



Land Division Code
Chapter 54 of the
Municipal Code
for the
Village of Sister Bay, Wisconsin

Amended:
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CHAPTER 54 – VILLAGE OF SISTER BAY LAND DIVISION CODE

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In accord with the Provisions of Ord. No. 2023-012, this entire chapter was amended/revised on October 17, 2023.

INTRODUCTION

Sec. 54.01 Introduction and Purpose.

(1) Introduction.

In accordance with the authority granted by Wis. Stats., §236.13(1)(b) and §236.45, and for the purposes listed in Wis. Stats., §236.01 and §236, the Board of Trustees of the Village of Sister Bay, Wisconsin, does hereby ordain as follows: The provisions of this chapter shall be held to be minimum requirements adopted to promote the health, safety, comfort, prosperity and general welfare of the Village.

(2) Purpose.

The purpose of this chapter is to promote the public health, safety and general welfare of the community; to provide for proper ingress and egress; provide for pedestrian and bicycle accommodations when subdividing land; to promote proper monumentation of land subdivided and conveyancing by accurate legal description; to lessen congestion in the highways and streets; to foster the orderly layout and use of land; to secure safety from fire, panic and other dangers; to provide adequate light and air, including access to sunlight for solar collectors; to discourage overcrowding of the land; to facilitate adequate provision for transportation, public water and sewerage, parks, playgrounds and other public necessities; and to facilitate the further division of large tracts of land into smaller parcels. The regulations are made with the reasonable consideration of, but not limited to, the present character of the Village and its environs, with the objectives of conserving the value of the land and improvements placed thereon, providing the most appropriate environment for human habitation, encouraging commerce and tourism, protecting open spaces, and providing for the most appropriate use of land in the Village.

Sec. 54.02 Abrogation and Greater Restrictions.

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

Sec. 54.03 Interpretations.

In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements and 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.

Sec. 54.04 Severability.

If any provision of this chapter is deemed to be invalid or unconstitutional, or if the application of this chapter to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this chapter which can be given effect without the invalid or unconstitutional provision or application.

Sec. 54.05 Repeals.

All other ordinances or parts of ordinances of the Village of Sister Bay that are deemed to be inconsistent or conflicting with this chapter, to the extent of the inconsistency only, are hereby repealed.

Sec. 54.06 Title.

This chapter shall be known as, referred to, or cited as the "LAND DIVISION CODE".

Sec. 54.07 Adoption.

This code was originally adopted as Ordinance No. 104-110904 on November 9, 2004, and was effective upon publication on November 13, 2004. It has been amended thereafter by ordinance in 2005, 2007, and 2023.

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GENERAL PROVISIONS

Sec. 54.40 General Provisions.

The Wisconsin Administrative Code is defined as the rules of administrative agencies having rule-making authority in the State of Wisconsin, published in a loose-leaf, continual revision system, as directed by Wis. Stats., §35.93 and §227, including subsequent amendments to those rules.

- (1) **Compliance.** No person shall divide any land located within the jurisdictional limits of these regulations which results in a subdivision, land division, land conveyance, consolidation, or a re-plat as defined herein; no such subdivision, land division, land conveyance, consolidation, or re-plat shall be entitled to recording; and no street shall be laid out, nor improvements made to land, nor building permits issued for any land division without compliance with all requirements of this chapter and the following:
 - (a) The provisions of Wis. Stats., §236 and §80.08.
 - (b) The rules of the Division of Safety & Professional Services contained in the Wisconsin Administrative Code for subdivisions not served by public sewer.
 - (c) The rules of the Division of Highways, Wisconsin Department of Transportation contained in Ch. Trans. 233 of the Wisconsin Administrative Code, for subdivisions which abut a state trunk highway or connecting street.
 - (d) The rules of the Wisconsin Department of Natural Resources contained in the Wisconsin Administrative Code for the Floodplain Management Program, and the Shoreland/Wetland Management Program.
 - (e) Comprehensive plans or components of such plans prepared by state, regional, county or municipal agencies duly adopted by the Board of Trustees.
 - (f) All applicable local and county regulations, including zoning, sanitary, building and official mapping ordinances.
 - (g) The Village Comprehensive Plan and Official Map, or components thereof:
 1. Whenever a parcel to be subdivided embraces any part of a street, highway or greenway designated in said Comprehensive Plan or Official Map, such part of such proposed public way shall be platted and dedicated by the subdivider in the location and at a width indicated along with all other streets in the subdivision.
 2. Where a proposed public ground shown on the Comprehensive Plan or Official Map of the Village is located in whole or in part within the proposed subdivision, such proposed public ground or park shall be dedicated to the public when dedication is required by this chapter.
 - (h) All applicable rules contained in the Wis. Adm. Code not listed in this subsection.
 - (i) The sewer and water rules of the Sister Bay Sewer and Water Utility on file with the Public Service Commission of the State of Wisconsin concerning sewer and water installations and services.
- (2) **Jurisdiction.** The provisions of this chapter apply to all lands within the incorporated limits of the Village and any extraterritorial planning areas shown in the *Village of Sister Bay 20-Year Comprehensive Plan*. Furthermore, the regulations contained herein, as they apply to divisions of tracts of land into fewer than five parcels, shall not apply to:
 - (a) Transfers of interests in land by will or pursuant to court order;
 - (b) Leases for a term not to exceed ten yards, mortgages or easements;
 - (c) Sale or exchange of parcels of un-platted land between adjoining property owners or where no additional lot is created.
- (3) **Certified Survey.** Any division of land other than a subdivision as defined in Wis. Stats., §236.02(8), shall be surveyed and a certified survey map prepared as provided in Wis. Stats., §236.34, subject to approval of the Board of Trustees.
- (4) **Compliance; Issuance of Permits.** The Village shall not recognize, and no zoning, building or other permits shall be issued by the Village authorizing the building on, occupancy, or improvement of any parcel of land not on record as of the effective date of this chapter until the provisions and requirements of this chapter have been fully complied with and a resolution approving the land division has been adopted by the Board of Trustees.
- (5) **Applicability to Condominiums.** This chapter is expressly applicable to condominium developments within the Village's jurisdiction, pursuant to Wis. Stats., §703.27(1).

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Sec. 54.40 General Provisions

Sec. 54.43 Miscellaneous Provisions

- 1 (6) Recording of Plats or Certified Surveys. Plats and certified surveys, approved by the Board of Trustees, must be
2 recorded with the Door County Register of Deeds. The number, volume and page of the recording shall be filed
3 with the Village Clerk prior to issuance of any permits.

4 **Sec. 54.41 Land Suitability.**

- 5 (1) Suitability. No land shall be subdivided for residential or commercial use which is held unsuitable for such use by
6 the Board of Trustees, upon the recommendation of the Plan Commission, for reason of flooding, inadequate
7 drainage, unfavorable topography or any other feature likely to be harmful to the health, safety, or welfare of
8 the future residents of the proposed subdivision or of the community. The Board of Trustees, in applying the
9 provisions of this section, shall in writing recite the particular facts upon which it bases its conclusion that the
10 land is not suitable for residential use and afford the subdivider an opportunity to present evidence regarding
11 such unsuitability if he/she so desires. Thereafter the Board of Trustees, upon the recommendation of the Plan
12 Commission, may affirm, modify, or withdraw its determination of unsuitability. If developing a cluster style
13 subdivision, unsuitable land shall be included in the subdivision plat, provided the unsuitable lands are
14 dedicated to the public or described by deed as a conservancy, and public access is made available to the
15 conservancy, and the remaining land, if suitable and capable of meeting land division and development codes,
16 can be subdivided.
- 17 (2) Existing Flora. The subdivider shall make every effort to protect and retain all existing trees, shrubbery, vines,
18 and grasses not actually lying in public roadways, drainage ways, building foundation sites, private driveways,
19 soil absorption waste disposal areas, paths, and trails. Such trees are to be protected and preserved during
20 construction in accordance with sound conservation practices, possibly including the preservation of trees by
21 well islands or retaining walls whenever abutting grades are altered, pursuant to a landscaping plan filed by the
22 subdivider and approved by the Plan Commission.

23 **Sec. 54.42 Condominium Developments.**

- 24 (1) Purpose.
- 25 (a) The Board of Trustees hereby finds that certain issues arise in condominium developments that require
26 limited applicability of this chapter to condominium developments. The State Legislature has recognized
27 that subdivision ordinances may apply to condominiums but that subdivision ordinances shall not
28 impose burdens upon condominiums that are different from those imposed on other property of a
29 similar character that is not subject to a declaration of condominium.
- 30 (b) The factor that makes this chapter applicable to a condominium development is the creation of multiple,
31 distinct property entities at or near the ground surface, that are subject to property taxation as separate
32 "parcels," with each property entity having different ownership and management. The Village
33 determines that this factor makes a condominium development dissimilar, both physically and in
34 ownership, from developments in which the land and improvements are under unitary ownership, man-
35 agement, and control.
- 36 (c) Thus, the Board of Trustees hereby finds that new condominium developments can place impacts on
37 community resources in the same manner as other new developments which are characterized by
38 division of land into lots. These impacts include:
- 39 1. Additional population density.
40 2. Possibility of use of particular land in a manner unsuitable to the land's characteristics.
41 3. Additional demands upon Village area parks, recreation areas and utility facilities.
42 4. Additional traffic and street use.
- 43 (2) Exceptions. This section shall not apply to the following condominiums:
44 (a) Any condominium plat recorded prior to the effective date of this chapter.

46 **Sec. 54.43 Miscellaneous Provisions.**

- 47 (1) Dedications.
- 48 (a) Effect of Recording on Dedications. When any plat is certified, signed, acknowledged and recorded as
49 prescribed by Wis., Stats. Ch. 236, every donation to grant to the public or any person, society or
50 corporation marked or noted as such on said plat shall be deemed a sufficient conveyance to vest the

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Sec. 54.43 Miscellaneous Provisions

Sec. 54.44 Cluster Subdivisions

- 1 fee simple of all parcels of land so marked or noted, and shall be considered a general warranty against
2 such donors, their heirs and assigns to the said donees for their use for the purposes therein expressed
3 and no other; and the land intended for the streets, alleys, ways, commons or other public uses as
4 designated on said plat shall be held by the Village, in which said plat is situated in trust to and for such
5 uses and purposes.
- 6 (b) Dedications to Public Accepted by Approval. When a final plat of a subdivision has been approved by the
7 Village and all other required approvals are obtained and the plat is recorded, such approval shall
8 constitute an acceptance for the purpose designated on the plat of the uses of all lands shown thereon
9 as dedicated to the public, including street dedications.
- 10 (2) Adoption of More Restrictive Provisions. To accomplish the purposes of this chapter, inasmuch as the Village
11 has established the Plan Commission, the Board of Trustees, pursuant to Wis. Stats., §236.45, adopts
12 additional platting requirements which are deemed more restrictive than the general provisions of said
13 statutes and no plat shall be approved by the Board of Trustees, nor shall the same be entitled to be recorded
14 unless said plat complies with such additional requirements as may appear in this chapter.
- 15 (3) Inspection of Public Improvements Within Subdivision. All required land improvements to be installed under
16 the provisions of this chapter shall be subject to inspection at all times by the Director of Public Works, Village
17 Engineer or other authorized person and no underground improvements shall be covered unless this
18 subdivider, their agents, servants or contractors shall have first obtained permission to cover any underground
19 installation from the department authorized to make such inspection.
- 20 (4) Zoning Permit. No zoning permit shall be issued by any governing official for the construction of any building,
21 structure or improvement to land or any lot within a subdivision or other land division as defined herein which
22 has been approved for platting or dividing until all requirements of this chapter have been fully complied with
23 and until a contract has been awarded for the construction of all such improvements. All zoning permits shall
24 be subject to the approval of the Village Administrator or their designee.
- 25 (5) Certificate of Compliance. No certificate of compliance shall be granted by any governing official for the use of
26 any structure within a subdivision approved for platting or re-platting until the structure is deemed
27 substantially complete; required utilities have been installed underground; public improvements installed; it
28 has been made ready to service the property and was approved by the Village; roadways providing access to
29 the subject lot or lots have been constructed or are in the course of construction and are suitable for vehicular
30 traffic; all sidewalks, trails or other pedestrian improvements have been made per approved plans; and any
31 required parklands have been dedicated.

32 Sec. 54.44 Cluster Subdivisions

- 33 (1) Purpose.
34 In an effort to minimize impervious surfaces and runoff; conserve natural features; provide for recreational
35 amenities; reduce development costs; and promote the development of unique and attractive developments
36 in the Village, an alternative form of land division is provided herein.
- 37 (2) Zoning.
38 (a) Where allowed. With the exception of the Single-Family Residence (R-1) zoning district, cluster
39 subdivisions are allowed in all residential zoning districts, including the Countryside (CS-1) zoning
40 district, where public water and sewer are available. Parcels in the R-1 zoning district shall be eligible
41 for cluster subdivision development provided the land to be subdivided was annexed to the Village
42 after the adoption of Sec. 54.44, *Cluster Subdivisions*.
- 43 (3) Lot Sizes and Density.
44 (a) Lot Sizes. Lots do not need to meet the minimum lot width and area standards specified in Ch. 66,
45 *Zoning*, as long as the underlying district's density is maintained, provided the lots are planned in such
46 manner that demonstrates natural features will not be disturbed, and provided the design is approved
47 by the Board of Trustees via Final Plat approval. As allowed in Sec. 54.44(c)(4), the underlying zoning
48 district density may be increased upon finding the development eligible for the incentives in Sec.
49 54.44(d).
50 (b) Lots must be wide enough to accommodate projected development and satisfy all required setbacks. As
51 a condition of Final Plat approval, the subdivider shall guarantee, on the Final Plat, all future
52 landowners shall be prohibited from receiving variances to reduce the required setbacks.

