

## Chapter 16.16

### STREETS AND ACCESSWAYS

#### Sections:

- 16.16.010 Street Arrangement.**
- 16.16.020 Access To Lots.**
- 16.16.030 Consideration Of Topography.**
- 16.16.040 Resubdivision Of Tracts.**
- 16.16.050 Continuation Of Existing Streets.**
- 16.16.060 Accessways And Private Entrances.**
- 16.16.070 Alleys.**
- 16.16.080 Street Widths**
- 16.16.090 Road Systems**

#### **16.16.010 Street Arrangement.**

Major streets shall be arranged in conformity with the master plan of streets and highways of the Village, and minor streets shall be considered in relation to existing streets and to those which may be planned for the future. (§ 5 (part) of Ord. passed 10/3/73).

#### **16.16.020 Access To Lots.**

Access to each lot shall be provided by means of a public street having a connection with existing public street or highway. (§ 5 (1) of Ord. passed 10/3/73).

#### **16.16.030 Consideration Of Topography.**

Topography, creeks, wooded areas, and other natural features which would lend themselves to attractive and economical development shall, where possible, be given special consideration to the locating of streets. (§ 5 (2) of Ord. passed 10/3/73).

#### **16.16.040 Resubdivision Of Tracts.**

The division of land into tracts larger than building lots shall be accomplished in such a manner that later resubdivision can be made in conformity with the street requirements specified in this Chapter. (§ 5 (3) of Ord. passed 10/3/73).

#### **16.16.050 Continuation Of Existing Streets.**

Proposed streets shall provide for the continuation or completion of any existing streets (constructed or recorded or reserved in deeds of conveyance) in accordance with the following:

A. The rigid rectangular gridiron street pattern shall not be unnecessarily adhered to. The use of curvilinear streets, cul-de-sacs or U-shaped streets shall be encouraged where such use will result in a more desirable layout.

B. Minor streets shall not necessarily continue across all major streets, but if on Preliminary Plats such minor streets approach the major streets from the opposite sides thereof within two hundred (200) feet of each other, measured between their centerlines on the centerline of the major street, they shall be adjusted so that the alignment across the major street is continuous and a jog in the street alignment is avoided.

C. Major streets shall be continuous or in alignment with existing streets.

D. Streets shall intersect as nearly at right angles to each other as possible.

E. Streets in continuation of existing streets shall bear the same name as the streets they continue. Names of streets, whether public or private, not in continuation of existing streets, shall not be the same, alike, or deceptively similar to the name of any existing street in the Village. Names for streets or roads shall be subject to approval by the Village Plan Commission. (Ord. 76-3-1, 1976; § 5 (4) of Ord. passed 10/3/73).

#### **16.16.060 Accessways And Private Entrances.**

Accessways and private entrances opening on major streets or parkways shall be kept at a minimum. There shall be no vehicular access to major streets and parkways, except at specified points or street intersections. These specified points shall be determined by the Village Plan Commission upon recommendation of the Chairman of the Street Committee. Vehicular access to residential lots adjoining or adjacent to a major street or a parkway shall be provided by one of the following means:

A. A parallel street supplying frontage for lots backing onto the major street or parkway. In such case agreement shall be recorded in the office of the Register of Deeds for Kenosha County prior to the approval of the Village Plan Commission of the Final Plat in which said residential lots are situated, which agreement shall prohibit vehicular access to the residential lots from the major streets and which shall require the use of such parallel street for vehicular ingress and egress;

B. A series of cul-de-sac, U-shaped streets, or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the major street;

C. A public service street (separated from the major street in its development by a planting or grass strip and having access thereto at suitable points);

D. An alley in the rear of lots abutting and facing the major street or parkway. In such case agreement shall be recorded by the owner in the office of the Register of Deeds for Kenosha County at the time the Final Plat is presented to said Register of Deeds for record. Such agreement shall prohibit vehicular access to the residential lots from the major street or parkway and shall require the use of the alley for vehicular ingress and egress. (§ 5 (5) of Ord. passed 10/3/37).

#### **16.16.070 Alleys.**

Alleys are not recommended in residential districts, except in the rear of lots having front access on major streets. Where an alley is used, it shall conform to the following requirements:

A. In residential districts alleys shall have minimum width of thirty-five (35) feet.

B. Dead-end alleys are prohibited, unless suitable turnarounds are provided.

C. When two alleys intersect or meet approximately at right angles, a ten (10) foot cutoff (chord approximately fourteen (14) feet in length) shall be provided at each corner.

D. Lots platted in areas zoned for and as commercial districts shall be backed by alleys thirty-five (35) feet in width. (§ 5 (6) of Ord. passed 10/3/73).

#### **16.16.080 Street Widths.**

Street (right-of-way) widths shall conform to the following specifications:

A. Minor residential streets shall have a minimum width of sixty-six (66) feet, unless approved as an exception;

B. Major streets shall have a minimum width of ninety (90) feet unless approved as an exception;

C. Cul-de-sacs shall not exceed four hundred (400) feet in length, unless approved as an exemption;

D. Cul-de-sacs shall have a minimum width of sixty-six (66) feet and shall terminate in a turnaround having a radius of not less than seventy-five (75) feet of which a radius of forty-eight (48) feet shall be paved, unless otherwise approved as an exception;

E. A minor residential street dead-ending at the boundary of a plat shall be provided with a temporary cul-de-sac with a radius of not less than fifty (50) feet of which a radius of thirty (30) feet shall be paved and/or a twenty-four (24) foot paved T-type turnaround at the discretion of the Village's Department of Public Works. The areas of the cul-de-sac or T-type turnaround beyond the normal street width shall be designated "Temporary easement for public street purposes";

F. All streets platted on quarter Section lines shall have widths of ninety (90) feet. In cases where conditions make the required width impracticable the Village Board may modify the requirements of this subsection, but in no event shall the minimum width be less than sixty-six (66) feet;

G. Subdivision plats with half streets less than forty-nine and one half (49 ½ ) feet in width on the borders of the subdivision will not be approved, unless:

1. The owner, subdivider or agent will place on record an agreement which will state in effect that lots which are dependent upon the half street of less than forty-five (45) feet for ingress and egress purposes shall not be sold, and stating further that no structures shall be erected on said lots with ingress and egress facilities facing said half street until the full width of the street to at least sixty-six (66) feet shall have been opened and accepted by the Village Board,

2. The subdivision is designed so as to place the side lot lines of corner lots parallel to the half street, ingress and egress to such lots being provided by streets intersecting the half street; and provided further that an agreement shall be placed on record at the time of recording such plat, which shall prohibit the erection of structures facing such half street, and which agreement shall prohibit the construction of ingress and egress facilities from such lots to such half streets,

3. An existing half street has been dedicated or opened by the Village immediately adjoining the half street in the subdivision under consideration,

4. The half street being platted is one-half (1/2) of a major street ninety (90) feet in width, i.e., forty-five (45) feet in width. (Ord. 97-5-1; Ord. 97-4-2; § 5 (7) of Ord. passed 10/3/73).

**16.16.090 Road Systems.**

A. To ensure the orderly and responsible expansion of the Village road system, in any zoning district of the Village, the owner or developer of any property upon which a structure is to be built shall construct and install across the entire frontage of the property, an improved roadway. Such improved roadway shall conform to Village specifications.

B. At the discretion of the streets and roads committee, the Plan Commission and/or the Village Board, roads may be required to be extended and/or improved to the next available intersecting street to facilitate or insure safety and/or proper traffic flow. (Ord. 98-4-4).

## Chapter 16.20

### OFF-STREET PARKING

#### Sections:

#### **16.20.010 Off-Street Parking.**

#### **16.20.010 Off-Street Parking.**

On major streets in areas zoned or to be developed for and as commercial districts, parking space shall be provided in accordance with the following:

A public off-street parking area and service street fifty (50) feet in width shall be platted between the front line, and the side lot line or corner lots, of the lots to be used for business and the street line of the street. Where local conditions or the extent of ownership make the above impossible and inadvisable, the setting aside of other areas properly situated and approved by the Village Plan Commission shall be required in compliance with the zoning Title. (§ 6 of Ord. passed 10/3/73).

## Chapter 16.24

### BLOCKS AND LOTS

#### Sections:

- 16.24.010 Consideration Of Topography.**
- 16.24.020 Length Of Blocks.**
- 16.24.030 Width Of Blocks.**
- 16.24.040 Blocks Adjoining Major Streets.**
- 16.24.050 Irregular-Shaped Blocks.**
- 16.24.060 Local Business Blocks.**
- 16.24.070 Width Of Residential Lots.**
- 16.24.080 Area Of Residential Lots.**
- 16.24.090 Depth Of Residential Lots.**
- 16.24.100 Side Lot Lines.**
- 16.24.110 Corner Lot Width And Area.**
- 16.24.120 Street Frontage.**
- 16.24.130 Double Frontage Lots.**
- 16.24.140 Remnant Lots.**
- 16.24.150 Butt Lots.**
- 16.24.160 Replatting To Create Butt Lots.**
- 16.24.170 Resubdivision Of Platted Lots.**
- 16.24.180 Lots Containing Floodplain.**

#### **16.24.010 Consideration Of Topography.**

Proper consideration shall be given to topography in the platting of blocks and lots. Specific requirements are as follows in this Chapter. (§ 7 (part) of Ord. passed 10/3/73).

#### **16.24.020 Length Of Blocks.**

Length of blocks in residential areas shall be such that a maximum of one thousand three hundred (1300) feet is not exceeded. Along major streets or highways, the length of a block shall normally be not less than eight hundred (800) feet. A block eight hundred (800) feet or more in length shall be provided with a pedestrian way ten (10) feet wide and properly located near the middle of the block. Pedestrian ways shall be located so that there is direct pedestrian access to schools, local shopping centers, parks, etc. (Ord. 76-7-1; § 7(1) of Ord. passed 10/3/73).

