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15.01 INTRODUCTION.

- A. AUTHORITY. These regulations are adopted pursuant to Section 236.45, Wis. Stats.
- B. PURPOSE. The purpose of this Code is to regulate and control the division of land within the corporate limits and extraterritorial plat approval jurisdiction of the Village in order to promote the public health, safety, morals, prosperity, aesthetics and general welfare of the community.
- C. INTENT. It is the general intent of this Code to regulate division of land so as to obtain the wise use, conservation, protection and proper development of the Village soil, water, wetland, and wildlife resources and attain a proper adjustment of land use and development to the supporting and sustaining and natural base; lessen congestion in the streets and highways; further the orderly layout and appropriate use of land; secure safety from fire, panic and other dangers; provide adequate light and air; avoid undue concentration of population; facilitate adequate provisions for housing, transportation, water, sewerage, schools, parks, playgrounds and other public requirements; secure safety from flooding, water pollution, disease and other hazards, prevent flood damage to persons and properties and minimize expenditures for flood relief and flood control projects; prevent and control erosion, sedimentation and other pollution of surface and subsurface water; preserve natural vegetation and cover and promote the natural beauty of the Village; restrict building sites of floodlands, shorelands, areas covered by poor soils or in other areas poorly suited for development; facilitate the further division of larger tracts into smaller parcels of land; ensure adequate legal description and proper survey monumentation of subdivided land; provide for the administration and enforcement of this Code; provide penalties for its violation and implement those municipal, county, watershed or regional comprehensive plans or their components adopted by the Village, and in general, facilitate enforcement of Village development standards as set forth in the adopted regional and local comprehensive plans, adopted components, zoning ordinance, building codes, and official map of the Village.
- D. ABROGATION AND GREATER RESTRICTIONS. It is not intended by this Code to repeal, abrogate, annul, impair or interfere with any existing easement, covenant, agreement, rule, regulation, or permit previously adopted or issued to laws. However, where this Code imposes greater restrictions, the provisions of this Code shall govern.
- E. INTERPRETATION. In their interpretation and application, the provisions of this Code shall be held to be minimum requirements and shall be liberally construed in favor of the Village and shall not be deemed a limitation or repeal of any other power granted by Wisconsin Statutes.
- F. NON-LIABILITY. The Village does not guarantee, warrant or represent that only those areas designated as flood lands will be subject to periodic inundation and hereby asserts that there will be no liability on the part of the Village Board, its agencies or employees, for any flood damages, sanitation problems, or

structural damage that may occur as a result of or reliance upon, or conformance with this Code. Furthermore, the Village asserts that there is no liability on the part of the Village Board, its agencies or employees for any damages, losses or problems whatsoever that may result of or reliance upon, or compliance with this Code.

15.02 GENERAL PROVISIONS.

- A. JURISDICTION. Jurisdiction of these regulations shall include all lands within the Village of Jackson as well as the unincorporated area within one and one half (1½) miles of the corporate limits. The provisions of this Code as it applies to divisions of tracts of land into less than five (5) parcels shall not apply to:
1. Transfer of interests in land by will or pursuant to court order.
 2. Leases for a term not to exceed ten (10) years, mortgages or easements.
 3. Sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum size required by these regulations, the zoning code or other applicable laws or ordinances.
- B. COMPLIANCE. No person, firm or corporation shall divide any land located within the jurisdictional limits of these regulations which results in a subdivision, minor subdivision, certified survey map, or replat as defined herein; no such subdivision, minor subdivision, certified survey map, or replat shall be laid out or improvements made to land without compliance with all requirements of this Code and the following:
1. Chapter 236, Wis. Stats.
 2. Rules of the State Department of Transportation relating to safety of access and the preservation of the public interest and investment in the highway system if the land owned or controlled by the sub-divider abuts on a state trunk highway or connecting street.
 3. Duly approved comprehensive plan, or comprehensive plan component including the zoning code, official map and all other applicable ordinances of the Village.
 4. Applicable local and county ordinances.
 5. Rules of the Department of Natural Resources Division of Environmental Protection setting water quality standards preventing and abating pollution and regulating development within floodland and shoreland areas.
- C. DEFINITIONS. For the purpose of this Code, the following definitions shall be used. Words used in the present tense include the future; the singular number

includes the plural; the plural includes the singular. The “shall” is mandatory and not directory.

AGRICULTURAL LAND USE. The use of land for planting, growing, cultivating and harvesting of crops for human or livestock consumption and pasturing or yarding of livestock.

ALLEY. A special public way affording only secondary access to abutting properties.

ARTERIAL STREET. A street used for through traffic movement between areas and across the municipality. Direct access to abutting property is limited by control of entrances and exits.

BLOCK. A tract of land bounded by streets or by a combination of one or more streets and public parks, cemeteries, shorelines of waterways or corporate boundary lines.

BUILDING LINE. A line parallel to a lot line and at a distance from the lot line to comply with the Village Zoning Code’s setback requirements.

CERTIFIED SURVEY MAP. A process of land division by the owner or subdivider resulting in the creation of a maximum of four (4) parcels in any subdivision. It shall comply with all provisions of Sec. 236.34, Wis. Stats. (See minor subdivision)

COLLECTOR STREET. A street used or intended to be used to carry traffic from local streets to the major system of arterial streets. May include principal entrance streets to residential developments.

COMMERCIAL LAND USE. The use of land for the retail or wholesale sale of goods and services.

COMMUNITY. A village, municipality, or group of adjacent villages or municipalities having common social, economic, or physical interests.

COMPREHENSIVE PLAN. The extensively developed plan (also called the Master Plan), adopted by the Village pursuant to Sec. 62.23, Wis. Stats. including proposals for future land use, transportation, redevelopment, and public facilities. Devices for the implementation of these plans, such as zoning, official map, land division (subdivision regulations), and capital improvement programs shall be considered a part of the comprehensive plan.

CONTROL MEASURE. A practice or combination of practices to control erosion and attendant pollution.

CONTROL PLAN. A written description of the number, locations, sizes and other pertinent information of control measures designed to meet the

requirements of this Code submitted by the applicant for review and approval by the Village.

COUNTY PLANNING AGENCY. Any agency created by a county board and authorized by statute to plan land use, such as a rural planning committee, a park commission, a zoning committee, or a planning commission.

CUL-DE-SAC STREET. A local street closed at one end, with a turn-around provided for vehicles.

DEVELOPMENT. The entire contiguous area owned or controlled by the subdivider contemplated for development, immediate or future.

EASEMENT. A legal and recorded use of the land granted to another party who is not the owner of the land. Examples may be: utility easement, access easement, and drainage easement.

EROSION. The detachment and movement of soil, sediment or rock fragments by water, wind, ice, or gravity.

EXTRATERRITORIAL PLAT APPROVAL JURISDICTION. The unincorporated area within one and one half (1½) miles of the corporate boundary of the Village.

FINAL PLAT. A plat showing all of the salient features of a subdivision, which shall be recorded after Village approval.

FLOODLAND. Those lands, including the floodplains, floodways and channels subject to inundation by the one hundred (100) year flood, or where such data is not available, the maximum flood record.

FRONTAGE STREET. A street, auxiliary to and located adjacent to an arterial street for control of access and for service to the abutting development.

HIGH WATER ELEVATION. The average high water level of a pond, lake, stream, flowage, or wetland referred to an established datum plane or where such elevation is not available, the elevation of a line up to which presence of the water is so frequent as to leave a distinct mark by erosion, change in, or destruction of vegetation, or other easily recognized topographic, geologic or vegetative characteristics.

LAND DEVELOPING ACTIVITY. The construction of buildings, roads, parking lots, paved storage areas and similar facilities.

LAND DISTURBING CONSTRUCTION ACTIVITY. Any man-made change of the land surface including removing vegetative cover, excavating, filling and grading, but not including agricultural land uses; growing and tending of gardens; harvesting of trees; and landscaping modifications.

LANDOWNER. Any person operating, leasing, renting, or having made other arrangements with the landowner by which the landowner authorizes use of his or her land.

LOCAL STREET. A street used or intended to be used for local traffic, with direct access to abutting property.

LOT. The portion of the subdivision of land or other land division intended as a unit for the purpose, whether immediate or future, of ownership or of building development.

MEAN SEA LEVEL DATUM. A level established by the U.S. Coast and Geologic Survey.

MINOR SUBDIVISION. The division of land by the owner or sub-divider by certified survey map, resulting in the creation of at least two (2), but not more than four (4) parcels or building sites, any one of which is less than one and one half (1½) acres in size.

MUNICIPALITY. The Village of Jackson.

NATIONAL MAP ACCURACY STANDARDS. Standards governing the horizontal and vertical accuracy of topographic maps and specifying the means of testing and determining such accuracy, endorsed by all agencies having surveying and mapping functions and responsibilities as reproduced in Appendix D of the SEWRPC Technical Report No. 7.

OUTLOT. A parcel of land other than a lot or block, so designed on the plat, but not of standard lot size, which can either be re-divided into lots or combined with one or more other adjacent outlots or lots in adjacent subdivisions in the future for the purpose of creating buildable lots.

PLAT. A map of a subdivision of land.

PUBLIC IMPROVEMENT. Any sanitary sewer, storm sewer, installation of conduit, open channel, water main, roadway, park, parkway, public access, sidewalk, pedestrian way, planting strip, or other facility for which the municipality may ultimately assume the responsibility for maintenance or operation. This term shall also include all other public improvements reasonably to be required by the Village and shall not be limited because of express enumeration and whether or not such improvements are shown on the official Village map, **but shall not include fiber-optic cable conduit unless agreed to through the Developers agreement.** (Ordinance #07-12) *See also 15.05 B of the Village Code.* (Ordinance #07-08)

PRELIMINARY PLAT. A map showing all of the salient features of a proposed subdivision of land submitted to the Village for purposes of preliminary consideration.

PUBLIC IMPROVEMENT. Any sanitary sewer, storm sewer, installation of conduit (#05-09) open channel, water main, roadway, park, parkway, public access, sidewalk, pedestrian way, planting strip, or other facility for which the municipality may ultimately assume the responsibility for maintenance or operation. This term shall also include all other public improvements reasonably to be required by the Village and shall not be limited because of express enumeration and whether or not such improvements are shown on the official Village map, **but shall not include fiber-optic cable conduit unless agreed to through the Developers agreement. (#07-12)** See also 15.05 B of the Village Code. (#05-09)

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

REPLAT. The process of changing, or the plat which changes the boundaries of a recorded subdivision plat or part thereof. The division of a large block, lot or outlot within a recorded subdivision plat without changing the exterior boundaries of said block, lot or outlot is not a replat.