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1 (c) Open Space. The open space requirements specified in Ch. 66, *Zoning*, may be modified by the Plan
2 Commission by a three-fourths (¾) majority vote of the Commissioners in exchange for the equivalent
3 amount of land being preserved, and restricted to future development, provided no less than 40% of the
4 original lot is preserved by designation on the Final Plat. Land set aside for preservation of open space
5 shall not include any land within the lots designated for development or land dedicated for development
6 or other impervious surfaces, such as roads and sidewalks. The Plan Commission, if warranted by the
7 presence of unique or sensitive environmental features, by a three-fourths (¾) majority vote of the
8 Commissioners, may require a larger percentage of open space than required in Ch. 66, *Zoning*, and this
9 section herein.

10 (d) Density. As an incentive to conserve land and develop land more cost-effectively, the overall density of a
11 lot may be increased from what is allowed in Ch. 66, *Zoning*. However, in no circumstances shall density
12 be increased more than 35% above what would have been allowed by developing as a traditional
13 subdivision utilizing the lot standards specified in Ch. 66, *Zoning*. Density is based on development
14 incentives herein.

15 (4) Development Incentives.

16 (a) Clustering. In order to take advantage of the smaller lot width and area reductions, and the incentives in
17 the following subsections, at least 90% of the lots in the development shall be clustered. For the
18 purposes of this section, clustering is deemed grouping lots together, either in one corner of a property,
19 or in smaller groups on the property, so as not to disturb natural features and to reduce development
20 costs.

21 (b) Natural Features. If there is a natural feature to be preserved into perpetuity within the development,
22 and the feature is dedicated to the public, the subdivider is allowed to increase the density of the
23 development by 10%, provided the Plan Commission agrees the feature is of significance to preserve into
24 perpetuity from development. Such an incentive is also contingent on the Board of Trustees accepting
25 such dedication, as provided elsewhere in the chapter for the dedication of parklands. If there is a
26 natural feature to be preserved within the development, and the feature is not dedicated to the public, it
27 shall be described by metes and bounds and dedicated to a homeowner's association formed to protect
28 the feature into perpetuity, including the control of invasive species. Proof of the establishment of a
29 homeowner's association and their commitment to preserve and maintain the feature into perpetuity
30 shall be required prior to Final Plat approval.

31 (c) Pedestrian Access and Trails.

- 32 1. Public sidewalks in the road right-of-way, along all roadways, allow for density to be increased 15%
33 from the original number of lots allowed under traditional land division.
- 34 2. Public hiking and biking trails allow for density to be increased 10% from the original number of
35 lots allowed under traditional land division. Such dedication is also contingent on the Board of
36 Trustees accepting such dedication, as provided elsewhere in the chapter for the dedication of
37 parklands. There shall be no density incentive for private trails. If the public trail connects to other
38 designated or planned trails, the incentive can be increased by another 10%.

39 (d) Shared Driveways. If 80% of the lots in the development are accessed with shared driveways, where one
40 driveway serves two lots, the subdivider is allowed to increase the density of the development by 7.5%
41 over the number of lots allowed under traditional development.

42 (e) Affordable Housing. If 10% of the lots are deeded to the Door County Housing Trust, the subdivider is
43 allowed to increase density by 10% over the number of lots allowed under traditional development.
44 There is an additional 5% incentive for every lot deeded to the Trust.

45 (f) Repurposing. For every repurposed dwelling contractually obligated to be moved onto a lot in the
46 development, which has submitted a \$5000 retainer ensuring the home is moved onsite and refurbished
47 to meet Village architectural design standards, and the Plan Commission has reviewed and approved the
48 plans for the refurbishing of the repurposed home, a 5% density incentive shall be provided above the
49 number of lots allowed under traditional subdivision development.

50 (g) Short-Term Rental. If the subdivider voluntarily places deed restrictions on 100% of the lots prohibiting a
51 home from being rented less than 30 days in a month, for compensation, into perpetuity, the subdivider
52 is allowed a 35% development incentive over the number of lots allowed under traditional development.
53

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Sec. 54.44 Cluster Subdivisions

Sec. 54.52 Zoning Permits

1 (h) Long-term Rental. For every dwelling unit obligated for use as a long-term rental and made available to
2 Sister Bay's workforce, the deed to the property of which restricts the unit for long-term rental purposes
3 only, the rent of which does not exceed 30% of the county's median household income, the subdivider is
4 allowed a 5% density incentive above the number of lots allowed under traditional development.

5 (i) [Reserved for Transit Oriented Development Incentives]

6 (5) Density Calculations and Design.

7 (a) Density incentives are cumulative. Individual incentives shall not be rounded up to the nearest whole
8 number and then calculated. Rather, to calculate the total number of lots allowed to be platted above
9 traditional development, all incentive percentages allowed are totaled, and the incentive rounded to the
10 nearest whole number. A '5' shall result in the number being rounded to the next ascending whole
11 number. For example, if a subdivider is allowed .2 lot under an incentive, and another .3 lot under a
12 different incentive, the total incentive is one lot.

13 (b) Plan Commission. All design and incentives are subject to Plan Commission review and approval.

14 (6) Application, Process and Approval.

15 All applications for a cluster subdivision shall follow the platting processes outlined in this chapter and are
16 subject to the same requirements, reviews, and approvals as a traditional subdivision.

18 OFFICIAL MAP

19 **Sec. 54.50 Official Map**

20 There is hereby established, as the Official Map of the Village of Sister Bay, the Map which accompanies and is made a
21 part of this chapter bearing the date of March 12, 1985, and as amended. This map is hereby designated as the "Official
22 Map of the Village of Sister Bay," and all notations, references, and other information shown thereon shall be as much a
23 part of this chapter as though the matters and information thereon were fully described herein. The Official Map shall
24 show the location and extent of all platted and existing streets, highways, drainage ways, parkways, parks and
25 playgrounds, airports and airport affected areas, and historic districts within the corporate limits of the Village of Sister
26 Bay and its extraterritorial plat approval jurisdiction as heretofore laid out, adopted and established by law, except that
27 drainage ways outside the Village limits shall not be included on the Official Map.
28

29 **Sec. 54.51 Changes and Additions**

30 (1) Changing Map. The Board of Trustees may change or add to the Official Map so as to establish the exterior lines
31 of; widen; narrow; extend; or close any platted, existing, proposed, or planned streets, highways, drainage
32 ways, parkways, and parks or playgrounds, except that drainage ways outside the Village limits shall not be
33 included on the Official Map.

34 (2) Referral to Plan Commission. The Board of Trustees shall refer any change or addition to the Official Map to the
35 Village Plan Commission for review and report thereon prior to adoption. The Village Plan Commission shall
36 report its recommendation to the Board of Trustees within 60 days.

37 (3) Public Hearing. A public hearing of parties of interest and citizens before the Board of Trustees shall be required
38 before any changes or additions to the Official Map are effective. Notice of the public hearing shall be published
39 as a Class 2 notice pursuant to Wis. Stats., Ch. 985.

40 (4) Changes to Map Not Requiring a Hearing. Changes and additions made by duly approved certified survey maps,
41 subdivision plats and condominium plats shall not require a public hearing if the changes or additions do not
42 affect any land outside the area being platted.

43 **Sec. 54.52 Zoning Permits**

44 (1) Zoning Permits Required. For the purpose of preserving the integrity of the Official Map, a zoning permit shall
45 be required for any structure or part thereof that shall hereafter be located, erected, moved, reconstructed,
46 extended, enlarged, converted, or structurally altered. No permit shall hereafter be issued for any building in
47 any existing or proposed street, highway, drainage way, or parkway shown on the Official Map. No permit for
48 the erection of any building shall be issued unless a street or highway giving access to such proposed structure
49 has been duly placed on the Map.

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Sec. 54.53 Municipal Improvements

Sec. 54.61 Submission of Preliminary Plat

- 1 (2) Surveys Required. The Village Administrator or their designee may require each applicant for a building permit
2 to submit a plan, prepared and certified by a registered land surveyor, showing accurately the location of any
3 proposed building with reference to any street, highway, drainage way, or parkway shown on the Official Map

4 **Sec. 54.53 Municipal Improvements**

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

8 **Sec. 54.54 Appeals**

9 The Board of Zoning Appeals shall have the power to review any administrative decision of the Village Administrator or
10 their designee to deny a permit for the erection of a structure under this chapter and to grant relief from the
11 requirements of this chapter under the provisions of Wis. Stats., §62.23(6)(e), (f), and (g).

12 **Sec. 54.55 Certified Copy of Map**

13 There shall be a certified copy of the Official Map described in Sec. 54.50. The certified copy shall be kept in the office of
14 the Village Clerk and shall be available for inspection by any interested person during regular office hours. The certified
15 copy shall bear on its face a certification that it is a true copy of the Official Map described in and accompanying this
16 chapter and shall show the date of adoption of this chapter and shall be signed by the President and countersigned by
17 the Village Clerk. Thereafter no change or addition to such Official Map shall become effective until it shall have been
18 indicated by the appropriate convention on the aforesaid certified copy of the Official Map and a certificate placed
19 thereon or attached thereto bearing the number and date of adoption of the amending ordinance. The certificate shall
20 be signed by the President and countersigned by the Village Clerk.

21 **Sec. 54.56 Map to be Filed with Register of Deeds**

22 The Village Clerk shall be responsible immediately upon adoption of the Official Map or any amendment thereto for
23 recording a true copy of the Official Map, as adopted or amended, with the Register of Deeds of the County of Door, in
24 the State of Wisconsin.

25 **Sec. 54.57 Enforcement**

26 It shall be the duty of the Village Administrator or their designee to enforce the provisions of this chapter.

27

28

PLAT REVIEW AND APPROVAL

29 **Sec. 54.60 Preliminary Consultation.**

30 Before filing an application for the approval of a Preliminary Plat or certified survey map, the subdivider shall submit a
31 conceptual plan and consult with the Director of Public Works and the Village Administrator or their designee for
32 advice regarding general subdivision requirements. The Village reserves the right to require the Village Engineer to be
33 present for the consultation. Information on meeting dates, agenda deadlines and filing requirements may be obtained
34 from the Village Administrator or their designee. The conceptual plan should show the relationship of the proposed
35 subdivision or certified survey map to traffic arteries and existing community facilities. This consultation is intended to
36 inform the subdivider of the purpose and objectives of these regulations, the Village's various adopted policies and
37 plans, comprehensive plan components and plan implementation devices of the Village and to otherwise assist the
38 subdivider in planning their development. This step does not require formal application, fee or filing of a plat with the
39 Plan Commission or Board of Trustees but may include a preliminary sketch. The subdivider shall reimburse the Village
40 for any costs incurred by the Village as the result of having the Village Engineer present for the consultation.
41

42 **Sec. 54.61 Submission of Preliminary Plat.**

43 (1) Submission.

44 (a) Required. Any person contemplating the subdivision of land within the Village, before submitting a final
45 plat for approval shall be required to file with the Village Clerk at least 28 days prior to a regular

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Sec. 54.61 Submission of Preliminary Plat

Sec. 54.62 Preliminary Plat Review and Approval

- 1 meeting of the Plan Commission, an electronic version of the Preliminary Plat and a hard copy of that
2 document that is capable of clearly legible reproduction and conforms to the Master Plan, the Official
3 Map and the Subdivision Design Standards of this chapter. The Preliminary Plat shall clearly be marked
4 'Preliminary Plat.'
- 5 (b) Official Filing. The submission of the prints of the Preliminary Plat shall constitute official filing. The
6 Village Clerk shall note on each print the date filed, and within two days shall forthwith forward copies
7 to the following:
- 8 1. The supervisor of the Plat Review Unit in the Department of Administration
 - 9 2. The Door County Land Use Services Office
 - 10 3. If the subdivision abuts or adjoins a state trunk highway, the Wisconsin Department of
11 Transportation
 - 12 4. If the subdivision is not served by a public sewer and water system, and provision for that service
13 has not been made, the Department of Safety and Professional Services
 - 14 5. The Director of Public Works
 - 15 6. The Village Engineer
 - 16 7. The Fire Chief
 - 17 8. The Village Administrator or their designee
- 18 (2) Plans and Specifications. Subsequent to Plan Commission approval, the owner shall file with the Director of
19 Public Works three copies of plans and specifications for public improvements required by this chapter. The
20 Director of Public Works, in consultation with the Village Engineer, shall examine the plat or map and final
21 plans and specifications of public improvements for technical details, and, if they find them satisfactory, shall
22 so certify in writing to the Plan Commission. If the plat or map or the plans and specifications are not satis-
23 factory, the Director of Public Works shall return them to the owner and so advise the Village Administrator or
24 their designee, who shall notify the Plan Commission.
- 25 (3) Proof of Ownership. A title insurance policy or a commitment for title insurance, and an accepted offer to
26 purchase shall be submitted to the Village Administrator or their designee.
- 27 (4) Filing Fees. A filing fee shall be paid at the time the Preliminary Plat is filed, and the amount of the fee will be
28 as per the Fee Schedule adopted by the Board of Trustees.
- 29 (5) Affidavit. The surveyor preparing the Preliminary Plat shall certify on the face of the plat that it is a correct
30 representation of all existing land divisions and features and that they have fully complied with the provisions
31 of this chapter.
- 32 (6) Street Plans and Profiles. The subdivider shall provide street plans and profiles showing existing ground
33 surface, and proposed and established street grades, including extensions for a reasonable distance beyond
34 the limits of the proposed subdivision when requested. Plans shall include proposed improvements within the
35 right-of-way, such as sidewalks.
- 36 (7) Soil Testing. Upon the request of the Plan Commission, the Director of Public Works or the Village Engineer,
37 the subdivider shall provide a preliminary soils report, listing the types of soil in the proposed subdivision,
38 their effect on the subdivision and a proposed soil testing and investigation program. Pursuant to the public
39 policy concerns prescribed in Sec. 54.41, the Director of Public Works or the Village Engineer may require that
40 borings and soundings be made in specified areas to ascertain subsurface soil, rock and water conditions,
41 including depth to bedrock and depth to ground water table.
- 42 (8) Recreation. The subdivider shall show all proposed parks, parkways and trails.
- 43 (9) Referral to Utilities.
- 44 (a) Utilities. The subdivider shall forward a copy of the Preliminary Plat to the local electric, cable TV, fiber
45 optic and telephone utilities.

