

## **Chapter 256**

### **OFFICIAL MAP**

- |  |  |
|--|--|
| <b>§ 256-1. Introduction.</b>          | <b>§ 256-8. Municipal improvements.</b>    |
| <b>§ 256-2. Intent.</b>                | <b>§ 256-9. Appeals.</b>                   |
| <b>§ 256-3. Authority.</b>             | <b>§ 256-10. Certified copy of map.</b>    |
| <b>§ 256-4. Jurisdiction.</b>          | <b>§ 256-11. Recording.</b>                |
| <b>§ 256-5. Map established.</b>       | <b>§ 256-12. Enforcement.</b>              |
| <b>§ 256-6. Changes and additions.</b> | <b>§ 256-13. Violations and penalties.</b> |
| <b>§ 256-7. Building permits.</b>      |  |

**[HISTORY: Adopted by the Town Board of the Town of Port Washington 12-13-2006 by Ord. No. 2006-6. Amendments noted where applicable.]**

#### **GENERAL REFERENCES**

**Land Use Plan — See Ch. 232.**

**Zoning and subdivision — See Ch. 340.**

---

#### **§ 256-1. Introduction.**

- A. The Town Board of the Town of Port Washington, upon recommendation of the Town Plan Commission, adopted on the 13th day of December 2006 an Arterial Street and Highway System Plan as a part of the Town's Land Use Plan;
- B. The Town Plan Commission has recommended to the Town Board that an Official Map be established for the Town of Port Washington;
- C. A public hearing was held before the Town Board of the Town of Port Washington on the 13th day of December 2006 on the question of the adoption of an Official Map; and
- D. The Town Board of the Town of Port Washington has determined that it is necessary for the proper physical development of the Town to establish an Official Map for the Town of Port Washington.

#### **§ 256-2. Intent.**

It is the intent of the Town 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 ensure proper legal descriptions and proper monumenting of land; to facilitate adequate provision for transportation, parks, playgrounds, and stormwater drainage; and to facilitate the further subdivision of larger tracts into smaller parcels of land.

**§ 256-3. Authority.**

This chapter is enacted under the authority granted by § 62.23(6), Wis. Stats.

**§ 256-4. Jurisdiction.**

The jurisdictional area of this chapter shall include all lands within the corporate limits of the Town of Port Washington.

**§ 256-5. Map established.**

There is hereby established, as the Official Map of the Town of Port Washington, the map which accompanies and is made a part of this chapter bearing the date of December 13, 2006. This map is hereby designated as the "Official Map of the Town of Port Washington," and all notations, references, and other information shown thereon shall be as much a part of this chapter as though the matters and information thereon were fully described herein. The Official Map shall show the location and extent of all platted, existing, proposed, or planned streets and highways and the Knellsville District within the corporate limits of the Town of Port Washington as heretofore laid out, adopted and established by law.

**§ 256-6. Changes and additions.**

- A. The Town 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, parkways, and parks or playgrounds.
- B. The Town Board shall refer any change or addition to the Official Map to the Town Plan Commission for review and report thereon prior to adoption. The Town Plan Commission shall report its recommendation to the Town Board within 60 days.
- C. A public hearing of parties in interest and citizens before the Town 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 Ch. 985, Wis. Stats.
- 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.

**§ 256-7. 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.

**§ 256-8. Municipal improvements.**

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 chapter until such street, highway, or parkway is duly placed on the Official Map.

**§ 256-9. Appeals.**

The Zoning Board of Appeals shall have the power to review any administrative decision of the Town Building Inspector to deny a permit for the erection of a structure under this chapter and to grant relief from the requirements of this chapter under the provisions of § 62.23(6)(e), (f), and (g), Wis. Stats.

**§ 256-10. Certified copy of map.**

There shall be a certified copy of the Official Map described in § 256-5. The certified copy shall be kept in the office of the Town 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 chapter and shall show the date of adoption of this chapter and shall be signed by the Town Chairperson and countersigned by the Town 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 hearing the number and date of adoption of the amending ordinance. The certificate shall be signed by the Town Chairperson and countersigned by the Town Clerk.

**§ 256-11. Recording.**

The Town 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 Ozaukee, Wisconsin.

**§ 256-12. Enforcement.**

It shall be the duty of the Town Building Inspector to enforce the provisions of this

**chapter. § 256-13. Violations and penalties.**

- A. Any person, firm, or corporation who or which fails to comply with the provisions of this chapter shall, upon conviction thereof, forfeit not more than \$200 and not less than \$50 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, of any building erected in violation of this chapter.