RIGHT-OF-WAY. Land owned by a public entity for purposes of maintaining, controlling, and constructing public streets, roads, and accesses; utilities; and drainageways.

RUN-OFF. The rainfall, snowmelt, or irrigation water flowing over the ground surface.

SHORELANDS. Those lands lying within the following distances: one thousand (1,000) feet from the high-water elevation of navigable lakes, ponds, and flowages, or three hundred (300) feet from the high-water mark of navigable streams or to the landward side of the floodplain, whichever is greater.

SITE. The entire area included in the legal description of the land on which the land development activity is proposed in the permit application.

SUB-DIVIDER. Any person, firm, or corporation, or any agent thereof, dividing or proposing to divide land resulting in a subdivision, certified survey map, minor subdivision, or replat.

SUBDIVISION. The division of a lot, parcel or tract of land by the owners thereof, or their agents, where the act of division creates five (5) or more parcels or building sites of one and one half (1½) acres each or less in area; or where the act of division creates five (5) or more parcels or building sites of one and one half (1½) acres each or less in an area by successive division within a period of five (5) years.

SURETY BOND. A bond guaranteeing performance of a contract or obligation through a forfeiture of the bond if said contract or obligation is unfulfilled by the sub-divider.

VILLAGE. The Village of Jackson.

WETLANDS. Those lands which are partially or wholly covered by marshlands, flora, and generally covered with shallow standing water or lands which are wet and spongy due to a high water table.

D. DEDICATION AND RESERVATION OF LANDS. In order that adequate open spaces and sites for public uses may be properly allocated and preserved as the Village developers; and in order that the cost of providing public parks, recreation, and open space sites and facilities necessary to serve the additional number of people brought into the community by the residential development of land may be most equitably apportioned on the basis of the additional need created by such developments, the following provisions are established:

1. Whenever a tract of land to be subdivided embraces all or any part of an arterial street, drainageway or other public way which has been designated in the comprehensive plan, comprehensive plan component, or on the official map of the Village, said public way shall be made a part of the plat or certified survey map and dedicated or reserved by the sub-divider in the locations and dimensions indicated on said plan or map as set forth in Section 15.04 of this Code.
2. Where the proposed subdivision abuts an existing or proposed state, county, or town road, the sub-divider shall be required to dedicate or reserve any additional lands abutting the road in accordance with the width as required by the county established street and highway width map or any other officially approved plan or ordinance in effect within the area. In addition, the sub-divider shall be required to dedicate or reserve any lands he/she owns in an existing roadway abutting a proposed land division.
3. The Village shall at its sole discretion, and as a condition for the approval, of any certified survey map, subdivision plat, development plan of a planned unit development, or conditional use, require the dedication or reservation of land for public site purposes, such as school, playground, recreation or open space areas or the payment of a sum of money in lieu thereof.
4. The location of such public site area on any map, plat, or plan and the feasibility of such dedication or reservation shall be determined by the Village Board.
5. The area of land to be dedicated or reserved as public site shall be determined on the following basis:
 - a. The market value shall be at least equal to the cumulative park dedication fee as set forth by resolution approved by the Village Board for each residential unit created. The market value of such land shall be

determined by the Village Assessor on the basis of the fair market value of similar property in the area.

6. Whenever an area included in a proposed map contains a school, park, playground, recreation or open space site shown on the comprehensive plan of the Village or County, and any part of which is not being dedicated or reserved as provided herein, such area shall be reserved or dedicated for acquisition for such purpose for a three (3) year period. Any such land not so acquired within such period shall be released from this reservation by resolution of the Village Board.
7. On sites reserved for eventual public acquisition, no building development is permitted during the period of reservation. The reservation or dedication period shall not be longer than three (3) years unless arranged otherwise with the developer. Land so reserved shall be shown on the Final Plat or on the Certified Survey Map.
8. Where a subdivision abuts a public use area such as a park, lake, stream, hunting grounds or any similar type of public recreational area, the subdivider, at the option of the Village, shall provide a pedestrian easement of at least twenty (20) feet wide connecting such public area with a public street at such a location as the Village Board shall approve.
9. The land to be dedicated or reserved or acquired and the money to be paid in lieu thereof shall be held for such public use by the Village or such agency as it shall create, and all monies received shall be held in a separate non-lapsing account for the implementation of the comprehensive plan for the Village park system.
10. The required payment of money for the park dedication fee in lieu of land dedication or reservation, as set forth by resolution, shall be made at the time the building permit fee is paid for the construction on each lot.
11. The dedication or reservation of land for public purposes, such as rights-of-way, parks, school sites and easements becomes effective at the time of approval and recording of final plat or map. The acceptance of the constructed roadway and utility systems for maintenance purposes shall be made by separate resolution adopted by the Village Board.
12. Where the lot or parcel for which the payment has been once made is further divided, payment shall be required only for the additional residential units created.
13. No payment shall be required for any lot or parcel in any plat or map record prior to the adoption of this ordinance unless the same is further divided into additional dwelling sites, in which event the fee shall be imposed for all additional dwelling sites created by such division.

- E. LAND SUITABILITY. No land shall be subdivided for residential use which is held unsuitable for such use by the Village for reason of flooding, inadequate drainage, adverse soil or rock formation, unfavorable topography or any other feature likely to be harmful to the health, safety or welfare of the future residents of the proposed subdivision or of the community. The presence of soils classified as having severe or very severe limitations for highway upgrade or foundations for low buildings by the Soil Survey of Washington County report, prepared by the Department of Agriculture, Soil Conservation Service, shall be considered by the Village Board in making its determination of land suitability. The Village Board, in applying for the provisions of this Section, shall, in writing, recite the particular facts upon which it bases its conclusion that the land is not suitable for residential use and afford the sub-divider an opportunity to present evidence regarding such suitability if he/she so desires. Thereafter, the Village Board may affirm, modify, or withdraw its determination of suitability.
- F. VIOLATIONS. No person shall build upon, divide, convey, record or monument any land in violation of this Code or the Wisconsin Statutes; and no person shall be issued a building permit by the Village authorizing the building on, or improvements of, any subdivision, minor subdivision, certified survey map, or replat within the jurisdiction of this Code not of record as of the effective date of this code until the provisions and requirements of this Code have been fully met. The Village may institute appropriate action or proceedings to enjoin violations of this Code or applicable Wisconsin Statutes.
- G. PENALTIES.
1. Any person, firm or corporation who fails to comply with the provisions of these regulations shall, upon conviction thereof, be subject to a forfeiture as set forth by resolution and be subject to the cost of prosecution for each violation and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail. Each day a violation exists or continues shall constitute a separate offense. Compliance therewith may also be enforced by injunctive order at the suit of the Village or by the owner or owners of real estate within the district affected by the regulations of this Code.
 2. Any person causing a Final Plat or Certified Survey Map to be recorded without submitting such plat for approval as herein required, or who shall fail to present same for recording within the time prescribed after approval, shall be subject to a forfeiture as set forth by resolution, upon conviction together with the cost of prosecution, and in default of such payment thereof shall be confined to the County Jail.
 3. Any sub-divider or his/her agents who offers or contracts to convey or conveys any subdivision, as defined in Section 236, Wis. Stats. or lot or parcel which lies in a subdivision as defined in Section 236, Wis. Stats., or lot or parcel which lies in a minor subdivision, or certified survey map, knowing that the Final Plat or Map thereof has not been recorded, may, upon conviction, be subjected to forfeiture, as set forth by resolution,

together with the costs of prosecution, and in default of payment thereof shall be confined to the County Jail. The penalties of this subsection shall not apply where the preliminary or Final Plat of the subdivision has been filed for approval with the Village Board of the Village of Jackson, and an offer to contract to convey is made which states on its face that it is contingent upon approval of the Final Plat and shall be void if such plat is not approved.

4. Any sub-divider or surveyor who fails to place monuments as prescribed by this Code when subdividing land, shall, upon conviction, be subjected to a forfeiture, as set forth by resolution together with the costs of prosecution, and in default of payment thereof, shall be confined to County Jail.
5. Any person who knowingly removes or disturbs any monument or survey marker within the Village of Jackson without permission of any governing authority, or who fails to report such disturbance or removal, shall, upon conviction, be subjected to a forfeiture as set forth by resolution together with all costs of prosecution and in default of payment thereof, shall be confined to the County Jail.
6. Any person who fails to replace properly, any monument or survey marker by him removed or disturbed when ordered to do so by any officer of the Village of Jackson, shall be subjected to forfeiture upon conviction, together with the costs of prosecution, and in default of payment thereof, shall be confined in the County jail.
7. Any person who shall fraudulently or maliciously mislead the Village of Jackson or its officers in relation to any fact, information or other matters pertinent to the subdivision of land, as contained in this Code, with a view to obtain any benefit, privilege or other consideration or who shall falsify any statement required to be made upon application for a plat approval or who shall misrepresent any material part of a subdivision plat filed or pending before the Planning Commission or the Village Board or any other section or department charged with the administrative functions of land subdividing shall, upon conviction, be subjected to a forfeiture as set forth by resolution, together with all costs of prosecution, and in default of payment thereof, shall be confined to the County Jail.

- H. APPEALS. Any person aggrieved by an objection to a plat or failure to approve a plat may appeal therefrom, as provided in Sections 236.13 and 62.23, Wis. Stats. within thirty (30) days notification of the rejection of the plat. Where failure to approve is based on an unsatisfied objection, the agency making the objection shall be made a party to the action. The court shall direct that the plat be approved if it finds the action of the approving agency is arbitrary, unreasonable, or discriminatory.