Sec. 54.62 Preliminary Plat Review and Approval.

- 46 (1) Agency Review. Within 20 days of the date of receiving the copies of the Preliminary Plat, any state or county
47 agency having authority to object under Sec. 54.61(a)(2)a-d shall notify the subdivider and all approving or
48 objecting authorities of any objection based upon failure of the plat to comply with the statutes or rules which
49 its examination is authorized to cover, or, if all objections have been satisfied, it shall so certify on the face of a
50 copy of the plat and return that copy to the approving authority from which it was received. The plat shall not
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Land Division Code

Sec. 54.62 Preliminary Plat Review and Approval

Sec. 54.63 Final Plat Review and Approval

1 be approved or deemed approved until any objections have been satisfied. If the objecting agency fails to act
2 within the 20-day limit, it shall be deemed to have no objection to the plat. The recommendations of the
3 Village Officials listed in Sec. 54.61(1)(2)e-g shall also be transmitted to the Plan Commission within 20 days
4 from the date the plat is filed. In the absence of a Director of Public Works, or if designated by the Village, the
5 Village Engineer shall serve in the role of the Director of Public Works throughout the Preliminary Plat review
6 and approval process; the costs of the Village Engineer's services shall be borne by the subdivider.

- 7 (2) (a) Official Approval. The Plan Commission shall, within 90 days of the submission of the Preliminary Plat
8 to said body, review the plat and negotiate with the subdivider on changes deemed advisable, and
9 approve, approve conditionally or reject the plat. The subdivider and their surveyor shall be notified
10 in writing of any conditions of approval or the reasons for rejections. Pursuant to Wis. Stats.,
11 §236.12(3), no approval shall be granted until it has been certified that there is no objection to the plat
12 by any agency authorized to object.

13 (3) Additional Filing.

14 (a) Nothing herein contained shall prohibit the filing of additional preliminary plats regardless of whether
15 the first one has been approved. A separate processing fee shall accompany each submission and the
16 processes outlined above for the review of a Preliminary Plat shall be followed for each Preliminary Plat
17 filed.

18 (b) A subdivider may resubmit to the Village Clerk corrected copies of a rejected plat. The corrected copies
19 will be treated as a new Preliminary Plat submission and a new review fee required. A corrected copy of
20 a rejected plat shall be processed as if it is a new Preliminary Plat.

21 (c) Effect of Preliminary Plat Approval. Approval or conditional approval of a Preliminary Plat shall not
22 constitute automatic approval of the Final Plat. Conditional approval may be granted subject to
23 satisfactory compliance with pertinent provisions of this chapter and Wis. Stats., Ch. 236. The
24 Preliminary Plat shall be deemed an expression of approval or conditional approval of the layout
25 submitted as a guide to the preparation of the Final Plat, which will be subject to further consideration
26 by the Plan Commission and Board of Trustees at the time of its submission.

- 27 (4) Preliminary Plat Amendment. Should the subdivider desire to amend the Preliminary Plat as approved, they
28 may resubmit the amended plat which shall follow the same procedure outlined herein, unless the
29 amendment is, in the opinion of the Plan Commission, of such scope as to constitute a new plat, in which such
30 case it shall be refiled. Additional review fees may be required, dependent on the amendments made and
31 review process necessary.

32 **Sec. 54.63 Final Plat Review and Approval.**

33 (1) Filing Requirements and Responsibilities.

34 (a) Unless a greater time period is mutually agreed upon in writing between the subdivider and the Plan
35 Commission, the subdivider shall, within 36 months after the last required approval, prepare a Final Plat
36 in accordance with this chapter and the conditions set by the Plan Commission, and upon installation of
37 the public improvements required for the subdivision, and upon acceptance of said improvements by the
38 Director of Public Works, after consultation with the Village Engineer, if necessary; in the absence of a
39 Director of Public Works, or if designated by the Village, the Village Engineer shall serve in the role of the
40 Director of Public Works throughout the Final Plat Review and Approval process; and the costs of the
41 Village Engineer's services shall be borne by the subdivider. Failure to submit the Final Plat within 36
42 months or the agreed upon time extension shall result in the Preliminary Plat approval being declared
43 "null and void". The subdivider shall file an electronic version of the Final Plat and a hard copy that is
44 capable of clearly legible reproduction, as well as three hard copies of the Final Plat and the required
45 non-refundable review fee with the Village Clerk at least 28 days prior to the meeting of the Plan
46 Commission at which action is desired. A written transmittal letter shall identify all substantial changes
47 that have been made to the plat since the Preliminary Plat review.

48 (b) The Village Clerk shall, within two days after filing, transmit copies to the agencies and officials listed in
49 Sec. 54.61(a)(2)a-d and to those Village Officials listed in Sec. 54.61(a)(2)e-g, all affected Village boards,
50 commissions and committees, and to the Plan Commission. Those agencies listed under Sec. 54.61(a)(2)
51 a - d shall be hereinafter referred to as objecting agencies.

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Sec. 54.63 Final Plat Review & Approval

Sec. 54.64 Re-Plat

- 1 (c) The Final Plat shall conform to the Preliminary Plat as approved and to the requirements of this chapter,
2 all applicable ordinances, policies, plans and state laws, and shall be submitted by the subdivider for
3 certification of those agencies having the authority to object to the plat as provided by Sec. 54.61(a)(2)
4 a - d.
- 5 (d) The Village Clerk shall refer an electronic version of the Final Plat and a hard copy that is capable of
6 clearly legible reproduction to the Plan Commission for review, the Village Administrator or their
7 designee and for distribution to other Village departments.
- 8 (2) Plan Commission Review.
- 9 (a) The Plan Commission shall examine the Final Plat as to its conformance with the approved Preliminary
10 Plat, any conditions of approval of the Preliminary Plat, this chapter and all applicable ordinances, rules,
11 regulations, comprehensive plans and comprehensive plan components which may affect it. The Plan
12 Commission shall, within 30 days of the date of filing of the Final Plat with the Village Clerk, recommend
13 approval, conditional approval or rejection of the Plat and shall transmit the Final Plat and applications
14 along with its recommendations to the Board of Trustees. The Plan Commission may hold the matter in
15 abeyance if there is incomplete or inadequate information.
- 16 (b) The objecting state and county agencies shall, within 20 days of the date of receiving their copies of the
17 Final Plat, notify the subdivider and all other approving and objecting agencies of any objections. If there
18 are no objections, they shall so certify on the face of the copy of the Plat and shall return that copy to
19 the Village. If an objecting agency fails to act within 20 days, it shall be deemed to have no objection to
20 the Plat.
- 21 (3) Board of Trustees Review and Approval.
- 22 (a) The Board of Trustees shall, within 60 days of the date of filing the original Final Plat with the Village
23 Clerk, approve or reject such Plat unless the time is extended by agreement, in writing, with the
24 subdivider. If the Plat is rejected, the reasons shall be stated in the minutes of the meeting and a written
25 statement of the reasons forwarded to the subdivider. The Village President and Village Clerk may not
26 inscribe their approval on the Final Plat unless the Village Clerk certifies on the face of the Plat that the
27 copies were forwarded to objecting agencies as required herein, the date thereof and that no objections
28 have been filed within 20 days or, if filed, have been met.
- 29 (b) The Board of Trustees shall, when it determines to approve a Final Plat, give at least ten days' prior
30 written notice of its intention to the Municipal Clerk of any municipality within 1,000 feet of the Final
31 Plat, but failure to give such notice shall not invalidate any such plat.
- 32 (c) If the Board of Trustees fails to act within 60 days, and the time has not been extended and no unsatis-
33 fied objections have been filed, the plat shall be deemed approved.
- 34 (4) Recordation. After the required improvements have been installed and the Final Plat has been approved by the
35 Board of Trustees, the Village Clerk shall cause the certificate inscribed upon the Plat attesting to such approval
36 to be duly executed and the Plat returned to the subdivider for recording with the County Register of Deeds. The
37 Register of Deeds cannot record the Plat unless it is offered within six months from the date of Preliminary Plat
38 approval or 30 days after the date of Final Plat approval. Recording fees shall be paid by the subdivider.
- 39 (5) Final Copies. The subdivider shall file one electronic copy and three hard copies of the Final Plat as approved
40 with the Village Clerk for distribution to the approving agencies. The subdivider shall also send a copy to all
41 affected utilities and other affected agencies for their files.
- 42 (6) Partial Platting. The Final Plat may, if permitted by the Board of Trustees, constitute only that portion of the
43 approved Preliminary Plat which the subdivider proposes to record at the time.

44 Sec. 54.64 Re-plat.

- 45 (1) Vacate Plat. Except as provided in Wis. Stats., §70.27(1), when it is proposed to re-plat a recorded subdivision, or
46 part thereof, so as to change the exterior boundaries of a recorded subdivision, or part thereof, the applicant or
47 person wishing to re-plat shall vacate or alter the recorded plat as provided in Wis. Stats., §236.40 through
48 §236.44. The applicant or person wishing to re-plat shall then proceed, using the approval procedures for
49 Preliminary and Final Plats prescribed in this chapter.
- 50 (2) Recording. Whenever an approved Final Plat is submitted for re-plat, and which has not been recorded with the
51 Register of Deeds, said plat shall be re-approved by the Board of Trustees. No Final Plats shall be re-approved by
52

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1 the Board of Trustees following the expiration of the 36-month period. Such plats shall be submitted as a new
2 plat. All previous approvals shall be null and void and shall have no further bearing on the subsequent review
3 and approval of the plat by the Village.

4 **Sec. 54.65 Determination of Adequacy of Public Facilities and Services.**

- 5 (1) Public Facilities and Services. A Preliminary Plat, Final Plat or certified survey map shall not be approved unless
6 the Plan Commission and the Board of Trustees determine that adequate public facilities and public services
7 will be available to meet the needs of the proposed land division and that no public funds other than those
8 already provided in an adopted capital or operating budget are required; the Board of Trustees, at its
9 discretion, may modify this requirement by a three-fourths ($\frac{3}{4}$) majority vote of the Board if the Board of
10 Trustees agrees to use bonding or other means of financing for the project.
- 11 (2) Additional Data Required. The applicant shall furnish any data requested by the Village Administrator or their
12 designee who shall transmit this information to the appropriate commission(s), committee(s) and staff for
13 review. The Village Administrator or their designee shall act as coordinator of the reports from staff to the Plan
14 Commission and Board of Trustees on the adequacy of water, sanitary and storm sewers, fire service, parks
15 and open space and recreation facilities and transportation facilities.
- 16 (3) Adequacy. Public facilities and public services for a proposed land division may be found to be adequate when
17 the following conditions exist:
- 18 (a) The proposed land division is located in a sanitary sewer service area where adequate sanitary sewer
19 service is presently available for extension, under construction or designated by the Board of Trustees for
20 extension of sewer service within the current capital budget year and funds are specifically provided for
21 such extension either from public or private financing. The Plan Commission and the Board of Trustees
22 shall consider the recommendations of the Director of Public Works, the Village Engineer, the Utility
23 Commission, and the appropriate committee(s) on the capacity of trunk lines and of sewerage treatment
24 facilities and any other information presented.
 - 25 (b) The proposed land division is located within a service area contiguous to an arterial transmission water
26 main of adequate capacity for the proposed development or if the water distribution system that is
27 needed is under construction or scheduled for construction within the current budget year, and funds,
28 either public or private, are available for the program. The Plan Commission and the Board of Trustees
29 shall consider the recommendations from the Village's Utility Commission, the Director of Public Works,
30 the Village Engineer, and the appropriate committee(s) on line capacities, water sources and storage
31 facilities, as well as any other information presented.
 - 32 (c) The Village Administrator or their designee verifies to the Board of Trustees that adequate funds, either
33 public or private, are available to ensure the installation of all necessary storm water management
34 facilities.
 - 35 (d) The Village Administrator or their designee can demonstrate to the Plan Commission and the Board of
36 Trustees that street maintenance and refuse collection services, either public or private, are so situated
37 that adequate and timely service can be provided so as not to involve danger or injury to the health,
38 safety or general welfare to the future residents of the proposed land division or existing Village
39 residents.
 - 40 (e) The Plan Commission verifies that the future residents of the proposed land division can be assured park,
41 recreation and open space facilities and services which meet the standards of the Village's
42 Comprehensive Plan and the Comprehensive Outdoor Recreation Plan.
 - 43 (f) The Fire Department verifies that timely and adequate service can be provided to the residents, which
44 shall include adequacy of driveways and clearance adjacent to and above the driveways for safe
45 emergency vehicle ingress and egress.
 - 46 (g) The proposed land division is accessible by an existing or officially mapped, publicly maintained, all-
47 weather roadway system, adequate to accommodate both existing traffic and that traffic to be generated
48 by the proposed land division in accordance with the Official Map and Village Design Standards.
- 49 (4) Partial Adequacy. Where the Plan Commission and the Board of Trustees determine that one or more public
50 facilities or services are not adequate for the proposed development, but that a portion of the area could be
51 served adequately, or that careful phasing of the development could result in all public facilities and public

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1 services being adequate, conditional approval may include only such portions or may specify phasing of the
2 development.

- 3 (5) Soil Suitability. No land shall be divided which has been officially mapped as a public lands storm water
4 management facility or is determined by the Board of Trustees to be unsuitable for use by reason of flooding,
5 bad drainage, severe erosion potential or unfavorable topography, or any other feature likely to be harmful to
6 health, safety or welfare of future residents or landowners in the proposed land division or of the community.
7 Said lands can however be used to meet overall acreage requirements if dedicated to the public as part of a
8 cluster style subdivision.