#### **16.24.030 Width Of Blocks.**

Width of blocks shall be sufficient to allow two (2) tiers of lots of appropriate depth. (§ 7(2) of Ord. passed 10/3/73).

#### **16.24.040 Blocks Adjoining Major Streets.**

Blocks adjoining major streets, boulevards or parkways shall be so oriented that the long dimension of the block shall front on them, in order to create as few intersections as possible with the traffic way. (§ 7(3) of Ord. passed 10/3/73).

#### **16.24.050 Irregular-Shaped Blocks.**

Irregular-shaped blocks sometimes referred to as super blocks indented by cul-de-sacs or looped access streets and containing interior parks or playgrounds and adequate parking space and bounded by a continuous street will be acceptable when properly designed and covered by agreements as to the development and maintenance of the public areas. (§ 7(4) of Ord. passed 10/3/73).

**16.24.060 Local Business Blocks.**

Local business blocks shall be planned so as to be suited for business occupancy. Local business uses require blocks that are of a shorter length than those used wholly for residential purposes. (§ 7(5) of Ord. passed 10/3/73).

**16.24.070 Width Of Residential Lots.**

Width of residential lots shall be the minimum of eighty feet at the setback line except as is otherwise provided for under the provisions of this Title and subject to the provisions of the zoning Title. (§ 7(6) of Ord. passed 10/3/73).

**16.24.080 Area Of Residential Lots.**

Area of residential lots shall be a minimum of eight thousand (8000) square feet, except as is otherwise provided for under the provisions of this Title and subject to the provisions of the zoning Title excepting:

If lands to be platted are located outside the limits of the Village sanitary sewer system as it then exists, a proposed plat will be disapproved unless each lot is either to be provided with access to a public sanitary sewer, or private sewage disposal systems installed in compliance with the provisions of this Title, the plumbing code of the Village, and all applicable state laws. (§ 7(7) of Ord. passed 10/3/73).

**16.24.090 Depth Of Residential Lots.**

Depth of residential lots shall be a minimum of one hundred feet, except as is otherwise provided for under the provisions of this Title and subject to the provisions of the zoning Title. (§ 7(8) of Ord. passed 10/3/73).

**16.24.100 Side Lot Lines.**

Side lot lines shall be at right angles to the street line on which the lot faces, and where street lines are curved. The side lot lines of facing lots shall be approximately radial, unless special conditions permit a variation of this regulation. (§ 7(9) of Ord. passed 10/3/73).

**16.24.110 Corner Lot Width And Area.**

Corner lots shall have a width and area sufficient to provide for uniform building setback lines on the side streets, complying and conforming with all the setback requirements of the zoning district in which the subdivision may lie. (§ 7(10) of Ord. passed 10/3/73).

**16.24.120 Street Frontage.**

Public street frontage shall be required for every lot. (§ 7(11) of Ord. passed 10/3/73).

**16.24.130 Double Frontage Lots.**

Double frontage lots shall generally be avoided, except as provided in Section 16.16.060(A). (§ 7(12) of Ord. passed 10/3/73).

**16.24.140 Remnant Lots.**

Remnant lots where produced by irregularity of ownership or street lines or other means shall be added to adjoining lots. (§ 7(13) of Ord. passed 10/3/73).

**16.24.150 Butt Lots.**

Butt lots are to be avoided. (§ 7(14) of Ord. passed 10/3/73).

**16.24.160 Replatting To Create Butt Lots.**

Replatting of lots at the ends of blocks to create butt lots shall not be permitted. (§ 7(15) of Ord. passed 10/3/73).

**16.24.170 Resubdivision Of Platted Lots.**

To prevent resubdivision into smaller areas of lots platted within areas of less than twelve thousand (12,000) square feet, the owner shall provide a notarized agreement with the Village that not more than one (1) main or principal building will be erected on any residential lot in the subdivision. This instrument shall be recorded at the time the plat is placed on record. (§ 8 of Ord. passed 10/3/73).

**16.24.180 Lots Containing Floodplain.**

No lot served by public sanitary sewer facilities shall have less than fifty percent (15%) of its required lot area at or above an elevation at least two (2) feet above the elevation of the one-hundred-year (100) recurrence interval flood, or where such data is not available, five (5) feet above the maximum flood of record. No lot one (1) acre or less in area served by an on-site sanitary sewage disposal (septic tank) system shall include floodlands. All lots more than one (1) acre in area served by a septic tank system shall contain not less than forty thousand (40000) square feet of land which is at an elevation at least two (2) feet above the elevation of the one-hundred-year (100) recurrence interval flood, or where such data is not available, five (5) feet above the maximum flood of record. (Ord. 82-5-2 (part)).

## Chapter 16.28

### EASEMENTS

#### Sections:

**16.28.010 Continuity And Connections.**

**16.28.020 Utility Easements.**

**16.28.030 Storm Water Drainage.**

#### **16.28.010 Continuity And Connections.**

Whenever possible easement shall be continuous to the end of the block so that connection with an easement on the adjoining block is in the shortest direct line. (§ 9 (part) of Ord. passed 10/3/73).

#### **16.28.020 Utility Easements.**

Utility easements of not less than six feet in width, making a total easement of twelve feet in width, shall be provided on each rear lot line where there are no alleys and along side lot lines where necessary for poles, wires, conduits and for other public services. (§ 9(1) of Ord. passed 10/3/73).

#### **16.28.030 Storm Water Drainage.**

Storm water drainage easements shall be provided where the subdivision is traversed by any watercourse or channel, stream or creek. The owner shall dedicate an easement for storm water drainage purposes, conforming in general with the lines of such natural water courses, which shall be ample in width to provide for adequate maintenance. (§ 9(2) of Ord. passed 10/3/73).



## Chapter 16.32

### NEIGHBORHOOD RESIDENTIAL UNIT

#### Sections:

#### **16.32.010 Modification Of Regulations.**

#### **16.32.020 Community Development Plan.**

#### **16.32.030 Open Spaces.**

#### **16.32.040 Deed Restrictions.**

#### **16.32.010 Modification Of Regulations.**

Modification of the regulations concerning minor and local street widths, dead-end streets, block lengths, and widths and size and areas of lots may be made by the Village Plan Commission in the case of a plat for a large tract of land to be completely developed as a unit with residential buildings, provided the requirements of this Chapter are met and complied with. (§ 10 (part) of Ord. passed 10/3/73).

#### **16.32.020 Community Development Plan.**

The community and building development plan considered in total must be for the public interest, welfare and safety. (§ 10(1) of Ord. passed 10/3/73).

#### **16.32.030 Open Spaces.**

Open spaces shall be regulated to provide for the circulation, recreational, light and air needs of the tract. (§ 10(2) of Ord. passed 10/3/73).

#### **16.32.040 Deed Restrictions.**

Deed restrictions or other legal devises which will assure carrying out of the plan in its entirety shall be placed on record. (§ 10(3) of Ord. passed 10/3/73).

## Chapter 16.33

### OPEN SPACE AND PUBLIC USE AREAS

#### Sections:

#### **16.33.010 Purpose.**

#### **16.33.020 Reservation Of Potential Sites.**

#### **16.33.030 Dedication Of Sites.**

#### **16.33.040 Proportionate Payment In Lieu Of Dedication.**

#### **16.33.010 Purpose.**

The regulations and requirements in this Chapter are intended and established to provide for the preservation and proper location of park, recreation and other public use areas to meet the needs of the expanding community because of the development of vacant lands and to make provision for the equitable apportionment of the cost of such park, recreation and public use areas necessary to serve the additional families brought into the community by subdivision development. (Ord. 76-7-2 (part)).

#### **16.33.020 Reservation Of Potential Sites.**

A. In the design of the plat of the subdivision, consideration shall be given to the adequate provision for and correlation with public sites or open spaces or public use areas, consistent with the purpose stated and in compatibility with the specific terrain and related use characteristic of the site.

B. Where it is determined by the Plan Commission that a portion of the plat is required for public site or open spaces, the subdivider may be required to reserve such area for a period not to exceed five (5) years, during which time the Village shall have the option of purchasing all or a part of such reserved portion at a fair market price, plus any real estate taxes paid by the subdividers during the period of such reservation. (Ord. 76-7-2 (part)).

#### **16.33.030 Dedication Of Sites.**

A. Within the corporate limits of the Village, where feasible and compatible with the Comprehensive Plan for development of the community, the subdivider shall provide and dedicate to the public, adequate land to provide for the park, recreation and general open space needs to be generated by the development of the subdivision.

B. The amount of land to be provided shall be determined on the basis of an amount of land equal in value to ten percent (10%) of the value of the lots created by the subdivision. The value of the land to be dedicated shall be determined by the Village Assessor on the basis of full and fair market value of the land. If the owner is not satisfied with such determination, he may appeal such determination, in which case an Appraisal Board consisting of one (1) appraiser selected by the Village at its own expense, one (1) appraiser selected by the owner of the property at his or her own expense and a third appraiser selected by the other two (2) appraisers at the owner's expense shall determine the full and fair market value, which determination shall be conclusive and binding.

C. For each living unit in any multiple-family dwelling or apartment house, the amount of land to be provided shall be determined on the basis of ten percent (10%) of the rental value of such unit for one (1) year.

D. Park land may not be required for commercial, business or industrial sites unless a three-fourths (3/4) vote is obtained from the Village Board. Size of site shall be determined on a basis of property value and shall be determined by the assessed current fair market value of such property. If the owner is not satisfied with such determination he may appeal such determination, in which case an appraisal board consisting of one (1) appraiser selected by the Village at its own expense, one (1) appraiser selected by the owner of the property at his or her own expense and a third appraiser selected by the other two (2) appraisers at the owner's expense shall determine the full and fair market value, which determination shall be conclusive and binding. (Ord. 97-5-3; Ord. 76-7-2 (part)).

