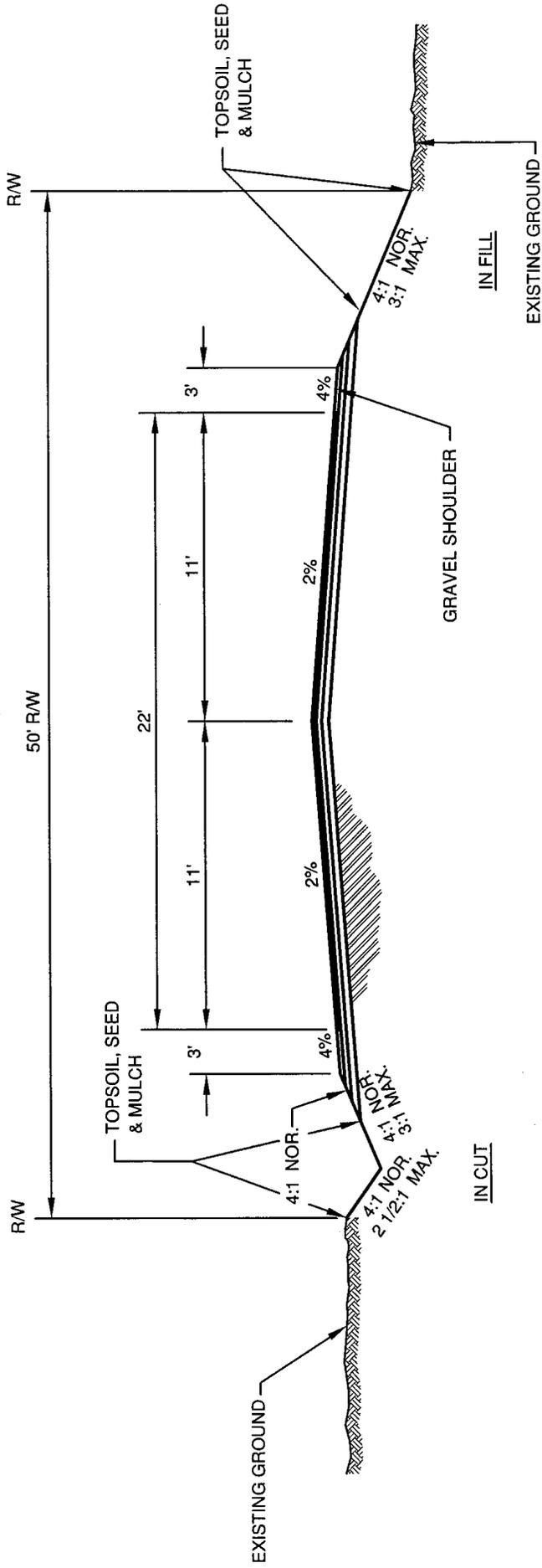
March 8, 2005: The street cross sections were updated to reflect current design criteria and incorporated into the Design Manual.

April 12, 2005: Ordinance No. 108-041205 was adopted. This ordinance incorporated Ordinance 115 into the Land Division Code. Ordinance #115 was the original ordinance creating the Official Map on March 12, 1985. During the recodification process this ordinance was overlooked. The adoption of the ordinance did not change any of the mapping from 1985.