15.03 PLATTING PROCEDURES.

- A. PRE-APPLICATION. It is recommended that prior to the filing of an application for approval of a preliminary plat, the sub-divider consult with the Village staff in order to obtain their advice and assistance. This consultation is neither formal nor mandatory, but is intended to inform the sub-divider of these regulations, the comprehensive plan, comprehensive plan components, duly adopted plan implementation devices of the Village, sewer and water service availability and other engineering considerations, and to otherwise assist the sub-divider in planning his development to comply with Village standards. In doing so, both the sub-divider and staff may better understand the objective of the proposed development and its possible effects on the neighborhood and community. The sub-divider will gain a better understanding of subsequent required procedures.
- B. EXTRATERRITORIAL PLAT APPROVAL. When the land to be subdivided lies within one and one half (1½) miles of the corporate limits of the Village, the sub-divider shall precede the same as for plats within the Village, except:
1. Transmittal responsibility lies with the Town Clerk of the Town in which the plat lies.
 2. Approval agencies include the Village Board, Town Board, and County Planning agencies, and the sub-divider must comply with the land division ordinances of these agencies.
 3. The sub-divider shall comply with the improvement requirements and regulations of the Town Board of the Town within whose limits the plat lies when they are more stringent than set forth by the Village of Jackson.
- C. PRELIMINARY PLAT. A preliminary plat shall be required for all subdivisions and shall be based upon a survey by a registered land surveyor. The plat shall be prepared on a mylar or similar material at a scale of not more than one hundred (100) feet to the inch and shall show correctly on its face the following information:
1. Title under which the proposed subdivision is to be recorded.
 2. Location of proposed subdivision by: government lot, quarter section, township, range, county, and state.
 3. Date, scale, and north point.
 4. Name and addresses of the owner, sub-divider, and land surveyor preparing the plat.
 5. The entire area contiguous to the proposed plat owned or controlled by the sub-divider shall be included on the preliminary plat even though only a portion of said area is proposed for immediate development.
 6. Location of existing and proposed rights-of-way, streets, alleys, or other public ways; existing and proposed easements; existing and proposed

utility rights-of-way; proposed sites to be reserved for future public acquisition or reserved for the common use of property owners within the plat; and sites dedicated for parks, playgrounds, drainageways or other public use.

7. Dimensions of all lots with proposed lot and block numbers.
8. Radii of all curves.
9. The surveyor preparing the preliminary plat shall certify on the face of the plat that it is a correct representation of all existing land divisions and features and that the surveyor has fully complied with the provisions of this Code.

D. PRELIMINARY PLAT – ADDITIONAL SUBMITTAL INFORMATION:

1. The boundaries and acreage of the entire proposed development and the boundaries and the acreage of the proposed plat or plats if it is to be developed in phases.
2. Contours within the exterior boundaries of the entire development and extending to the center – line of adjacent public streets to National Map Accuracy Standards based on Mean Sea Level Datum at vertical intervals of not more than two (2) feet. At least two (2) permanent benchmarks shall be indicated on the plat, together with their elevations referenced to Mean Sea Level Datum and the monumentation of the benchmarks clearly and completely described.
3. Water elevations of adjoining lakes and streams at the date of the survey and approximate high and low water elevations.
4. The type and width of existing street pavements within or adjacent to the proposed development.
5. Location and name of any adjacent subdivision, parks, cemeteries, and the owners of record or abutting unplatted lands.
6. Location, size, and invert elevations of any existing sanitary or storm sewers, culverts and drain pipes, the location of manholes, catch basins, hydrants, the location and size of any existing water mains within the area of the proposed development or adjacent thereto.
7. Location of all existing property boundary lines, structures, drives, streams or water courses, marshes, rock outcrops, wooded areas, and other similar significant features within the tract being subdivided or immediately adjacent thereto.
8. Location and dimension of proposed sites to be reserved or dedicated for parks, playgrounds, drainageways or other public use.

9. Existing zoning on and adjacent to the proposed subdivision.
10. Proposed lake or stream access with an inset showing the proposed subdivision in relation to the access.
11. Any proposed lake or stream improvement or relocation.
12. All normal and high water elevations of all ponds, streams, lakes, flowages, and wetlands within the exterior boundaries of the plat or located within one hundred (100) feet therefrom, at the date of survey based on Mean Sea Level Datum.
13. Floodland and shoreland boundaries and a contour line lying a vertical distance of two (2) feet above the elevation of the one hundred (100) year reoccurrence interval flood.
14. Soil types and boundaries, as shown on the operational soil survey maps prepared by the U.S. Department of Agriculture, Soil Conservation Service.
15. The written recommendations of the Washington County Soil and Water District Conservationist for the control of surface water and soil erosion, if requested by the Village.
16. Grading and drainage plans showing cut and fill calculations, existing and proposed contours, and proposed finishing grades for: lot corners, garage floors and/or first floor elevations, and drainageways.
17. Storm drainage calculations.
18. Soil erosion and sediment control plans and specifications as defined in Section 15.06 of this Code.
19. Street plans and profiles. These plans and profiles shall show existing ground surface; proposed and established street grades and profiles; and street extensions beyond the limits of the subdivision when required. All elevations shall be based on U.S.G.S. Datum, and plans and profiles shall meet the approval of the Village Engineer.
20. Borings and soundings in specified areas to ascertain subsurface soil, rock and water conditions, including depth to bedrock and depth to ground water table, in event the Village Engineer requires such.
21. A draft of any proposed protective covenants whereby the sub-divider intends to regulate land use in the subdivision and otherwise protect the proposed development.

E. PRELIMINARY PLAT REVIEW WITHIN THE VILLAGE.

1. Before submitting a final plat for approval, the sub-divider shall prepare a preliminary plat and an application. The preliminary plat shall be prepared in accordance with this Code and the sub-divider shall file an adequate number of copies of the plat and application with the Village Clerk at least twenty-one (21) days prior to the meeting of the Village Planning Commission at which action is desired.
2. Copies of the preliminary plat shall be transmitted to all affected boards, commissions, or departments and all affected local utility companies for their review and recommendations concerning matters within their jurisdiction. The recommendations and comments shall be transmitted to the Village seven (7) days in advance of the regular monthly meeting of the Planning Commission to be considered. The preliminary plat shall be reviewed by the Village Planning Commission for conformance with this Code and all other rules; ordinances, regulations, comprehensive plan and comprehensive plan components, which affect it.

F. PRELIMINARY PLAT APPROVAL WITHIN THE VILLAGE.

1. The objecting agencies shall, by seven (7) days in advance of the Planning Commission meeting, notify the sub-divider and all other approving and objecting agencies of any objections. If there are no objections, they shall so certify on the face of the copy of the plat and shall return that copy to the Village Clerk. If an objecting agency fails to act within the prescribed time limits, it shall be deemed to have no objections to the plat.
2. The Village Planning Commission shall, within sixty (60) days of the date of filing a preliminary plat with the Village Clerk, recommend approval, conditional approval, or rejection of the plat to the Village Board.
3. The Village Board, within ninety (90) days of the date of filing with the Village Clerk, shall approve, approve conditionally, or reject such plat unless the time is extended by agreement with the developer. The sub-divider shall be notified in writing as to the date of the action if approved, any conditions of approval, or if rejected, setting forth the reasons for rejection. One copy of each of the plat and letter shall be placed in the Village's permanent files. Failure of the Village Board to act within ninety (90) days or within the time agreed to with the developer shall constitute approval.
4. Approval or conditional approval of a preliminary plat shall not constitute automatic approval of the final plat, except that if the final plat is submitted within six (6) months of preliminary plat approval and conforms substantially to the preliminary plat layout as indicated in Section 236.11, Wis. Stats., the final plat shall be entitled to approval with respect to such layout. 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 consideration by the Village Board at the time of its submission.

G. FINAL PLAT. A final plat prepared on mylar or a similar material by a registered land surveyor shall be required for all subdivisions. It shall comply in all respects with the requirements of Section 236, Wis. Stats.

1. The plat shall show correctly on its face, in addition to the information required by Section 236, Wis. Stats., all information, in a final, recordable form, that is required to be shown on the preliminary plat.
2. All final plats shall meet all the surveying, monumenting, and certification requirements of Section 236, Wis. Stats.
3. Dedication of streets and other public areas shall require, in addition the owner's certificate and the mortgagee's as required by Section 236, Wis. Stats.

H. FINAL PLAT – ADDITIONAL SUBMITTAL INFORMATION:

1. The Village Board may require that deed restrictions be submitted with the final plat for approval prior to the sub-divider recording the same with the plat.

I. FINAL PLAT REVIEW WITHIN THE VILLAGE.

1. The sub-divider shall prepare a final plat and a letter of application in accordance with this Code and adopted Village policies and shall file an adequate number of copies of the plat as specified on the application forms on file in the office of the Village Clerk. The sub-divider shall also submit the copies and application at least twenty-one (21) days prior to the meeting of the Village Planning Commission at which action is desired.
2. The Village Clerk shall within two (2) days of the filing of the final plat, transmit four (4) copies to the County Planning Agency; two (2) copies to the State Department of Agriculture, Trade and Consumer Protection; two (2) copies to the State Department of Transportation, if the subdivision abuts or adjoins a state trunk highway a connecting street; and the original plat on mylar and adequate copies, as specified on the application form to the Village.
3. The Village shall examine the final plats as to its conformance with the approved preliminary plat; any conditions of approval of the preliminary plat; and its ordinance and all ordinances, rules, regulations, policies, comprehensive plans and comprehensive plan components which may affect it.

4. The final plat may, if permitted by the Village Board, constitute only that portion of the approved preliminary plat, which the sub-divider proposes to record at that time.

J. FINAL PLAT APPROVAL WITHIN THE VILLAGE.

1. The objecting agencies shall, by seven (7) days in advance of the planning Commission meeting, notify the sub-divider and all other approving and objecting agencies of any objections. If there are no objections, they shall so certify on the face of the copy of the final plat and shall return that copy to the Village Clerk. If any objecting agency fails to act within the prescribed time limits, it shall be deemed to have no objections to the plat.
2. The Village shall prepare a subdivision improvement agreement, which shall be agreed to and sign by the sub-divider and the Village upon approval by the Village Board. The sub-divider shall be responsible for the recording of this document by the County Register of Deeds. The Village Clerk shall not certify the plat for recording by the County Register of Deeds unless contracts have been signed and/or sureties insuring the installation of improvements are provided by the sub-divider.

The County Register of Deeds cannot record the plat unless it is offered within thirty (30) days from the date of last approval.