**16.33.040 Proportionate Payment In Lieu Of Dedication.**

A. If the Plan Commission, after consultation with Board of Park Commissioners, determines that such dedication of land is not feasible or compatible with the Comprehensive Plan and the recreation plan, the subdivider shall in lieu thereof pay to the Village a fee of one thousand five hundred dollars (\$1,500.00) for each unit per platted lot. If a vacant piece of property within the Village is being built upon, and in the event park fees have not been previously paid, park fees of one thousand five hundred dollars (\$1,500.00) per unit are due and must be paid before the building permit is issued.

B. Moneys received under the provisions of subsection A of this Section shall be placed in a separate nonlapsing fund and shall be used exclusively for site acquisition or development of lands and related improvements to serve the park, recreational and open space needs generated by new residential development.

C. Payment shall be made in a lump sum of one hundred percent (100%) of the fees required. The required payment shall be made before certification of approval may be affixed to the Final Plat in the case of a subdivision, or final approval of the Board for the developer of multiple-family dwellings, condominiums, commercial, business or industrial sites. Other unpaid park fees are due before the building permit is issued. (Ord. 2005-4-1; Ord. 2003-7-3; Ord. 97-5-4; Ord. 89-2-1; Ord. 76-7-2 (part)).

## Chapter 16.36

### PRELIMINARY PLAT

#### Sections:

- 16.36.010 Contents Generally.**
- 16.36.020 Scale.**
- 16.36.030 Copies.**
- 16.36.040 Additional And Optional Plats.**
- 16.36.050 Time Of Filing.**
- 16.36.060 Acceptance Contingencies.**
- 16.36.070 Time And Indication Of Action.**
- 16.36.080 Conformity With Provisions.**
- 16.36.090 Conditional Approval Or Rejection.**
- 16.36.100 Notice Of Action Taken.**
- 16.36.110 Record Of Action Taken.**
- 16.36.120 Specifications Generally.**
- 16.36.130 Specifications Pertaining To Title.**
- 16.36.140 Specifications Pertaining To Plan.**
- 16.36.150 Further Plan Specifications.**
- 16.36.160 Floodplain Specifications.**

#### **16.36.010 Contents Generally.**

The Preliminary Plat shall show all the facts required to enable the Village Plan Commission to determine whether the proposed layout of the land in question is in conformance with Chapter 236 of the Wisconsin Statutes of 1955 and the provisions of this Title and the Zoning Title. (§ 11 (part) of Ord. passed 10/3/73).

#### **16.36.020 Scale.**

A Preliminary Plat shall be made in accordance with the requirements of Sections 16.36.120 through 16.36.150 of this Chapter. It shall be legibly drawn to a scale not smaller than one (1) inch equals one hundred (100) feet on sheets of paper whose dimensions are eight and one-half (8 1/2) inches by twelve (12) inches or in multiples thereof. (§ 11 (1) of Ord. passed 10/3/73).

#### **16.36.030 Copies.**

Number and type of copies of Preliminary Plats submitted by the owner, subdivider, or his agent to the Village Plan Commission shall be not less than four (4) and shall be black line or blue line prints. For land abutting on state trunk highways six (6) prints shall be submitted. (§ 11(2) of Ord. passed 10/3/73).

#### **16.36.040 Additional And Optional Plats.**

Nothing herein contained shall prohibit the filing of any number of Preliminary Plats, regardless of whether the first one has been approved, and optional Preliminary Plats may be filed at any time. (§ 11(3) of Ord. passed 10/3/73).

#### **16.36.050 Time Of Filing.**

Time of filing shall be construed as being the time the Preliminary Plat is formally received by the Village Plan Commission. (§ 11(4) of Ord. passed 10/3/73).

**16.36.060 Acceptance Contingencies.**

Acceptance of Preliminary Plat for consideration is contingent upon full compliance with these regulations as to form, data indicated thereon, and other specified requirements, and shall be based upon a general examination made before formal filing. (§ 11(5) of Ord. passed 10/3/73).

**16.36.070 Time And Indication Of Action.**

Action on the Preliminary Plat shall take place within forty days after submission, unless such time is extended by agreement with the owner, subdivider or his authorized agent. Indication of action taken shall be visibly made upon the face of each Preliminary Plat acted upon, as being either approved, approved conditionally or rejected, and shall be signed by the presiding officer of the Village Plan Commission. (§ 11(6) of Ord. passed 10/3/73).

**16.36.080 Conformity With Provisions.**

Approval of the Preliminary Plat is dependent upon the plat being in conformity with the provisions of this Title, the zoning Title and Chapter 236 of the Wisconsin Statutes, where applicable. (§ 11(7) of Ord. passed 10/3/73).

**16.36.090 Conditional Approval Or Rejection.**

Conditional approval or rejection of the Preliminary Plat by the Village Plan Commission shall be accompanied by a memorandum signed by the presiding Officer of the Commission, stating in clear and concise terms the reasons for such action, and shall refer to the requirements of the various Sections of this Title that are not being complied with, and shall state what changes are necessary to make the Preliminary Plat acceptable. (§ 11(8) of Ord. passed 10/3/73).

**16.36.100 Notice Of Action Taken.**

Notice to the owner, subdivider or agent, of action taken will be given by returning one copy of the Preliminary Plat and the aforesaid memorandum. (§ 11(9) of Ord. passed 10/3/73).

**16.36.110 Record Of Action Taken.**

A permanent record of action taken shall be maintained in the minutes of the Village Plan Commission and by keeping in the files of the commission a copy of the Preliminary Plat. (§ 11(10) of Ord. passed 10/3/73).

**16.36.120 Specifications Generally.**

Before presenting a Final Plat to the Village Plan Commission for its approval, the owner, subdivider or his agent shall cause to be prepared by a professional engineer or qualified surveyor and shall submit to the Village Plan Commission for its approval a Preliminary Plat. Such plat shall be clearly marked "Preliminary Plat," and shall show, contain, and comply with the following terms of Sections 16.36.130 through 16.36.150. (§ 12 (part) of Ord. passed 10/3/73).

**16.36.130 Specifications Pertaining To Title.**

The following items pertaining to the Title shall be shown:

- A. Proposed name of the subdivision, which shall correspond with the name to be given on the Final Plat;
- B. Location by quarter Section, town and range, and including sufficient description to clearly define the location and boundaries of the proposed tract;
- C. Scale to be not less than one inch equals one hundred feet;
- D. Date;
- E. North point;
- F. Vicinity sketch;
- G. Name and address of owner of record or subdivider;
- H. Name and address of engineer or surveyor. (§ 12(1) of Ord. passed 10/3/73).

**16.36.140 Specifications Pertaining To Plan.**

The following existing items pertaining to the plan shall be shown:

- A. Boundary of proposed subdivision shall be accurately indicated by a heavy solid line;
- B. Location, widths, areas, and names of all existing or platted streets, alleys, pedestrian streets or other public ways and easements; railroad and utility rights-of-way, transmission towers, parks, cemeteries and other public spaces; location of permanent buildings, structures, and bridges within the tract or so close as to affect the design;
- C. Underground structures, such as existing water mains, sewers, culverts, utility lines within the tract or immediately adjacent thereto;
- D. Names of adjacent subdivisions and boundaries of adjoining parcels of unsubdivided land (shown by broken lines);
- E. Drainage ditches, water courses and approximate boundaries of areas which in time of heavy rainfall or spring thaws are subject to inundation; Preliminary Plat shall show ditches and culverts for adequate drainage;
- F. Topography of tract showing five (5) foot contours where no topography is available in the office of the Village Plan Commission for the tract of land being subdivided;
- G. Ground water table and results of percolation tests;
- H. A map showing proposed sanitary sewer lines together with all elevations.

(§ 12(2) of Ord. passed 10/3/73).

**16.36.150 Further Plan Specifications.**

The following items further pertaining to the plan shall be shown:

- A. Layout and widths of all new streets and rights-of-way such as alleys, pedestrian ways, easements for sewers, stormwater, watermains and other public utilities;
- B. Layout, numbers, areas and typical dimensions of lots, and building setback lines including dimensions thereof;
- C. Approximate radii of all street center line curves;
- D. Public off-street parking areas;
- E. Parcels of land intended to be reserved for public use, or to be reserved by deed covenant for use of all property owners in the subdivision; conditions of such dedication or reservation shall be indicated;
- F. Resubdivision of large parcels which may be reasonably expected at some future time shall be shown in broken lines;
- G. Nonresidential use when proposed by a subdivider shall be clearly indicated on the lots affected;
- H. Restrictive covenant running with the land. (§ 12(3) of Ord. passed 10/3/73).

**16.36.160 Floodplain Specifications.**

Plats containing floodplain shall show the limits of the floodplain and the contour line lying a vertical distance of two feet above the elevation of the one hundred-year (100) recurrence interval flood, or where such data is not available, five feet above the elevation of the maximum flood of record. (Ord. 82-5-2 (part)).

## Chapter 16.40

### IMPROVEMENTS

#### Sections:

- 16.40.010 Required Improvements And Agreements.**
- 16.40.020 Street And Sewer Improvements Generally.**
- 16.40.030 Street Specifications.**
- 16.40.031 Street Lamps.**
- 16.40.040 Sidewalk Specifications.**
- 16.40.050 Sewer Specifications.**
- 16.40.060 Jurisdiction Of Provisions.**
- 16.40.070 Statement Of Agreement.**
- 16.40.080 Prerequisite To Final Plat Approval.**
- 16.40.090 Cost For Professional Services.**

#### **16.40.010 Required Improvements And Agreements.**

The following improvements shall be required to be made by the owner, subdivider or agent before acceptance and approval by the Village Plan Commission, and before final approval by the Village Board. (§ 13 (part) of Ord. passed 10/3/73).