Village Land Division Code

APPENDIX OF ILLUSTRATIONS

VILLAGE OF SISTER BAY ENGINEERING DESIGN MANUAL
 FEBRUARY 17, 2005

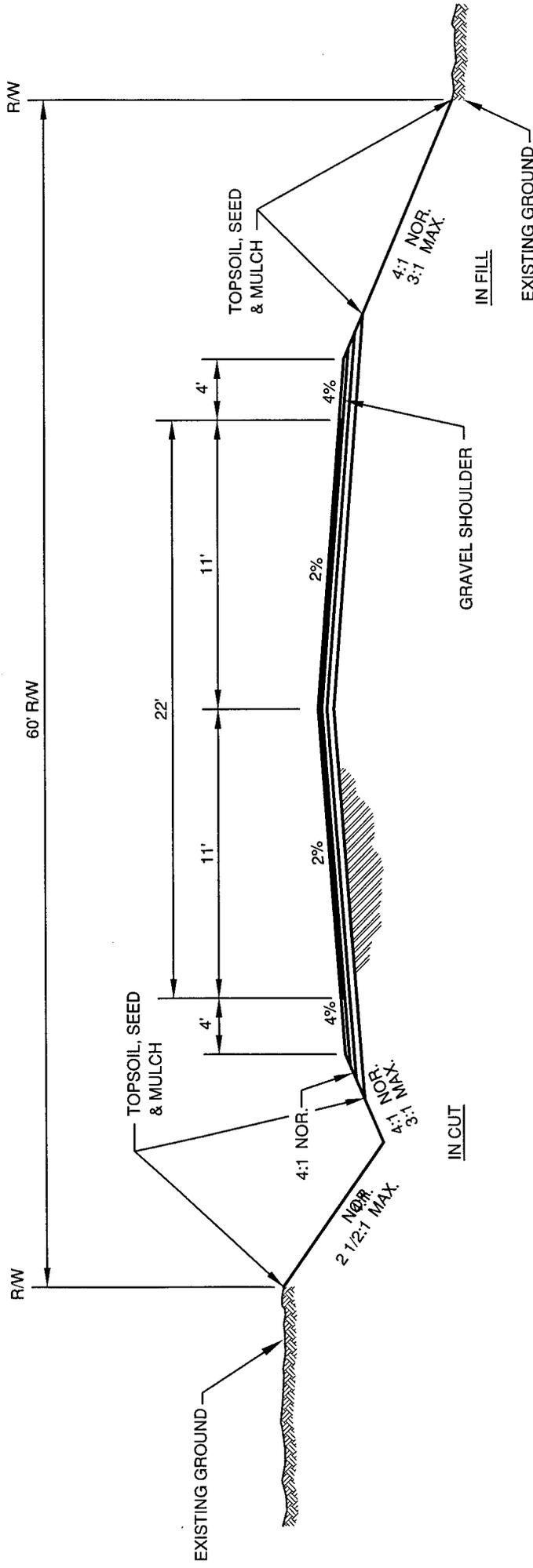


TYPICAL NEIGHBORHOOD STREET CROSS SECTION
 (NO PARKING)

NOTES: DEPENDING ON NUMBER OF DRIVEWAYS AND DENSITY OF ABUTTING PROPERTIES, AN ADDITIONAL TWO FEET OF PAVEMENT MAY BE REQUIRED ON SHOULDERS.

ROADWAY AND UTILITY CONSTRUCTION SHOULD BE COORDINATED WITH THE VILLAGE IN AN ATTEMPT TO MAINTAIN EXISTING TREES WITHIN THE RIGHT OF WAY.