- 9 (6) Adjacent Lands. If the proposed improvements or project are located outside the corporate limits of the
10 Village and seek to connect to the sanitary sewer or water systems, then the Utility Commission shall review
11 the preliminary engineering calculations and determine if the proposed improvements or the project will have
12 an impact on the existing water or sanitary sewer system. The Director of Public Works or the Village Engineer
13 shall evaluate the preliminary engineering calculations submitted to the Utility Commission and report in
14 writing as to the impact on the system and the adequacy of the system to serve. The Utility Commission will
15 submit a report and recommendation to the Plan Commission and Board of Trustees for their consideration.
16 The construction of system improvements outside the corporate limits of the Village shall be under the control
17 of Liberty Grove Sanitary District #1 and/or the Town of Liberty Grove as modified by the agreements between
18 the District, the Town and the Village.
19

20 TECHNICAL REQUIREMENTS FOR PLATS AND CERTIFIED SURVEYS

21 **Sec. 54.80 Technical Requirements for Preliminary Plats.**

- 22 (1) General. A Preliminary Plat shall be required for all subdivisions and shall be based upon a survey by a
23 registered land surveyor. The Final Plat shall be submitted in recordable format and must comply with the
24 provisions of Wis. Stats., §236.20. It shall also contain all the following information on its face:
- 25 (a) Title under which the proposed subdivision is to be recorded, which name shall not duplicate or be alike
26 in pronunciation of the name of any plat heretofore recorded in the Village unless considered an
27 addition to the subdivision.
 - 28 (b) Legal description/location of the proposed subdivision by government lot, quarter section, township,
29 range, county and state.
 - 30 (c) Date, scale and north point.
 - 31 (d) Names, telephone numbers, email addresses and mailing addresses of the owner(s), and any agent
32 having control of the land, the engineer(s) working on the project, the subdivider, and the Registered
33 Land Surveyor preparing the plat.
 - 34 (e) The entire area that is contiguous to the proposed plat owned or controlled by the subdivider may be
35 required by the Plan Commission to be included on the Preliminary Plat even though only a portion of
36 said area is proposed for immediate development. Where a subdivider owns or controls adjacent lands
37 in addition to those proposed for development at that time, they shall submit a concept plan for the
38 development of the adjacent lands showing streets, utilities, zoning districts and other information as
39 may affect the review of the Preliminary Plat in question. The Director of Public Works or the Village
40 Village Engineer may waive these requirements where adjacent development patterns have already
41 been established.
- 42 (2) Plat Data. Survey information required below for the subject parcel or property may be obtained from
43 mapping sources acceptable to Door County. All Preliminary Plats shall show the following:
- 44 (a) Exact length and bearing of the exterior boundaries of the proposed subdivision referenced to two
45 different corners established in the U.S. Public Land Survey and the total acreage encompassed therein.
 - 46 (b) Locations of all existing property boundary lines, structures, drives, streams and water courses,
47 floodplains, wetlands, rock outcrops, sinkholes, wooded areas, cultural and archaeological features of
48 significance, and other significant features within the tract being subdivided or immediately adjacent
49 thereto.

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- 1 (c) Location, right-of-way width and names of all existing streets, alleys, trails, sidewalks or other public
- 2 ways, easements and utility rights-of-way and all section and quarter section lines within the exterior
- 3 boundaries of the plat or immediately adjacent thereto.
- 4 (d) Location and names of any adjacent subdivisions, parks and cemeteries, whether developed or not, and
- 5 owners of record of abutting unplatted lands.
- 6 (e) Type, width and elevation of any existing street pavements within the exterior boundaries of the plat or
- 7 immediately adjacent thereto, together with any legally established centerline elevations.
- 8 (f) Location, size and invert elevation of any existing or adjoining sanitary or storm sewers, culverts and
- 9 drainpipes, the location of manholes, catch basins, hydrants, electric and communication facilities,
- 10 whether overhead or underground and the location and size of any existing water and sewer mains
- 11 within the exterior boundaries of the plat or immediately adjacent thereto. If no sewer or water mains
- 12 are located on or immediately adjacent to the tract, the nearest such sewer or water mains which might
- 13 be extended to serve the tract shall be indicated by the direction and distance from the tract, size and
- 14 invert elevations.
- 15 (g) Corporate limit lines within the exterior boundaries of the plat or immediately adjacent thereto.
- 16 (h) Existing zoning on and adjacent to the proposed subdivision.
- 17 (i) The source of domestic water supply and the type of sewage disposal that will be utilized. The locations
- 18 of sites for community domestic water plant and/or community sewage treatment plant are all subject
- 19 to the rules and regulations of the State Department of Health.
- 20 (j) Contours at vertical intervals of not more than five feet where the slope is greater than ten percent
- 21 (10%) and not more than two feet where the slope is less than ten percent (10%). Elevations shall be
- 22 referenced to North American Vertical Datum of 1988 (NAVD88).
- 23 (k) Profiles showing existing ground surface and proposed street grades, including extensions for a
- 24 reasonable distance beyond the limits of the proposed subdivision. Elevations shall be referenced to
- 25 North American Vertical Datum of 1988 (NAVD88).
- 26 (l) A draft of a protective covenant whereby the subdivider proposes to regulate land use in the subdivision
- 27 and otherwise protect the proposed development.
- 28 (m) The high-water elevation of all ponds, streams, lakes, flowages and wetlands within the exterior
- 29 boundaries of the plat or located within 100 feet therefrom.
- 30 (n) Water elevation and exact boundaries of all ponds, streams, lakes, flowages and wetlands within the
- 31 exterior boundaries of the plat or located within 100 feet therefrom as of the date of the survey.
- 32 (o) Floodplains of the 100-year recurrence interval flood, or, where such data is not available, the maximum
- 33 flood of record within the exterior boundaries of the plat or within 100 feet therefrom.
- 34 (p) Where the subdivision will not be served by public sanitary sewer service, and when allowed by the
- 35 Village, the location and results of percolation tests within the boundaries of the plat, conducted in
- 36 accord with State Statutes and the Wisconsin Administrative Code.
- 37 (q) The location, width and names of all proposed streets and public rights-of-way such as alleys and
- 38 easements.
- 39 (r) The approximate dimensions of all lots together with proposed lot, or lot and block, numbers. The area
- 40 in square feet of each lot shall be provided.
- 41 (s) The location and approximate dimensions of any sites to be reserved or dedicated for parks,
- 42 playgrounds, drainage ways or other public use or which are to be used for group housing, shopping
- 43 centers, church sites or other non-public uses not requiring lotting.
- 44 (t) The approximate radii of all curves.
- 45 (u) Any proposed lake and stream access with a small drawing clearly indicating the location of the proposed
- 46 subdivision in relation to that access.
- 47 (v) Any proposed lake and stream improvement or relocation and notice of application for approval by the
- 48 Army Corps of Engineers or the Department of Natural Resources, when applicable.
- 49 (w) Soil tests and reports as may be required by the Director of Public Works or Village Engineer for the
- 50 design of roadways, storm drainage facilities, onsite sewage disposal systems, erosion control facilities,
- 51 and/or other subdivision improvements and features.
- 52 (x) Setbacks and building lines for each lot that are consistent with the pertinent requirements of Ch. 66,
- 53 *Zoning*.

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- 1 (y) Design Features.
- 2 1. Locations and widths of proposed alleys, pedestrian ways and utility easements.
- 3 2. Layout numbers and preliminary acreages and dimensions of lots and blocks.
- 4 3. Minimum front, rear, side, and street yard building setback lines.
- 5 4. Location and size of proposed sanitary sewer lines and water mains.
- 6 5. Gradients of proposed streets and sewer lines (and water mains, if required).
- 7 6. Areas, other than streets, alleys, pedestrian ways and utility easements intended to be dedicated
- 8 or reserved for public use, including the size of such area or areas in acres.
- 9 7. Location and description of survey monuments.
- 10 8. An identification system for the consecutive numbering of all blocks and lots within the
- 11 subdivision.
- 12 9. Sites, if any, to be reserved for parks or other public uses.
- 13 10. Sites, if any, for multi-family dwellings, shopping areas, churches or other non-public uses exclusive
- 14 of single-family dwellings.
- 15 11. Provisions for surface water management including both minor and major system components,
- 16 detention/retention facilities, including existing and post development 100-year flood elevations,
- 17 etc.
- 18 12. Potential re-subdivision and use of excessively deep [over 200 feet] or oversized lots must be
- 19 indicated in a satisfactory manner to the Director of Public Works or the Village Engineer.
- 20 13. Any wetlands, floodplains, or environmentally sensitive areas provided for by any local, state or
- 21 federal law.
- 22 14. Locations of holding tanks and septic fields.
- 23 15. All easements as required by Sec. 54.112.
- 24 (z) If the Village Administrator or their designee, the Director of Public Works, and/or the Village Engineer
- 25 determine that additional information is needed in order to complete the review of a Preliminary Plat, or
- 26 if those individuals determine that information that pertains to a particular problem which has been
- 27 identified as the result of a development being proposed is required, any or all of them shall have the
- 28 authority to request such information in writing from the subdivider.

29 Sec. 54.81 Technical Requirements for Final Plats.

- 30 (1) General. A Final Plat prepared by a registered land surveyor shall be required for all subdivisions. It shall comply in all respects
- 31 (2) Additional Information. The Final Plat shall show correctly on its face, in addition to the information required by
- 32 Wis. Stats., §236.20, the following:
 - 33 (a) Exact length and bearing of the centerline of all streets.
 - 34 (b) Exact street width along the line of any obliquely intersecting street.
 - 35 (c) Exact location and description of street lighting and lighting utility easements.
 - 36 (d) All lands reserved for future public acquisition or roads of easements or reserved for the common use of
 - 37 property owners within the Plat.
 - 38 (e) Special Restrictions required by the Board of Trustees, upon the recommendation of the Plan
 - 39 Commission, such as, but not limited to, items relating to access control along public ways or to the
 - 40 provision of planting strips.
 - 41 (f) Taxes. Certifications by attached information showing that all taxes, special assessments or other
 - 42 outstanding charges currently due on the property to be subdivided have been paid in full.
 - 43 (g) Dimensions of lot lines shall be shown in feet and hundredths; no ditto marks shall be permitted. When
 - 44 lot lines are not at right angles to the street right-of-way line, the width of the lot shall be indicated in
 - 45 the narrowest portion of the buildable area in addition to the frontage of the lot at the street right-of-
 - 46 way line.
 - 47 (h) A numbered identification system for all lots and blocks.
- 48 (3) Deed Restrictions. Restrictive covenants and deed restrictions for the proposed subdivision shall be filed with
- 49 the Final Plat and recorded.

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Sec. 54.80 Technical Req. For Final Plats

Sec. 54.82 Requirements For Certified Survey Maps

- 1 (4) Property Owners Association. The legal instruments creating a property owners association for the ownership
2 and/or maintenance of common lands in the subdivision shall be filed with the Final Plat.
- 3 (5) Street Dedication. Public rights-of-way for streets and other public areas shall be dedicated to the Village with
4 Final Plat approval. Such dedications shall require the owner's certificate and the mortgagee's certificate in
5 substantially the same form as required by Wis. Stats., §236.21(2).
- 6 (6) Public Lands Dedication. Any parkland or other lands dedicated to the Village shall be dedicated to the Village
7 with Final Plat approval. Such dedications shall require the owner's certificate and the mortgagee's certificate
8 in substantially the same form as required by Wis. Stats., §236.21(2).
- 9 (7) Survey Accuracy.
 - 10 (a) Examination. The Board of Trustees and Plan Commission, or their designees, shall examine all Final Plats
11 within the Village and may check for the accuracy and closure of the survey, the proper kind and location
12 of monuments, and legibility and completeness of the drawing.
 - 13 (b) Maximum Error of Closure. Maximum error of closure before adjustment of the survey of the exterior
14 boundaries of the subdivision shall not exceed, in horizontal distance or position, the ratio of one part in
15 five thousand (1:5,000), nor in azimuth, four seconds of arc per interior angle. If field measurements
16 exceed this maximum, new field measurements shall be made until a satisfactory closure of the field
17 measurements has been obtained; the survey of the exterior boundary shall be adjusted to form a closed
18 geometric figure.
 - 19 (c) Street, Block and Lot Dimensions. All street, block and lot dimensions shall be computed as closed
20 geometric figures based upon the control provided by the closed exterior boundary survey. If checks
21 disclose an error for any interior line of the plat greater than the ratio of one part in three thousand
22 (1:3,000), or an error in measured angle greater than one minute of arc for any angle where the shorter
23 side forming the angle is 300 feet or longer, necessary corrections shall be made. Where the shorter side
24 of a measured angle is less than 300 feet in length, the error shall not exceed the value of one minute
25 multiplied by the quotient of 300 divided by the length of the shorter side; however, such error shall not
26 in any case exceed five minutes of arc.
 - 27 (d) Plat Location. Where the plat is located within a quarter section, the corners of which have been
28 relocated, monumented and coordinated by the Village, the tie required by Wis. Stats., §236.20(3)(b),
29 may be expressed in terms of grid bearing and distance and Wisconsin state plane coordinates of the
30 monument marking the relocated section or quarter corner to which the plat is tied shall be indicated on
31 the plat. The grid bearing and distance of the tie shall be determined by a closed survey meeting the
32 error of closure herein specified for the survey of the exterior boundaries of the subdivision.
- 33 (8) Surveying and Monumentation. All Final Plats shall meet all the surveying and monumentation requirements of
34 Wis. Stats., §236.15.
- 35 (9) State Plane Coordinate System. Where the plat is located within a quarter section, the corners of which have
36 been relocated, monumented and coordinated by the Village, the plat shall be tied directly to two of the
37 section or quarter corners so relocated, monumented and coordinated. The exact grid bearing and distance of
38 such tie shall be determined by field measurements, and Wisconsin state plane coordinates of the monument
39 marking the relocated section or quarter corner to which the plat is tied shall be indicated on the plat. All
40 distances and bearings shall be referenced to the Wisconsin Coordinate System, Central Zone, and adjusted to
41 the Village's control survey.
- 42 (10) Certificates. All Final Plats shall provide all the certificates required by Wis. Stats., §236.21. In addition, the
43 surveyor shall certify that he/she/has fully complied with all the provisions of this chapter.
- 44 (11) Notes. All Final Plats shall contain such notes relevant to restrictions on the use of the lots created.

Sec. 54.82 Requirements for Certified Survey Maps.

