

*Village of Almena, WI  
Tuesday, July 30, 2024*

## Chapter 304. Subdivision of Land

[HISTORY: Adopted by the Village Board of the Village of Almena as Ch. 28 of the former Village Code. Amendments noted where applicable.]

### Article I. General Provisions

#### § 304-1. Authority.

These regulations are adopted under the authority granted by § 236.45 of the Wisconsin Statutes. Therefore, the Village Board of the Village of Almena, County of Barron, Wisconsin, ordains as follows:

#### § 304-2. Title.

The name of this chapter shall be known and cited as the "Subdivision and Platting Ordinance for the Village of Almena."

#### § 304-3. When effective.

This chapter shall be effective after adoption by the Village Board and publication or posting as provided by law.

#### § 304-4. Purpose.

The purpose of this chapter is to supplement the provisions of Ch. 236, Wis. Stats., and to promote the public health, safety and general welfare within the Village of Almena; to lessen congestion in the streets and highways; to further the orderly layout and use of land; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate adequate provision for transportation, water, sewerage, schools, parks, playgrounds and other public requirements; and to facilitate the further resubdivision of larger tracts into smaller parcels of land. The provisions of this chapter are made with reasonable consideration, among other things, of the character of the Village with a view of conserving the value of the buildings placed upon the land, providing the best possible environment for human habitation, and encouraging the most appropriate use of land throughout the Village.

#### § 304-5. Repealer.

All other ordinances or part of ordinances of the Village inconsistent or conflicting with this chapter, to the extent of the inconsistency only, are hereby repealed.

#### § 304-6. Interpretation.

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

## § 304-7. Abrogation and greater restrictions.

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

## § 304-8. Jurisdiction.

The jurisdiction of this chapter shall include all lands and waters within the Village of Almena.

A. Exceptions. In no instance shall the provisions of this chapter apply to:

- (1) Transfer of interest in land by will or pursuant to court order.
- (2) Leases for a term not to exceed 10 years, mortgages or easements.
- (3) The sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum size required by this chapter or other applicable laws or ordinances.
- (4) Cemetery plots per § 157.061, Wis. Stats.  
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
- (5) Assessor's plats per § 70.27, Wis. Stats.

## § 304-9. Compliance.

No person, firm or corporation shall divide, monument or describe any land located within the jurisdictional limits of these regulations which results in a subdivision, other division, or a replat as defined herein; no such division, other division or replat shall be entitled to record; and no roads/streets shall be laid out or improvements made to land without compliance with all requirements of this chapter; and:

- A. Provisions of Ch. 236, Wis. Stats.
- B. Rules of the Wisconsin State Department of Safety and Professional Services if the land to be subdivided is not served by a public sewer and the Village Board has determined provisions for such service will not be made.
- C. Rules of the State Department of Transportation if the land owned or controlled by the subdivider abuts a state trunk highway or connecting street.
- D. Duly approved Comprehensive Plan where available, or any component thereof including any zoning ordinance, Official Map and all other applicable ordinances of the Village.
- E. Applicable local and county ordinances.

## § 304-10. Land suitability.

- A. No land shall be subdivided which is held unsuitable for use by the Plan Commission for reason of flooding, inadequate drainage, adverse soil or rock formation, unfavorable topography, inadequate water supply or sewerage disposal capabilities, or any feature likely to be harmful to the health,

safety, or welfare of the future users of the proposed subdivision or of the community. The Plan Commission, in applying the provisions of this section, shall recite the particular facts upon which it bases its conclusions that the land is not suitable for the proposed use and afford the subdivider an opportunity to present evidence regarding such unsuitability if he/she so desires. Thereafter, the Plan Commission shall affirm, modify or withdraw its determination of unsuitability.

B. Where the subdivision of a tract of land contains a portion of land unsuitable for development because of poor drainage, floodable conditions, poor soil conditions, adverse rock formation, unfavorable topography, inadequate water supply or sewerage disposal capabilities, or for any other reason, such areas shall not be divided into buildable sites, and shall be handled as follows:

(1) Poor drainage. Land subject to ponding, poor permeability or poor drainage, or for other causes as determined by the Plan Commission, or its designated agent, and if said land is not zoned as a conservancy or wetland-floodplain district on an applicable zoning district map, in which buildings are prohibited, it shall be subject to the following requirements:

(a) If said land is designated as park, parkway, other open space or other public use on an official plan of the Village, the developer may dedicate said land to the Village or county, but in any case must reserve said land for not less than two years for acquisition by the Village or county.

(b) If said land is not designated as park, parkway or other public use on an official plan, then the developer shall cause said land to be carried in a private easement in the individual deeds affected hereby, and no permit shall be issued for a building therein.

(c) In lieu of the requirements set forth in § **304-10B(1)** above, the developer may, at his expense, prepare a development proposal for the problem area. It shall be submitted for the Plan Commission's approval and shall be accompanied by a site plan and adequate engineering data to insure that the public health, safety and welfare will not be violated if approved, and to provide a performance guarantee to the Village as required by § **304-19E**.

(2) Floodable conditions/drainageways.

(a) If floodplains have been determined and are delineated on an applicable zoning district map, or as determined by the Plan Commission from sources available to it, the plat shall be designated accordingly and so that the lowest floor level of a building shall be two feet above the normal high-water line.

(b) In designing plats, drainage easements shall be shown on the final plat where conditions warrant and as determined by the Plan Commission or as determined by sources available to it, and building permits shall not be issued therein.

(3) Adverse soil and rock formation.

(a) Soil suitability rating for a proposed subdivision shall be determined by the Plan Commission from sources available to it. In order to determine the precise location of soil boundaries, on-site investigations by soil scientists may be necessary at the expense of the developer. In areas where no public sewer is available, this investigation is mandatory and shall be made by a certified soil tester at the expense of the developer, and according to procedures established by the State Department of Safety and Professional Services.

(b) Where soil interpretations determine that a tract of land is unsuitable for development, the developer may submit a development proposal indicating how the soil problem can be overcome. The proposal shall be accompanied by a site plan and adequate engineering data for approval by the Plan Commission. If this proposal is approved, the developer shall provide a performance guarantee to the Village, as required by § **304-19E**.

## Article II. Definitions

## § 304-11. Word usage.

For the purpose of these regulations, the following terms are defined. Words used in the present tense include the future, the singular number includes the plural number, and the plural number includes the singular number. The word "shall" is mandatory.