CROSS SECTION NO. 1



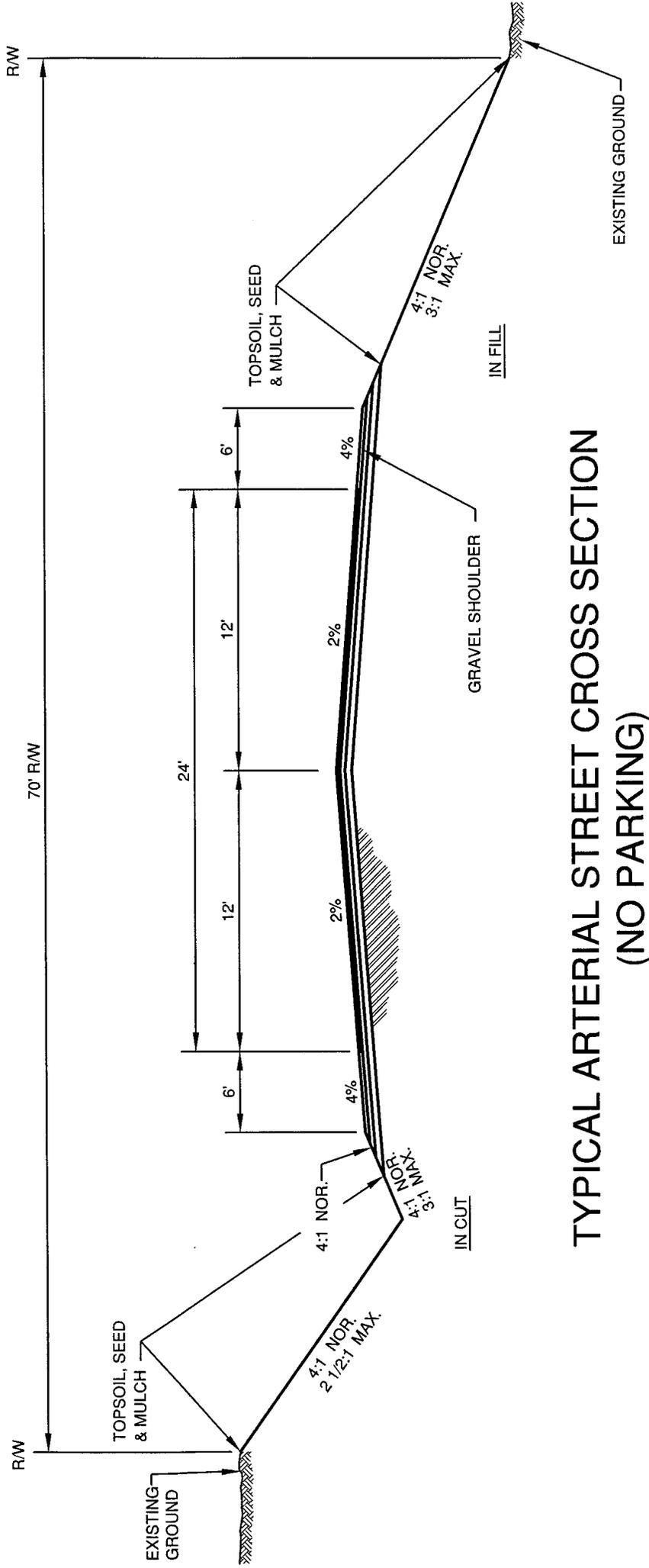
TYPICAL NEIGHBORHOOD/ARTERIAL STREET CROSS SECTION (NO PARKING)

NOTES: DEPENDING ON NUMBER OF DRIVEWAYS AND DENSITY OF ABUTTING PROPERTIES, AN ADDITIONAL TWO FEET OF PAVEMENT MAY BE REQUIRED ON SHOULDERS.

ROADWAY AND UTILITY CONSTRUCTION SHOULD BE COORDINATED WITH THE VILLAGE IN AN ATTEMPT TO MAINTAIN EXISTING TREES WITHIN THE RIGHT OF WAY.