- 46 (1) Map Preparation. A certified survey map prepared by a registered land surveyor shall be required for all land
47 divisions not created by a subdivision plat. It shall comply in all respects with the applicable requirements of
48 Wis. Stats., §236.20 and §236.34, and this chapter.
- 49 (2) Required Improvements. The provisions of Sec. 54.100 to 54.115 in this chapter shall be applicable to certified
50 survey maps.

51

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Sec. 54.82 Requirements For Certified Survey Maps

Sec. 54.101 Dev. Agreements Required

- 1 (3) Other Requirements. All certified survey maps shall be subject to all other applicable provisions set forth in
2 this chapter for subdivision plats.
- 3 (4) Dedication of Streets and Granting of Easements. As a condition of approving a certified survey map, or, if
4 deemed necessary by the Village Board, the Village may require the dedication of public streets or other
5 public improvements as shown on the Official Map and the granting of easements for public utilities or public
6 facilities.

REQUIRED IMPROVEMENTS

8 **Sec. 54.100 Improvements Required.**

9 (1) General Requirement.

10 (a) In accordance with the authority granted by Wis. Stats., §236.13, the Village hereby requires that the
11 subdivider shall install all public improvements required by this chapter prior to approval of the Final
12 Plat. As a further condition of approval, the Board of Trustees hereby requires that the subdivider be
13 responsible for the cost of any necessary alterations of any existing utilities which, by virtue of the plat-
14 ting or certified survey map, fall within the public right-of-way.

15 (b) As a condition for the acceptance of dedication of public rights-of-way, the Village requires that the
16 public ways have been previously provided with all necessary facilities constructed to Village
17 specifications, including, but not limited to, sewerage, storm drainage, water mains and services, grading
18 and improvement of the streets and other public ways, sidewalks, street signing, street lighting and such
19 other facilities required by the Board of Trustees or that a specific portion of the costs be paid in advance
20 as provided in Wis. Stats., §66.54(3).

21 (2) General Standards. The required public improvements shall be installed in accordance with adopted Village
22 policies and the engineering standards and specifications which have been established by the Director of
23 Public Works or the Village Engineer and adopted by the Board of Trustees. The improvements shall be made
24 in accordance with established engineering practices, approved prior to the start of construction by the
25 Director of Public Works or the Village Engineer. The "Engineering Design Manual" is the principal source that
26 establishes the requirements. When new or revised standards and/or specifications have been adopted by the
27 Village, work on public improvements not begun within 12 months of the date of the Development Agreement
28 required per Sec. 54.101, shall be made to the new or revised standards and/or specifications. The Director of
29 Public Works or the Village Engineer shall review and approve the construction plans, specifications and calcu-
30 lations for the construction of the required public improvements.

31 (3) Project Manager. The subdivider shall designate a project manager who shall be readily available on the
32 project site during the construction of the required public improvements. The project manager shall be
33 granted authority on behalf of the subdivider to make decisions related to the construction of the required
34 public improvements as they may arise during the course of the construction. The project manager shall also
35 be responsible for the scheduling and coordination of the required work to construct the required
36 improvements. Correspondence with or verbal orders to the designated project manager shall have the same
37 authority as with the subdivider directly.

38 (4) Responsibility for Improvements. The installation of all public improvements shall either be administered by
39 the Director of Public Works or the Village Engineer through the public bidding and contracting process, or
40 shall be by the developer under private contract, as authorized by the Board of Trustees. Payment for the cost
41 of such installations by the owner shall be assured by the submittal of a letter of escrow, cash bond or other
42 financial guarantee acceptable to the Village Attorney. If the work is done under private contract the
43 developer shall pay the costs associated with inspection performed by the Director of Public Works or the
44 Village Engineer.

45 **Sec. 54.101 Development Agreements Required for Proper Installation of Improvements.**

46 (1) Development Agreement. The subdivider shall be required to enter into a development agreement with the
47 Village for land division improvements, by agreeing to install the required public improvements as herein
48 provided before the submission and final approval of any plat. The agreement form shall be provided by the
49 Village and may provide for a phasing of public improvements construction, providing such phasing is

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1 approved by the Board of Trustees. The Village reserves the right to control the phasing through limits,
2 sequence, and/or additional surety so as to provide for continuity of streets, sewers, water mains, and other
3 necessary public improvements within and between the phases.

4 (2) Financial Guarantees.

5 (a) If the installation of public improvements is administered by the Village, the subdivider shall file, subject
6 to the approval of the Village Finance Director, a certified check, or other form of financial guarantee as
7 approved by the Village Attorney, in an amount equal to one hundred fifteen percent (115%) of the
8 estimate of the cost of improvements, as determined by the Director of Public Works or the Village
9 Engineer. The cost of improvements shall also include the cost of engineering design, construction
10 management and inspection, Village administrative expenses and an amount for contingencies.

11 (b) The subdivider may elect to install the improvements in construction phases provided that:

- 12 1. The phases are specified in the development agreement for land division improvements; and,
- 13 2. A subsequent phase shall not be commenced until completion of improvements of all prior phases,
14 except with express written authorization of the Village Administrator or their designee and the
15 Village Engineer; and,
- 16 3. The subdivider minimizes grading and other disturbances to lands included in future construction
17 phases in order to prevent erosion; and,
- 18 4. Erosion control plans and measures submitted and approved herein shall address the individual
19 phases of construction.

20 (c) The time limit for completion of a phased improvement program shall take into account the needs and
21 desires of the Village and adjacent property owners for street and other improvements to serve lands
22 adjacent to and within the land division.

23 (d) As work progresses on installation of improvements constructed as part of the agreement, the Director
24 of Public Works or the Village Engineer, upon written request from the subdivider from time to time, is
25 authorized to recommend to the Village a reduction in the amount of surety as hereinafter provided.
26 When portions of construction (water, sanitary sewer, street, sidewalk, greenway or other improve-
27 ments) are completed by the subdivider and determined acceptable by the Director of Public Works or
28 the Village Engineer, they are authorized, in their sole discretion, upon submission of lien waivers by the
29 subdivider's contractors, to reduce the amount of surety. The amount of surety remaining shall be equal
30 to one hundred twenty-five percent (125%) of the estimate of the Director of Public Works or the Village
31 Engineer of costs of work remaining to be completed and accepted and to ensure performance of the
32 one-year guarantee as specified in subsection (d) below against defects in workmanship and materials on
33 work accepted. As a further guarantee that all obligations under contract for work on the development
34 are satisfied, the contractor and subcontractors who are to be engaged in the construction of utilities or
35 street improvements on the street right-of-way to be dedicated shall be pre-qualified for such work by
36 the Director of Public Works or the Village Engineer prior to commencing construction.

37 (e) The subdivider shall agree in the development agreement to pay all Village legal fees, Village
38 engineering fees, Village administrative fees, street, bikeway and sidewalk assessments, park or parkland
39 assessments, and specifically all area charges for sanitary sewer mains and all water main assessments,
40 including where the land division abuts existing streets which are not improved within the Village
41 standard street improvements (including, but not limited to curb and gutter, local storm sewer,
42 sidewalks, bikeways and asphaltic concrete or Portland cement concrete pavement).

43 (3) Waiver of Special Assessment Notice and Hearing. The subdivider shall file with said agreement, subject to the
44 approval of the Village Finance Director, a waiver of special assessment notices and hearings such that the
45 subdivider, their heirs and assigns (including purchasers of property from the subdivider), waive notice and
46 hearing for and authorize the assessment for any and all of the required public improvements in phases of the
47 land division intended for future development in accordance with Wis. Stats., §66.60(18).

48 (4) Improvement Guarantee. If within one year after the date of final acceptance of any public improvement by
49 the Board of Trustees (or such longer period of time as may be prescribed by laws or regulations or by the
50 terms of any special guarantee required by the terms of said contract as may be necessary due to the phasing
51 of the construction of public improvements), any work on any public improvement is found to be defective,
52 the subdivider shall remove it and replace it with non-defective work in accordance with written instructions

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1 given by the Director of Public Works or the Village Engineer. If the subdivider does not promptly comply with
2 the terms of such instructions, or in an emergency where delay would cause serious risk of loss or damage, the
3 Village may cause the removal and replacement of said defective work and charge all direct, indirect and
4 consequential costs of such removal and replacement to the improvement guarantee instrument.

5 (5) Survey Monumentation. Before final approval of any plat or certified survey within the corporate limits of the
6 Village, the subdivider shall install monuments placed in accordance with the requirements of Wis. Stats., Ch.
7 236, or as may be required by the Village Engineer. All survey monumentation located adjacent to street or
8 public rights-of-way, but not located within street pavement, shall be protected with steel fence posts erected
9 near the survey monumentation. When the land division includes an established one-half (1/2), one quarter
10 (1/4), one quarter-one quarter (1/4-1/4), or other such section monument, the established monument shall be
11 preserved and/or fully restored by the subdivider at their cost.

12 (6) Future Public Improvements. Where the map area is located such that it is impractical to install full public
13 improvements at the time of its development, those further improvements will be installed in future years.
14 These may include, but not be limited to, sanitary sewer and laterals, water main and laterals, storm sewer,
15 storm channels, storm laterals, downstream storm drainage improvements, street paving, curb and gutter,
16 sidewalk and street lights. The financing of the cost of said future improvements shall be accomplished by the
17 applicable special assessment laws, regulations and rates in effect at the time of installation.

18 (7) Financing of Required Public Improvements.

19 (a) The owner shall initially finance the full cost of the public improvements required under the agreement.
20 As used above, the term "full cost" shall include contract, labor, equipment, material, engineering,
21 inspection, administration and overhead charges. Where an improvement reflects oversizing, the owner
22 shall be reimbursed by the Village, per the Village's oversizing practices, for such oversizing costs
23 advanced by him on or before the 31st day of March following the end of the calendar year in which the
24 oversizing costs are incurred.

25 (b) Where a public improvement, financed by the owner, is assessed by the Village to other benefiting
26 property owners, they shall be reimbursed for such assessment. Said reimbursement shall be paid by the
27 Village to the developer in full on or before the 31st day of March following the end of the calendar year
28 in which an immediate or deferred assessment becomes due and payable; in no event shall such
29 reimbursement in full be any later than ten years subsequent to the Village's approval of the agreement,
30 all in accordance with the requirements of the Municipal Code.

31 (8) Payment of Outstanding Special Assessments. Any special assessment previously levied for public
32 improvements fronting the map area shall be paid in accord with the respective Board of Trustees resolution
33 authorizing said improvements and financing thereof by the special assessment process. Where authorized,
34 such payments may be made under the installment plan.

35 (9) Deed Restrictions. The owner or developer shall prepare and submit, for review and approval by the Village, a
36 draft of deed restrictions governing the proposed parcel(s). The Village shall record the Village-approved deed
37 restrictions with the Register of Deeds of Door County, Wisconsin prior to the sale and/or the building upon,
38 whichever occurs first, of the proposed parcels. The owner or developer shall reimburse the Village for
39 recording expenses, including administrative time to drive to the County Government Center to record the
40 documents. "Developer," as used in the context of these deed restrictions, shall mean the developer, their
41 heirs, personal representatives, successors and assigns. Said restrictions shall incorporate, but not be limited
42 to, the following provisions:

43 (a) A paved driveway approach, constructed to the specifications of the Village, shall be installed prior to a
44 Certificate of Compliance being issued. Such construction shall be permitted for, inspected by and
45 approved by the Village Engineer. If the map area is located along a County or State Trunk Highway, such
46 permit inspection and approval must be obtained from Door County or the Wisconsin Department of
47 Transportation respectively.

48 (b) If applicable, the property owner shall be responsible for maintaining drainage swales on each lot of a
49 certified survey map in accord with the approved site grading plan, so as to facilitate the planned
50 drainage patterns. The developer shall also keep all inlet grates and culverts located on or abutting their
51 property free of debris and in a condition which allows for the natural flow of storm water.
52

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Sec. 54.101 Dev. Agreements Required

Sec. 54.102 Required Construction Plans

- 1 (c) The property owner shall be responsible for damage to and replacement of sewer and water laterals,
2 water curb stop and box, underground electric and telephone cables, fiber optic, and all other existing
3 improvement facilities and appurtenances thereto damaged during the period of home construction
4 and/or lot grading or improvements as may be caused by said developer or their contractors while
5 working or traversing within a plat or the certified survey map limits, on an adjacent parcel, or within the
6 abutting street right-of-way.
- 7 (d) Prior to issuance of a zoning permit for each respective parcel, the developer, owner or builder shall
8 obtain a driveway permit from the Village, County, or State Highway Department, for installation of a
9 driveway culvert along the respective Village street, county road, or state highway abutting the map
10 area. Such permit must be accompanied by the appropriate fee to the respective department for labor
11 and material provided. The culvert shall be installed prior to issuance of the zoning permit.
- 12 (e) All electric, telephone, fiber optic, and cable television services on the parcels shall be via underground
13 service lines.
- 14 (f) The property owner of said parcels shall submit with their zoning permit application a certified plat of
15 survey indicating existing and proposed parcel corner grades, proposed house grades and lot grading in
16 accord with the approved grading plan on file with the Village. No deviation therefrom shall be
17 permitted unless approved by the Director of Public Works or the Village Engineer.
- 18 (g) A permanent lawn or such plantings as approved by the landscaping plan shall be established on each
19 parcel prior to the issuance of a Certificate of Compliance for the home on such parcel.
- 20 (h) The property owner agrees to connect the home on each parcel to the Village storm sewer system
21 facilities, if available, within one year after such facilities are installed in the abutting street. The owner is
22 advised that at the time of house construction, they may want to have the storm sewer service laterals
23 installed on the parcel between the house and the front property line in order to expedite connection to
24 the storm sewer facilities in the street at such time as such facilities are installed by the Village.
- 25 (i) When installed, each lot owner agrees to pay, when due, the cost of future public improvements such as,
26 but not limited to, storm sewer and laterals, street paving and sidewalk as may be allocable to their
27 parcel.
- 28 (j) The developer, owner or builder shall provide certification from a registered land surveyor or profes-
29 sional engineer that the final grade along all lot lines, in the invert of all drainage swales and at other
30 critical locations as determined by the Director of Public Works or the Village Engineer, complies with the
31 approved grading plan. Such certification shall be on a plan copy with elevations as existing so indicated.
32 All such elevations shall be within the limits outlined in the Engineering Design Manual. If not in
33 compliance appropriate re-grading shall be performed. Such certification shall be provided to the
34 Director of Public Works or the Village Engineer prior to their recommending Final Plat approval.
- 35 (k) Vehicular access to one or more of the parcels may have to be limited or controlled due to unusual
36 circumstances inherent to the map make-up, location and characteristics of the certified survey map or
37 plat, such as corner lots or stub street development.