## § 304-12. Definitions of specific terms.

As used in this chapter, the following terms shall have the meanings indicated:

### **ADEQUATE COPIES OF THE PLAT**

The number of copies of the plat to be filed deemed sufficient for distribution to reviewing parties by the Village Clerk at the time of application or recordation.

### **ALLEY**

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

### **BLOCK**

A parcel of land bounded on at least one side by a street and on the other sides by a natural or man-made barrier.

### **BOARD**

Village of Almena Board.

### **BUILDING SITE**

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

### **CERTIFIED SURVEY MAP**

A map of a land split prepared in accordance with this chapter and Ch. 236, Wis. Stats. See "minor subdivision."

### **CLERK**

Clerk of the Village of Almena.

### **COLLECTOR STREET**

A street used, or intended to be used, to carry traffic from minor streets to the major system of arterial streets, including the principal entrance streets to residential developments.

### **COMMUNITY**

A Village, municipality or a group of adjacent towns and/or municipalities having common social, economic or physical interests.

### **COMPREHENSIVE PLAN**

A comprehensive plan, adopted by the Village Plan Commission and certified by the Board pursuant to § 62.23 of the Wisconsin Statutes, including proposals for future land use, transportation, development and public facilities. Devices for the implementation of these plans, such as zoning, Official Map, land division and building line ordinances and capital improvements programs shall also be considered a part of the Comprehensive Plan.

### **CONSTRUCTION**

Any activity on any parcel of land resulting in a non-restorable change, or the permanent affixing of a structure, to any part of the parcel, in the course of, or with the intent of, improving the parcel.

### **COUNTY**

Barron County.

**COVENANT**

A promise, incorporated in a trust indenture or other formal instrument, to perform certain acts or to refrain from the performance of certain acts.

**COVENANT, RESTRICTIVE**

A private agreement restricting the use and occupancy of real estate which is a part of the conveyance and is binding on all subsequent purchasers. Such covenants may have to do with control of lot size, setback and/or placement of buildings, architecture, cost of improvements.

**CUL-DE-SAC STREET**

Minor road/street closed at one end with a turnaround provided for vehicles.

**EXTRATERRITORIAL PLAT APPROVAL JURISDICTION**

The unincorporated area within 1 1/2 miles of a Fourth Class city or a village and within three miles of all other cities.

**FRONTAGE ROAD/STREET**

A street auxiliary to and located on the side of a major street for control of access and for service to the abutting development.

**HARDSHIP**

A circumstance, which was not created by the owner, a prior owner, or agent thereof, where compliance with the ordinance provisions governing lot area, setbacks, frontage, height or density will prevent the owner from using the lot or parcel for any permitted purpose.

**MAJOR ROAD/STREET**

A street used, or intended to be used, primarily for fast or heavy through traffic. Major streets shall include freeways and expressways, as well as other major streets, highways and parkways.

**MINOR ROAD/STREET**

A street used, or intended to be used, primarily for access to abutting properties.

**MINOR SUBDIVISION**

The division of land by the owner or subdivider resulting in the creation of one to four parcels or building sites, any one of which is 10 acres in size or less, or the division of block, lot or outlot within a recorded subdivision plat into not more than four parcels or building sites without changing the exterior boundaries of said block, lot or outlot, or where a road is created. A certified survey map shall be required for all parcels of land so created.

**OFFICIAL MAP**

Map adopted pursuant to § 62.23 of the Wisconsin Statutes which shows existing and proposed streets, highways, parkways, parks and playgrounds, and drainageways.

**OUTLOT**

A parcel of land not intended for immediate development, so designated on the plat, replat or certified survey map.

**OWNER**

Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to land sought to be subdivided under this chapter.

**PLAN COMMISSION**

Village of Almena Plan Commission.

**REPLAT**

The process of changing, or the map or plat which changes, the boundaries of a recorded subdivision plat or part thereof.

**STORMWATER MANAGEMENT STRUCTURES**

Any stormwater management structure or technique to include, but not limited to, storm sewers, lift stations, retention or detention ponds, infiltration basins, constructed stormwater wetlands, porous pavement and stormwater management best management practices.

**SUBDIVIDER**

Any person, firm, corporation, any agent thereof, assigns or the landowner at the time the subdivision plat is recorded dividing or proposing to divide land resulting in a subdivision, minor subdivision or replat, as defined herein.

**SUBDIVISION**

The division of a lot, parcel or tract of land by the owners thereof, or their agents, for the purpose of transfer of ownership or building development where the act of division creates five or more parcels or building sites of 10 acres each or less in area; or where the act of division creates five or more parcels of building sites of 10 acres each or less in area by successive division within a period of five years.

**VARIANCE**

A departure from the terms of this chapter.

## Article III. Special Provisions

### § 304-13. Dedications and reservations.

- A. Wherever a tract of land to be subdivided embraces all or any part of a major street, drainageway or other public way which has been designated in the Comprehensive Plan, or on the Official Map of the Village, or so designated on an official map of a contiguous municipality who exercises "extraterritorial" jurisdiction, said public way shall be made a part of the plat and dedicated or reserved or treated by the developer as determined by the Plan Commission, in the locations and dimensions indicated on such plat and as set forth in this chapter.
- B. Wherever a proposed playground, park, school site or other public land, other than streets or drainageways, designated in a Comprehensive Plan, or on the Official Map of the Village or so designated on the official map of a contiguous municipality who exercises "extraterritorial" jurisdiction, is embraced, all or in part, in a tract of land to be subdivided, these proposed public lands shall be so designed as to be made an integral part of the plat and may be dedicated, but in any case shall be reserved for acquisition at undeveloped land costs, by the agency having jurisdiction, for a period not to exceed two years unless extended by mutual agreement.
- C. Wherever a subdivision abuts a public use area such as a park, lake, street or any similar type of public recreational area, the subdivider, shall provide an access thoroughfare of at least 66 feet, and at the option of the Plan Commission up to 100 feet wide connecting such public area with a public street so that there shall be adequate public access to the public use areas as determined by the Commission.
- D. The dedication of land for public purposes such as parks, rights-of-way, easements as so indicated on the final plat, become effective at the time of recording of the final plat.
- E. On sites reserved for eventual public acquisition, no building development is permitted during the time of reservation. Land so reserved shall be shown on the plat of a subdivision or on a certified survey map.

### § 304-14. Fees.

A filing fee shall be required when a preliminary plat and when a final plat is submitted for Village approval. Fees are to be established by the Board by resolution.