#### **16.40.020 Street And Sewer Improvements Generally.**

The subdivider, owner or agent shall improve or agree to improve all streets, highways, thoroughfares and other ways in the subdivision and shall install and construct, and shall agree to undertake to pay all expenses connected to the installation and construction of all said streets, all sewers, both sanitary and storm sewers together with all laterals, lift stations, water mains and laterals, sidewalks, driveways, curbs and gutters to serve the proposed subdivision, and shall install and construct all the above-mentioned improvements to the extent herein designated and in accordance with the provisions of this Chapter. (Ord. 78-2-1(part); § 13(1) of Ord. passed 10/3/73).

#### **16.40.030 Street Specifications.**

A. Upon approval of the lines and grades of the proposed streets by the Village Engineer and the Village Plan Commission, all street improvements shall be installed to a permanent line and grade. The minimum street improvements required shall be the removal, and excavation of all sod and vegetable matter from all thoroughfares, streets, highways and other ways from curb to curb or shoulder to shoulder line, as the case may be, and the full extent thereof to a sufficient depth to permit the same to be brought to an approved established grade by means of a minimum of eight inches of gravel after compaction, top-grade to provide for adequate and approved drainage facilities necessary for the proper use and safety thereof. Provided further, that when streets in any subdivision within the jurisdiction of this Title other than state and county highways are improved by the subdivider, owner or agent, with pavements, said streets shall conform to all applicable Ordinances of the Village relating to pavements and surfacing of streets, and shall be in conformance with the following minimum dimensions:

B. All roads shall consist of a minimum of thirty (30) foot driving surface between curb and gutter; surfaced with three (3) inches of high type bituminous concrete, unless otherwise ordered by the Village Board.

Type of Street	Dedicated Width	Pavement Width
Major Minor	CTP* 66 feet	CTP* Minimum of 34' face to face of curb
Cul-de-sac	50 feet radius	Minimum of 27' radius of curb

\*Conform to Thoroughfare Plan  
(§ 13(1)(a) of Ord. passed 10/3/73).

**16.40.031 Street Lamps.**

Street lamps shall be installed at the intersections, dead-ends and cul-de-sacs of all streets or public ways dedicated as part of the developer's plat. Said street lamps shall be of a design compatible with the neighborhood and with the standards of highway and street lighting as determined by the utility company. The developer shall install street lights utilizing concrete poles, with the lighting fixture and wattage to be determined by the utility company. The developer shall pay the up-front cost of installation of street lights, as determined from time to time by the Wisconsin Power and Light Company, its successor or assigns. Utility and maintenance charges shall be the responsibility of the Village. (Ord. 91-12-1; Ord. 90-12-3).

**16.40.040 Sidewalk Specifications.**

Upon approval of the lines and grades of the proposed sidewalks by the Village Engineer and Village Plan Commission, all sidewalks shall be installed to a permanent line and grade. Concrete sidewalks to a width of not less than four (4) feet offset one foot from the abutting lot lines shall be required. The sidewalks, on any street less than sixty-six (66) feet in width, shall be placed on the lot lines. (§ 13(1)(b) of Ord. passed 10/3/73).

**16.40.050 Sewer Specifications.**

A. Sanitary sewers, laterals and necessary lift stations shall be installed to serve all properties in the subdivision.

B. Storm sewers shall be constructed throughout the entire subdivision to carry off water from all inlets and catch basins, and be connected to an adequate outfall if available. The storm water drainage system shall be separate and independent of the sanitary sewer system. (§ 13(1)(c) of Ord. passed 10/3/73).

**16.40.060 Jurisdiction Of Provisions.**

In subdivisions outside the corporate limits of the Village but within the one and one-half (1½ ) mile area, all improvements shall conform to the standards of improvements as outlined in this Title. (§ 13(2) of Ord. passed 10/3/73).

**16.40.070 Statement Of Agreement.**

No Final Plat of subdivision of land shall be approved without receiving a statement signed by the Village Engineer certifying that the improvements described in the subdivider's plans and specifications, together with agreements, meet the minimum requirements of the Title and all Ordinances of the Village. The Final Plat to be placed on record shall be accompanied by a statement or agreement signed by the owner and subdivider, setting forth the following:

A. Plans and specifications for such improvements as required by this Title previously approved by the Village Engineer and clearly describing the same;

B. Grades. Grades shall be established by the Village Engineer. The grade of major and collector streets shall not exceed six percent and the grade of all other streets shall not exceed seven percent. The minimum



grade of all streets shall be four tenths percent (4/10%). The above standards may be varied when necessitated by exceptional topography when the variation is approved by the Village Board;

C. Agreement executed by the owner or subdivider wherein they agree to make and install and pay all the necessary expenses connected therewith all the improvements required by this Section and within the time limits as hereafter prescribed, in accordance with the plans and specifications accompanying the Final Plat; and that all such improvements shall be inspected during the course of installation and construction by an inspector appointed by the Village Board, salaries and other costs in connection with such inspections to be paid by the owner and subdivider, such costs to be based on the reasonable, customary charges for such service;

D. In the event that the Village Board by motion approves the action of the Village Plan Commission in approving the Final Plat, it shall withhold its final approval of the plat until an agreement signed by the owner or subdivider as provided in subsection C above shall be given, together with and supported by a surety bond to secure to the Village the actual construction, installation and completion of all the improvements required by this Title. Such bond shall be in the amount of the estimated cost as determined by the Village Engineer and the Village Plan Commission of the minimum improvements required and shall be executed by the subdivider, owner or agent as principal and a corporation authorized to so act in Wisconsin and approved by the Village Attorney, as surety. The surety will be conditioned upon the faithful performance of the undertaking to make and install and complete any and all improvements required to be done by the owner or subdivider, and will be subject to the condition that when and after one main or principal building, dwelling, or residence shall have been constructed or erected on sixty percent of all the lots fronting a street in any one block in a subdivision, the subdivider or owner shall cause all lots in the said block to be improved pursuant to this Chapter within a period of two (2) years thereafter, but in no case shall the time limit for the required improvements be extended to more than five (5) years after the date of the approval of the Final Plat. And provided further, that every principal building, dwelling or residence constructed or erected in a subdivision, sanitary sewer and water facilities, together with all the mains and laterals connected therewith shall be completely constructed and installed before the said principal building, dwelling or residence is completed and occupied.

The Village Board as an alternative to the surety bond above mentioned, at its option, may require the subdivider, owner or agent to deposit cash with the Village in place of said surety bond. Such deposit or trust agreement shall provide that the money will be paid out only on certificate by the Village Board that the work has been completed, approved and accepted. The said surety bond or deposit or trust agreement will be further conditioned that should the subdivider, owner or agent fail to comply with the work within the specified time limits, the Village may at its option, cause all uncompleted work to be done and the parties executing the bond or deposit in trust shall be firmly bound for the payment of all necessary costs therefor.

(§ 13(3) of Ord. passed 10/3/73).

#### **16.40.080 Prerequisite To Final Plat Approval.**

No Final Plat shall be submitted to the Village Board for final approval until the subdivider, owner or agent meets the requirements of this Section. (§ 13(4) of Ord. passed 10/3/73).

#### **16.40.090 Cost For Professional Services.**

Whenever the Building Inspector, Village Plan Commission, or Village Board determines that prior to the granting of any building permit or approval of a plat or other development, the proposed builders or developers lay out, design, method of construction, location of utilities, roadways or drainage plans or other matters relating to the development of any land or the construction of any building, buildings, or complexes, or approval of plats, requires the professional advice of the Village Engineer, Attorney, architect, or other professional service, the cost of such service shall be paid by the developer or builder. The Village Engineer shall make an estimate of professional fees, which shall be not less than one thousand dollars (\$1,000.00) for the first one million dollars (\$1,000,000.00) of estimated project cost and one percent (1%) of said estimated project cost in excess of one million dollars (\$1,000,000.00). Said amount shall be advanced by the

builder/developer before any further action is taken by the Village. In the event that the fee estimate for professional service is not sufficient, the builder/developer shall be notified and an additional sum shall be deposited forthwith. If the estimated fee is more than required, the excess shall be returned to the developer or builder. (Ord. 90-3-2).

## Chapter 16.44

### FINAL PLAT

#### Sections:

- 16.44.010 Generally.**
- 16.44.020 Time Limit For Submission.**
- 16.44.030 Incorporation Of Corrections And Additions.**
- 16.44.040 Improvement Plans.**
- 16.44.050 Time For Action.**
- 16.44.060 General Specifications.**
- 16.44.070 Specifications Pertaining To The Title.**
- 16.44.080 Specifications Pertaining To The Plan.**
- 16.44.090 Further Specifications Pertaining To The Plan.**

#### **16.44.010 Generally.**

The Final Plat shall represent fully and accurately the completed survey of the subdivision and shall be drawn by a professional engineer or qualified surveyor in accordance with the required specifications outlined and specified in Sections 16.44.060 through 16.44.090. (§ 14 (part) of Ord. passed 10/3/73).

#### **16.44.020 Time Limit For Submission.**

Time for submitting the Final Plat to the Village Plan Commission for approval is limited to a six-month (6) period from the date of return of the Preliminary Plat with tentative approval to the owner, subdivider or agent. Exceptions will be made only if a request for an extension has been made by the subdivider, owner or agent, and granted by the Village Plan Commission; otherwise, the tentative approval of the Preliminary Plats shall become null and void. (§ 14(1) of Ord. passed 10/3/73).

#### **16.44.030 Incorporation Of Corrections And Additions.**

Corrections and additions to the Preliminary Plat as recommended by the Village Plan Commission shall be incorporated in the Final Plat before it is submitted for approval. (§ 14(2) of Ord. passed 10/3/73).

#### **16.44.040 Improvement Plans.**

Plans and specifications for all the improvements required by this Title shall accompany the Final Plat. (§ 14(3) of Ord. passed 10/3/73).