38 Sec. 54.102 Required Construction Plans; Village Review; Inspections.

- 39 (1) Engineering Reports, Construction Plans and Specifications. Following approval of the preliminary plat by the
40 Plan Commission, engineering reports, plans and proposed specifications shall be submitted. Construction plans
41 for the required improvements conforming in all respects with the standards set forth in the Village's
42 "Engineering Design Manual", or as specified by the Director of Public Works, the Village Engineer, and the
43 codes of the Village, shall be prepared and submitted to the Village by the subdivider. Such plans, together with
44 the quantities of construction items, shall be submitted to the Director of Public Works or the Village Engineer
45 for their approval. Upon approval they shall become a part of the contract required. Following approval of the
46 Preliminary Plat by the Plan Commission, copies of the construction plans and specifications shall be furnished
47 to the Director of Public Works or the Village Engineer for review and approval.

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Sec. 54.102 Required Construction Plans

Sec. 54.103 Street, Curb & Gutter & Drainage Facilities

- 1 (2) Action by the Director of Public Works and the Village Engineer. The Village Administrator or their designee, the
2 Director of Public Works, and the Village Engineer shall review the plans and specifications for conformance
3 with the requirements of this chapter, the Engineering Design Manual, and other pertinent Village codes and
4 design standards recommended by the Director of Public Works and/or the Village Engineer and approved by
5 the Board of Trustees. If the Director of Public Works or the Village Engineer reject the plans and specifications,
6 they shall notify the owner, who shall modify the plans or specifications or both accordingly. When the plans
7 and specifications are corrected, the Director of Public Works or the Village Engineer shall approve the plans
8 and specifications.
- 9 (3) Construction and Inspection.
- 10 (a) Prior to starting any of the work covered by the plans approved above, written authorization to start the
11 work shall be obtained from the Village Administrator or their designee and the Director of Public Works
12 upon receipt of all necessary permits and in accordance with the construction methods of this chapter.
- 13 (b) During the course of construction, the Director of Public Works or the Village Engineer shall make such
14 inspections as they or the Board of Trustees deem necessary to ensure compliance with the plans and
15 specifications as approved. The owner shall pay the actual cost incurred by the Village for such
16 inspections. This fee shall be the actual cost to the Village of inspectors, engineers and other parties
17 necessary to ensure satisfactory work.
- 18 (c) Construction of all improvements, as set forth in Sec. 54.103 through 54.113 shall conform to current
19 standards and specifications as established in the Engineering Design Manual.
- 20 (4) Record Plans. After completion of all public improvements and prior to final acceptance of said improvements,
21 the subdivider shall provide the Director of Public Works and the Village Engineer with one electronic copy and
22 make or cause to be made three copies of record plans showing the actual “as-built” location of all valves,
23 manholes, stubs, sewers and water mains and such other facilities as the Director of Public Works and the
24 Village Engineer shall require. These plans shall bear the signature and seal of a professional engineer
25 registered in Wisconsin. The presentation of the record plans shall be a condition of final acceptance of the
26 improvements. Such plans shall be filed with the Director of Public Works, the Village Engineer and the Village
27 Administrator or their designee.

28 **Sec. 54.103 Street, Curb and Gutter Improvements and Drainage Facilities.**

29 The subdivider shall construct streets, roads and alleys as outlined on the approved plans based on the requirements of
30 this chapter.

- 31 (1) General Considerations. The streets shall be designed and located in relation to existing and planned streets, to
32 topographical conditions and natural terrain features such as streams and existing tree growth, to public
33 convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such
34 streets.
- 35 (2) Conform to Official Map. The arrangement, width, grade and location of all streets shall conform to the Official
36 Map.
- 37 (3) Street Grading. The subdivider shall provide plan and profile drawings and specifications to the Director of Public
38 Works which indicate the proposed established grades of all the streets shown on the plat. The Director of Public
39 Works shall consult with the Village Engineer on those drawings and specifications; said consultation to be paid
40 by the subdivider. The cost of preparation of said drawings and specifications shall also be paid by the subdivider.
41 After approval of these grades by the Board of Trustees, the subdivider shall grade or cause to be graded the full
42 width of the right-of-way of the proposed streets, taking into account the trees within the right-of-way, in
43 accordance with the approved drawings and to the cross section approved by the Village Engineer. The proposed
44 cross section shall be in accordance with Table 54.103 which follows. The full width of the right-of-way shall also
45 include that area between marginal access streets and major streets and shall be graded and prepared for
46 seeding under the supervision of the Director of Public Works. Requirements for proposed streets in zoning
47 districts not listed in Table 54.103 will be set on a case-by-case basis by the Board of Trustees after consultation
48 with the Director of Public Works.

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Table 54.103

Zoning District	Typical Street Cross Section*	Street Lights Required	Street Trees Required
CS-1	Rural	No	No
R-1	Urban	Yes	Yes
R-2	Urban	Yes	Yes
R-3	Rural	No	Yes
R-4	Urban	Yes	Yes
P-1	Urban	Yes	Yes
I-1	Urban	Yes	Yes
B-1	Highway	Yes	Yes
B-2	Urban	Yes	Yes
B-3	Downtown	Yes	Yes

*See corresponding Cross Sections in the Engineering Design Manual

- (4) Street Surfacing. After completion of the grading and construction of sewer and water improvements in the street areas, the subdivider shall surface, or cause to be surfaced, the required roadway in such part and to such specifications as prescribed by the Director of Public Works. The subdivider shall grade and seed in a Village-approved manner the parkway area of the street between the street pavement and the lot line or sidewalk.
- (5) Curb and Gutter; Drainage Facilities. After installation of all utility and storm water drainage improvements, the subdivider shall be required to construct concrete curbs and gutters, or as required in Table 54.103, a system of ditches and culverts. The subdivider shall install concrete curb and gutter along both sides of all streets and boulevards shown on the plat. The cost of the curb and gutter, required inspection, supervision and engineering fees shall be paid for by the subdivider. Wherever possible, provision shall be made at the time of construction for driveway access curb cuts.

Sec. 54.104 Sidewalks and Bikeways.

- (1) Specifications. If required by the Board of Trustees, the subdivider shall install five-foot-wide sidewalks along either or both sides of streets, and/or eight foot bike paths, in conformance with the Engineering Design Manual. Sidewalks, if installed or maintained by the Village shall require an 11' easement for maintenance and repair. Sidewalk width and location can be modified by the Plan Commission by a three-fourths (3/4) majority vote of the Commissioners upon finding unique features or social needs which warrant a deviation from this requirement.
- (2) Extra-Sized Sidewalks. If required by the Plan Commission, wider-than-standard sidewalks may be required to create parklets or similar design features in the vicinity of commercial areas; and the Board of Trustees may require the construction of sidewalks in locations other than required under the preceding provisions of this section if such walks are necessary, in their opinion, for safe and adequate pedestrian circulation.
- (3) Location. The subdivider shall be required to provide sidewalks and bikeways where required to Village specifications as follows: Sidewalks and bikeways shall normally be located as far from the traffic lane as is possible, but not closer than 24 inches to the right-of-way line. Where, as a result of such major obstructions as large and established trees, steep hills, drainage ways, or major utility lines, the construction costs of the sidewalk or bikeway in its normal location would be prohibitive, sidewalks or bikeways may be located

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Sec. 54.104 Sidewalks and Bikeways

Sec. 54.105 Sanitary Sewerage System

1 elsewhere within the street right-of-way, or within an easement, with the approval of the Director of Public
2 Works. Sidewalks and bikeways constructed at street intersections or within five feet of a legal crosswalk shall
3 include provisions for curb ramping as required by Wis. Stats., §66.616, and in accordance with Village stan-
4 dards. In all cases where the grades of sidewalks or bikeways have not been specifically fixed by ordinance, the
5 sidewalks and bikeways shall be laid to the established grade of the street [Ref. Wis. Stats., §66.615(2)].

6 (4) Bikeways.

7 (a) Bikeways shall be designed to serve both pedestrian and bicycle traffic.

8 (b) Bikeways may be installed in lieu of sidewalks only upon approval of the Plan Commission.

9 (5) Location Determination. The Director of Public Works shall determine where sidewalks and/or bikeways are
10 required in accordance with this section.

11 **Sec. 54.105 Sanitary Sewerage System.**

12 (1) Plans Required. The subdivider shall submit plan and profile drawings and specifications in conformance with
13 the Engineering Design Manual to the Director of Public Works or the Village Engineer for the installation of
14 water main and water distribution facilities, sanitary sewerage facilities, holding tanks, and septic fields,
15 including lateral connections for each lot extended to the lot line. The cost of such installation, including
16 related engineering fees, shall be paid for by the subdivider.

17 (2) Lift Required. Where sanitary sewer lift stations, force mains and grinder pumps are required to lift sewage to
18 a higher elevation and to the gravity sewer system, the subdivider shall have the plan and profile drawings and
19 specifications submitted for installation of sewage lift facilities to the Director of Public Works or the Village
20 Engineer for approval. Installation and inspection, supervision and engineering fees shall be paid for by the
21 subdivider.

22 (3) Generally. The intent of the sewer and water extension requirements in this section are to provide rules for
23 installing sewers and water mains to maintain uniformity, to provide for orderly and economic growth, and to
24 limit the Village's liability regarding these utilities. It shall be unlawful for any party to connect to a Village
25 sewer or water main without complying with the provisions of this chapter.

26 (4) Standard Specifications. The required public improvements shall be installed in accordance with the
27 engineering standards and specifications which have been established by the Village Engineer and the
28 Municipal Code, and have been adopted by the Board of Trustees. The improvements shall be made in accor-
29 dance with established engineering practices, approved prior to the start of construction by the Village
30 Engineer. The "Engineering Design Manual" is the principal source that establishes the requirements. That
31 document is on file in the office of the Public Works Department and open to inspection by the public during
32 office hours of the Director of Public Works.

33 (5) Sewer and Water Main Extension Requests. Within Village boundaries extension requests shall be presented
34 to the Village in a petition requesting sewer and water service. Requests for either sewer or water alone will
35 not be considered. Water mains will be extended for new customers on the following basis:

36 (a) Where the cost of the extension is to immediately be collected through assessment by the Village
37 against the abutting property, the procedure set forth under Wis. Stats., §66.703, will apply, and no
38 additional customer contribution to the utility will be required.

39 (b) Where the Village is unwilling or unable to make a special assessment, the extension will be made on a
40 customer-financed basis as follows:

41 1. The applicant(s) will advance as a contribution in aid of construction the total amount equivalent
42 to that which would have been assessed for all property under (5)(a).

43 2. Part of the contribution required in (5)(b)1 will be refundable. When additional customers are
44 connected to the extended main within 10 years of the date of completion, contributions in aid of
45 construction will be collected equal to the amount which would have been assessed under (5)(a)
46 for the abutting property being served. This amount will be refunded to the original contributor(s).
47 In no case will the contributions received from additional customers exceed the proportionate
48 amount which would have been required under (5)(a), nor will it exceed the total assessable cost
49 of the original extension.
50

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- 1 3. When a customer connects to a transmission main or connecting loop installed at utility expense
2 within 10 years of the date of completion, there will be a contribution required of an amount
3 equivalent to that which would have been assessed under (5)(a).
- 4 (6) Beyond Village Boundaries. Extensions requested by property owners outside the Village will not be
5 considered unless an unconditional petition request for annexation accompanies the extension request.
6 Design and construction of any extension shall not begin until all annexation proceedings are complete and all
7 properties to be served by sewer and water mains are incorporated in the boundaries of the Village.
- 8 (7) Village Ownership. All Village-owned sewers and water mains shall be a minimum of eight-inches in diameter
9 for residential projects and 12 inches for commercial projects. These sewer and water mains shall be owned,
10 designed and constructed by the Village except as designated in this chapter. No more than one building shall
11 be served by a single sewer or water lateral. Under special conditions, such as a private system conveying
12 wastewater from a group of small cottages or a system serving apartments, the Village may consider granting
13 a permit for a single lateral. These special conditions will be reviewed on a case-by-case basis. This definition,
14 except under special conditions, prohibits the installation of "private interceptor main sewers" as defined by
15 the Wis. Adm. Code, Department of Safety and Professional Services, Ch. 382 ("the Plumbing Code"). This
16 definition, except under special conditions, also prohibits the installation of a six-inch in diameter water main
17 to serve more than one building. The installation of an eight-inch in diameter sewer or water main lateral if
18 required to serve a single building, shall be exempt from the Village ownership requirement unless the Village
19 decides that a future branch extension off this lateral may be required to serve future development, in which
20 case all or part of the lateral shall be considered a Village-owned sewer or water main extension.
- 21 (8) Village Design and Bidding. Based on water use requirements for property owners requesting extensions and
22 potential future development, the Village Engineer shall design sewer and water main extensions according to
23 Wisconsin Department of Natural Resources (DNR) code requirements and policies and shall obtain plan and
24 specifications approval from the DNR. The Village Engineer shall be responsible for all aspects of the design,
25 including sizing and layout to accommodate future development and adherence to the Village's sewer and
26 water main extension design policy.
- 27 (a) Although efforts will be made to accommodate property owner wishes of routing sewer and water
28 mains, the Village retains the right to designate the layout to accommodate future extensions and to
29 accommodate connections to the existing system of sewer and water mains. Whenever possible, the
30 Village water main shall be looped and the cost of looping shall be borne by the property owners upon
31 which the looping occurs. Upon completion of plans and specifications, the Village shall bid the project
32 according to law.
- 33 (b) Upon DNR approval of the sewer and water main extension, receipt of all required signed and recorded
34 easements, and completion of all special assessment proceedings, the Village shall award the contract to
35 the lowest responsible and responsive bidder. The Village may award contracts subject to DNR approval,
36 the acquisition of all easements, and the completion of special assessment proceedings, and these
37 conditional awards may be made at the discretion of the Village.
- 38 (9) Easements and Public Rights-of-Way.
- 39 (a) All Village sewer and water main extensions shall be constructed in public rights-of-way, on Village-
40 owned property or on easements acquired by the Village from private property owners. Commencement
41 of construction will not be permitted until all easements are acquired.
- 42 (b) The Village will accept or enter into easements with private property owners only under the exclusive
43 terms of the Village, and the consideration for each single easement shall be for \$1.00. Easements shall
44 be granted along all routes of sewer and water mains according to the Village-approved design prepared
45 by the Village Engineer.
- 46 (c) Easements will prohibit construction in the easement area and provide access for maintenance, repair or
47 replacement of sewer and water mains routed through the easement. Easements will not include Village
48 compensation for plantings, structures or any other items located in the easement area. Construction in
49 easement areas will include surface restoration of topsoil and seeding and bituminous (but not concrete
50 or asphalt) replacement to like quality and thickness.
- 51 (d) Easements for the installation of sewer and/or water mains shall be a minimum of 30 feet in width.
52 Easements shall be dedicated to the Village only for sewer and/or water mains unless otherwise
53 approved by the Village.