3. If the final plat is not submitted within six (6) months of the last required approval of the preliminary plat, the Village Board may refuse to approve the final plat.
4. The Village may require the sub-divider to furnish an abstract of title, title insurance, or certificate of title certified to the date of submission of the plat for approval to ascertain the fact that all parties having an interest in said lands have signed the owner's certificate on the plat.
5. The Village Planning Commission shall, within thirty (30) days of the filing of the original final plat with the Village Clerk, recommend approval, conditional approval, or rejection of the plat and application, along with its recommendations to the Village Board.
6. The Village Board shall, within sixty (60) days of the date of filing the original final plat with the Village Clerk, approve, conditionally approve, or reject such plat unless time for the approval is extended by agreement with the sub-divider. If the plat is rejected, the reason shall be stated in the minutes of the meeting and a written statement shall be forwarded to the sub-divider. The Village Board may not inscribe its approval on the final plat unless the Village Clerk certifies on the face of the plat that the copies were forwarded to the objecting agencies as required herein, the date thereof, and that no objections have been filed within the prescribed time limits, or if filed, have been met. Failure of the Village Board to act

within sixty (60) days, the time having not been extended and no unsatisfied objections having been filed, the plat shall be deemed approved.

7. After the Village Board has approved the final plat and sureties insuring the installation of required improvements are filed, the Village Clerk shall cause the certificate inscribed upon the plat attesting to such approval to be duly executed and the plat returned to the sub-divider for recording with the County Register of Deeds. The Register of Deeds cannot record the plat unless it is offered within thirty (30) days of last approval.
8. The sub-divider shall file a duplicate mylar, one print at a scale of 1" = 400', and one print at a scale of 1" = 100' of the approved and recorded plat with the Village Clerk.

K. CERTIFIED SURVEY MAP. A certified survey map prepared by a registered land surveyor shall be required for all minor subdivisions, and all other divisions of land when required by the Village Board. It shall comply in all respects with the requirements of Section 236, Wis. Stats. The map shall show, correctly on its face, in addition to the information required by Section 236.34, Wis. Stats., the following:

1. Location of the proposed certified survey map by: government lot, quarter section, township, range, county, and state.
2. Date, scale, and north point.
3. Name of the sub-divider and surveyor.
4. Location and names of existing and proposed rights-of-way, streets, alleys, or other public ways; existing and proposed easements; existing and proposed utility rights-of-way; and proposed sites to be reserved and dedicated for parks, playgrounds, drainageways, or other public use.
5. Dedication or reservation of streets and other public areas shall require, in addition, the owner's certificate and the mortgagee's certificates as required by Section 236, Wis. Stats.
6. The area and the dimensions of each lot.

L. CERTIFIED SURVEY MAP – ADDITIONAL INFORMATION.

1. All existing buildings, watercourses, drainage ditches and other features pertinent to proper division.
2. Names of adjoining streets, highways, parks, cemeteries, subdivisions, ponds, streams, lakes, flowages, and wetlands.

3. Floodland and shoreland boundaries.
4. A duplicate, reproducible copy of the recorded certified survey map, one print at a scale of 1" = 400' and one print at a scale of 1" = 100'.
5. Where the Village finds that it requires additional information, as delineated in Section 15.03 [D] of this Code, relative to a particular problem presented by a proposed development to review the certified survey map, it shall have the authority to request such information from the sub-divider.
6. A soil erosion and sedimentation control plan and specifications as defined in Section 15.06 of this Code.

M. CERTIFIED SURVEY MAP – APPROVAL.

1. The map shall be reviewed by the Village Planning Commission for conformance with this ordinance and all other ordinances, rules, regulations, comprehensive plan and comprehensive plan components which affect it, and shall within thirty (30) days from the filing deadline of the application and map, recommend approval or rejection of the map, and shall transmit the map along with its recommendations to the Village Board for action.
2. The Village Board shall approve, approve conditionally or reject such map within sixty (60) days from the date of filing of the map unless time is extended by agreement with the sub-divider. If the map is rejected, the reason shall be stated in the minutes of the meeting and a written statement forwarded to the sub-divider.
3. The surveyor shall certify on the face of the map that he has fully complied with the provisions of this Code. The Village shall also certify their approval on the face of the map.
4. The certified survey map shall only be recorded with the County Register of Deeds after the certificates of the Village Board and the surveyor are placed the face of the map. The map shall be recorded within thirty (30) days of its approval by the Village Board.
5. The Village shall prepare a subdivision improvement agreement, which shall be agreed to and signed by the sub-divider and the Village prior to approval by the Village Board. The sub-divider shall be responsible for the recording of this document by the County Register of Deeds. The Village Clerk shall not certify the plat for recording by the County Register of Deeds unless contracts have been signed and/or sureties insuring the installation of improvements are provided by the sub-divider.

N. MINOR SUBDIVISIONS. When it is proposed to divide land into two (2) parcels or building sites, any one of which is less than one and one half (1½)

acres in size, or when it is proposed to divide a block or outlot into not more than four (4) parcels or building sites within a recorded subdivision plat without changing the boundaries of said block, lot, or outlot (thus not constituting a “subdivision” as defined in Section 15.02[C] of this Code), the sub-divider shall prepare the certified survey map (Section 15.03[K], of this Code) in accordance with this Code and shall file the copies specified in the application form on file with the Village Clerk at least twenty-one (21) days prior to the Planning Commission meeting at which a recommendation is requested. The sub-divider shall also file the copies specified in Section 15.03[L] of this Code.

O. OPTIONAL PROCESSING PROCEDURE. When the sub-divider or developer chooses to follow the optional procedure in processing the plat as provided in Section 236 of the Wis. Stats., the Village Clerk and the Village Board shall modify their procedures and wording of the necessary certificate and approval accordingly.

P. REPLAT.

1. When it is proposed to replat a recorded subdivision or part thereof, so as to change the boundaries of a recorded subdivision, or a part thereof, the sub-divider or persons wishing to replat shall vacate or alter the recorded plat as provided in Section 236, Wis. Stats. The sub-divider or persons wishing to replat then proceed as specified in Sections 15.03[A] through [L] of this Code.

2. The Village Clerk shall schedule a public hearing before the Village Board when a preliminary plat of a replat of lands within the Village is filed, and cause notices of the replat and public hearing to be mailed to the owners of all properties within the limits of the exterior boundaries of the proposed replat and to the owners of all properties within two hundred feet (200') of the exterior boundaries of the proposed replat.

15.04 DESIGN STANDARDS.

A. STREET ARRANGEMENT AND DESIGN. In any new subdivision, the street layout shall conform to the arrangement width, and location indicated in the official map, comprehensive plan or component neighborhood development plan of the Village. In areas for which such plans have not yet been completed, the street layout shall recognize the functional classification of the various types of streets and shall be developed and located in proper relation to existing and proposed streets, to the topography, to such natural features as streams and tree growth, to public convenience and safety, to the proposed use of the land to be served by such streets and to the most advantageous development of adjoining areas. The subdivision shall be designed so as to provide each lot with satisfactory access to a public street.

1. Arterial streets (major streets), as herein defined, shall be arranged so as to provide ready access to centers of employment, centers of governmental activity, community shopping areas, community recreation, and points

beyond the boundaries of the community. They shall also be properly integrated with and related to the existing and proposed system of major streets and highways and shall be, insofar as practicable, continuous and in alignment with existing or planned streets with which they are to connect.

2. Collector streets, as herein defined, shall be arranged so as to provide ready collection of traffic from residential areas and conveyance of this traffic to the major street and highway system and shall be properly related to the mass transportation system. To special traffic generators such as schools, churches, shopping centers, and other concentrations of population and to the major streets into which they feed.
3. Local streets, as herein defined, shall be arranged to conform to the topography, to discourage use by through traffic, to permit the design of efficient storm and sanitary sewerage systems, and to require the minimum street area necessary to provide safe and convenient access to abutting property.
4. Proposed streets shall extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless, in the opinion of the Village, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of adjacent tracts.
5. Whenever the proposed subdivision contains or is adjacent to a major street or highway, adequate protection of residential properties, limitation of access and separation of through and local traffic shall be provided by reverse frontage, with screen planting contained in a non-access reservation along the real property line.
6. Stream or lakeshores shall have sixty (60) feet of public access platted to the low water mark at intervals of not more than one-half (1/2) mile as required by Section 236, Wis. Stats.
7. Reserve strips shall not be provided on any plat to control access to streets or alleys, except where control of such strip is placed with Village approval.
8. Alleys may be required in commercial and industrial districts for off-street loading and service areas by the Village, but shall not be approved in residential districts. Dead-end alleys shall not be approved, and alleys shall not connect to a major thoroughfare.
9. Street names shall not duplicate or be similar to existing street names, and names shall be projected wherever possible.

- B. LIMITED ACCESS HIGHWAY AND RAILROAD RIGHT-OF-WAY TREATMENT. Whenever the proposed subdivision contains or is adjacent to a limited access highway, the design shall provide the following treatment:

1. When lots within a proposed subdivision back upon the right-of-way of an existing or proposed limited access highway or railway. The sub-divider shall plant trees and shrubs as a buffer as required by the Village. The building of structures thereon is prohibited. The homeowner shall be responsible for the maintenance of this space. (#93-02)
2. Double fronted lot design in residential subdivisions should be avoided.
3. Street parallel to a limited access highway or railroad right-of-way when intersecting a major street, highway or collector street which crosses said highway or railroad, shall be located a minimum distance of two hundred fifty (250) feet from said highway or railroad 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 approach gradients. (#93-02)

C. STREET DESIGN STANDARDS. The minimum right-of-way and roadway width of all proposed streets and alleys shall be as specified by the comprehensive plan, comprehensive plan component, official map, neighborhood plan, or jurisdictional highway system plan; or, if no width is specified therein, the minimum widths shall be as specified in the Village Design Standard.

TYPE OF STREET	MINIMUM RIGHT-OF-WAY WIDTH DEDICATED	PAVEMENT WIDTH- URBAN TYPE	WIDTH- RURAL TYPE
Standard Arterial Streets	100 feet	48 feet face to face of curbs. Four foot sidewalk at 2 feet inside right-of-way.	40 feet edge to edge of pavement.
Collector Streets	80 feet	40 feet face to face of curbs. Four foot sidewalk at 2 feet inside right-of-way.	32 feet edge to edge of pavement.
Local Streets	60 feet	36 feet face to face of curbs. Four foot sidewalk at 2 feet inside right-of-way.	24 feet edge to edge of pavement.
Alleys	22 feet	20 feet edge to edge of pavement.	
Pedestrian Ways	10 feet	4 feet edge to edge of pavement.	