#### **16.44.050 Time For Action.**

Action of the Final Plat by the Village Board, as to rejection or approval, shall take place within sixty (60) days after its submission to the Village Plan Commission, by the subdivider, owner or agent. (§ 14(4) of Ord. passed 10/3/73).

#### **16.44.060 General Specifications.**

When the survey of the subdivision is completed the owner shall cause to be made by a professional engineer or qualified surveyor a Final Plat which shall comply with all the requirements of this Chapter. The Final Plat may, if permitted by the Village Plan Commission, include only that portion of the area included in the approved Preliminary Plat which the subdivider proposes to record at that time. (§ 15 (part) of Ord. passed 10/3/73).

#### **16.44.070 Specifications Pertaining To The Title.**

The following items pertaining to the Title shall be shown:

- A. Name of the subdivision shall be lettered in prominent letters and such name shall be approved by the Register of Deeds for Kenosha County before being lettered on the plat;
- B. Location and position of the subdivision shall be shown in each of the following ways:
  - 1. Directly under the name given to the subdivision shall be noted its location by quarter Section, township, range, county and state,
  - 2. The exact location of the tract being subdivided with reference to a corner or corners established in the United States Public Land Survey, shall be indicated by distances and bearings,
  - 3. A small scale map of the Section or government subdivision of the Section in which the subdivision which the plat represents is situated and with the location of the subdivision indicated thereon shall appear on the plat. Scale of maps shall be shown graphically and numerically (vicinity sketch);
- C. Names of owner and engineer or surveyor;
- D. Scale shall not be smaller than one (1) inch equals one hundred (100) feet and shall be indicated graphically and numerically;
- E. North point with a concise explanation as to how the determination of the north point for the bearings of the plat was made. When a subdivision adjoins another subdivision the bearing of the common boundary line shall be taken from the previously platted subdivision. If the subdivision to be platted adjoins two or more subdivisions, the bearings shall be taken from the common line of the most recently platted subdivision. If the subdivision does not abut a previously platted subdivision, the bearing of a Section line may be taken as due north-south or east-west as the case may be. (§ 15(1) of Ord. passed 10/3/73).

**16.44.080 Specifications Pertaining To The Plan.**

The following graphic items pertaining to the plan shall be shown:

- A. All plats shall be made on one or more sheets of durable white paper so pasted on muslin that they cannot be detached therefrom. To facilitate the binding of the sheets into volumes they shall be of uniform size twenty-two (22) inches by thirty (30) inches in dimension. When more than one (1) sheet is used for any one (1) plat the sheets shall be numbered consecutively and each sheet shall contain a notation, showing the whole number of sheets in the plat and its relation to the other sheets. Curve data if presented in tabular forms shall be shown on the same sheet with drawing of plat;
- B. A binding margin of one and one-half (1½) inches on the left side of the thirty (30) inch length, and one (1) inch margin on all other sides shall be provided. If the plat is drafted on the sheet with the long axis vertical, the Title is to be placed at the top of the sheet, with the binding margin on the left. If the plat is drafted with the long dimension of the sheet horizontal, the Title shall be along the binding edge (top) of the sheet so that the lettering on the plat will be readable from the outer (bottom) edge of the sheet. The plat shall be drafted so that north shall be at the top of the sheet;
- C. Drafting of the Final Plats shall be done, using waterproof nonfading (india) black ink, except as herein noted;
- D. All plats shall correctly show on the face thereof;
  - 1. The exterior boundaries of the land surveyed and divided,
  - 2. All parcels, lots, blocks, streets, off-street parking areas and public grounds into which the land so surveyed is divided,
  - 3. All monuments placed, corners and other points established in the field in their proper places and the material of which such monuments, corners, and other points are composed, as well as dimensions thereof, noted at the representation thereof, or by symbol and legend,
  - 4. All blocks consecutively numbered, provided that the blocks in numbered additions to subdivisions bearing the same name shall be numbered consecutively through the several additions,
  - 5. All lots in each block consecutively numbered,
  - 6. A brief statement relating to lot areas (compliance with the requirements of the zoning Title) substantially as follows: “The minimum area of any residential lot in this subdivision is eight thousand square feet.”,
  - 7. Length and bearing of all exterior boundary lines,

8. Length and bearing of boundary lines of all blocks, public grounds, streets and alleys,
9. Widths of all easements, streets and alleys,
10. Length and bearing of all lot lines, except that when the lines in any tier of lots are parallel it shall be sufficient to mark the bearing of the outer lines on one tier thereof,
11. Length and bearings of the sides of all trapezoids, triangles or other lots which are not parallelograms,
12. All lake or stream, short meander lines established by the surveyor in accordance with Section 236.15(1)(d), Wisconsin Statutes of 1955, the distances and bearings thereof, and the distance between the point of intersection of such meander lines and the Ordinary High Water Mark,
13. The center lines of all streets, with lengths and bearings thereof,
14. The number of degrees, minutes, and seconds in all exterior boundary and block angles,
15. Areas to be dedicated or reserved for public use shall be accurately outlined, with purposes indicated thereon, as well as areas to be reserved by deed covenant for common use of all property owners in the subdivision,
16. Distances shall be shown to the nearest one one-hundredth of a foot,
17. Bearings shall be shown in degrees, minutes, and seconds for plat exteriors and street center lines;
- E. Curves for street center lines and block lines, when used, shall have their main chords drawn in broken lines in waterproof, nonfading red ink. Either on the chord or in an adjoining table shall be noted its bearing and length, the radius of the circle of which such curve is a part, and the bearing of the radius at the point of beginning and end of curve, the angle between the main chord and the radius or tangent to the curve, and the central angle of the curve.
- F. A curve table, if used, shall be shown on the face of the sheet bearing the plat containing curve data for curved lot lines supplying the following information:
  1. Block number,
  2. Lot number,
  3. Length of radius,
  4. Length of arc,
  5. Length of chord,
  6. Bearing of chord,
  7. Central angle;
- G. Streets and roads, not dedicated to public use shall be clearly marked as being private;
- H. All existing permanent buildings;
- I. All water courses, drainage ditches, and other existing physical features pertinent to proper land division;
- J. All parks, playgrounds and other lands dedicated to public use shall be clearly designated "Dedicated to the public for use as a park or playground, etc.";
- K. Names of adjoining streets and subdivisions shall be shown in their proper location in waterproof nonfading red ink underscored by a broken red line;
- L. Abutting street lines of adjacent and intersecting streets of adjoining plats whether recorded as plats of record or laid out by metes and bounds shall be shown in waterproof nonfading red ink by broken lines in their proper location, with dimensions from the office of the Register of Deeds, or from the record of the Village Clerk/Treasurer of the town in which such plat is located;
- M. Alleys shall be designated as "public alley";
- N. Off-street parking areas shall be appropriately designated;
- O. A map showing proposed sanitary and storm sewer lines together with and showing all locations, depths, grades and elevations. (§ 15(2) of Ord. passed 10/3/73).

**16.44.090 Further Specifications Pertaining To The Plan.**

All descriptions and affidavits relating to the following shall be lettered or typed on the face of the plat:

A. Certification by a registered professional engineer or qualified surveyor to the effect that the plan represents a survey made by him and that all the monuments shown thereon actually exist and that their location, size and material are correctly shown;

B. Owners shall indicate their adoption of the plat and dedication of streets and any other public areas by a signed and notarized certificate;

C. Mortgages shall indicate their consent to the plat and dedication of streets and other public areas by a signed and notarized certificate;

D. Certificates, affidavits, notarial acknowledgements and approval forms shall be prepared in full compliance with the Wisconsin Statutes. (Editorially amended per approval by Village Board 7/8/96; § 15(3) of Ord. passed 10/3/73).

## Chapter 16.48

### ASSESSMENT POLICY

#### Sections:

- 16.48.010 General Policy.**
- 16.48.020 Participating Funds.**
- 16.48.030 Sanitary Sewers Cost Recovery.**
- 16.48.040 Sidewalks.**
- 16.48.050 Driveways And Approaches.**
- 16.48.060 Curb And Gutter.**
- 16.48.070 Streets.**

#### **16.48.010 General Policy.**

Total cost of improvements to be constructed in the Village will be assessed on a front foot basis unless hereinbefore specified otherwise or in those instances where the project may be of an unusual nature. If the cost of installing a particular improvement in the Village would involve expenditures which would be inordinate or unusual, the Village Board may review the situation or project to decide what procedural policy should be used. ((G) of Ord. passed 9/27/73).

#### **16.48.020 Participating Funds.**

In the event that county, state or federal funds are received in the construction of any improvements, the amount assessed to the abutting property owners, developers or subdivider will not exceed the amount remaining after county, state and federal participating funds are applied to the project cost. ((F) of Ord. passed 9/27/73).

#### **16.48.030 Sanitary Sewers Cost Recovery.**

Whenever the owner or developer of a property that is not serviced by the sanitary sewer collection system, desires or is required to install a sanitary sewer line, the owner shall petition the Village Board to install the sewer line. If the Village Board approves the application, installation shall be undertaken as a public works project and the entire cost of such installation shall be borne by the owner, in accordance with Sections 16.40.070 and 16.40.090.

Upon completion of the project, the owner shall have a nonassignable right of cost recovery against intervening parcels or lots for which sewer service is made available. The owner or developers cost recovery shall be based on a front foot cost or such other equitable cost recovery method as shall be agreed, upon between the owner and the Village Board. The cost recovery shall be without interest, and effective for a period of ten (10) years. Detailed costs of the project shall be filed with the Village Clerk/Treasurer and be certified by the Village Engineer together with the proposed assessment for each intervening parcel or lot, based upon a front foot or other equitable cost recovery method. Thereafter, at any time during the ten (10) year period, no person shall connect to the sewer line unless the cost recovery is paid to the Village Clerk/Treasurer for the owner, or a release obtained from the owner and filed with the Clerk/Treasurer.