CROSS SECTION NO. 2

VILLAGE OF SISTER BAY ENGINEERING DESIGN MANUAL
 FEBRUARY 17, 2005

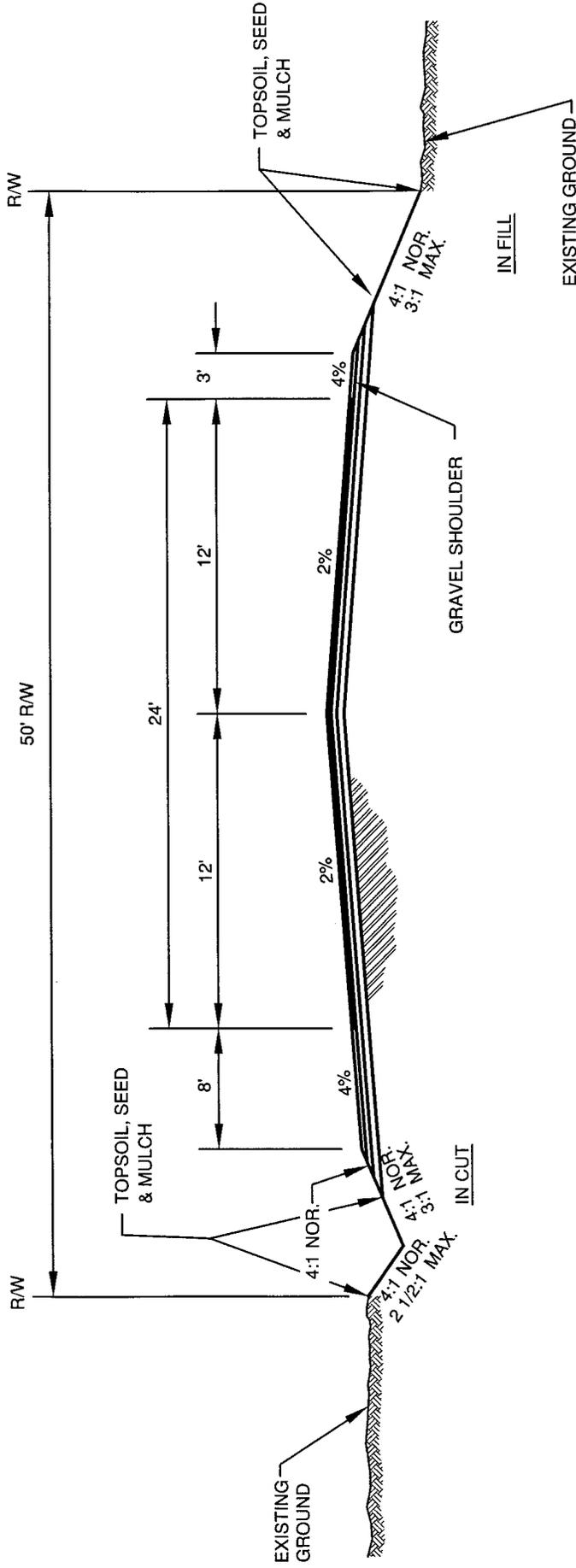


TYPICAL ARTERIAL STREET CROSS SECTION
 (NO PARKING)

NOTES: DEPENDING ON NUMBER OF DRIVEWAYS AND DENSITY OF ABUTTING PROPERTIES, AN ADDITIONAL TWO FEET OF PAVEMENT MAY BE REQUIRED ON SHOULDERS.

ROADWAY AND UTILITY CONSTRUCTION SHOULD BE COORDINATED WITH THE VILLAGE IN AN ATTEMPT TO MAINTAIN EXISTING TREES WITHIN THE RIGHT OF WAY.