## § 304-15. Variance and appeal.

- A. Where the Plan Commission finds that extraordinary hardships may result from strict compliance with these regulations, due to physical features of the site or its location, it may vary the regulations so that substantial justice may be done and the public interest secured, provided that such variation will not have the effect of nullifying the intent and purpose of these regulations and any development plans of any other agency.
- B. In granting variances and modifications, the Plan Commission may require such conditions as will, in its judgement, secure substantially the objectives of the standards or requirements so varied or modified.

## § 304-16. Amendments.

- A. The Board, upon recommendation of the Plan Commission, may amend, supplement or repeal any of these regulations after public notice and hearing.
- B. Any person aggrieved by an objection to a plat or failure to approve a plat may appeal to the Board within 30 days of notification of the rejection of the plat. The appeal shall be considered in accordance with § 236.13(5), Wis. Stats.

## § 304-17. Severability.

- A. The provisions of this chapter are severable, and if for any reason, a clause, sentence, paragraph, section or other part of this chapter should be decided by a court of competent jurisdiction to be invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provisions.
- B. If any provision of this chapter is invalid or unconstitutional, or the application of this chapter is to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the above provisions or applications of this chapter which can be given effect without the invalid or unconstitutional provision or its application.

## § 304-18. Violations and penalties.

Any person who builds upon, divides, conveys, records or monuments in violation of or fails to comply with the provisions of this chapter shall, upon conviction thereof, forfeit not less than \$25 nor more than \$200 plus the costs of prosecution for each violation, and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until payment thereof, but not exceeding 30 days. Each violation and each day a violation exists or continues shall constitute a separate offense. In addition, the remedies authorized by §§ 236.30, 236.31 and 236.32, Wis. Stats., shall be available to the Village.

## Article IV. Procedures

### § 304-19. Subdivision.

When it is proposed to divide a land into five or more parcels or building sites, any one of which is 10 acres or less in size; or where the act of division creates five or more parcels or building sites of 10 acres each or less in area by successive division within a period of five years, the subdivider shall subdivide in accordance with the following procedures:

- A. Initial consultation. The subdivider shall confer with the Plan Commission, Village Clerk, or other Village staff to become familiar with the purpose and objectives of these regulations, any Comprehensive Plan, Comprehensive Plan components, or duly adopted plan implementation devices of the Village.
- B. Submittal of sketch plan. The subdivider must submit a sketch plan to the Village Clerk at least 15 days before the Plan Commission meeting. It may be a freehand drawing and must comply with the plat requirement checklist, § **304-23**. The sketch plan will be a tool for facilitating discussion on how the subdivision relates to:
  - (1) Topography.
  - (2) The improvements, design, dedications or reservations required by these regulations.
  - (3) Continuity to existing development.
  - (4) Regulations as set forth by Ch. 236 of the revised Wisconsin Statutes.
  - (5) Regulations established by the Village of Almena, the County of Barron, and the Wisconsin Administrative Code as regulated by the State Department of Safety and Professional Services. If any lots to be divided are not to be serviced by public sanitary sewer, as determined by the Village Board, the subdivider must comply with Barron County ordinances governing land use development and procedure and standards established under the rules of the State Department of Safety and Professional Services applicable to subdivisions for on-site wastewater treatment or septic systems.
  - (6) Regulations established by the Wisconsin Administrative Code as it relates to highway regulations.
- C. Preliminary plat review within the Village.
  - (1) Before submitting a final plat for approval, the subdivider shall prepare a preliminary plat in accordance with this chapter complying with the plat requirement checklist, § **304-23** and Ch. 236, Wis. Stats. The subdivider shall file the required number of copies of the plat, a draft of protective covenants whereby the subdivider intends to regulate land use in the proposed subdivision and a letter of application with the Village Clerk at least 15 days prior to a regular meeting of the Plan Commission at which action is desired, or at least 20 days prior to the fourth Thursday of a month in the interim between regular meetings of the Plan Commission.
  - (2) The letter of application must indicate that copies of the plat are on file with the utility companies having jurisdiction over the subject area so that required easements can be determined.
  - (3) The subdivider shall also submit the original preliminary plat to the State Department of Administration per § 236.12(3), Wis. Stats.  
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
  - (4) The Village Clerk shall transmit copies of the preliminary plat to the Village Engineer, Village Building Inspector, Village Assessor, and an adequate number of copies for the Village Plan Commission for review. The Board is hereby designated as an approving authority and the Village Plan Commission designated advisory to the Board for all preliminary plats, final plats or replats.
  - (5) Preliminary plat approval within the Village.
    - (a) The objecting agencies shall, within 20 days or, in the case of the Department of Administration, 30 days, of the date of receiving their copies of the preliminary plat, notify the subdivider 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 Plan Commission. If an objecting agency fails to act within 20 days



or, in the case of the Department of Administration, 30 days, it shall be deemed to have no objection to the plat.

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

- (b) The Village Plan Commission, within 40 days of the date of filing of preliminary plat with the Village Clerk, shall review the preliminary plat for conformance with this chapter and all ordinances, rules, regulations, Comprehensive Plans and Comprehensive Plan components which affect it and shall approve, approve conditionally, or reject such plat. One copy of the plat shall there upon be returned to the subdivider with the date and action endorsed thereon; and if approved conditionally or rejected, a letter setting forth the conditions of approval or the reasons for rejection shall accompany the plat. One copy each of the plat and letter shall be placed in the Plan Commission's permanent file.
- (c) Failure of the Plan Commission to act within 40 days shall constitute an approval.
- (6) Effect of conditional or preliminary approval. Approval or conditional approval of the preliminary plat by the Plan Commission shall be deemed an expression of approval or conditional approval of the layout submitted as a guide to the preparation of the final plat to be prepared and submitted by the subdivider under § **304-19D** which final plat will be subject to further consideration by the Plan Commission at the time of its submission. Approval of the preliminary plat does not authorize the subdivider to proceed with the installation of site improvements nor does it authorize the sale of lots.
- (7) Revocation of preliminary plat approval. The approval of the preliminary plat or any time extension thereof may be revoked upon written notice where the Plan Commission finds that a material change in conditions has occurred affecting the proposed subdivision, including new information regarding the physical conditions of the site or proposed public works, which would adversely affect to a substantial degree public health, safety or welfare.
- D. Final plat review within the Village. The subdivider shall prepare a final plat and a letter of application in accordance with this chapter complying with the plat requirement checklist, § **304-23**, and Ch. 236, Wis. Stats., and shall file the required number of copies of the plat and the application with the Village Clerk at least 15 days prior to the meeting of the Plan Commission at which action is desired, or at least 20 days prior to the fourth Thursday of a month in the interim between Regular Meetings of the Plan Commission. The subdivider shall also submit the original final plat to the State Department of Administration as per § 236.12(3), Wisconsin Statutes. The Village Clerk shall transmit copies of the final plat to the Village Engineer, Village Building Inspector, Village Assessor, and adequate copies to the Village Plan Commission for review.  
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
  - (1) Partial platting. The final plat may, if permitted by the Plan Commission, constitute only that portion of the approved preliminary plat which the subdivider proposes to develop at that time.
  - (2) Submission. If the final plat is not submitted within six months of the approval of the preliminary plat, the Plan Commission may refuse to approve the final plat.
  - (3) Final plat approval within the Village.
    - (a) The objecting agencies shall, within 20 days or, in the case of the Department of Administration, 30 days, of the date of receiving their copies of the final plat, notify the subdivider and all other approval 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 Plan Commission. If an objecting agency fails to act within 20 days, or, in the case of the Department of Administration, 30 days, it shall be deemed to have no objection to the plat.  
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
    - (b) The Village Plan Commission shall, within 30 days of the date of filing of the final plat with the Village Clerk, recommend approval, conditional approval or rejection of the plat and shall transmit the final plat and application along with its recommendations to the Board.