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- 1 (10) Village Inspection of Construction. The Village Engineer or Director of Public Works shall provide inspection
2 services during construction according to DNR approval conditions.
- 3 (11) Village Cost Recovery.
- 4 (a) The Village may either require upfront payment for all costs associated with sewer and water extensions
5 or may recover the cost through the special assessment powers of the Village. Costs include but are not
6 limited to construction, design and inspection, engineering, legal fees and any other related costs. Where
7 a request from a private real estate developer for a water main or sewer extension is made, the Village
8 shall require that all costs associated with the extension be paid upfront by the developer. Upon request
9 for a water main or sewer extension by a private real estate developer, the Village Engineer shall prepare
10 a cost estimate for completing a preliminary plan and an estimate of the capital costs for the proposed
11 project. The costs of the preliminary engineering plan and preparing the capital cost estimate, as well as
12 the detailed plans and specifications, shall be paid for by the developer before the Village Engineer
13 begins any of the required work. At the completion of the project, the developer shall pay the Village
14 any excess costs associated with the project above the estimated capital cost within 30 days of the date
15 of the bill, or the Village shall refund any surplus amount to the developer. The Village will require such
16 upfront payments when a Village sewer and/or water main are installed within the "interior" of the real
17 estate owned by the developer. The term "interior" shall mean sewer and water extensions laid along
18 public rights-of-way or easements in which the same developer owns the real estate on both sides of the
19 right-of-way or easement. The Village will also require upfront payment for total cost in areas where a
20 sewer or water line is bordered on only one side by the developer's land while the opposite side is
21 bordered by lands not immediately assessable for any reason.
- 22 (b) Except in circumstances described in this section referring to private real estate developer requests, the
23 Village shall generally recover costs through special assessments levied to property owners on a per foot
24 basis for sewer and water mains, and additional charges for service laterals installed in the public right-
25 of-way or easement area. Details of assessment allocation will be included in a special assessment
26 engineer's report prepared by the Village Engineer. All special assessment proceedings shall be according
27 to statute.
- 28 (c) Where a sewer or water main is designed for a larger capacity than the property owners being served
29 require for ultimate capacity, (for serving future sewer or water main extensions), and the sewer or
30 water main is larger than eight-inches in diameter, then the cost increment of pipe size difference
31 between existing property ultimate capacity requirements and future extension requirements shall be
32 paid for by the Village, and the property owners shall pay costs based on the smaller size required for
33 those property owner requirements.
- 34 (d) The description of cost recovery applies only to the recovery of sewer and water main extensions and
35 not to connection charges or quarterly billing for lift stations, wastewater interceptors, wastewater
36 treatment, wells, water storage facilities, water booster pump stations, administration, operation,
37 maintenance, replacement costs and other system costs not associated directly with the installation of
38 sewer and water main extensions.
- 39 (e) Subdivision developers shall be responsible, where the main extension has been approved by the utility,
40 for the water service lateral installation costs from the main through the curb stop and box. When the
41 cost of a utility main extension is to be collected through assessment by the municipality, the actual
42 average water lateral installation costs from the main through the curb stop and box shall be included in
43 the assessment of the appropriate properties.
- 44 (12) Private Sewer and Water Lateral and Connection Requirements.
- 45 (a) All sewer and water pipes smaller than eight-inches for residential diameter or twelve-inches for
46 commercial diameter shall be privately owned except where serving Village or other public properties.
- 47 (b) All property owners requesting sewer and water service must complete an application for a connection
48 permit from the Village; and no connection may take place until a connection permit is granted by the
49 Village. All connections and service lateral installations shall be according to current Village standard
50 specifications and the plumbing code.
- 51 (c) After sewer connections have been introduced into any building or upon any premises, no alterations,
52 extensions or attachments shall be made unless the party ordering such tapping or other work exhibits,
53 to the Director of Public Works, a permit for the work from the Village Administrator or their designee.

Land Division Code

Sec. 54.105 Sanitary Sewerage System

Sec. 54.106 Water Supply Facilities

- 1 (d) All sewer and water lateral layouts and connections shall be subject to the Village's review and
2 control. Construction shall be according to the Village's standard specifications. Restoration shall be
3 such that the surface is at least as good as its original condition. Copies of plans for systems requiring
4 specific Wisconsin Department of Safety and Professional Services plan approval shall be made
5 available to the Village before any commencement of construction.
- 6 (e) No person, except those having special written permission from the Village Board or persons in the
7 Board's service and approved by them, will be permitted, under any circumstances to tap the mains or
8 collection pipes. The kind and size of the connection with the pipe shall be specified in the permits or
9 order from the Village Board to ensure that new sewers and connections to the sewer system are
10 properly designed and constructed.
- 11 (f) Pipes should always be tapped on top, and not within six inches (15 cm) of the joint or within 24
12 inches (60 cm) of another lateral connection. All service connections to mains must comply with the
13 state plumbing code. Service connections to an existing sewer main shall be made by means of a
14 saddled wye or specially adapted tee. Connections to existing tees or wyes shall be made with an
15 approved bonded rubber.
- 16 (g) Trenches for sewer and water laterals shall not be covered without Village inspection of the
17 installation. Any lateral trenches covered without Village inspection shall be subject to reopening at
18 the expense of the person installing the laterals and the costs may become a lien on the property if
19 not paid on demand. Where existing buildings previously served by private waste disposal systems
20 (i.e., conventional septic systems, holding tanks, mound systems, etc.) are to be connected to a Village
21 sewer or water main, the Village reserves the right to inspect any existing service laterals proposed to
22 be used as part of the connecting service lateral and to require that any service lateral not meeting
23 current state plumbing code standards be replaced up to the point where it exits the structure served.
- 24 (h) The initial water service lateral(s), not installed as part of a subdivision development or an assessable
25 utility extension, will be installed from the main through the curb stop and box by the utility, for which
26 the actual cost will be charged.
- 27 (13) Sewer Connection Fees. All new users to the sewer system are required to buy into the system-wide
28 improvements through an initial connection charge. The initial connection charge will be levied against each
29 user connected to the sanitary sewer. The single-family residence connection charge, that will be on file in the
30 Sister Bay Utility Office, is payable before any connection is made to the sewer system. Initial connection
31 charges for multiple-family, commercial or industrial buildings will be based on a multiple of the single-family
32 connection charge or residential equivalent user (REU). The initial connection charge for restaurants or small
33 commercial connections will be based on a multiple of the volume of water usage and strength of wastewater
34 in comparison to a typical single-family residence residential equivalent user and the following standards will
35 apply:
- 36 (a) Initial connection charges for motels shall be based on three motel units being equal to one family
37 residence residential equivalent user, except that condominium motels shall be considered based on
38 the extent of plumbing fixtures provided. The Village may amend or alter any connection charge after
39 its establishment under the terms of this chapter or by resolution passed by the Board of Trustees.

40 Sec. 54.106 Water Supply Facilities.

- 41 (1) Submissions Required. The subdivider shall submit plan and profile drawings and specifications in
42 conformance with the Engineering Design Manual to the Director of Public Works, who shall coordinate with
43 the Village Engineer, for the installation of water main facilities including the water main, pipe fittings, valves,
44 hydrants, and lateral house connections for each lot extended to the lot line. The cost of such installation,
45 inspection, supervision and engineering fees shall be paid for by the subdivider.
- 46 (2) Fire Protection and Hydrants. The intent of this section is to ensure adequate water supply for fire-fighting
47 purposes to structures and buildings. The Director of Public Works or the Village Engineer, and the Fire Chief
48 shall certify in writing that sufficient water flow and pressure exists to serve the project for fire protection. For
49 the purpose of placing hydrants, normal access routes are defined as pavement, sidewalks, streets, driveways
50 and paths leading to the building that are clear and maintained year-round. The normal access route does not
51 include grass, parking stalls, ditches, hills, shrub beds, fences, walls or any other area not typically used for
52 ingress or egress to a building.

Land Division Code

Sec. 54.106 Water Supply Facilities

Sec. 54.107 Other Utilities

- 1 (3) Buildings Where Required. Any building, except single and two-family dwellings, hereafter erected, shall
2 provide, at the owner's expense, approved water hydrants. Hydrants shall be located so that no part of a
3 building is more than 300 feet from an approved hydrant by normal access routes. This requirement may be
4 modified upon written request by the owner to both the Fire Chief and the Wastewater Treatment Utility
5 Manager/Lead Operator who must both concur in writing why the modification should be permitted. The
6 request may be approved only if the fire protection provided to the building is not reduced by the
7 modification. The required hydrants shall be free standing and shall be installed not more than 50 feet or less
8 than 25 feet from the building exterior wall. No hydrant shall be placed closer than 50 feet to any other
9 hydrant. The Fire Department Fire Inspector and the Utility Manager/Lead Operator will approve the actual
10 location of all fire hydrants. Two copies of the building plans, including the site plan, shall be provided to the
11 Fire Chief for Fire Department use, in addition to any copies of building plans required by the Village
12 Administrator or their designee.
- 13 (4) Accessibility. In all developments located in districts other than R-1, R-3, R-4 and CS-1, the buildings, grading
14 and landscaping shall be constructed, installed and maintained in such a fashion that the Fire Department can
15 have access around the entire building(s) during the entire year. The Fire Chief shall provide written
16 confirmation of such access to the Plan Commission prior to subdivision approval.

Sec. 54.107 Other Utilities.

- 17 (1) Underground Requirements. In so far as possible, all utilities, including but not limited to telephone, cable TV,
18 fiber optic, electric, and water shall be installed underground with an affidavit by the subdivider that the
19 maintenance of said public improvements will be guaranteed by the subdivider due to use of the
20 improvements by purchasers and construction traffic.
- 21 (a) Where telephone and electric service lines are placed underground entirely throughout a subdivision
22 area, conduits or cables shall be placed within easements or dedicated public ways in a manner which
23 will not conflict with other municipal underground services as follows:
- 24 1. All utility companies and contractors must get approval from the Director of Public Works prior to
25 installing any underground lines, cables or piping in a public right-of-way or easement dedicated to
26 the Village.
- 27 2. All buried power lines, telephone lines, fiber optic, and cable television lines must be off-set a
28 minimum of 36" from the water and sewer lines and cannot be located between the water and
29 sewer lines and the edge of pavement.
- 30 3. All lines, cables or piping must be buried a minimum of 18" below final grade including the bottom
31 of any and all drainage ways, ditches and water courses. Variances may be granted in writing by the
32 Director of Public Works or the Village Engineer due to rock depth if State installation codes allow.
- 33 4. All buried power lines, telephone lines, fiber optic, and cable television lines must not be buried
34 running parallel to an existing or proposed roadway. All buried power lines, telephone lines, fiber
35 optic, and cable television lines must cross a roadway in a perpendicular manner.
- 36 (b) If there is not enough room in the public right-of-way for the installation of buried power lines,
37 telephone lines, fiber optic, and cable television lines that is consistent with these requirements then the
38 utility company, contractor or developer must acquire additional right-of-way.
- 39 (c) Prior to any maintenance, repair or replacement being performed by the developer during the bond
40 period, the developer shall notify the Director of Public Works at least one work day prior to doing the
41 work and obtain approval from the Director of Public Works as to the nature and manner of work to be
42 performed.
- 43 (d) Where telephone, fiber optic, and electric service lines are placed underground entirely throughout a
44 subdivision area, conduits or cables shall be placed within easements or dedicated public ways in a
45 manner which will not conflict with other municipal underground services.
- 46 (e) Whenever practicable all utility lines for telephone, fiber optic, and electric service shall be buried and
47 placed in rear lot line easements. Utilization of side lot line easements or installation of utility lines on
48 overhead poles will only be allowed if the Plan Commission has granted all required approvals.
- 49 (2) Provision to All Lots. The subdivider shall cause electric power, fiber optic, cable television and telephone
50 facilities to be installed in such a manner as to make adequate service available to each lot in the subdivision
51 or certified survey map. All new electrical distribution, fiber optic, cable television and telephone lines from
52

Land Division Code

Sec. 54.107 Other Utilities

Sec. 54.112 Easements

1 which lots are individually served shall be installed underground unless the Board of Trustees, upon the
2 recommendation of representatives of the affected utilities or agencies serving the Village and/or the Plan
3 Commission, specifically allows overhead poles for the following reasons:

4 (a) Topography, soil, water table, solid rock, boulders, or other physical conditions would make underground
5 installation unreasonable or impractical.

- 6 (3) Plan Approval Required. Plans indicating the proposed location of all electrical power, fiber optic, cable
7 television and telephone distribution and transmission lines required to service the plat shall be approved by
8 the Director of Public Works, after consultation with the Village Engineer, following approval of the Preliminary
9 Plat.