CROSS SECTION NO. 3

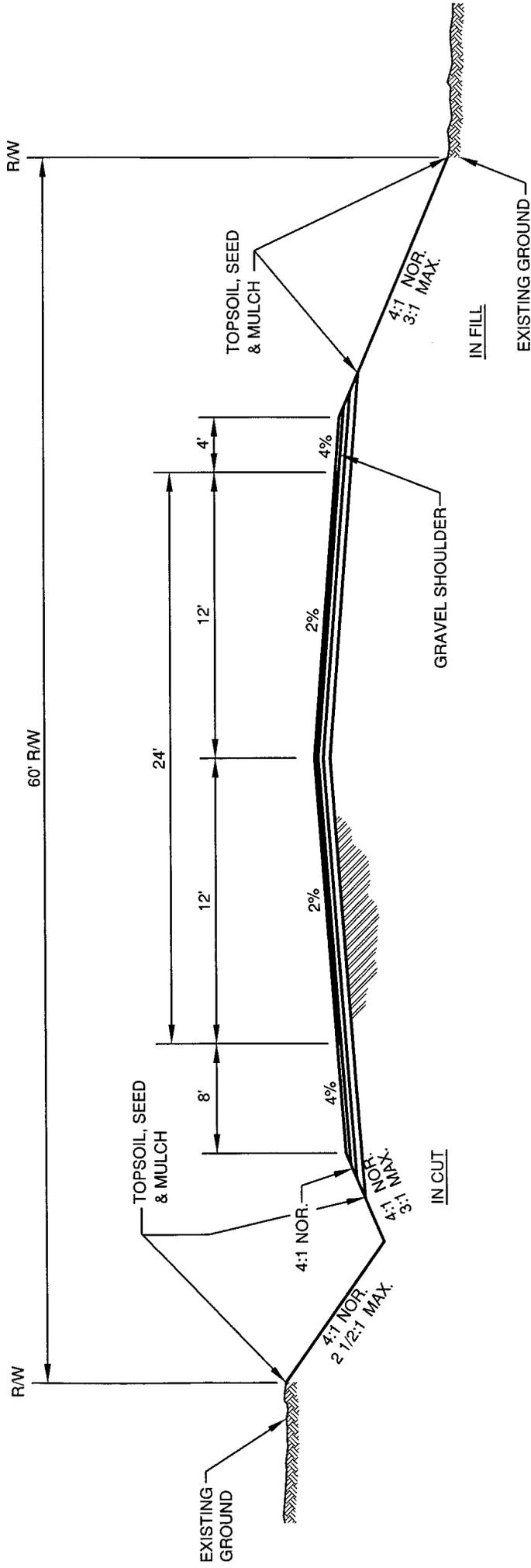


**TYPICAL NEIGHBORHOOD STREET CROSS SECTION
 (PARKING 1 SIDE ONLY)**

NOTES: DEPENDING ON NUMBER OF DRIVEWAYS AND DENSITY OF ABUTTING PROPERTIES, AN ADDITIONAL TWO FEET OF PAVEMENT MAY BE REQUIRED ON SHOULDERS.

ROADWAY AND UTILITY CONSTRUCTION SHOULD BE COORDINATED WITH THE VILLAGE IN AN ATTEMPT TO MAINTAIN EXISTING TREES WITHIN THE RIGHT OF WAY.