- (c) The Board shall, within 60 days of the date of filing the original final plat with the Clerk, approve or reject such plat unless the time is extended by agreement with the subdivider. If the plat is rejected, the reasons shall be stated in the minutes of the meeting and a written statement of the reasons forwarded to the subdivider.
- (d) Failure of the Board to act within 60 days, the time having not been extended and no unsatisfied objections having been filed, the plat shall be deemed approved.

E. Subdivision performance guarantees.

- (1) Each subdivider within the Village shall be required, and shall be responsible within each subdivision, to construct, install and complete the required subdivision improvements not arranged by the Village.
- (2) By recording the final plat, the subdivider agrees for him/her/herself, and for his/her assigns that any charges necessitated and incurred by the Village in fulfillment of any of the subdivider's covenants and responsibilities above shall be charged to all benefiting property owners as special assessments.
- (3) The Board shall require a subdivider to file with the Village Clerk a performance guarantee prior to final plat approval to insure that installation and construction of the required improvements set forth as requirements for approval of the subdivision. The performance guarantees are as follows:
  - (a) Performance bond, certified check, or other satisfactory security, payable to the Village as allowed by § 236.13(2), Wis. Stats.
  - (b) The performance guarantee shall be for up to 120% of the amount estimated sufficient to reimburse the Village for the cost of completing all required improvements, as determined by the Village's Engineer.  
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
  - (c) If the performance guarantee is cash, it shall be held in an escrow fund by the Village. When the Board has required the subdivider to post a performance guarantee, and when any required improvements have been completed and approved, a portion of the security commensurate with the cost of these improvements may be released and returned by the Board. In the event that a subdivider fails to install all required improvements in accordance with the recorded final plat and this chapter, then either the security is forfeited to the Village to be used for completion of improvements, or the Village of Almena has the right to invoke the performance bond terms and conditions. If the performance guarantee is insufficient to complete all municipal improvements without cost to the Village, the Village of Almena retains the right to pursue special assessments for that amount of additional monies the Village has been required to expend to complete the subdivider's obligations and responsibilities under this chapter.

F. Improvements by Village.

- (1) The following improvements shall be designed, engineered and installed by or at the instance of the Village in such manner as the Village shall deem necessary and proper and assessed under § 66.0703 of the Wisconsin Statutes:
  - (a) Sanitary sewers, including lift stations and force mains, if necessary, to Village specifications.
  - (b) Water distribution system, including pumping stations if necessary to Village specifications.
  - (c) Stormwater management structure, including storm sewer, detention ponds, etc., if determined necessary, by the Board.
  - (d) Bridges and culverts.
  - (e) Curb and gutter as determined necessary by the Board.

- (f) Sidewalks as determined necessary by the Board.
- (2) Excepting extraordinary costs the entire cost and expense incurred by the Village relating to design, inspection, engineering and installation of improvements shall be assessed under § 66.0703 of the Wisconsin Statutes.  
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
- (3) Upon completion of (or in conjunction with) the above improvements the Village will provide for grading within the right-of-way for street construction and placement of granular base course. Hard-surface (asphaltic pavement) will be provided by the Village as it fits the schedule for surfacing/resurfacing streets within the Village. The subdivider may have that schedule accelerated by providing full payment of the cost of hard-surfacing and including the same as part of the performance guarantee § **304-19E**.
- G. Extraordinary costs. The Village shall pay and may assess against all benefitting property owners both within and beyond the boundaries of the proposed subdivision expenditures by the Village for extraordinary costs. "Extraordinary costs" shall be considered the incremental cost over and above the cost for installing improvements of the following minimum dimensions or condition:
  - (1) Sanitary sewers where mains larger than eight-inch diameter are required.
  - (2) Sewage lift stations and force mains required to serve an area beyond the subdivision.
  - (3) Water mains where mains larger than eight inches diameter are required.
  - (4) Storm sewers where pipes larger than 24 inches diameter are required.
  - (5) Bridges or culverts required to serve an area beyond the subdivision.
- H. Recordation. After the final plat has been approved by the Board and required improvements either installed or a performance guarantee insuring their installation is 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 subdivider for recording with the County Register of Deeds. The Register of Deeds cannot record the plat unless it is offered within 12 months of last approval and 36 months of first approval of the final plat.  
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
  - (1) Copies. The subdivider shall file adequate copies of the recorded final plat with the Village Clerk. The subdivider shall also distribute copies to utilities, the West Central Wisconsin Regional Plan Commission and other approving, objecting or affected agencies for their files, with a copy of the transmittal to the Village Clerk.

## § 304-20. Replat.

- A. When it is proposed to replat a recorded subdivision or part thereof, so as to change the boundaries of a recorded subdivision or part thereof, the subdivider shall follow §§ 236.36 and 236.40 through 236.44 of the Wisconsin Statutes. The subdivider shall then proceed as specified in § **304-19** of this chapter.
- B. When necessary, the Village Clerk shall schedule a public hearing before the Plan Commission when a preliminary plat of a replat of lands within the Village is filed and shall cause notices of the proposed replat and public hearing to be mailed to the owners of all properties within the limits of the exterior boundaries of the proposed replat and to the owners of all properties within 200 feet of the exterior boundaries of the proposed replat.