The cost recovery shall be for a period of ten (10) years and thereafter shall be paid to the Village and be placed in the sewer development and maintenance fund. (Ord. 90-6-2; Ord. 78-4-1; Ord. 76-9-2; Ord. passed 9/9/74; (A) of Ord. passed 9/27/73).

#### **16.48.040 Sidewalks.**

- A. Existing Sidewalks. The Village shall maintain all existing sidewalks.
- B. New Developments. Installation of new sidewalks shall be governed by Section 16.40.020 of this Chapter as amended from time to time. (Ord. 98-6-4 § 2).

**16.48.050 Driveways And Approaches.**

The cost to the abutting property owner shall be the entire cost of the driveway or driveway approach improvement. ((C) of Ord. passed 9/27/73).

**16.48.060 Curb And Gutter.**

The cost to the abutting property owner shall be the entire cost of the curb and gutter improvement, except that if the abutting use is single-family or two-family residential, or agricultural, the cost to the abutting property owner shall be fifty percent (50%) of the entire cost of the curb and gutter improvement. (Ord. 80-1-2. 1980: (D) of Ord. passed 9/27/73).

**16.48.070 Streets.**

A. The Village shall maintain all existing streets.

B. New Developments. The cost of the subdivider, developer or owner shall be the entire cost of the new street. The street construction shall be twenty-two (22) foot width, bituminous concrete pavement, three (3) inches thick, with four (4) foot wide gravel shoulders on each side, and crushed stone base course eight (8) inches thick and thirty (30) feet wide. All incidental grading, drainage, culverts and storm sewers shall be the responsibility of the developer. ((E) of Ord. passed 9/27/73).



## Chapter 16.52

### PLAT APPROVAL AND RECORDING

#### Sections:

#### **16.52.010 Requirements For Final Approval.**

#### **16.52.020 Affidavits And Certificates.**

#### **16.52.030 Required Approvals.**

#### **16.52.040 Copies.**

#### **16.52.010 Requirements For Final Approval.**

No Final Plat shall be approved by the Village Board until all the requirements specified in this Chapter shall have been met and complied with. Compliance with the requirements of this Chapter shall be evidenced by a certified copy of a Resolution of the Village Board indicating such approval:

A. The requirements relating to surveying as specified in Section 236.15(1) of the Wisconsin Statutes of 1955;

B. In order to determine the accuracy of survey, the Zoning Administrator shall have the right and authority to examine plats and to make field checks for the accuracy and closure of survey, proper kind and location of monuments, and legibility of drawing. The Village Plan Commission shall have the right and authority to employ or appoint a competent individual or committee to conduct such examination and make such field checks as required by this Title and to report their findings to the Village Plan Commission;

C. All the requirements of Sections 16.36.120 through 16.44.090 inclusive, pertaining to and including Preliminary Plat specifications, required improvements and agreements, submission of Final Plat, and Final Plat specifications;

D. All the applicable Ordinances and codes of the Village. (§ 16 of Ord. passed 10/3/73).

#### **16.52.020 Affidavits And Certificates.**

To entitle a Final Plat to be recorded, there shall be required affidavits and certificates lettered, printed or typed legibly with black india ink or black carbon ribbon meeting the requirements of Chapter 236 of the Wisconsin Statutes of 1971 and all acts amendatory thereto. (§ 18(1) of Ord. passed 10/3/73).

#### **16.52.030 Required Approvals.**

No plat of a subdivision may be recorded and no lot shown therein may be sold legally until all approvals as required by the Statutes of the State of Wisconsin and this Title have been affixed thereto. These approvals shall be lettered, printed, or typed legibly with black india ink or black carbon ribbon on the face of the plat. (§ 18(2) of Ord. passed 10/3/73).

#### **16.52.040 Copies.**

The owner shall submit one (1) original and one (1) copy of the Final Plat as approved to the Register of Deeds within the time limit as specified in Section 236.25 of the Wisconsin Statutes of 1971 and all acts amendatory thereto and shall provide one (1) copy of the Final Plat as approved to the Kenosha County Planning and Development Department. The Register of Deeds upon recording the original plat shall forthwith deliver to the County Treasurer the copy of such plat. The owner shall supply the Village with a copy of the fully executed and recorded plat within (10) business days of the recording. (Ord. 2007-11-1; § 18(3) of Ord. passed 10/3/73).

## Chapter 16.53

### FEES FOR PLAT REVIEW

#### Sections:

#### **16.53.010 Preliminary And Final Plat Fees.**

#### **16.53.010 Preliminary And Final Plat Fees.**

A. Subdivider shall pay a fee of one hundred dollars (\$100.00) plus ten dollars (\$10.00) per lot to the Village Clerk/Treasurer at the time of submission of a Preliminary Plat to partially cover the preliminary cost to the Village of checking and reviewing such plat.

B. A re-application fee of seventy-five dollars (\$75.00) shall be paid to the Village Clerk/Treasurer at the time of re-application for approval of any Preliminary Plat which has been previously reviewed by the Village.

C. Final Plat Review. The subdivider shall pay a fee equal to fifty dollars (\$50.00) plus five dollars (\$5.00) for each lot or parcel within the Final Plat to the Village Clerk/Treasurer at the time of first application for Final Plat approval to assist in defraying the cost of plat review.

D. A re-application fee of seventy-five dollars (\$75.00) shall be paid to the Village Clerk/Treasurer at the time of re-application for approval of any Final Plat which had previously been reviewed.

E. The fees set forth herein shall be in addition to the professional fee schedule referred to in Section 16.40.090 of this Title. (Ord. 90-8-3).

## Chapter 16.56

### APPEALS AND VARIANCES

#### Sections:

#### **16.56.010 Appeals And Variances.**

#### **16.56.020 Interpretation And Enforcement.**

#### **16.56.010 Appeals And Variances.**

The Village Plan Commission shall have the following powers:

A. To hear and decide appeals wherein it is alleged that there is an error in any order, requirement, decision, or determination made by the Zoning Administrator or any other official authorized to enforce the provisions of this Title. The decision of the Village Plan Commission may be appealed to the Village Board;

B. The Village Board shall have the authority to grant a Variance from the terms of this Title where due to a special condition a literal enforcement of provisions of this Title would result in an unnecessary hardship. An application for Variance shall be addressed to the Village Board who shall refer the matter to the Plan Commission for approval and recommendation. The Plan Commission shall hold a Public Hearing after not less than ten (10) days notice and may recommend to the Village Board that the Variance be granted, granted under certain reasonable conditions, or denied. The Village Board shall act on the Commission recommendation at its next Regular Meeting, and the Board may also notice and hold a Public Hearing on the requested Variance, and may grant, modify or deny the Variance stating the reason for such denial.

No Variance shall be granted by the Village Board unless the board shall find that:

1. The literal enforcement of the Ordinance would result in an unnecessary hardship;
2. That granting the Variance will not impair the intent or purpose and spirit of this Title or cause a detriment to the overall public good. No Variance shall be granted which is less restrictive or contrary to the requirements of Chapter 236 of the Wisconsin Statutes. (Ord. 89-3-1; § 17(1), (2) of Ord. passed 10/3/73).

#### **16.56.020 Interpretation And Enforcement.**

Wherever in this Title and including all Codes and orders adopted herein by reference, it is provided that anything must be due to the approval of, or subject to the direction of, the Zoning Administrator or any other Officer of the Village, this shall be construed to give such officer only the discretion of determining whether the rules and standards established by Ordinance or law have been complied with; and no such provisions shall be construed as giving any officer discretionary powers as to what such regulations or standards shall be, or power to require conditions not prescribed by Ordinance or law or to enforce Ordinance provisions or laws in an arbitrary or discriminatory manner. Provided, however, that this Section shall not be so construed so as to preclude the Zoning Administrator, Inspectors and enforcing officers from rendering decisions and determining factual compliance with this Title. (§ 17(3) of Ord. passed 10/3/73).

## Chapter 16.60

### BUILDING NUMBERING

#### Sections:

- 16.60.010 System Established.**
- 16.60.020 Base Line Streets.**
- 16.60.030 Assignment Of Numbers.**
- 16.60.040 Odd Or Even And Separate Numbers.**
- 16.60.050 Streets Not Extending Through Base Line.**
- 16.60.060 Survey--Cost And Placement Of Numbers.**
- 16.60.070 Portion Of House Or Building.**
- 16.60.080 Map On File.**
- 16.60.090 Duty Of Clerk.**
- 16.60.100 Procuring Number For New Structure.**
- 16.60.110 Duty To Report Violation.**
- 16.60.120 Penalty For Violation.**

#### **16.60.010 System Established.**

There is established a uniform system of numbering houses and buildings fronting on all streets, avenues and public ways in the Village and all houses and buildings shall be numbered in accordance with the provisions of this Chapter. (Ord. 32 § 1, 4/13/64).

#### **16.60.020 Base Line Streets.**

Burlington Avenue shall constitute the base line for numbering along all streets running north and south, and Main Street shall constitute the base line for numbering all streets running east and west. (Ord. 32 § 2, 4/13/64).

#### **16.60.030 Assignment Of Numbers.**

The numbering for each street shall begin at the base line. The numbers in the first block shall be from one hundred (100) to one hundred ninety-nine (199), the second block two hundred (200) to two hundred ninety-nine (299), the third block three hundred (300) to three hundred ninety-nine (399), etc. There shall be assigned one hundred (100) numbers to each block, square or space that would be one (1) block or square, if streets each way were so extended as to intersect each other, and one (1) number shall be assigned to each fifteen (15) or twenty (20) feet of frontage, whichever is more applicable. In blocks or equivalent space longer than one thousand two hundred fifty (1,250) feet which is not intersected by a street, the total length of space divided by eighty (80), shall be used to determine the feet of frontage to be assigned each number. (Ord. 32 § 3, 4/13/64).