1. Both urban and rural street sections are for standard arterial streets only. Cross sections for special arterial streets, freeways, expressways and parkways should be based on detailed engineering studies.

2. Cul-de-sac streets designed to have one end permanently closed shall not exceed five hundred (500) feet in length without approval of the Village, and in no event exceed one thousand (1,000) feet. The turn around portion of the cul-de-sac shall be subject to the approval of the Village Engineer. In no case shall the turn portions be less than sixty (60) feet radius for the right of way. Temporary cul-de-sac streets shall be constructed at the ends of streets within the subdivision that are planned to be extended either within the subdivision or to adjacent parcels or subdivisions outside the subdivisions. These temporary cul-de-sacs are subject to the approval of the Village.
3. Unless necessitated by exceptional topography, subject to the approval of the Village, the maximum centerline grade of any street or public way shall not exceed the following:
 - (a.) Arterial Streets – 6%
 - (b.) Collector Streets – 8%
 - (c.) Local Streets, alleys and frontage streets – 10%
 - (d.) Pedestrian Ways – 12%, less steps of acceptable design are provided.
 - (e.) The grade of any street shall in no case exceed 12% or be less than 0.5%.
4. Streets grades shall be established wherever practicable so as to avoid excess grading, the promiscuous removal of ground cover and tree growth, and general leveling of topography. All changes in street grades shall be connected by vertical curves of a minimum length equivalent in feet to fifteen (15) times the algebraic difference in rates of grade of major streets, and one-half (1/2) this minimum for all other streets.
5. When a continuous street centerline deflects at any point by more than five (5) degrees, a circular curve shall be introduced having a radius of curvature on said centerline of not less than the following:
 - (a.) Arterial Streets and Highways – 500 feet.
 - (b.) Collector Streets – 300 feet.
 - (c.) Local Streets – 100 feet.
 - (d.) A tangent, at least 100 feet in length between reverse curves on arterial and collector streets, will be considered desirable.

6. Where an existing dedicated or platted half-street is adjacent to the tract being subdivided, the other half of the street shall be dedicated by the subdivider. The platting of half-streets should be avoided where possible.
7. The elevations of roads passing through floodplain areas and the waterway openings of all new bridges and culverts shall be subject to flood plain zoning regulations.

D. STREET INTERSECTIONS.

1. Streets shall intersect each other at as nearly right angles as topography and other limiting factors of good design permit.
2. The number of streets converging at one intersection shall be reduced to a minimum, preferably not more than two (2).
3. The number of intersections along major streets and highways shall be held to a minimum. Wherever practicable, the distance between such intersections shall not be less than one thousand two hundred (1,200) feet.
4. Local streets shall not necessarily continue across arterial or collector streets; but if the center-lines of such local streets approach the major streets from opposite sides within three hundred (300) feet of each other, measured along the centerline of the arterial or collector street, then the location shall be so adjusted that the adjoinment across the arterial or collector street is continuous and a jog is avoided.

E. BLOCKS. The widths, lengths, and shapes of blocks shall be suited to the planned use of the land, zoning requirements, need for convenient access, control and safety of street traffic, and the limitations and opportunities of topography.

1. Blocks in residential areas shall not, as a general rule, be less than six hundred (600) feet, or more than one thousand five hundred (1,500) feet in length unless otherwise dictated by exceptional topography or of other limiting factors of good design.
2. Pedestrian ways of not less than ten (10) feet in width may be required near the center and across any block over nine hundred (900) feet in length where deemed essential by the Village to provide adequate pedestrian circulation or access to schools, shopping centers, churches, public sites, or transportation facilities.
3. Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic.

- F. LOTS. The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The lots should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the buildings contemplated.
1. Side lot lines shall be substantially at right angles to lot lines on which the streets the lots face. Lot lines shall follow municipal boundary lines.
 2. Double frontage lots and reverse frontage lots shall be prohibited except where necessary to provide separation of residential development from through traffic or to overcome specific disadvantages of topography and orientation.
 3. Every lot shall front or abut a public street for a distance of at least fifty (50) feet.
 4. Area and dimensions of lots shall conform to the requirements of the zoning code, and in areas not served by the public sewer, shall, in addition, conform to the requirements of the State Department of Industry, Labor, and Human Relations. Whenever a tract is subdivided into large parcels, such parcels shall be arranged and dimensioned as to allow resubdivision of any such parcels into normal lots in accordance with the provisions of this Code.
 5. Lots shall have a minimum average depth of one hundred (100) feet. Excessive depth relation to width shall be avoided and a proportion of two to one (2:1) shall be considered a desirable ratio under normal conditions.
 6. Widths of lots shall conform to the requirements of the zoning code.
 7. Corner lots shall have sufficient width so as to permit the adherence to required setbacks from all streets.
 8. Lands laying between the meander line and the water's edge and any otherwise unplattable lands which lie between a proposed subdivision and the water's edge shall be included as part of lots, outlots or public dedications in any plat abutting a lake or stream.
 9. Width and depth of lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street service and parking required by the zoning ordinance for the contemplated use.

G. EASEMENTS.

1. The Village shall require utility and drainage easements of widths deemed adequate for the intended purpose on each side of all rear lot lines and on side lot lines or across lots where necessary or advisable for electric power an communication lines, wires, conduits, storm and sanitary sewers, gas, water and other utility lines.

2. Where a subdivision is traversed by a watercourse, drainageway, channel or stream, the Village shall require an adequate drainageway or easement. The location, width, alignment and improvement of such drainageway or easement shall be subject to the approval of the Village Engineer; and parallel streets or parkways may be required in connection therewith. Where necessary, storm sewer drainage shall be maintained by landscaped open channels of adequate size and grade to hydraulically accommodate potential volumes of flow. These design details are subject to review and approval by the Village Engineer.

- H. PUBLIC SITES AND OPEN SPACES. In the design of the subdivision, due consideration shall be given to the reservation of suitable sites of adequate area for future schools, parks, playgrounds, drainageways and other public purposes. If designated on the comprehensive plan, comprehensive plan component, official map, or component neighborhood plan, such areas shall be made a part of the plat as stipulated in Section 15.02(E) of these regulations. If not so designated, consideration shall be given in the location of such sites to the preservation of scenic and historic sites, stands of fine trees, marshes, lakes and ponds, watercourses, watersheds and ravines.
- I. STREET TREES. The sub-divider or developer shall provide for the planting of two inch (2") caliper street trees (measured four feet (4') from the surface of the ground when planted) in all new subdivisions, Planned Unit Development, and appropriate Conditional Use requests. The number of trees shall be calculated on a one (1) tree per sixty (60) lineal feet of lot frontage. Both public and private streets are subject to this provision. The planted trees shall be guaranteed for a period of one year from installation. (#93-02)

15.05 VILLAGE ACCEPTANCE OF REQUIRED IMPROVEMENTS.

A. GENERAL – IMPROVEMENTS AND PERFORMANCE.

1. It shall be the policy of the Village of Jackson that sub-dividers will be required to provide all public improvements for their respective development. Such public improvements shall be warranted to be free of defects in material and workmanship for a period of one (1) year from acceptance of such improvements.
2. Before final approval of any plat located within the Village, the sub-divider shall enter into a contract with the Village agreeing to install the required improvements specified in the Sub-division Improvements Agreement, *which shall be agreed to and signed by the sub-divider and Village upon approval of the Village Board, (#05-09)* and shall file with said Agreement, a bond, cashiers check, or deposit in escrow, in an amount equal to or greater than the estimated cost of any required improvements. Such contract and security shall provide that such required improvements shall be completed in acceptable condition by the sub-divider within specified time limits, that all obligations to contractors,

subcontractors, suppliers and the Village pertaining to the development are satisfied, that such public improvements are warranted to be free from defects in material and workmanship for a period of one (1) year from acceptance of such improvements, and that in the event of default of the terms of the agreement by the sub-divider, the Village shall have the right to take over and complete the required improvements at the expense of the sub-divider and his security. Such agreement shall be recorded in the office of the County Register of Deeds. (Ordinance #07-08)

3. Before final approval of any plat located within the Village, the sub-divider shall furnish the Village a Consent and Waiver of the statutory provisions for the installation of sump pump laterals from the storm sewer, sanitary sewer, sewer laterals, water main, fire hydrants, water laterals, curb and gutter sidewalks, street surfacing, street lighting, and all other underground utilities, which shall be in a form approved by the Village Attorney and shall be recorded in the office of the County Register of Deeds. Such Consent and Waiver shall provide that the installation of such improvements shall be made at the discretion of the Village Board of Jackson.
 4. Governmental units to which these bond and contract provisions apply may file, in lieu of said contract and bond, a letter from officers authorized to act on their behalf agreeing to comply with the provisions of this Section.
 5. Contractors and subcontractors who are engaged in the construction of street and utility improvements on dedicated streets rights-of-ways shall be subject to approval of the Village Engineer.
- B. STANDARD SPECIFICATIONS. All improvements shall comply with the approved standard specifications of the Village of Jackson, which are on file with the Village Engineer. These requirements would apply to new subdivisions within the Village and to subdivisions within one and one half (1-1/2) miles of the corporate limits of the Village. See Sections 15.01 B, 15.02 A, and 15.03 B of the Village Code (#05-09)
- C. SURVEY MONUMENTS. The sub-divider shall install survey monuments placed in accordance with the requirements of Chapter 236, Wis. Stats., and as may be required by the Village Engineer.
- D. GRADING. After the installation of temporary block corner monuments or other survey control points by the sub-divider and establishment of street grades by the Village, the sub-divider shall grade the full width of the right-of-way of all streets proposed to be dedicated in accordance with the plans and standard specifications approved by the Village Engineer. The sub-divider shall grade the roadbeds in the street rights-of-way to subgrade together with side slopes beyond the right-of-way as required.
- E. SANITARY SEWER FACILITIES.

