

ORDINANCE No. 25-01
AN ORDINANCE ADOPTING AN UPDATED OFFICIAL MAP
FOR THE VILLAGE OF MISHICOT, WISCONSIN

SECTION 1.00 INTRODUCTION

WHEREAS, the Plan Commission has recommended to the Village Board that an updated Official Map be established for the Village of Mishicot; and

WHEREAS, a public hearing was held before the Plan Commission of the Village of Mishicot on the 10th day of April, 2025, on the question of the adoption of an Official Map; and

WHEREAS, the Village Board of the Village of Mishicot has determined that it is necessary for the proper physical development of the Village to establish an updated Official Map for the Village of Mishicot as authorized under the Village's Code of Ordinances, Section 304-9 Official Map.

NOW, THEREFORE, the Village Board of the Village of Mishicot, Manitowoc County, Wisconsin, do ordain as follows:

SECTION 2.00 INTENT

- A. It is the intent of the Village Board to establish an Official Map for the purpose of serving and promoting the public health, safety, convenience, economy, orderliness, and general welfare of the community; to further the orderly layout and use of land; to stabilize the location of real property boundary lines; to insure proper legal descriptions and proper monumenting of land; to facilitate adequate provision for transportation, parks, playgrounds, and storm water drainage; and to facilitate the further subdivision of larger tracts into smaller parcels of land.

SECTION 3.00 AUTHORITY

- A. This Ordinance is enacted under the authority granted by Section 62.23(6) of the Wisconsin Statutes.

SECTION 4.00 JURISDICTION

- A. The jurisdictional area of this Ordinance shall include all lands within the corporate limits of the Village of Mishicot and those areas outside the Village within the extraterritorial plat approval jurisdiction of the Village.

SECTION 5.00 OFFICIAL MAP

- A. There is hereby established, as the Official Map of the Village of Mishicot, the Map which accompanies and is made a part of this Ordinance bearing the date of April 15, 2025. This map is hereby designated as the "Official Map of the Village of Mishicot," and all notations, references, and other information shown thereon shall be as much a part of this Ordinance as though the matters and information thereon were fully described herein. The Official Map shall show the location and extent of all platted and existing streets, highways, drainageways, parkways, parks and playgrounds, airports and airport affected areas, and historic districts within the corporate limits of the Village of Mishicot and its extraterritorial plat approval jurisdiction as heretofore laid out, adopted and established by law, except that drainageways outside the Village limits shall not be included on the Official Map.

SECTION 6.00 CHANGES AND ADDITIONS

- A. The Village Board May Change or add to the Official Map so as to establish the exterior lines of; widen; narrow; extend; or close any platted, existing, proposed, or planned streets, highways, drainageways, parkways, and parks or playgrounds, except that drainageways outside the Village limits shall not be included on the Official Map.
- B. The Village Board Shall Refer any change or addition to the Official Map to the Plan Commission for review and report thereon prior to adoption. The Plan Commission shall report its recommendation to the Village Board within 60 days.
- C. A Public Hearing of parties in interest and citizens before the Village Board shall be required before any changes or additions to the Official Map are effective. Notice of the public hearing shall be published as a Class 2 notice pursuant to Chapter 985 of the Wisconsin Statutes.
- D. Changes and Additions made by duly approved subdivision plats shall not require a public hearing if the changes or additions do not affect any land outside the area being platted.

SECTION 7.00 BUILDING PERMITS

- A. For the Purpose of Preserving the integrity of the Official Map, a building permit shall be required for any structure or part thereof that shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered. No permit shall hereafter be issued for any building in the bed of any existing or proposed street, highway, drainageway, or parkway shown on the Official Map. No permit for the erection of any building shall be issued unless a street or highway giving access to such proposed structure has been duly placed on the Map.
- B. The Building Inspector may require each applicant for a building permit to submit a plan, prepared and certified by a registered land surveyor, showing accurately the location of any proposed building with reference to any street, highway, drainageway, or parkway shown on the Official Map.

SECTION 8.00 MUNICIPAL IMPROVEMENTS

- A. No public sewer or other municipal street utility or improvement shall be constructed in any street, highway, or parkway within the jurisdictional area of this Ordinance until such street, highway, or parkway is duly placed on the Official Map.

SECTION 9.00 APPEALS

- A. The Village's Zoning Board of Appeals shall have the power to review any administrative decision of the Village Building Inspector to deny a permit for the erection of a structure under this Ordinance and to grant relief from the requirements of this Ordinance under the provisions of Sections 62.23(6)(e), (f), and (g) of the Wisconsin Statutes.

SECTION 10.00 CERTIFIED COPY OF MAP

- A. There shall be a certified copy of the Official Map described in Section 5.00. The certified copy shall be kept in the office of the Village Clerk, and shall be available for inspection by any interested person during regular office hours. The certified copy shall bear on its face a certification that it is a true copy of the Official Map described in and accompanying this Ordinance and shall show the date of adoption of this Ordinance and shall be signed by the Village President and countersigned by the Village Clerk. Thereafter no change or addition to such Official Map shall become effective until it shall have been indicated by the appropriate convention on the aforesaid certified copy of the Official Map and a certificate placed thereon or attached thereto bearing the number and date of adoption of the amending ordinance. The certificate shall be signed by the Village President and countersigned by the Village Clerk.

SECTION 11.00 MAP TO BE FILED WITH REGISTER OF DEEDS

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

SECTION 12.00 ENFORCEMENT

- A. It shall be the duty of the Village Building Inspector and the Chief of Police to enforce the provisions of this Ordinance.

SECTION 13.00 PENALTIES

- A. Any Person, Firm, or Corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit not more than Two Hundred Dollars (\$200.00) and not less than Fifty Dollars (\$50.00) and cost 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.
- B. No Damages shall be allowed for the taking by any governmental agency, for street, highway, drainageway, or parkway purposes, any building erected in violation of this Ordinance.

SECTION 14.00 SEVERABILITY

- A. If any section or part of this Ordinance is adjudged unconstitutional or invalid by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. All other ordinances, or parts of ordinances, of the Village inconsistent with this Ordinance to the extent of the inconsistency only are hereby repealed.

SECTION 15.00 EFFECTIVE DATE

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

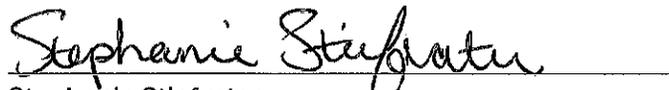
Date of Adoption: April 15, 2025

Date of Publication: March 27, 2025 and April 3, 2025

Effective Date: April 15, 2025


Bernie J. Samz
Village President

Attest:


Stephanie Stiefvater
Village Clerk/Treasurer