#### **16.60.040 Odd Or Even And Separate Numbers.**

All lots and houses on the south and west side of all streets shall be numbered with odd numbers, and all lots and houses on the north and east side of all streets shall be numbered with even numbers, each commencing with the hundred assigned to that block, and shall increase from the base line, one number for each fifteen (15) or twenty (20) feet of frontage or fraction thereof, except as provided in Section 16.16.030. Where any building has more than one (1) door serving separate occupants, a separate number shall be assigned to each door serving a separate occupant, providing the building is twenty-five (25) feet or more, in width. If the building is not twenty-five (25) feet or more in width, and the entrances are not that far apart, the next consecutive number shall be marked fractional. Buildings fronting on two (2) or more streets shall have a number fronting on the main entrance, unless other entrances serve other occupants. (Ord. 32 § 4, 4/13/64).

**16.60.050 Streets Not Extending Through Base Line.**

All streets not extending through to the base line, shall be assigned the same relative numbers as if the said street had extended to the said base line. (Ord. 32 § 5, 4/13/64).

**16.60.060 Survey--Cost And Placement Of Numbers.**

A. The Village has caused a survey to be made and there is assigned to each house and building located on any street, alley, highway or avenue in said Village its respective number under the uniform system provided for in this Chapter as shown on the map on file in the office of the Village Clerk, and made a part of this Chapter.

B. The initial cost of number and numbers shall be paid for by the Village and said numbers and holders shall be furnished by the Village. All numbers hereafter issued shall be paid for by the owner when building permits are issued.

C. The numbers shall be conspicuously placed immediately above, on, or at the side of the proper door of each building so that the number can be seen seventy-five (75) feet from the street plainly. Whenever any building is situated more than seventy-five (75) feet from the street line, the number of such building shall be conspicuously displayed on the appropriate post out to the sidewalk or roadway so as to be easily discernible. (Ord. 2015-12-4; Ord. 32 § 6, 4/13/64).

**16.60.065 Uniform Address Signs for Houses and Buildings.**

A. Declaration of policy. The Village Board finds that uniform address signs and the uniform location of such signage serves the health, safety, and welfare of the residents of the Village of Twin Lakes by providing an efficient means for locating properties in the event of a necessary law enforcement, fire, or other emergency response, as well as serving the interests of the traveling public.

B. Uniform address signs required. Uniform signs displaying a parcel's official address and meeting such specifications as decided upon by the Village Board are to be displayed on every improved parcel of property. Signs and galvanized posts are to be furnished and installed by the Village. Payment for signs will be done so by a one-time fee issued to the property owner.

C. Positioning of signs. Uniform address signs are to be placed within the right-of-way of the road in a manner that the sign is perpendicular to the adjacent roadway's center line and projected towards the road so the address is clearly visible. The sign shall be no more than twenty (20) feet away from the driveway on either side as well as no more than five (5) feet and no less than three (3) feet off the ground. In the event that the installation of the address sign as provided above is not desirable and/or feasible due to existing conditions of the public right-of-way, the address sign shall be installed at such other location, height, or manner as the Village may elect.

D. Maintenance of signs. After installation, the uniform address signs may not be removed or relocated without the written consent of the Village. The owner and/or occupant of the property having an address sign installed in the public right-of-way shall not allow and/or cause organic growth, debris, vehicles, trailers, objects, structures, or any other impediments to obstruct a direct line of sight of the address sign from the road.

E. Sign installation for new residences/addresses. At the time of application for a building permit for a new or previously unimproved parcel of land, the parcel owner shall apply to the Village Building Inspector for a uniform address sign for such property. At the time of application for a uniform address sign, the Building Inspector shall collect from the applicant the address sign fee as established in section 3.06.010 of the Village Code, reflecting the Village's costs acquiring and installing a new address sign for such parcel. The Village shall thereafter install, in conformance with the requirements of above subsection (C), a uniform address sign for the property.

F. Replacement of signs. If a uniform address sign is stolen, destroyed, or materially damaged the parcel owner shall apply for a replacement address sign with the Village Building Inspector, or in the alternative, the Village may direct that a replacement address sign be installed. In such event, the address sign fee described in section 3.06.010 of the Village Code shall be charged to the property owner. Should damage to the sign be caused by Village personnel in emergency or plowing activities, the parcel owner may contact the Village to

confirm responsibility. The Village shall be responsible for replacing the sign at no cost to the property owner if Village responsibility is confirmed.

G. Destruction of address signs. It shall be unlawful for any person to remove or to intentionally damage, or to allow to be removed or be damaged, any uniform address sign installed under this section.

H. Violation. Any person who damages, removes, destroys, or fails to properly replace an address marker or otherwise violates this ordinance shall, upon conviction, forfeit no less than Fifty Dollars (\$50.00) and no more than Three Hundred Dollars (\$300.00) plus court costs and assessments. Separate offenses can be committed for each address sign involved. (Ord. 2015-12-4)

#### **16.60.070 Portion Of House Or Building.**

A. Condominiums -Units. When only one (1) number can be assigned to any house or building which is used for residential or other condominium arrangement except as noted in B and C of this Section, the owner, occupant or agent of such house or building, who desires distinctive numbers for the upper and lower portions of any such house or building fronting on any street, or for any part of such house or building fronting on any street, shall use Apt. 101, Apt. 102, Apt. 103, etc. for the first floor; Apt. 201, Apt. 202, Apt. 203, etc. for the second floor; Apt. 301, Apt. 302, Apt. 303 etc. for the third floor, and so forth, in a manner consistent with uniformity. No letters and numbers are to be combined.

B. Businesses-Suites. When only one number can be assigned to any house or building, which is used for a Commercial activity, the owner, occupant or agent of such house or building, who desires distinctive numbers for the upper and lower portions of any such house or building fronting on any street, or for any part of such house or building fronting on any street, shall use Suite 101, Suite 102, Suite 103, etc. for the first floor; Suite 201, Suite 202, Suite 203, etc. for the second floor; Suite 301, Suite 302, Suite 303, etc. for the third floor, and so forth, in a manner consistent with uniformity. No letters and numbers are to be combined.

C. Apartments – Apts. When only one number can be assigned to any house or building, which is used for rental living quarters other than those uses defined as hotels or motels, the owner, occupant or agent of such house or building, who desires distinctive numbers for the upper and lower portions of any such house or building fronting on any street, or any part of such house or building fronting on any street, shall use Apt. 101, Apt. 102, Apt. 103, etc. for the first floor; Apt. 201, Apt. 202, Apt. 203, etc. for the second floor; Apt. 301, Apt. 302, Apt. 303 etc. for the third floor, and so forth, in a manner consistent with uniformity. No letters and numbers are to be combined. (Ord. 2002-9-1 § 2).

#### **16.60.080 Map On File.**

For the purpose of facilitating correct numbering, a copy of the map showing the proper number of all lots or houses fronting upon all streets, avenues or highways, shall be kept on file in the office of the Clerk. This map shall be opened to inspection by all persons during the office hours of the Clerk. (Ord. 32 § 8, 4/13/64).

#### **16.60.090 Duty Of Clerk.**

It shall be the duty of the Clerk to inform any party applying therefor, of the number or numbers belonging to or embraced within the limits of said lot or property as provided in this Chapter. In case of doubt as to the proper number to be assigned to any lot or building, the Clerk shall determine the number of each lot or building. (Ord. 2015-12-4; Ord. 32 § 9, 4/13/64).

#### **16.60.100 Procuring Number For New Structure.**

Whenever any house, building or structure shall hereafter be erected or located in the Village it shall be the duty of the owner to procure the number so assigned upon said building as provided by this Chapter. No building permit shall be issued for any house, building or structure until the owner has procured from the Clerk the official number of the premises. (Ord. 32 § 10, 4/13/64).

**16.60.110 Duty To Report Violation.**

It shall be the duty of all Police Officers of the Village to report the violation of any provision of this Chapter. (Ord. 32 § 11, 4/13/64).

**16.60.120 Penalty For Violation.**

If the owner or occupant of any building required to be numbered by this Chapter neglects for more than thirty (30) days to duly attach and maintain the proper number of such building, the Clerk shall cause to be served upon him the notice requiring such owner or occupant to properly number the same, and if he neglects to do so for ten (10) days after the serving of such notice, he shall be deemed to have violated this Chapter. Upon conviction thereof he shall be subject to penalty as provided in Section 1.12.010. (Ord. 2015-12-4; Ord. 32 § 12, 4/13/64).

## Chapter 16.70

### LAND DIVISIONS OTHER THAN SUBDIVISIONS\*

#### Sections:

- 16.70.010 Certified Survey Map--Required.**
- 16.70.011 Requirement For Land Combinations.**
- 16.70.015 Administrative Certified Survey Map Approval.**
- 16.70.020 Requirements For Approval Of Certified Survey Map.**
- 16.70.030 Certified Survey Map--Filing--Preliminary Map Required When.**
- 16.70.040 Preliminary Map Submitted To Village Board When.**
- 16.70.050 Transmittal Of Map To Concerned Boards, Commissions And Departments For Recommendations.**
- 16.70.060 Village Board To Approve Or Reject Map--Procedure.**
- 16.70.070 Certified Survey Map--Recordation And Distribution Procedure.**
- 16.70.090 Certified Survey Map--Information Required.**
- 16.70.100 Building Permits.**
- 16.70.110 Sewers Required For Further Divisions.**
- 16.70.120 Penalty For Violation.**

\* Prior history: Ords. 76-7-4 and 80-11-1.

#### **16.70.010 Certified Survey Map--Required.**

When it is proposed to divide any land in the Village into not more than four (4) parcels or building sites, or when it is proposed to divide a block or lot within a recorded subdivision plat into not more than four (4) parcels or building sites without changing the boundaries of said block or lot, a Certified Survey Map shall be prepared in compliance with all the applicable provisions of Section 236.34 of the Wisconsin Statutes and before applying for a building permit and before recording said Certified Survey, said Certified Survey Map shall be submitted to the Village Board for approval. (Ord. 82-12-1 (part)).