1. Subdivisions within the Village shall connect to the public sewer system of the Village and the sub-divider shall construct sanitary sewers in such a manner as to provide sewer service to each lot within the subdivision. The installation of sewer laterals to the lot line shall be included. The size, type, and installation of all sanitary sewers proposed to be constructed shall be in accordance with plans and standard specifications as approved by the Village. Sanitary sewer mains shall not be less than eight (8) inches in diameter.
2. The sub-divider shall assume the cost of all sanitary sewer facilities within the proposed subdivision, except for the added cost of installing sewers greater than ten (10) inches in diameter which are necessary to serve areas lying outside the proposed development. Such added pipe material cost shall be assumed by the Village. (#97-02)
3. Gravel or granular backfill shall be used for all trenches dug within a proposed or existing street right-of-way, including trenches dug under a proposed or existing sidewalks.

F. WATER SUPPLY FACILITIES.

1. Subdivisions within the Village shall connect to the public water system of the Village and the sub-divider shall construct water mains in such a manner as to provide water service to each lot within the subdivision. The installation of water laterals to the lot line shall be included. The size, type, and installation of all water facilities proposed to be constructed shall be in accordance with plans and standard specifications as approved by the Village. Water mains shall not be less than eight (8) inches in diameter in single-family residential areas, multi-family and commercial areas; and ten (10) inches in diameter in industrial areas. Water mains may not be less than six (6) inches in diameter in cul-de-sacs under five hundred (500) feet in length as measured from the center of the connecting street to the center of the cul-de-sac. (#93-14)
2. The sub-divider shall assume the cost of all water supply facilities within the proposed subdivision, except for the added cost of installing water mains greater than twelve (12) inches in diameter which are necessary to serve areas lying outside the proposed development. Such added pipe and valve material cost will be assumed by the Village. (#97-02)
3. Gravel or granular backfill shall be used for all trenches dug within a proposed or existing street right-of-way, including trenches dug under a proposed or existing sidewalks.
4. The sub-divider may be required to loop or connect water lines to provide for a desirable level of water and fire protection service to the development.

G. STORM SEWER FACILITIES.

1. The sub-divider shall construct storm water drainage facilities, which may include storm water retention/detention ponds, curbs and gutters, catch basins and inlets, storm sewers, road ditches, culverts and open channels, as may be required. The size, type grade, and installation of all storm water facilities proposed to be constructed shall be in accordance with design criteria, plans and standard specifications as approved by the Village. Storm sewer shall not be less than fifteen (15) inches in diameter. Storm sewer leads connecting the catch basin to the storm sewer shall not be less than twelve (12) inches in diameter. (#97-02)
2. The sub-divider shall assume the cost of all storm water facilities within the proposed subdivision.
3. The sub-divider shall be required to provide sump pump drain laterals for each lot, from the storm sewer to the lot line for the purpose of receiving sump pump discharge. Laterals shall be a minimum of four (4) inches in diameter.
4. All sump pumps, including existing pumps, shall be connected to and discharge into storm sewer facilities when facilities are available.
5. Gravel or granular backfill shall be used for all trenches dug within a proposed or existing street right-of-way, including trenches dug under a proposed or existing sidewalks.

H. CURB AND GUTTER. After installation of all underground utilities and improvements required by the Village, the sub-divider shall construct concrete curb and gutter in accordance with the standard specifications on file with the Village Engineer. Curb and gutter standards shall provide for the construction of concrete curb and gutter, using a thirty (30) inch curb and gutter specification.

I. RURAL STREET SECTIONS. When rural street sections have been approved by the Village Board, the sub-divider shall finish grade all shoulders and ditches, install all necessary culverts to prevent erosion and sediment in accordance with plans and standard specifications by the Village Engineer.

J. SURFACING. After the installation of all utility, sanitary sewer, storm sewer, water mains and other improvements, the sub-divider shall surface all roadways in streets proposed to be dedicated, to the widths prescribed by these regulations and shall be constructed in accordance with the standard specifications of the Village of Jackson which are on file with the Village Engineer. Street surfacing standards shall provide for requirements no less stringent than the following:

1. Streets shall have a base of one and one-half (1½) inch size crushed limestone or crushed gravel that shall not be less than five (5) inches thick, after being rolled and compacted. This shall be followed by three-quarter

(3/4) inch sized crushed road gravel that shall not be less than four (4) inches thick, after being rolled and compacted.

2. Streets shall have an asphalt binder course of material as determined and specified by the Village Engineer applied to such streets and shall not be less than two and one-half (2½) inches thick on any street after being rolled and compacted. This shall be followed by a concrete asphalt course as determined and specified by the Village Engineer that shall not be less than one and one-half (1½) inches thick after being rolled and compacted for a street within a sixty six (66) foot right-of-way, and two (2) inches thick for a street within an eighty (80) foot or larger right-of-way.
3. Where a proposed pavement surface is determined by the Village to be greater than thirty-six (36) feet in width, edge to edge of asphalt pavement, the Village will assume the additional cost of over-sizing.

K. COMPACTION.

1. Trench Compaction. All fill within trenches shall be compacted by means of mechanical vibration in one (1) foot lifts. Spoil material, minus topsoil, vegetation and all detrimental objects (including, but not limited to: asphalt, concrete chunks, scrap metal, building materials, and large rocks), as approved by the Village Engineer, may be used as backfill. All spoil material shall be compacted to a minimum compaction of 96.5% Standard Proctor, with an average of 98% Standard Proctor. Four (4) tests shall be taken every one hundred (100) feet until the first three hundred (300) feet of the trench backfill has met the compaction standards as set forth in this Section. For each one hundred (100) feet, two (2) tests shall be taken when the trench has been backfilled halfway and two (2) tests shall be taken when the trench is completely backfilled. Upon verification that the first three hundred (300) feet of the trench has passed the minimum compaction requirements, and that satisfactory compaction requirements, and that satisfactory compaction methods are being followed, the contractor has two (2) options for verifying the compaction on the remaining length of the trench:

Option 1: Two (2) tests shall be made for every utility trench (sanitary sewer, water line, storm sewer, etc.) for every two hundred (200) feet of the trench. One (1) test shall be made when the trench has been backfilled half way and one (1) test shall be made when the trench is completely backfilled. Any area that fails a test shall be re-compacted and retested until the compaction requirements are met.

Option 2: Two (2) tests shall be made for every utility trench (sanitary sewer, water line, storm sewer, etc.) for every two hundred (200) feet of trench. Both tests shall be made after the trench has been completely backfilled, but prior to the final grading of the area. One test shall be made at the surface and one test shall be made at one (1) foot below sub-grade. This option will require test holes to be dug. Any area that fails

any compaction test shall be re-excavated to a minimum of three (3) feet below the failed test location, backfilled, re-compacted, and retested until the compaction requirements are met.

2. Sub-base Compaction. Undisturbed soil, exposed during grading, lying just below the proposed base, shall be rolled with a vibrating roller just prior to base application. A minimum of two passes shall be required. The contractor shall not be required to provide density tests on this material if the minimum required passes are performed to the satisfaction of the Village Engineer. If the sub-base has been substantially disturbed, or if fill is sub-grade, then a minimum compaction of 103% existing density or 96.5% Standard Proctor (at a minimum of 101% existing) is required. Fill lifts shall be limited to a maximum of one (1) foot. Minimum tests for verification of compaction shall be: one (1) density test per one hundred (100) feet.
3. Base Compaction. Base course material shall be thoroughly compacted to a minimum density of 96.5% Standard Proctor and to an average of 98% Standard Proctor. The material shall not be placed in lifts greater than six (6) inches if vibratory compaction is used and lifts shall not be greater than four (4) inches if non-vibratory compaction is used. Minimum tests required for verification of compaction shall be: two (2) density tests per one hundred (100) feet.

L. DRIVEWAYS. The sub-divider shall be responsible for all driveways being graveled in advance of any building construction on any lot within the subdivision after the issuance of a building permit, in keeping with the intent of the erosion control provisions provided in Section 15.06(E) of this Code. A concrete driveway apron shall be installed between the sidewalk and the street prior to the issuance of a certificate of occupancy for the building.

M. SIDEWALKS.

1. The sub-divider shall construct a concrete sidewalk on one side of all frontage roads and on both sides of all other streets within the subdivision. Sidewalks shall be a minimum of four (4) feet in width. The design and construction of all sidewalks shall be in accordance with plans and standard specifications which are on file with the Village Engineer.
2. Wider than minimum standard sidewalks may be required by the Village in the vicinity of schools, commercial areas and other places of public assemblage: and the Village Board may require the construction of sidewalks in locations other than required under the preceding provisions of this Code if such walks are necessary, in their opinion, for safe and adequate pedestrian circulation.

N. OTHER UTILITIES. The sub-divider shall cause gas, electrical power and communication facilities to be installed in such a manner as to make adequate service available to each lot in the subdivision. All electrical and communication

service shall be buried underground and shall be placed within easements or dedicated public ways in a manner which will not conflict with other municipal underground facilities. Plans indicating the proposed location of all gas, electrical power and communication lines shall be approved by the Village Engineer. ~~The cost of installing conduit to be used for the installation of dark fiber shall be refunded to the then current property owner in accordance with the terms of the Subdivision Improvement Agreement, when the dark fiber is lit. (#05-09)(Ordinance #07-08)~~

- O. STREET LAMPS. The sub-divider shall install street lamps along the streets proposed to be dedicated to the Village, of a design compatible with the neighborhood and type of development proposed. Such lamps shall be placed on each street intersection and at such interior block spacing to provide the required foot candles of lighting intensity as may be required by the Village Engineer.
- P. STREET SIGNS. Street signs, as required by the Village, shall be obtained and placed by the Village, the cost of which shall be paid for by the sub-divider.
- Q. CLEAN UP. During all work upon any subdivision or building lot created pursuant to a certified survey map, all streets shall be thoroughly cleaned of all rubbish, excess earth, rocks and other debris resulting from work being performed upon the property. All clean-up operations at the location of the property shall be accomplished at the expense of the owner, sub-divider, or permittee and shall be completed to the satisfaction of the Village. From time to time, as may be ordered by the Village, and in any event immediately after completion of work on the property, the owner, sub-divider or permittee shall, at his or its own expense, clean up and remove all refuse and unused materials of any kind either on the site or deposited upon public streets or thoroughfares. Failure to do so within the time frame given by the Village, said work may be done or contracted by the Village and the cost thereof charged to the owner, sub-divider or permittee and the same shall be liable for the cost thereof under the surety bond provisions provided in this chapter.
- R. ACCEPTANCE OF IMPROVEMENTS.
1. The approval of the final plat by the Village Board shall not constitute acceptance of the dedication of the right-of-way for any public street, open spaces, or other public areas as shown on the final plat. Upon acceptance of the subdivision, the Village shall record such deeds and assume all responsibilities for the dedications. The Village shall not be held liable for any accidents on any such street or other area and shall not be held responsible for the repair of damages to the improvements caused by the elements or by other causes until final acceptance by the Village of all improvements thereon. It being intended that the improvements be complete in whole and in good condition in all respects at the time of acceptance by the Village.
 2. The acceptance of the Utilities (Sewer and Water) shall be affected by passage of a Resolution of the Village Board. The acceptance of all other

improvements shall also be affected by a passage of a separate Resolution by the Village Board. Both Resolutions shall be based upon the Village Engineer's certification that improvements have been properly installed and completed, and that the Village has adequate security for the correction of defects for a period of one (1) year from the date of acceptance of such improvements. Normal operating costs such as street lighting electricity, pump station electricity, and maintenance, such as snow plowing and street sweeping shall be assumed by the Village from the time of assuming the use of the improvements.

