

TOWN OF POLK PROPOSED ORDINANCE 03.2025

AN ORDINANCE REPEALING CHAPTER 18: LAND DIVISION ORDINANCE AND
ADOPTING AND RECREATING A NEW CHAPTER 18: LAND DIVISION
ORDINANCE

The Board of Supervisors of the Town of POLK, Wisconsin hereby ordain as follows:

WHEREAS, the Town of POLK is authorized to prepare and adopt a land division ordinance under Wis. Stat. ch. 236, and amendments thereto; and

WHEREAS, Chapter 18 Land Division Ordinance currently serves as the Town's land division ordinance; and

WHEREAS, the Town of POLK Plan Commission has recommended comprehensive changes to Chapter 18 Land Division Ordinance; and

WHEREAS, the new ordinance recreating Chapter 18 Land Division Ordinance will serve as the Town's land division ordinance; and

WHEREAS, the Town Plan Commission has held a public hearing on this ordinance, in compliance with Wis. Stat. ch. 985, and following such hearing the Town Board considered public comments and the recommendation of the Town Plan Commission.

NOW, THEREFORE, the Board of Supervisors of the Town of POLK, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 18 Land Division Ordinance is hereby repealed, and Chapter 18 Land Division Ordinance, which is attached hereto and incorporated herein as Exhibit A, is hereby created.

SECTION 2: Severability. If any section, clause, provision, or portion of the newly created Chapter 18 Land Division Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of Chapter 18 Land Division Ordinance shall not be affected thereby. If an application of Chapter 18 Land Division Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgement shall not be applicable to any other structure, land, or water not specifically included in said judgement. If any requirement or limitation attached to an authorization given under Chapter 18 Land Division Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement of limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms in conflict.

SECTION 3: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 13th day of May, 2025.

TOWN BOARD, TOWN OF POLK

By: Albert J. Schulteis
Albert Schulteis, Town Chair

ATTEST:

Alison Pecha
Alison Pecha, Town Clerk

ATTACHMENTS: Exhibit A (Town of Polk Chapter 18 Land Division Ordinance)

ADOPTED: May 13, 2025

PUBLISHED: May 15, 2025