## § 304-21. Minor subdivision.

- A. A certified survey map (CSM) shall be required for all newly created parcels of land where the act of division will create a lot, parcel or tract of 10 acres in area or less, or where the newly created parcel is entirely within a recorded subdivision or where the newly created parcel is within a previously recorded CSM. A CSM shall also be required for all public dedications. No land included in any street, highway or railroad right-of-way shall be included in computing lot area.
- B. If any lots to be divided are not serviced by public sanitary sewer, the subdivider must obtain a written statement from the Village Board stating that such service will not be made available and comply with Barron County ordinances governing land use development and procedure and standards established under the rules of the State Department of Safety and Professional Services to subdivisions.
- C. The Village Clerk shall transmit a copy of the map to all affected municipalities, commissions or departments for their review and recommendations concerning matters within their jurisdiction. Their recommendations shall be transmitted to the Village Plan Commission within 10 days from the date the map is filed. The map shall be reviewed by the Plan Commission for conformance with this chapter and all ordinances, rules, regulations, and Comprehensive Plans which affect it. The Plan Commission shall, within 30 days from the date of filing of the map, recommend approval, conditional approval, or rejection of the map, and shall transmit the map along with its recommendations to the Board.
- D. The Board shall approve, approve conditionally, or reject such map within 90 days from the date of filing of the map unless the time is extended by agreement with the subdivider. If the map is rejected, the reason shall be stated in the minutes of the meeting and a written statement forwarded to the subdivider. If the map is approved, the Board shall cause the Village Clerk to so certify on the face of the original map and return the map to the subdivider.  
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
- E. A performance guarantee shall be required for any proposed improvements and shall be as prescribed in § 304-19E above.
- F. Recording. The certified survey map shall be recorded with the County Register of Deeds. When a certified survey map has been so recorded, the parcels of land in the map shall be described by reference to the number of the survey, the volume and page where recorded, and the name of the county. Any land or improvements offered for dedication and noted on the certified survey map shall be deeded at the time of recording, unless otherwise arranged.
- G. Copies. The subdivider shall file adequate copies of the recorded certified survey map with the Village Clerk.

## § 304-22. Assessor's plat.

An Assessor's plat under § 70.27 of the Wisconsin Statutes may be ordered by the Board at the expense of the subdivider when a subdivision is created by successive divisions without complying with this chapter.

## § 304-23. Plat requirement checklist.

- A. Sketch plan submittal.
  - (1) Title, scale, North arrow and date must be shown.
  - (2) The scale should not be less than approximately 100 feet to the inch and should be on a topographical survey map. It may be a freehand sketch or a print of such a map and must show:
    - (a) Subdivision boundaries and proposed use.

- (b) General street and lot layouts.
- (c) Approximate location of prominent physical features (drainage areas, structures, etc.).
- (d) A contour interval suitable for the size.
- (3) The sketch must include a location map. It may be freehand in the same orientation as the sketch plan and must show the location of the proposed subdivision as it relates to municipal boundaries and existing roads/streets and highways.
- (4) Total acreage of subdivision and number of lots proposed, and the typical width and depth of lots.
- (5) Name, phone number and address of subdivider or his/her agent.
- (6) Approximate square footage of each lot.

B. Preliminary plat submittal.

- (1) It shall be clearly marked "preliminary plat" and shall be in sufficient detail to determine whether the final plat will meet all requirements of the ordinance.
- (2) Title, scale, North arrow and date must be shown.
- (3) The scale shall not be less than 100 feet to the inch and shall be drawn on a topographical survey map having contour intervals of no more than two feet between intervals.
- (4) Must show the location and dimensions of:
  - (a) Existing, planned and proposed roads/streets, public facilities or land, easements, existing buildings, watercourses, drainage ditches and other such features.
  - (b) Facilities or land offered for dedication or reserved for public or other use as indicated.
  - (c) Contour lines/elevation points.
  - (d) Owners of adjoining land.
  - (e) Blocks and lots in consecutive order.
- (5) It must have a neighborhood location map showing subdivision location and surrounding roads, etc., in the same orientation as the preliminary plat.
- (6) It must include preliminary design for sewer, water, streets, drainage, and grading.
- (7) Must include zoning classification, land use and minimum lot sizes within and adjacent to the subdivision.
- (8) Must include a drawing of all present and proposed street grades and facilities for sanitary sewer, water and stormwater management.
- (9) Must show the one-hundred-year flood elevation for waters of the state when applicable.
- (10) There must be included a draft of all types of restrictions placed on the land which will become covenants in the deeds for lots shown on the final plat when submitted. These covenants should encourage a variety of dwelling types and developments suitable to the site.
- (11) Must show total acreage of subdivision, number of lots proposed, and total street length.
- (12) Name, telephone number and address of the subdivider or his/her agent.

C. Final plat.

- (1) It shall show the corrected and finalized data from the preliminary plat.

- (2) A final plat shall comply with the provisions of Chapter 236 of the revised Wisconsin Platting Statutes and the following more restrictive requirements of this chapter.

## Article V. Design Standards

### § 304-24. Location of site.

- A. General plan. The location and design of all divisions of land must conform to any applicable Comprehensive Plan.
- B. Zoning. The use of land and all divisions of land must conform to any applicable municipal, Village or county zoning ordinances, however, larger lots and setbacks may be required where conditions warrant.
- C. Objectionable areas. Land subject to hazards of life, health or property, as may arise from fire, floods, disease, noise, falling aircraft or considered to be uninhabitable for other reasons, may not be subdivided for building purposes unless the hazard has been eliminated or the plans shown adequate safeguards correcting the hazards have been approved by the Village.
- D. Nearby development. All divisions of land shall be coordinated with existing nearby development or neighborhoods so that the area as a whole shall be developed harmoniously.

### § 304-25. Design of site.

#### A. Natural features.

- (1) Preservation. In all divisions of land, care shall be taken to preserve all natural and historic features which will add attractiveness and value to the remainder of the land being divided (i.e., trees, wetlands, watercourses, views, historic structures).
- (2) Hillside development. Where a division of land is on a site that has a slope of more than 12%, the Plan Commission may require larger lot sizes than are zoned and may reduce setback requirements upon proper appeal.
- (3) Water frontage and surface drainage. The damming, filling or relocating or otherwise interfering with natural flow of surface water (including intermittent drainage) along any surface water drainage channel or natural watercourse shall not be permitted except with approval of the Plan Commission or any other affected agency. Building setback lines shall be established no less than 75 feet from the high-water line of any stream, lake or water body to prevent construction of any structure other than a dam, bridge, boat house retaining wall, bulkhead or revetments in the setback area.

