

ORDINANCE NO. 2026-05

**AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE LAND
DIVISION/SUBDIVISION ORDINANCE OF THE TOWN OF SHERMAN**

The Town Board of the Town of Sherman, Sheboygan County, Wisconsin, does ordain as follows:

1. Section 1.00 Introduction

Section 1.01 is amended by deletion and substitution as follows: "Authority for this Ordinance is granted by Sections 60.61, 60.52, 61.35, 62.23 (7), 87.30, 144.26 and Chapter 236 of the Wisconsin Statutes and amendments thereto."

2. Section 7.00 Survey and Data Submission Requirements

Subsection 1 of section 7.00 is amended by deletion of the first sentence of the first paragraph and insertion of the following: "Before submitting a final plat for approval, the subdivider may submit, or the town board may require that the subdivider submit, a preliminary plat. It shall be clearly marked "preliminary plat" and shall be in sufficient detail to determine whether the final plat will meet layout requirements. Within 90 days, the town board, or its agent authorized to approve preliminary plats, shall take action to approve, approve conditionally, or reject the preliminary plat and shall state in writing any conditions of approval or reasons for rejection, unless the time is extended by agreement with the subdivider. Failure of the town board or its agent to act within the 90 days, or extension thereof, constitutes an approval of the preliminary plat."

Subsection 1 of Section 7.00 shall be further amended by the addition of the following subparagraph "u":

"A subdivider that submits a preliminary plat for approval may submit preliminary, rather than final, plans and reports regarding sewer, water, road cross-sections, grading, stormwater, soil testing, landscaping, and street lighting. The town board, or its agent authorized to approve preliminary plats, may not reject the preliminary plat on the basis that the plans and reports are not final, but the town board or its agent may approve conditionally the preliminary plat on that basis and state in writing the conditions of approval including conditions that final plans and reports are submitted.

Subsection 2 of Section 7.00 is amended by deletion of the first paragraph and deletion of the word "final" at the end of the second line of the second paragraph.

3. Section 8.00 Review and Approval Procedures

Section 8.01 is amended to insert the word "informally" on the second line after the word "consult." In addition, the following language is added to that same paragraph:

“Conceptual reviews and opinions provided under this section are not binding on the municipality, town, or county, or the sub-divider.”

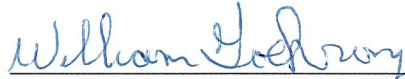
Paragraph b of subsection 1 of section 8.01 is amended by deletion of the last sentence.

Both paragraphs of subsection 3 of section 8.01 are deleted in their entirety and replaced by the following paragraphs a, b and c.

- a. As a further condition of approval, the town board may require that the subdivider agree to install any public improvements reasonably necessary and provide financial security to ensure that the subdivider will make those improvements within a reasonable time after approval. The town board may not require that public improvements be installed or accepted as a condition of submitting, reviewing, approving, or recording of a preliminary or final plat. The town board may not require the subdivider to provide security at the commencement of a project in an amount that is more than 120 percent of the estimated total cost to complete the required public improvements. Nothing in this subd. 3.a. prohibits the town board from requiring as a condition of approval that public improvements be installed within a reasonable time after the plat is approved.
- b. Any outstanding local building permits for home sites on the plat that meet the requirements of applicable building codes, zoning ordinances, and other municipal regulations shall be released and may not be withheld solely because of the status of public improvements.
- c. The subdivider shall have the final plat recorded in the office of the register of deeds. A final plat that has the approvals required under s. 236.10, Wisconsin Statutes, or that is deemed approved under s. 236.11, Wisconsin Statutes, is entitled to be recorded. The approving authority for the plat shall make a certificate to that effect on the face of the plat no later than 10 days after the subdivider submits the plat with the certificates and affidavits required.

This ordinance shall take effect on the day after its publication in The Sounder, the official newspaper of the Town of Sherman.

Adopted this 4th day of August, 2026.


William Goehring, Town Chairman

ATTEST:


Janelle Kaiser, Town Clerk

Dated and submitted for publication:
August 13, 2026, 2026
publication date