CROSS SECTION NO. 4



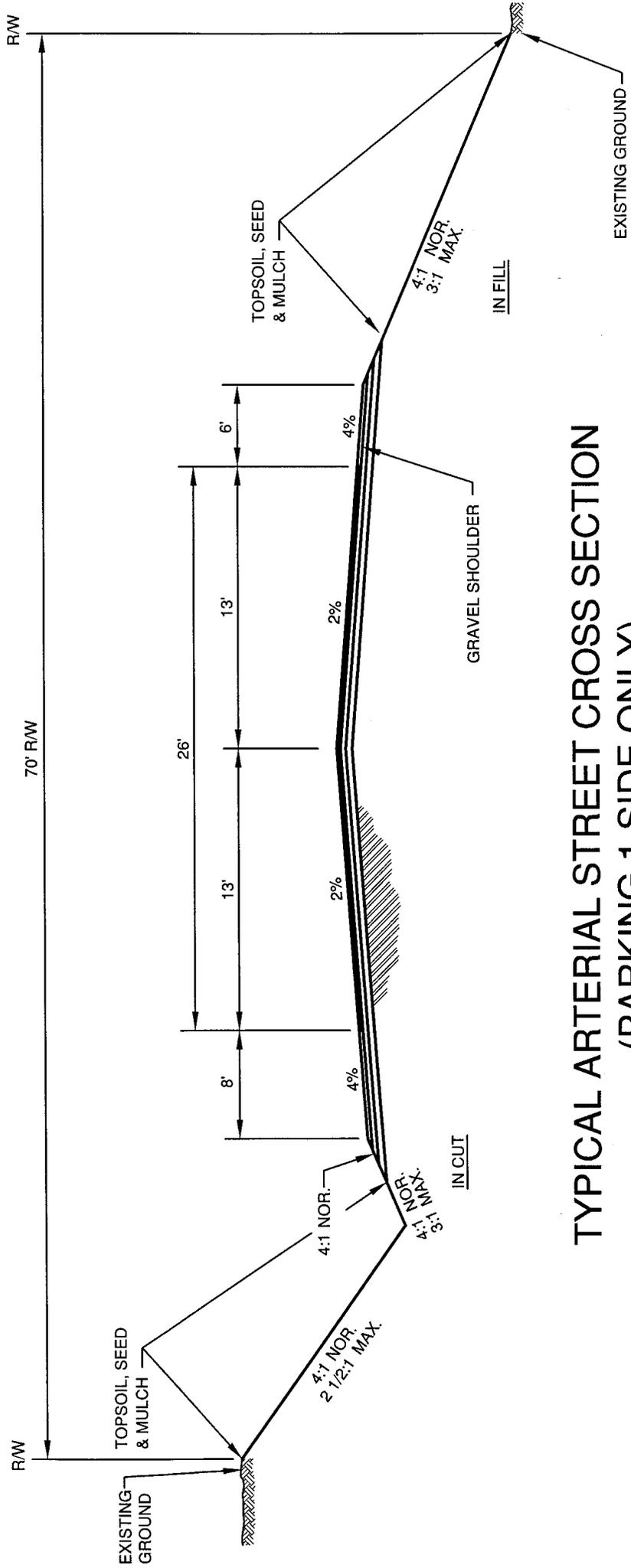
**TYPICAL NEIGHBORHOOD/ARTERIAL STREET CROSS SECTION
 (PARKING 1 SIDE ONLY)**

NOTES: DEPENDING ON NUMBER OF DRIVEWAYS AND DENSITY OF ABUTTING PROPERTIES, AN ADDITIONAL TWO FEET OF PAVEMENT MAY BE REQUIRED ON SHOULDERS.

ROADWAY AND UTILITY CONSTRUCTION SHOULD BE COORDINATED WITH THE VILLAGE IN AN ATTEMPT TO MAINTAIN EXISTING TREES WITHIN THE RIGHT OF WAY.

CROSS SECTION NO. 5

VILLAGE OF SISTER BAY ENGINEERING DESIGN MANUAL
 FEBRUARY 17, 2005

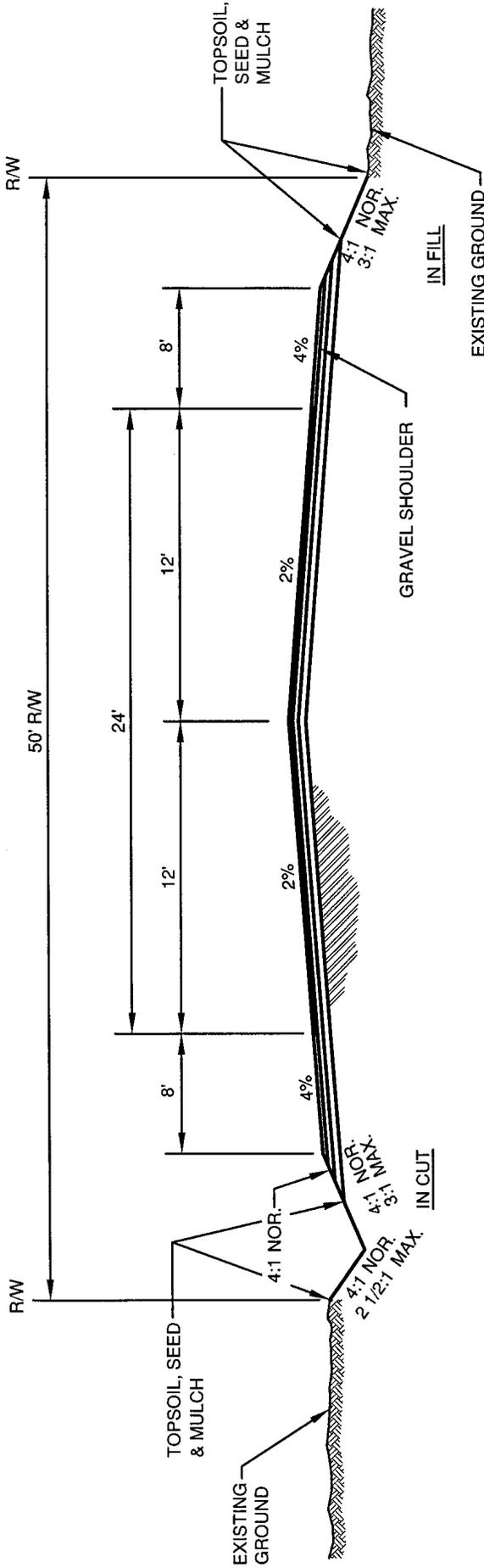


TYPICAL ARTERIAL STREET CROSS SECTION
 (PARKING 1 SIDE ONLY)

NOTES: DEPENDING ON NUMBER OF DRIVEWAYS AND DENSITY OF ABUTTING PROPERTIES, AN ADDITIONAL TWO FEET OF PAVEMENT MAY BE REQUIRED ON SHOULDERS.