15.06 CONSTRUCTION.

- A. COMMENCEMENT. No construction of improvements shall commence in a proposed subdivision until the final plat or certified survey map has been approved, the plans pertaining to the work which is proposed to be commenced are approved, the plan review fees are paid, and the Village Engineer has given written authorization to commence work.
- B. PLANS. The following plans, together with calculations and accompanying construction specifications, shall be required by the Village before authorization of construction or installation of improvements. All street and utility plans shall be drawn to a horizontal scale of one inch (1") to forty feet (40') and a vertical scale of one inch (1") to four feet (4') on standard twenty-four inch (24") by thirty-six inch (36") plan-profile sheets unless other scales and sizes are approved by the Village Engineer. Elevations shall be referenced to Mean Sea Level Datum and benchmarks indicated on the plans.
1. Street plans and profiles showing existing and proposed grades, elevations and cross sections of required improvements.
 2. Sanitary sewer plans and profiles showing location, grades, sizes, cross sections, elevations and materials of required facilities.
 3. Storm sewer and open channel plans and profiles showing the location, finished grades, sizes, cross sections, finished elevations and materials of required facilities.
 4. Water main plans and profiles showing the location, sizes, elevations and materials of required facilities.
 5. Grading and drainage plans showing finished grades and elevations, cut and fill calculations, and proposed first floor elevations for each lot.
 6. Erosion and sedimentation control plans showing those structures required to retard the rate of runoff water and those grading and excavating practices that will prevent erosion shall generally follow the guidelines and standards set forth by the State Department of Natural resources, "Wisconsin Construction Site Best Management Practice Handbook", or as directed by the Village Engineer (see also Section 15.06[E]).

7. Additional special plans or information as may be required by the Village Engineer.
- C. AS-BUILT PLANS. After completion of all public improvements and prior to final acceptance of said improvements, the sub-divider shall or cases to be made maps showing the actual location of all valves, manholes with elevations, stubs, sewer and water mains, sewer and water laterals, and other such facilities as the Village Engineer may require. The sub-divider shall provide the Village as-built working drawings of sewage lift stations, water pump house facilities, together with manufacturer's guarantees on equipment where in force. Such maps, plans, and drawings shall be provided on a reproducible medium and supplied on AutoCAD compatible file on a 3.5" disc. (#97-03)
 - D. INSPECTION. The sub-divider, prior to commencing any work within the subdivision, shall make arrangements with the Village Engineer to provide inspection of the work.
 - E. EROSION CONTROL. This Section applies to land disturbing and land developing activities on lands within the boundaries and jurisdiction of the Village and within its extraterritorial plat approval jurisdiction under Chapter 236, Wis. Stats.
 1. DESIGN CRITERIA, STANDARDS AND SPECIFICATIONS FOR CONTROL MEASURES. All control measures required to comply with this Code shall meet the design criteria, standards and specifications as set forth in the Department of Natural Resources Wisconsin Construction Site Best Management Practice Handbook, or as directed by the Village Engineer.
 2. MAINTENANCE OF CONTROL MEASURES. All sedimentation basins and other control measures necessary to meet the requirements of this Code shall be maintained by the sub-divider or subsequent land owner during the period of land disturbance and land development of the site in a satisfactory manner to ensure adequate performance and to prevent nuisance conditions. The standards for maintenance of control measures shall be set forth in the Department of Natural Resources Wisconsin Construction Site Best Management Practice Handbook, or as directed by the Village Engineer.
 3. APPLICABILITY. This Section applies to the following sites of land development or land disturbing activities:
 - a. Those requiring a subdivision plat or certified survey map approval or the construction of buildings on lots of approved subdivisions or certified survey maps;
 - b. Those involving grading, removal of protective ground cover or vegetation, excavation, land filling or other land disturbing

activity affecting a surface area of four thousand (4,000) square feet or more;

- c. Those involving excavation or filling or a combination of excavation and filling affecting four hundred (400) cubic yards or more of dirt, sand or other excavation or fill material;
- d. Those involving street, highway, road, or bridge construction, enlargement, relocation or reconstruction;
- e. Those involving the laying, repairing, replacing or enlarging of an underground pipe or facility for a distance of three hundred (300) feet or more;
- f. Those involving grading, removal of protective ground cover or vegetation, excavation, landfilling or land disturbing activity within two hundred feet of a lake, stream or wetland.

4. EROSION AND OTHER POLLUTANT CONTROL REQUIREMENTS.
The following requirements shall be met on all sites described in Subsection 3 (APPLICABILITY):

- (a.) SITE DEWATERING. Water pumped from the site shall be treated by sedimentation basins or other appropriate control measures specified in the Department of Natural Resources Wisconsin Construction Site Best Management Practice Handbook. Water may not be discharged in a manner that causes erosion of the site, adjacent land or receiving channels.
- (b.) WASTE AND MATERIAL DISPOSAL. All waste and unused building materials (including garbage, debris, cleaning wastes, wastewater, toxic materials, or hazardous materials) shall be properly disposed and not allowed to be carried by runoff into a receiving channel or storm sewer system.
- (c.) TRACKING. Each site shall have graveled roads, access drives and parking areas of sufficient width and length to prevent sediment from being tracked onto public or private roadways. Any sediment reaching a public or private road shall be removed by street cleaning (NOT FLUSHING) before the end of each workday.
- (d.) DRAIN INLET PROTECTION. All storm drain inlets shall be protected with a straw bale, filter fabric, or equivalent barrier meeting acceptance design, criteria, standards and specifications approved by the Village Engineer.

(e.) SITE EROSION CONTROL. The following criteria (1. through 5.) apply only to land development or land disturbing activities that result in runoff leaving the site.

1. Channelized runoff from adjacent areas passing through the site shall be diverted around disturbed areas, if practical. Otherwise the channel shall be protected as described below in Chapter 15.06(E)(4)(e)3.c. Sheet flow runoff from adjacent areas greater than ten thousand (10,000) square feet in area shall also be diverted around disturbed areas unless shown to have resultant runoff velocities of less than 0.5 ft/sec across the disturbed area for the ten (10) year twenty-four (24) hour storm. Diverted runoff shall be conveyed in a manner that will not erode the conveyance and receiving channels. For allowable velocities in different types of channels, Soil Conservation Service guidelines shall be followed.
2. All activities on the site shall be conducted in a logical sequence to minimize the area of bare soil exposed at any one time.
3. Runoff from the entire disturbed area on the site shall be controlled by meeting either subpar. a. and b. or a. and c.
 - (a.) All disturbed ground left inactive for fourteen (14) or more days shall be stabilized by temporary or permanent seeding; temporary or permanent seeding and mulching; sodding; covering with tarps; or equivalent control measures. If temporary seeding is used, a permanent cover shall also be required as part of the final site stabilization. Seeding or sodding shall be conducted as specified in the Department of Natural Resources Wisconsin Construction Site Best Management Practice Handbook or by the Village Engineer. Variances from the requirements of this subsection may be granted by the Village Engineer upon application, but only if the failure to comply is due to extended periods of rain or other construction delays beyond the control of the responsible party.
 - (b.) For sites with ten (10) or more acres disturbed at one time, or if a channel originates in the disturbed area, one or more sedimentation basins shall be constructed. Each sedimentation basin shall be designed and constructed as specified in the Department of Natural Resources Wisconsin Construction Site Best Management Practice Handbook.

- (c.) For sites with less than ten (10) acres disturbed at one time, straw bales, or equivalent control measures shall be placed along the sideslope and downslope sides of the site. If a channel or area of concentrated runoff passes through the site, filter fences shall be placed along channel edges to reduce sediment reaching the channel.
- 4. Runoff from sites on slopes of twelve percent (12%) or more slope may require additional or different controls than listed in paragraph three (3) above. Requirements for such slopes shall be specified by the Village Engineer.
- 5. Any soil or dirt storage piles containing more than ten (10) cubic yards of material should not be located with a downslope drainage length of less than twenty-five (25) feet to a roadway or drainage channel. Straw bales or filter fence barriers shall be placed immediately on the downslope side of the piles. If remaining for more than thirty (30) days, they shall be stabilized by mulching, vegetative cover, tarps, or other means. In-street utility repair or construction soil or dirt storage piles located closer than twenty-five (25) feet of a roadway or drainage channel must be covered with tarps or suitable alternative control if exposed for more than seven (7) days, and the storm-drain inlets must be protected with straw bales or other appropriate filtering barriers. If any soil or dirt storage pile described in this paragraph is in existence for more than six (6) months, the filter fabric or straw bales shall be replaced upon order by the Village Engineer.
- (f.) PERMIT APPLICATION, CONTROL PLAN, AND PERMIT ISSUANCE. No landowner or land user may commence a land disturbance or land development activity subject to this Code without receiving prior approval of a control plan for the site and a permit from the Village. At least one landowner or land user controlling or using the site and desiring to undertake a land disturbing or land developing activity subject to this Code shall submit an application for a permit together with a control plan and pay an application fee to the Village. The applicant may file supplemental information to comply with directives resulting from the Village Engineer's initial review. By submitting an application, the applicant is authorizing the Village Engineer and Village Building Inspector to enter the

site to obtain information required for the review of the control plan.