The Barron County Shoreland Zoning Ordinance requirements for lot size, setbacks, well location, location of on-site absorption systems, etc. shall prevail where more restrictive.

- (4) Planting screens. The Village shall require planting or buffering easements, extra lot depth or width alongside heavily traveled highways where lots are backed into the roadway; along zoning district lines; as buffer strips separating residential zoning districts from commercial or industrial land uses; as buffer zones along railroad rights-of-way or for any such use as may be deemed appropriate and consistent with the total development of the community.

#### B. Road/street arrangement.

- (1) Location principles. The streets shall be properly located and designed with regard to:
  - (a) Existing and planned streets.
  - (b) Topographic conditions.

- (c) Public convenience and safety including facilitating fire protection and pedestrian traffic.
  - (d) The proposed uses of land to be served by the streets.
  - (e) Anticipated traffic volumes.
  - (f) Further subdivision possibilities with suitable access to abutting properties.
  - (g) Any other principles as may be deemed significant to protect the public interest by the Village.
- (2) Coordination of existing street pattern. The arrangement, character, extent, width, grade, location and engineering specifications of all streets shall conform to the standards of this chapter, adopted municipal or county plans and any official highway maps. If there is a Comprehensive Plan or Official Map, the arrangement of streets in a division of land shall provide for the continuation or appropriate projection of existing streets into surrounding areas, subject to topography conditions, public convenience, safety and proposed uses of land to be served. The Plan Commission may require multiple egress/ingress for a subdivision if it deems it necessary due to the size of the subdivision or its particular characteristics. Where a subdivision borders on or contains a railroad right-of-way, the Plan Commission may require a street approximately parallel with and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with regard for the requirements of approach grades and future grade separations.
- (3) Subdivision abutting major roads.
- (a) Where a proposed subdivision abuts or contains an existing or proposed street right-of-way as designed on the Official Map of the Village, or as may be determined by the Plan Commission, adequate protection of existing or proposed development, limitation of access and separation of through and local traffic shall be handled as follows:
    - [1] Reverse frontage, with screen planting contained in a non-access reservation along the rear property line; or
    - [2] By frontage streets; or
    - [3] By having development front on a perpendicular street to the primary right-of-way.
  - (b) When lots within the proposed subdivision back upon the right-of-way on an existing or proposed limited access highway or a railroad, a planting easement at least 15 feet in width shall be provided adjacent to normal lot depth. This easement shall be a part of the platted lots, but shall have the following restriction lettered on the face of the plat: "This strip reserved for the planting of trees and shrubs, the building of any structure hereon prohibited." Streets parallel to a limited access highway or railroad right-of-way, when intersecting a major street and highway, said intersection shall be located a minimum distance of 250 feet from said limited access highway or railroad right-of-way. Such minimum distance shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.
- (4) Street design.
- (a) Major street. Provides for movement of through traffic from one area of the community to another.
  - (b) Collector street. Carries traffic between minor streets and major streets and also provides access to abutting properties.
  - (c) Minor street. Primarily provides access to abutting properties. Does not serve through traffic and does not intersect with major streets.
  - (d) Cul-de-sac. Designed as permanent installations should not be longer than 500 feet, except where topographical and site conditions warrant an extension, and will be subject

to the approval of the Plan Commission. The closed end shall have a turnaround with an outside roadway diameter of at least 180 feet and a street property line diameter of 210 feet.

- (e) Alley. Shall be provided in commercial and industrial districts, except that the Commission may waive this requirement where other definite and assured provision is made for service access such as off-street loading and parking adequate for the uses proposed. Alleys shall be prohibited in residential areas unless necessary because of topography or other exceptional circumstances. The width of the alleys shall not be less than 30 feet. Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn-around facilities at the dead-end, as determined by the Plan Commission.
  - (f) Half streets. Half streets shall not be permitted except:
    - [1] To complete a street, the other half of which is already dedicated and accepted; or
    - [2] To conform to the major thoroughfare plan or an Official Map.
  - (g) Reserve strips. Reserve strips controlling access to streets shall be prohibited except where the control is definitely placed with the Village under conditions approved by the Plan Commission.
- (5) Intersections.
- (a) Streets shall be laid out so as to intersect at right angles.
  - (b) Intersection approach areas should not exceed a grade of 2% on all approaching streets for a distance of 50 feet from the intersecting points of the right-of-way lines.
  - (c) The minimum turning radius at an intersection shall not be less than 25 feet.
  - (d) Proper sight line easements shall be maintained at all street intersections. Measured along the center line, there shall be a clear sight triangle easement with sides as follows: state and federal highways, 250 feet; major streets, 150 feet; collector streets, 75 feet; minor streets, 75 feet. No building, fencing, planting higher than three feet, or construction is permitted in this area.
  - (e) The distance between intersections of minor or collector streets with major streets should not be less than 800 feet and they shall be in alignment with existing and planned streets entering the major street from the opposite side, unless approved by the Board. In no case shall intersection center lines be offset less than 125 feet.
- (6) Street grades.
- (a) Streets shall have a minimum center-line grade of 0.5% and shall not exceed grades specified as follows: major and collector streets, a 6% maximum; minor street, 10% maximum. These figures can be adjusted where deemed necessary by the Village.
  - (b) All changes in street grades shall be connected by vertical curves of minimum length equivalent in feet to 15 times the algebraic difference in the rates of grades for major streets, and one-half this minimum for all other streets.
- (7) Width. All street right-of-way shall be 66 feet or the width specified by the Village.
- (8) Curves. A tangent at least 100 feet long shall be introduced between reverse curves on major and collector streets and a fifty-foot tangent on minor streets. The minimum radii or curvature on the center line shall be 300 feet minimum radius for major streets; 200 feet minimum radius for collector streets; and 100 feet minimum radius for minor streets.

- C. Easements. Easements across lots or centered on rear or side lot lines shall be designed for utilities where necessary and shall be at least 15 feet wide. Electric and telephone lines shall be planned along rear lot lines wherever possible. The Plan Commission shall determine the feasibility



of burying utility lines. Where a subdivision is traversed by a watercourse, drainageway, channel or street, there shall be provided a stormwater easement or drainage right-of-way not less than 30 feet in width, conforming substantially with the lines of such watercourses. Parallel streets or parkways may be required in connection therewith.