ROADWAY AND UTILITY CONSTRUCTION SHOULD BE COORDINATED WITH THE VILLAGE IN AN ATTEMPT TO MAINTAIN EXISTING TREES WITHIN THE RIGHT OF WAY.

CROSS SECTION NO. 6

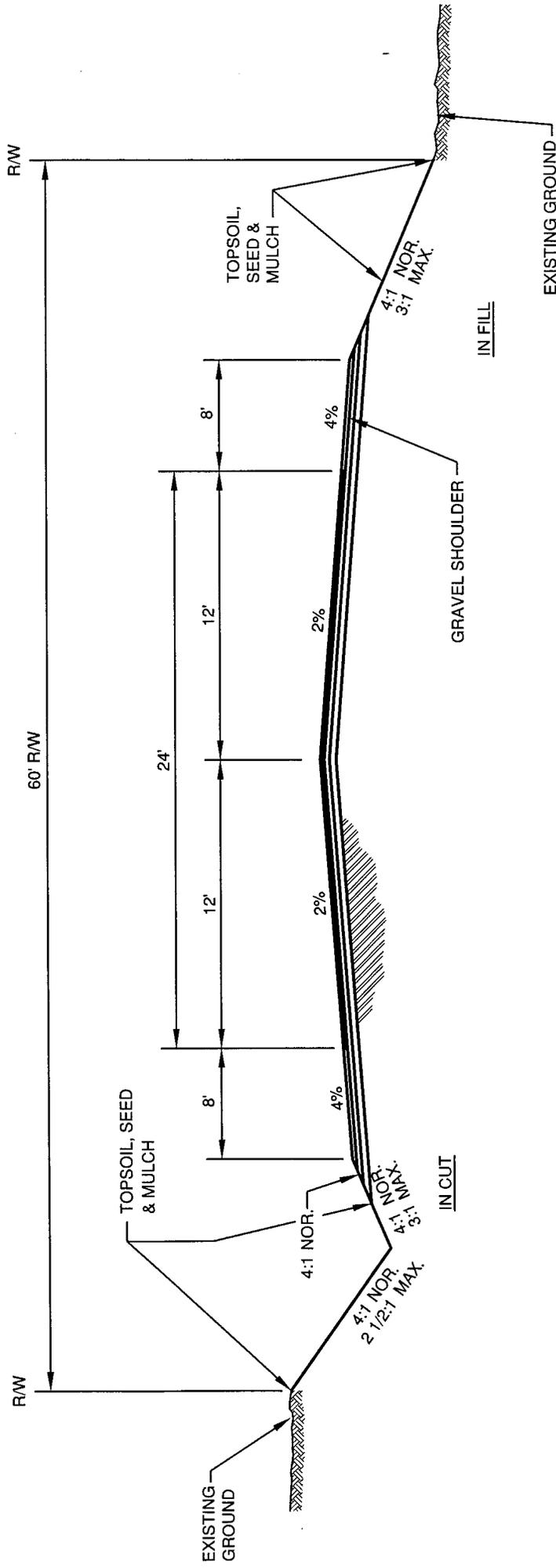


TYPICAL NEIGHBORHOOD STREET CROSS SECTION (PARKING 2 SIDES)

NOTES: DEPENDING ON NUMBER OF DRIVEWAYS AND DENSITY OF ABUTTING PROPERTIES, AN ADDITIONAL TWO FEET OF PAVEMENT MAY BE REQUIRED ON SHOULDERS.

ROADWAY AND UTILITY CONSTRUCTION SHOULD BE COORDINATED WITH THE VILLAGE IN AN ATTEMPT TO MAINTAIN EXISTING TREES WITHIN THE RIGHT OF WAY.