1. CONTENT OF THE CONTROL PLAN FOR LAND DISTURBING AND LAND DEVELOPMENT ACTIVITIES COVERING ONE (1) OR MORE ACRES.

(a.) Existing Site Map. A map of existing site conditions on a scale of at least one (1) inch equals one hundred (100) feet showing the site, boundaries and immediately adjacent areas which accurately identify site locations:

- (1.) Lakes, streams, wetlands, channels, ditches and other water courses on and immediately adjacent to the site;
- (2.) One Hundred (100) year floodplains, flood fringes and floodways;
- (3.) Location of the predominant soil types;
- (4.) Vegetative cover (type and extent);
- (5.) Location and dimensions of stormwater drainage systems and natural drainage patterns on and immediately adjacent to the site;
- (6.) Locations and dimensions of utilities, structures, roads, highways, and paving;
- (7.) Site topography at a contour interval not to exceed two (2) feet.

(b.) Plan of Final Site Conditions. A plan of final site conditions on the same

scale as the existing site map showing the site changes.

(c.) Site Construction Plan. A site construction plan including:

- (1.) Locations and dimensions of all land disturbing and development activities.
- (2.) Locations and dimensions of all temporary soil or dirt stockpiles;
- (3.) Locations and dimensions of all construction site management control measures necessary to meet the requirements of this Code;
- (4.) Schedule of anticipated starting and completion date of each land disturbing or land developing activity including the installation of construction site control measures needed to meet the requirements of this Code;
- (5.) Provisions for maintenance of the construction site control measures during construction.

2. CONTENT OF CONTROL PLAN STATEMENT FOR LAND DISTURBING AND LAND DEVELOPMENT ACTIVITIES COVERING LESS THAN ONE (1) ACRE.

(a.) An erosion control plan statement with a location map of sufficient scale to describe the site and erosion controls (including the site development schedule) that will be used to meet the requirements of the Ordinance.

3. REVIEW OF CONTROL PLAN. Applications, control plans, and control plan statements shall

be submitted to the Village at least twenty-one (21) days in advance of the Planning Commission meeting at which action is expected. Within three (3) days of receipt of the application, a copy thereof together with a copy of the control plan for activities covering more than one (1) acre, shall be delivered to the Village Engineer for initial review. Within three (3) days of the Village receipt of the application, a copy thereof together with a copy of the control plan statement for activities covering less than one (1) acre, shall be delivered to the Village Building Inspector for initial review. If the Village Engineer or Village Building Inspector finds the application or control plan or statement to be lacking necessary information or not in compliance with this Code, the applicant shall be notified of the inadequacy as soon as practical after review. All initial reviews shall be filed with the Village seven (7) days in advance of the Planning Commission meeting, along with the application and control plans or control plan statements. Within forty-five (45) days of the filing deadline for the application, control plan, or control plan statement and fee for the Planning Commission meeting, the Village shall approve the plan, inform the applicant and issue a permit. If the conditions are not met, the Village may request additional information or reject the plan. The Village shall inform the applicant in writing of the status of the application, reason for rejection, and any such request for additional information. Within forty-five (45) days of receipt of additional requested information, the Village shall again determine if the plan meets the requirements of this Code. If the plan is rejected, the Village shall inform the applicant of the reasons for the rejection.

4. PERMITS.

- (a.) Duration. Permits shall be valid for a period of one hundred eighty (180) days, or the length of the building permit or other construction authorizations, whichever is longer, from the date of issuance. The

Village may extend the period one (1) or more times for up to an additional one hundred eighty (180) days. The Village may require additional control measures as a condition of the extension if they are necessary to meet the requirements of this Code.

(b.) Surety Bond. As a condition of approval and issuance of the permit, the Village, at its option, may require the applicant to deposit a surety bond or an irrevocable letter of credit to guarantee a good faith execution of the approved control plan and any permit conditions.

(c.) Permit Conditions. All permits shall require the permittee to:

- (1.) Notify the Village at least forty-eight (48) hours in advance of commencing any land disturbing and land developing activity.
- (2.) Notify the Village of completion of any control measures within fourteen (14) days after their installation.
- (3.) Obtain permission in writing from the Village prior to modifying the control plan.
- (4.) Install all control measures as identified on the control plan.
- (5.) Maintain all road drainage systems, control measures and other facilities identified in the control plan.
- (6.) Repair any siltation or erosion damage to adjoining surfaces and drainageways

resulting from land developing or disturbing activities.

- (7.) Inspect the construction control measures after each rain of 0.5 inches or more and at least once each week and make needed repairs.
- (8.) Allow the Village Engineer or Building Inspector or agent of the Village to enter the site for the purpose of inspecting for compliance with the control plan or for performing any work necessary to bring the site into compliance with the control plan;
- (9.) Keep a copy of the control plan on the site.

(g.) INSPECTION.

- 1. The Village Engineer or Building Inspector may post a stop-work order if:
 - (a.) Any land disturbing or land developing activity regulated under this Code is being undertaken without a permit;
 - (b.) The control plan is not being implemented in a good faith manner; or
 - (c.) The conditions of the permit are not being met.
- 2. If the permittee does not cease the activity or comply with the control plan or conditions of the permit, the

Village may revoke the building permit in addition to the control plan permit. (#93-01)

3. If the landowner or land user where no permit has been issued does not cease the activity within ten (10) days, the Village may request the Village Attorney to obtain a cease and desist order.
4. The Village or the Board of Appeals may retract the stop-work order on the revocation.
5. Ten (10) days after posting a stop-work order, the Village Engineer may issue a notice of the intent to perform work necessary to comply with this Code. The Village Engineer may go on the land and commence the work after fourteen (14) days from issuing the notice of intent. The costs of the work performed by the Village, plus interest at the rate authorized by the Village shall be billed to the permittee or the landowner. In the event the permittee or the landowner fails to pay the amount due, the Clerk shall enter the amount due on the tax rolls and collect as a special charge against the property pursuant to Section 66.60(16), Wis. Stats.
6. Any person violating any of the provisions of this Code shall be subject to a forfeiture, as set forth by resolution, and the costs of prosecution for each violation. Each day a

violation exists, starting from the day a stop-work order is posted, shall constitute a separate offense.

7. Compliance with the provisions of this Code may also be enforced by permittee; abatement of nuisances; or other appropriate and available remedy.

(h.) APPEALS.

1. The Board of Appeals shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the Village in administering this Code.
2. Upon appeal, the Board of Appeals may authorize variances from the provisions of this Code which are not contrary to the public interest and where owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship; and;
3. Shall use the rules, procedures, duties and powers authorized by statute in hearing and deciding appeals and authorizing variances.

15.07 FEES

- A. GENERAL. The sub-divider shall pay the Village all fees as hereinafter required and at the times specified. All fee and penalty amounts shall be specified by Resolution of the Village Board.
- B. PRELIMINARY PLAT FEE REVIEW FEE.

1. The sub-divider shall pay an application fee and a fee for each lot or parcel within the preliminary plat, as set forth by resolution, to the Village Treasurer at the time of first application for review of any preliminary plat to assist in deferring the cost of review.
2. The application fee shall be paid to the Village Treasurer at the time of reapplication for approval of any preliminary plat which has been previously reviewed.

C. FINAL PLAT REVIEW FEE.

1. The sub-divider shall pay a fee, as set forth by resolution, for the application and for each lot within the final plat, to the Village Treasurer at the time of application for approval of said plat to assist in defraying the cost of review.
2. A reapplication fee, as set forth by resolution, shall be paid to the Village Treasurer at the time of a reapplication of any plat for approval which has been previously reviewed.

D. CERTIFIED SURVEY MAP REVIEW FEE. The sub-divider shall pay a fee, as set forth by resolution, to the Village Treasurer at the time of application for approval of a Certified Survey Map to assist in defraying the cost of review.

E. PLAN REVIEW FEE.

1. The sub-divider shall pay a fee at the time of submission of improvements plans and specifications to partially cover the cost to the Village of checking and reviewing such plans and specifications. This fee shall be estimated, using a rate of twenty-five dollars (\$25.00) per hour, by staff.
2. The fee may be recomputed upon demand of the sub-divider or Village Engineer, after completion of improvement construction in accordance with the actual cost of such improvements and the difference, if any, shall be paid by or remitted to the sub-divider. Evidence of cost shall be in such detail and form as provided by the Village Engineer.

F. INSPECTION FEE. The sub-divider shall pay a fee equal to the actual cost to the Village for such inspection as the Village Engineer deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications and ordinances of the Village or any other governmental authority. Inspection fees shall be paid as they are accrued. (#93-01)

G. ENGINEERING FEE.

1. The sub-divider shall pay a fee equal to the actual cost to the Village for all engineering work incurred by the Village in connection with the plat and such fees shall be paid as they accrue. (#93-01)

2. Engineering work may include the preparation of construction plans and standard specifications. The Village Engineer may permit the sub-divider to furnish all, some or part of the required construction plans and specifications, in which case no engineering fees shall be levied for the preparation of such plans and specifications, except that fees shall be leviable for the review of plans submitted in accordance with this Code.

H. ADMINISTRATIVE FEE.

1. The sub-divider shall pay a fee equal to the cost of any legal, administrative or fiscal work which may be undertaken by the Village in connection with the plat and such fees shall be paid as they accrue. (#93-01)
2. Legal work shall include the drafting of contracts between the Village and the sub-divider.

I. SEVERABILITY OF PROVISIONS. If any section, subsection, sentence, clause, or phrase of this Code is for any reason held to be invalid or unconstitutional by reason of any decision of any court or competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase of this Code. The Village Board of the Village of Jackson, hereby declares that it would have passed this Code and each section, subsection, sentence, clause or phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases thereof may be declared invalid or unconstitutional.

J. EFFECTIVE DATE. This Code shall be effective after publication and proof of posting of this Code in three (3) public places in the Village of Jackson has been filed and recorded with the Village Clerk.

K. EROSION CONTROL FEE. The sub-divider shall pay a fee, as set forth by resolution, for the application and for each lot within the final plat, to the Village Treasurer at the time of application for construction of said plat to assist in defraying the cost of review.