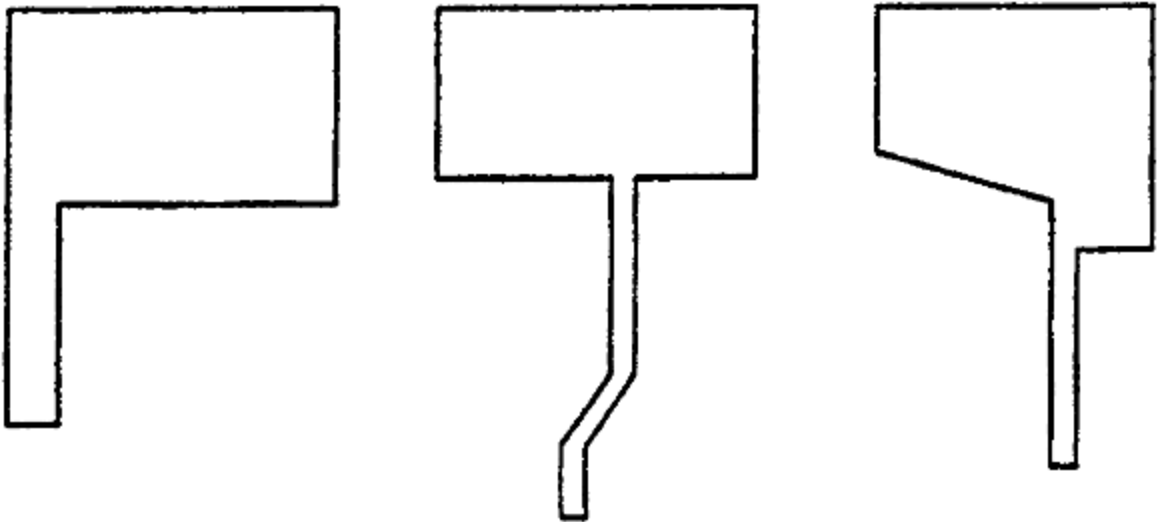
- D. Storm drainage. Storm sewers, culverts and related facilities shall be designed to permit the unimpeded flow of natural watercourses; insure the drainage of all low points along the line of streets; provide positive drainage away from on-site sewer disposal facilities; and facilitate infiltration of on-site runoff where possible. Storm drainage facilities must be designed to handle the anticipated increase in runoff that will occur when all the property at a higher elevation in the same drainage basin is fully developed. On-site infiltration of stormwater runoff facilitated by recognized stormwater management best management practices will be preferred. Where adequate existing storm sewers are readily accessible, the subdivider shall connect his stormwater facilities to these existing sewers. In the design of storm drainage facilities, special consideration shall be given to preventing excess runoff onto adjacent property. Where a storm drainage outlet will abut another property, sufficient and adequate engineering safeguards shall be designed in the plat to prevent damage to adjoining property. Sloped drainage channels must be protected against erosion.

(1) Stormwater management.

- (a) Purposes. The intent of this section is to protect property and structures from damage caused by increased surface water runoff due to commercial, industrial and residential development, and to minimize the impacts of development on surface water quality.
- (b) Standards. Surface water runoff from the site after development shall not exceed the peak rate/volume of flow at predevelopment conditions. Minimum design criteria will accommodate peak flows resulting from ten-year frequency 4 2/10 inches and one-hundred-year frequency six inches, twenty-four-hour rains. These peak flows shall be the basis to determine both preconstruction and post-construction surface water runoff.
- (c) Plan. A stormwater management plan shall be submitted with the preliminary plat. The plan shall be designed, stamped and signed by a professional engineer. The plan shall include, but not be limited to, the following:
  - [1] Soil types, infiltration characteristics of the soil, amount of available detention area, type of vegetative cover, amount of impervious cover and time response to runoff.
  - [2] The plan shall be compatible with natural drainageways and existing man-made drainageways and easements.
  - [3] The plan shall identify bridges, regional drainage patterns, water boundaries, pipes, culverts, catch basins, waterways, ditches, detention and retention basins; and indicate respective size, dimensions and grades of each.
  - [4] All drainageways and associated structures shall lie within maintenance easements and such easements shall be shown on the final plat.
  - [5] The direction of surface water flow shall be shown by arrows.
  - [6] The plan shall be designed in accordance with the United States Department of Agriculture<sup>[1]</sup> Technical Release No. 55, Urban Hydrology for Small Watershed.  
 [1] *Editor's Note: See now "Department of Agriculture, Trade and Consumer Protection."*
  - [7] The plan shall be accompanied by calculations showing preconstruction and post-construction surface water runoff.
  - [8] A statement shall be included indicating how runoff resulting from construction and from the completed development will effect downstream areas and adjacent property owners.

- [9] The statement shall indicate methods, structures and best management practices that will be used to protect downstream areas and adjacent property owners from damage caused by increased surface water runoff and ground disturbance during construction.
- [10] A covenant shall be recorded with the final plat or shall be placed on the final plat. The covenant shall state:
  - [a] No artificial obstruction may be constructed, planted or maintained within any man-made or natural drainageway so that such obstruction impedes the natural flow of water and/or diminishes the natural aesthetic quality of the drainageway.
  - [b] Upon failure of the property owners to perform maintenance of the drainageways and associated structures, the Village retains the right to perform maintenance and/or repairs. The payment of said maintenance and/or repairs shall be assessed to the property owner creating the obstruction or equally assessed among the property owners of the subdivision with a drainage covenant.
- (2) Surface water drainage restrictions. No drainageway contained within a drainage easement shall be disturbed, except as provided in § **304-10B(1)**, in accordance with the following:  
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
  - (a) No artificial obstruction may be constructed, planted or maintained within any man-made or natural drainageway so that such obstruction impedes the natural flow of water and/or diminishes the natural aesthetic quality of the drainageway.
  - (b) Lot boundaries shall be made to coincide with new and/or preexisting man-made and natural drainageways to avoid the creation of lots that can be built upon only by altering such drainageways.
  - (c) Exceptions. Surface water shall not be regarded as unduly retained or diverted if:
    - [1] The retention or diversion results from a technique, practice or device deliberately installed as part of an approved construction site erosion control or stormwater management plan.
    - [2] The retention or diversion is not substantially different in location or degree than that experienced by the development site in its predevelopment stage, unless such a retention or diversion presents a danger to health or safety.
    - [3] The retention or diversion results from the actions of natural obstructions, whereby maintenance shall be performed by the property owners in accordance with any procedures and specifications approved by the Board.
    - [4] The retention or diversion has been allowed or required by the Board and noted on the approved stormwater management plan.
- E. Sanitary sewers. In areas that have a sanitary sewer system within or near the proposed subdivision, the Village shall determine the feasibility of service and the requirements to be followed by the subdivider. In areas that are not to be served by a sewer system, on-site subsurface sewage disposal systems may be permitted only where soil tests and feasibility reports are satisfactory, as regulated by the Wisconsin Statutes, and the Village Board has determined there is no health threat to nearby private or public wells.
- F. Water facilities. Where there is an existing public water supply system within or near the subdivision, the Village shall determine the feasibility of connection to this system. Where there is a community water supply system, connection must be approved by the engineer of the water utility company holding the franchise covering the land to be subdivided and by the Wisconsin Department of Natural Resources. Where there is no existing public water supply and no community water supply, individual water supply systems may be permitted in accordance with minimum standards of the Wisconsin Administrative Code.  
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