CROSS SECTION NO. 7

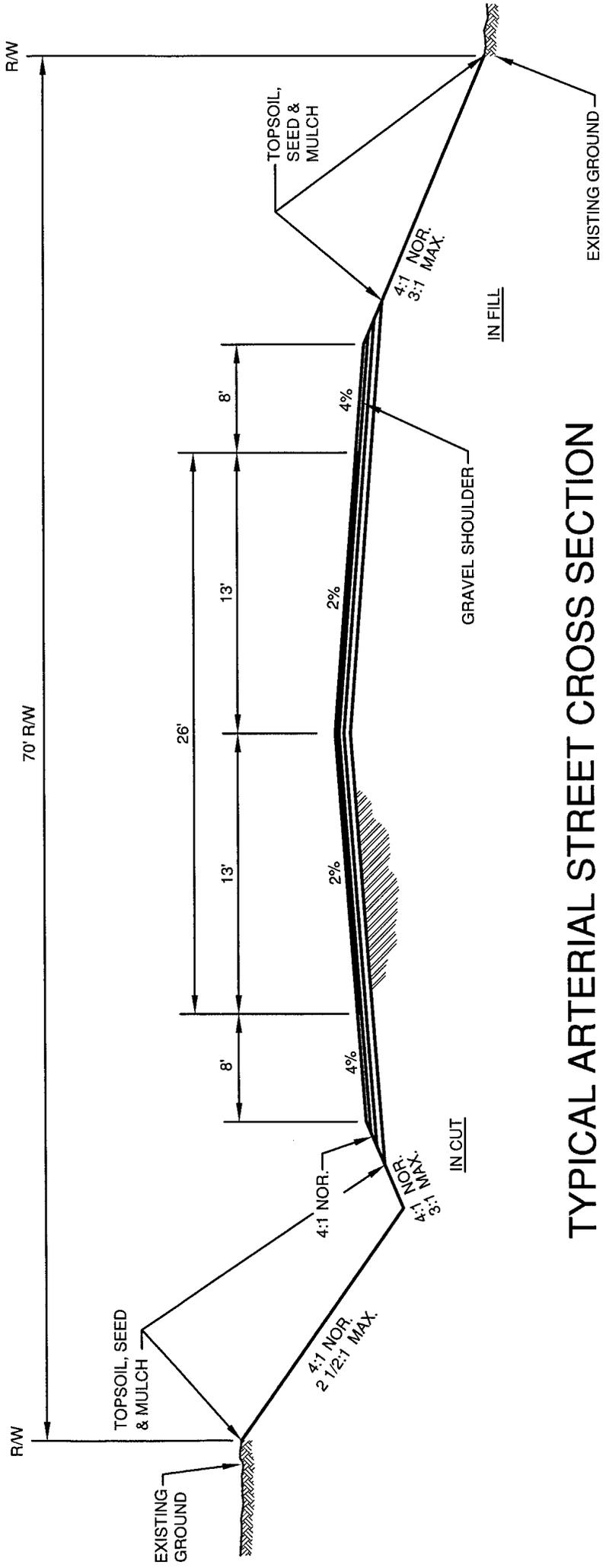


TYPICAL NEIGHBORHOOD/ARTERIAL STREET CROSS SECTION
 (PARKING 2 SIDES)

NOTES: DEPENDING ON NUMBER OF DRIVEWAYS AND DENSITY OF ABUTTING PROPERTIES, AN ADDITIONAL TWO FEET OF PAVEMENT MAY BE REQUIRED ON SHOULDERS.

ROADWAY AND UTILITY CONSTRUCTION SHOULD BE COORDINATED WITH THE VILLAGE IN AN ATTEMPT TO MAINTAIN EXISTING TREES WITHIN THE RIGHT OF WAY.

CROSS SECTION NO. 8



TYPICAL ARTERIAL STREET CROSS SECTION
 (PARKING 2 SIDES)

NOTES: DEPENDING ON NUMBER OF DRIVEWAYS AND DENSITY OF ABUTTING PROPERTIES, AN ADDITIONAL TWO FEET OF PAVEMENT MAY BE REQUIRED ON SHOULDERS.

ROADWAY AND UTILITY CONSTRUCTION SHOULD BE COORDINATED WITH THE VILLAGE IN AN ATTEMPT TO MAINTAIN EXISTING TREES WITHIN THE RIGHT OF WAY.

CROSS SECTION NO. 9