#### **16.70.011 Requirement For Land Combinations.**

Land division shall also mean land combinations for the purpose of this Chapter. Pre-existing, nonconforming, substandard parcels in a recorded platted subdivision will be exempt from this Section. Parcels in unrecorded plats will be considered on an individual basis (by approval and execution of notarized form). (Ord. 97-12-3; Ord. 96-1-1).

#### **16.70.015 Administrative Certified Survey Map Approval.**

Subject to all other requirements for preparation and presentation of a Certified Survey Map, a Certified Survey Map may be approved by the Building and Zoning Administrator, or his designee, if all of the following conditions are met:

- A. The CSM results in a net zero change or a reduction in the number of buildable lots;**
- B. The CSM does not modify the exterior boundaries of a recorded plat or otherwise require specific approval as required in Section 236.34 of the Wisconsin Statutes;**
- C. The CSM does not create any nonconformities in terms of the regulations of this Code;**

D. The CSM does not involve a wetland or floodplain, property in a designated Primary Environmental Corridor, or property zoned Conservancy, Upland Conservancy, or Planned Unit Development. (Ord. 2006-12-2).



**16.70.020 Requirements For Approval Of Certified Survey Map.**

A. The Certified Survey Map shall include all of the land, block or lot proposed to be divided.

B. Each parcel or lot of the land division shall have a frontage of at least fifty (50) feet on a public road, which road shall be not less than sixty-six (66) feet in width, unless a lesser width is approved by an Ordinance of the Village Board.

C. Lots or parcels shall not be less than eight thousand square (8000) feet and shall have a minimum width of eighty (80) feet at the setback line and a minimum depth of one hundred (100) feet.

D. There shall be no driveway easements.

E. If any streets or roads are shown in the plat, they shall be in accordance with the master plan of streets in the Village and the subdivider shall make and construct the streets and roads graded and surfaced in accordance with the standards required by the subdivision Code of the Village. Before the final Certified Survey Map is approved such streets and roads shall be constructed and paved in accordance with such standards, or a contract entered into with the Village to provide such streets and roads within a period of two (2) years, such contract to be accompanied by a deposit of cash or certified check or irrevocable Letter Of Credit from a Wisconsin financial institution in favor of the Village in an amount sufficient to pay the estimated cost of such streets or roads as determined by the Village Engineer and the Village Plan Commission. The contract shall provide that the money deposited or funds from the Letter Of Credit shall be paid out by the Village to the person or persons entitled thereto upon certificate from the Village Engineer that the streets or roads required have been completed in accordance with all applicable laws and Ordinances. Should the subdivider fail to provide the streets or roads within the time limit specified, the Village at its option may cause such streets or roads to be constructed, and the subdivider shall be firmly bound to pay all costs thereof in excess of the amounts received by the Village from the cash deposit or Letter Of Credit.

F. No Certified Survey Plat shall be approved if the division of land therein will result in a fire or safety hazard.

G. All Certified Survey Maps shall show any easements which affect the subject property. (Ord. 94-3-2; Ord. 82-12-1 (part)).

**16.70.030 Certified Survey Map--Filing--Preliminary Map Required When.**

Six (6) copies of the Certified Survey Map shall be filed with the Village Clerk/Treasurer, accompanied by a Letter of Application. Prior to submitting a final Certified Survey Map for approval, a preliminary Certified Survey Map may be submitted, clearly marked "Preliminary Certified Survey Map," in sufficient detail to enable determination as to whether the final Certified Survey Map will meet requirements. (Ord. 82-12-1 (part)).

**16.70.040 Preliminary Map Submitted to Village Board When.**

A preliminary map shall be submitted to the Village Board for all tracts of land proposed to be divided that contain floodlands, shorelands or street or road dedications. (Ord. 82-12-1 (part)).

**16.70.050 Transmittal of Map to Concerned Boards, Commissions and Departments for Recommendations.**

The Village Clerk/Treasurer shall, within ten (10) days after filing, transmit two (2) copies of the map to the Plan Commission and all affected departments for their review and recommendations. Their recommendations shall be transmitted to the Village Board within sixty (60) days from the date the map is transmitted by the Village Clerk/Treasurer. (Ord. 82-12-1 (part)).

**16.70.060 Village Board To Approve Or Reject Map--Procedure.**

A. The map shall be reviewed by the Village Board, for conformance with all Ordinances, rules, regulations and laws which affect it and the recommendations of the Plan Commission shall be considered.

B. The Village Board shall approve, approve conditionally or reject such map within forty-five (45) days from the date of receipt of recommendations of Plan Commission. If the map is rejected, the reasons shall be

stated in the minutes of the meeting and a written statement forwarded to the applicant and the surveyor. If the map is approved, the Village Board shall cause the Village Clerk/Treasurer to so certify on the face of the original map and return the map to the applicant for recording in the office of the Register of Deeds.

C. If the Village Board does not take action upon the proposed Certified Survey Map within forty-five (45) days of receipt of the recommendations of the Plan Commission, the plat shall be deemed approved if the Plan Commission has recommended approval of the plat. If the Plan Commission has recommended rejection, the plat shall be deemed disapproved, with the reasons of the Plan Commission deemed the reason for rejection. (Ord. 82-12-1 (part)).

#### **16.70.070 Certified Survey Map-- Recordation And Distribution Procedure.**

A. The applicant or surveyor shall record the map with the register of deeds for Kenosha County within thirty (30) days after its approval by the Village Board.

B. The applicant shall file ten (10) copies of the Certified Survey Map with the Village Clerk/Treasurer for distribution to the treasurer, Village Engineer and other affected departments for their files. (Ord. 82-12-1 (part)).

#### **16.70.090 Certified Survey Map--Information Required.**

A. The Certified Survey Map shall be prepared by a land surveyor registered in Wisconsin.

B. Additional information required shall be as follows:

1. The final map shall show correctly on its face, the information required by Section 236.34 of the Wisconsin Statutes;

2. Date of map;

3. Graphic scale;

4. Name and address of the owner, subdivider and surveyor;

5. All existing buildings, watercourses, drainage ditches and other features pertinent to proper division;

6. Names of adjoining streets, highways, parks, cemeteries, subdivisions, ponds, streams, lakes, flowages and wetlands;

7. Additional building setback lines required by the Village Board which are more restrictive than the regulations of the zoning district in which the plat is located or which are proposed by the subdivider and are to be included in recorded protective covenants;

8. Where the map is located within a quarter Section, the corners of which have been relocated, monumented and placed on the Wisconsin State Plane Coordinate System by the Wisconsin Department of Transportation. Southeastern Wisconsin Regional Plan Commission, the county of any Village or town, the map shall be tied directly to one of the Section or quarter corners so coordinated. The exact grid bearings and distance of such tie shall be determined by field measurements and the material and Wisconsin State Plane Coordinates of the monument marking the Section or quarter corner to which the map is tied shall be indicated on the map. All distances and bearings shall be referenced to the Wisconsin State Plane Coordinate System, South Zone, and adjusted to the county, Village or town control survey;

9. The surveyor shall certify on the face of the map that he has fully complied with all the provisions of this Chapter;

10. Dedication of streets and other public areas shall require, in addition, the owner's certificate, mortgagee's certificate and certification of approval by the Village Board in substantially the same form as required by Section 236.21(2)(a) of the Wisconsin Statutes.

11. All corners shall be monumented in accordance with Section 236.15(1)(a)(b)(c) and (d) of the Wisconsin Statutes. (Ord. 82-12-1 (part)).

#### **16.70.100 Building Permits.**

No building permit shall be issued for any construction on any land which has been divided in violation of this Chapter. (Ord. 82-12-1 (part)).

**16.70.110 Sewers Required For Further Divisions.**

No division of any parcel of land resulting from land previously divided under the terms of this Chapter shall be approved by the Village Board without receiving from the owner an agreement to provide sanitary sewers for said proposed division of land and parcels resulting therefrom, such agreement to be accompanied by a deposit of cash or certified check or irrevocable letter of credit from a Wisconsin financial institution in favor of the Village in an amount sufficient to pay the estimated cost of such sanitary sewers as determined by the Village Engineer and the Village Plan Commission. The agreement shall provide that the money deposited or funds from the letter of credit will be paid out by the Village to the person or persons entitled thereto upon certificate from the Village Engineer that the sanitary sewers required have been completed in accordance with all applicable laws and Ordinances. Should the owner fail to provide the sanitary sewers within the time limit specified by the Village Board, the Village at its option may cause the sanitary sewers to be installed, and the owner shall be firmly bound to pay all costs thereof in excess of the amounts received by the Village from the cash deposit or Letter of Credit. (Ord. 82-12-1 (part)).

**16.70.120 Penalty For Violation.**

In addition to any other remedy provided by law, any person who violates this Chapter shall be subject to a forfeiture of not less than five hundred dollars (\$500.00) or more than one thousand dollars (\$1,000.00) together with costs of prosecution, and in default of the payment of such forfeiture and costs, shall be imprisoned in the county jail until full payment is made, but not to exceed thirty (30) days. The court may also issue an execution against the property of the defendant for the amount of the forfeiture and costs. (Ord. 82-12-1 (part)).

## Chapter 16.80

### STREET WIDTH EXCEPTIONS

#### Sections:

#### **16.80.010 Tamarack Lane.**

#### **16.80.010 Tamarack Lane.**

Pursuant to Chapter 236.16(2) of the Wisconsin Statutes, the Village Board authorizes the platting of Tamarack Lane in the Subdivision Plat of Van Woods Estates Addition No. 2. located in the SE ¼ of Section 28, T1N, R19E, to be a street with a width of fifty (50) feet. (Ord. 80-11-2).