- G. **Blocks.** The lengths, widths and shapes of blocks shall be determined by: Provisions of building sites suitable to meet the needs of the type of use contemplated; Zoning Ordinance requirements pertaining to lot size and dimensions; need for convenient access, circulation, control and safety of street traffic; and limitations and opportunities of topography. Block lengths shall normally not exceed 1,000 feet, or be less than 500 feet in length. Pedestrian easements or dedications not less than 10 feet wide shall be required where deemed necessary to provide access to playgrounds, schools, shopping centers or other community facilities.
- H. **Lots and building location.** The lot size, width, depth, shape, orientation and minimum building lines shall be appropriate for the location of the subdivision and for the type of development and use proposed. The minimum lot size for any residential subdivision with access to public sewer shall be 12,000 square feet. Except as specified herein, lot dimensions shall conform to the requirements of the local Zoning Ordinance, or as may be determined by soil capability ratings and by the Barron County Shoreland Ordinance. Corner lots shall have increased width to permit adequate setback from both streets. Every lot in a subdivision shall abut on a public street for at least 33 feet. Side lot lines shall be substantially at right angles to the street lines. Double frontage shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome particular topographic and orientation disadvantages.
- (1) **Access.** Every lot shall front or abut on a public street and have direct vehicular access to that public street for a distance of at least 33 feet. Direct vehicular access does not include the use of easements.
- (2) **Widths and depth.** Lots shall be designed with a suitable proportion between width and depth. Neither long, narrow or wide, shallow lots are normally desirable. The use of "flag" lots (as illustrated below) shall be prohibited. The minimum lot width for any residential subdivision shall be 100 feet. Depth shall not exceed three times the width nor shall it be less than 150 feet.
- [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

**Flag Lot Examples:**

- I. **Filling.** Where any land is to be filled more than six inches above an adjacent property, a grading plan must be approved by the Plan Commission.
- J. **Street names.** No street names shall be used which will duplicate or be confused with the name of an existing street within the same community. Streets that are extensions, or obviously are in alignment with existing named streets, must bear the names of those streets. Street names must be consistent with the Barron County Uniform Addressing Grid System (Ordinance No. 4-95) and approved by the Village and county.
- K. **Commercial and industrial areas.** The land division shall be designed with consideration of site conditions to permit the best possible layout to serve the public; to permit good traffic circulation

and the parking of cars; to make delivery and pickup efficient; to design individual units so that they blend with the whole; to provide for the most efficient arrangement of space for present use and future expansion; and to provide adequate and safe space for worker and customer access and parking. A development plan of this nature shall be accompanied by a plan indicating general landscape treatment intended.

## Article VI. Required Improvements

### § 304-26. Survey monuments.

- A. The subdivider shall install survey monuments placed in accordance with the requirements of § 236.15, Wis. Stats.
- B. Any existing survey monuments which are disturbed during construction shall be rehabilitated at cost to the developer and to the specifications of existing state regulations and the County Surveyor.

### § 304-27. Other utilities.

- A. The subdivider shall cause gas, electrical power, telephone, telecommunications and cable facilities to be installed in such a manner as to make adequate service available to each lot in the subdivision. No such electrical, telephone or cable service shall be located on overhead poles along the front lot lines unless otherwise allowed due to exceptional topography or other physical barriers. The subdivider shall consult with the various utility companies to determine the feasibility of burying utility lines.
- B. Plans indicating the proposed location of all gas, electrical power, telephone and cable distribution and transmission lines required to service the plat shall be approved by the particular utility having jurisdiction.

### § 304-28. Streetlights.

- A. Before the subdivision may be approved or before any street is accepted in any subdivision, all utilities, including streetlighting as prescribed by the Village, shall be installed. Streetlighting will be required to be installed at all intersections, and the cables shall be buried. Overhead installation will be allowed to match other utilities in the subdivision. The subdivider shall be responsible for the initial installation of all streetlighting, as required herein, which payment shall be made in full and satisfied with the power company prior to the acceptance of the subdivision.
- B. Upon acceptance of the subdivision, all electrical costs thereafter for streetlights installed at intersections shall be paid by the Village of a monthly assessment from the power company. Where there are streetlight installations which are not at intersections, the subdivider must require that the persons in the subdivision make arrangements to pay for the monthly power charges assessed by the existing power company.
- C. The Village may except streets in subdivisions from the requirements of the streetlighting, but must do so in writing before the acceptance of the street or subdivision. In the event that it is substantially inconvenienced or the subdivider is unable to perform the streetlighting at the time of the acceptance of the subdivision, a performance guarantee may be approved by the Village in an amount sufficient to complete the improvement as required, and shall specify a satisfactory date for completion of the improvements, or a forfeiture of the bond.
- D. The standards or amount of required streetlighting shall be in the sole discretion of the Village and shall not be regulated by any applicable standards of the power company with regard to its recommendations as to required lighting.

## § 304-29. Street name signs.

The subdivider shall install at the intersection of all streets proposed to be dedicated, a street name sign of a design specified by the Village and in compliance with § **304-25J**.

## § 304-30. Street trees and planting screens.

The subdivider shall plant trees of a species acceptable to, and in accordance with, any plans and standard specifications set by the Village Board.

## § 304-31. Lot grading.

The Plan Commission shall require that a grading plan be submitted prior to the approval of a preliminary plat.

# Article VII. Construction

## § 304-32. Commencement.

No construction or installation of improvements shall commence in a proposed subdivision until the final plat has been approved and the Board has given written authorization, and the performance guarantee has been accepted by the Village.

## § 304-33. Building permits.

No building permits shall be issued for erection of a structure on any lot of record until all the requirements of this chapter have been met.

## § 304-34. Inspection.

The subdivider, prior to commencing any work within the subdivision, shall make arrangements with the Village Board to provide for adequate inspection at the subdivider's expense. The Board, or its agent, shall inspect and approve all completed work prior to release of the performance guarantee.