10 Sec. 54.108 Street Lamps.

11 Where required by Table 54.103, the subdivider shall install ornamental street lighting that complies with the Village's
12 lighting and design specification standards along all streets proposed to be dedicated, and the connecting electrical lines
13 and related appurtenances shall all be installed underground. All street lighting shall be compatible in design with the
14 newest streetlights installed by the Village and shall meet dark sky initiatives. Such streetlamps shall be placed at each
15 street intersection and at such interior block spacing as may be required by the Director of Public Works or the Village
16 Engineer, and such required improvements shall be dedicated to the Village upon such terms and conditions as the
17 Board of Trustees may determine.

18 Sec. 54.109 Street Signs.

- 19 (1) Sign Cost. The subdivider shall arrange with the Village and pay the costs of providing the Village's standard
20 street signage necessary to serve the development. Such signing shall include street name signs and such
21 temporary barricades and "road closed" signs as may be required by the Director of Public Works or the
22 Village Engineer until the street improvements have been accepted by Board of Trustees resolution.
- 23 (2) Restrictions. The Director of Public Works or the Village Engineer shall have the authority to impose any
24 restrictions to traffic on street improvements not yet accepted by the Village as they may deem necessary to
25 protect the improvements from damage and to protect the safety of the public. Such restrictions shall include,
26 but not be limited by enumeration to, weight restrictions, street closings, access restrictions, or the posting of
27 temporary traffic control measures.
- 28 (3) Right Reserved for Age Friendly Signage. The Village may require street signs to be designed in accordance
29 with AARP age friendly recommended design guidelines and policies.

30 Sec. 54.110 Street Trees.

31 Where required by Table 54.103, the subdivider shall plant street trees along all streets within the land division at a rate
32 of one tree per 40 lineal feet parallel to all roads, or as dictated by Ch. 66, *Zoning*. The size, species and location shall be
33 in accordance with the approved landscaping plan. If no plan has been approved by the Plan Commission, landscaping
34 shall be in accordance with Ch. 66, *Zoning*.

36 Sec. 54.111 Erosion Control.

37 The subdivider shall comply with State Statutes.

39 Sec. 54.112 Easements.

- 40 (1) Utility Easements. The Board of Trustees, on the recommendation of appropriate departments, utilities and
41 agencies serving the Village, shall require utility easements for poles, wire, conduits, storm and sanitary
42 sewers, water and other utility lines, and sidewalks or trails where required. It is the intent of this chapter to
43 protect all established easements so as to assure proper grade, assure maintenance of the established grade,
44 prohibit construction of structures, including signs and permanent fences or retaining walls over underground
45 installation and prevent the planting of trees in the easement area. Where possible, such easements shall be
46 established at the rear of each lot and along such other lot lines as to provide continuity or alignment from
47 block to block. At deflection points in these easements, if overhead utility lines are contemplated, additional
48 easements shall be established for pole-line anchors.

Land Division Code

Sec. 54.112 Easements

Sec. 54.114 Accept. of Imp. & Dedications

- 1 (2) Drainage Easements. Drainage easements shall comply with the requirements of the Engineering Design
2 Manual.
- 3 (3) Easement Locations.
- 4 (a) Utility easements shall be at least 12 feet wide, or wider where recommended by the Village Engineer.
5 Evidence shall be furnished to the Plan Commission that easements and any easement provisions to be
6 incorporated in the plat or in deeds have been reviewed by the individual utility companies or the
7 organization responsible for furnishing the services involved.
- 8 (b) All easements dedicated on final plat or certified survey maps for poles, cables or conduits for electricity,
9 telephone or other private utility lines shall be noted thereon as "Utility Easement." All easements for
10 storm and sanitary sewers, water and force mains, pedestrian walks and other public purposes shall be
11 noted thereon as "Public Easement for" followed by reference to the use or uses for which they are
12 intended.
- 13 (c) All easements dedicated on Final Plats or certified survey maps for trails or bike paths shall be prescribed
14 by the Village Board and shall be noted thereon as "Public Pedestrian and Bicycle Easement".
- 15 (4) Deed Restrictions for Easements. Deed restrictions shall accompany each final plat or certified survey map, and
16 shall be filed in the Door County Register of Deeds Office. In addition to whatever else may be contained
17 therein, such restrictions shall describe the location and width of the utility and public easements that are
18 being established; but a description by reference to the final plat or certified survey map shall suffice. Such
19 restrictions shall further recite that the utility companies and the public agencies using such easements are
20 granted the right to place their lines and related equipment within the easement area and shall state that the
21 elevation of such easements as graded by the subdivider may not be altered thereafter by the subdivider, or
22 any subsequent landowner by more than six inches.

23 Sec. 54.113 Over-Sizing and Off-Site Facilities.

- 24 (1) Design Capacity. All improvements within or entering or leaving the proposed development shall be installed
25 to satisfy the service requirements for the entire service or drainage area in which the development is located
26 and the improvements shall be of sufficient capacity to handle the expected development of the overall
27 service area involved.
- 28 (2) Mains of Large Capacity. Where sanitary sewer mains and water mains of larger capacity than normally
29 necessary are required by the overall system plan to serve the subdivision as delineated in the Preliminary
30 Plat, the subdivider shall be required to pay for the proportionate benefit of the installation to their subdivi-
31 sion per the Village's oversizing practices.
- 32 (3) Lift Stations. Where sanitary or storm sewer lift stations and force mains are required to lift sewage or clear
33 water to the gravity system, the subdivider shall have plans, profiles, specifications and estimated operation
34 and maintenance costs prepared for the installation of such facilities designed to the Village Engineer's
35 requirements. Equipment similar to existing Village equipment shall be utilized whenever possible. The
36 installation, inspection, supervision and engineering fees for lift stations and/or force mains shall be paid for
37 by the subdivider unless otherwise determined and agreed upon by the Board of Trustees. Gravity sanitary
38 sewer service shall be employed whenever determined by the Village Engineer to be feasibly accessible.

39 Sec. 54.114 Acceptance of Improvements and Dedications.

- 40 (1) Acceptance of Improvements. The dedication of any improvements, utilities, streets, sidewalks, trails, parks,
41 conservation areas, easements, rights-of-way or other lands or rights to the Village or the public shall not be
42 considered accepted by the Village for public ownership until such time as the required public improvements
43 within the intended dedication area are complete and accepted by the Board of Trustees by adoption of a
44 resolution accepting such dedication. Improvements shall be dedicated to the Village free and clear of any
45 encumbrances. The subdivider shall be responsible for and liable for the maintenance, safety and operation of
46 all required public improvements until such time as the improvements are accepted by the Board of Trustees
47 by resolution. In the event the Village must take measures to maintain, operate or make safe a public
48 improvement existing or required as a result of the land division but which has not yet been accepted by the
49 Village, the costs of such measures shall hereby be determined to be Village-incurred costs to be reimbursed
50 to the Village by the subdivider in accordance with the provisions of this chapter.

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Land Division Code

(2) Inspection and Certification of Improvements.

- (a) After any of the following increments of the required improvements have been installed and completed, the subdivider shall notify the Director of Public Works, in writing, that the work is complete and ready for final inspection. They shall also file reproducible record drawings of the completed improvements and file lien waivers or affidavits, in a form acceptable to the Director of Public Works or the Village Engineer and approved by the Village Attorney, evidencing that there are no claims, actions or demands for damages, based upon contract or tort arising out of or in any way related to the project, and that no moneys are owed to any surveyor, mechanic, contractor, subcontractor, supplier or laborer, or the Village, after all required improvements have been installed. Acceptance of the improvements may be requested in the following increments:
1. Sewer mains and services (either storm or sanitary).
 2. Water mains and services.
 3. Streets comprised of all grading, gravel, curb and gutter, culverts and paving.
 4. Other miscellaneous appurtenances to the above increments such as sidewalks, bikeways, street lighting, street signage, etc.
- (b) The Village Clerk shall certify that there are no unpaid taxes or unpaid special assessments on any of the lands included in the area of acceptance and shall prepare a final billing for engineering, inspection and legal fees and submit it to the subdivider for payment. The Director of Public Works or Village Engineer shall conduct any necessary final inspections of the improvements and forward a report to the Village Clerk recommending either approval or disapproval. When the engineering, inspection, taxes, special assessments and legal fees have all been paid and when the necessary lien waivers and affidavits have been filed, the report of the Director of Public Works or Village Engineer and the plat shall be forwarded to the Board of Trustees for approval and acceptance of the improvements and dedications.

Sec. 54.115 Site Grading.

The subdivider shall be required to grade the full land division in accordance with the requirements of Sec. 54.125.

Sec. 54.116-54.119 Reserved.

DESIGN STANDARDS

Sec. 54.120 General Street Design Standards.

- (1) Compliance with Statutes. In laying out a certified survey map or subdivision, the owner shall conform to the provisions of Wis. Stats., Ch. 236, and all applicable Village codes and policies, including the Engineering Design Manual as published by the Village. In all cases where the requirements of this chapter are different from the requirements of Wis. Stats., Ch. 236, the more restrictive provision shall apply.
- (2) Dedication. The subdivider shall dedicate land and improve streets as provided in this chapter and Sec. 54.103. Streets shall be located with due regard for topographical conditions, natural features, existing and proposed streets, utilities and land uses and public convenience and safety. Streets shall conform to official maps adopted by the Board of Trustees. The subdivision or certified survey map shall be so designed as to provide each lot with satisfactory access to a public street or road. Certified survey maps and subdivisions served by a private road shall only be considered for approval on a case-by-case basis as determined by the Board of Trustees, upon a referral from the Plan Commission, and only if the private road meets the design standards herein, and the private road accesses directly onto a minor, collector, or arterial street.
- (3) Compliance with Comprehensive Plan and Ordinances.
- (a) The arrangement, character, features, and layout of land divisions in the Village shall be designed to comply with the standards of this chapter, the Comprehensive Plan, the Recreation Plan, the Official Map, and/or any Comprehensive Utility Plans and the Engineering Design Manual or other planning documents which may pertain to the standards of design for land divisions and which have been adopted by the Board of Trustees. In the absence of a street being shown on the Official Map, streets shall be provided in locations determined to be necessary by the Director of Public Works or the Village Engineer and to the right-of-way widths required by this chapter.

Land Division Code

- 1 (b) The arrangement, character, extent, width, grade, and location of all streets shall conform to Village
2 master plans, the Official Map, the Engineering Design Manual, this chapter, and other Village planning
3 documents, and shall be considered in their relation to: existing and planned streets, reasonable
4 circulation of traffic, topographical conditions, run-off of storm water, wetland conditions, public conven-
5 ience and safety, land conservation, impervious surface, density, and in their appropriate relation to the
6 proposed uses of the land to be served by such streets.
- 7 (c) The arrangement of streets in new subdivisions shall make provision for the appropriate continuation at
8 the same or greater width of the existing streets in adjoining areas, unless other widths are approved by
9 a three-fourths (3/4) majority vote of the Plan Commission.
- 10 (d) Arterial Streets and Highways. Provisions shall be made for serving lots intended for residential use
11 abutting major streets and highways by either the use of marginal access streets; backing lots to the
12 primary street with a screen planting contained in a non-access reservation along the rear property line;
13 or deeper lots fronting on the primary street with rear service alleys. These methods are recommended
14 for the purpose of providing adequate protection of residential properties and to afford separation of
15 through and local traffic.
- 16 (e) Collector streets shall be properly related to the arterial highway and to the mass transportation system,
17 to special traffic generators such as churches and shopping centers, and to the major streets into which
18 they connect.
- 19 (f) Minor streets shall be designed to reasonably conform to the topography to discourage use by through
20 traffic, to permit efficient storm and sanitary sewerage systems, and to require the minimum street area
21 necessary to provide safe and convenient access to abutting property.
- 22 (g) Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented
23 by topography or other physical conditions or unless in the opinion of the Plan Commission such
24 extension is not necessary or desirable for the coordination of the layout of the subdivision or for the
25 advantageous development of the adjacent tracts.
- 26 (4) Areas Not Covered by Official Map or Plan. In areas not covered by an Official Map, the layout of streets shall
27 conform to the plan for the most advantageous development of adjoining areas of the neighborhood. Streets
28 shall be designed and located in relation to existing and officially planned streets, topography and natural
29 terrain, streams and lakes and existing tree growth, public convenience and safety and in their appropriate
30 relation to the proposed use of the land to be served by such streets. Streets shall be designed with land
31 conservation in mind and the purpose of providing safe routes while preserving open space and minimizing
32 excess impervious surfaces.
- 33 (5) Width. The right-of-way widths shall be of the width specified on the Official Map or Master Plan, or if no
34 width is specified there, they shall not be less than the width specified below, or as dictated in the Village
35 Engineering Design Manual, as amended after the adoption of this section. Widths may be adjusted by the
36 Plan Commission, upon referral from the Village Parks, Property & Streets Committee, if deemed necessary to
37 conserve land, preserve open space, and minimize excess impervious surfaces. All right-of-way widths shall
38 be sufficient to accommodate future bicycle access.
 - 39 (a) Arterial Street: 120 feet
 - 40 (b) Collector Street: 70 feet
 - 41 (c) Minor Street: 60 feet
 - 42 (d) Half Street: One-half (1/2) total right-of-way of proposed street
 - 43 (e) Cul-de-sac Street: 60 feet
 - 44 (f) Marginal Access Street: 30 feet
 - 45 (g) One-way Streets in Residential Planned Development District: 50 feet
 - 46 (h) Private Road serving four or fewer lots: 20 feet with nine-foot minimum hard surface width requirement.
47 However, if a two-way road, width shall be at least 18 feet; and the road shall be striped to designate the
48 road edge.
 - 49 (i) Private Road serving five or more lots: 24 feet with 18-foot minimum hard surface width requirement;
50 road to be striped to designate road edge.

Land Division Code

- 1 (6) Alignment. The horizontal and vertical alignment of all streets shall conform to the Engineering Design
2 Manual.
- 3 (7) Cul-de-sacs or Dead-End Streets. In addition to the following, all subdivisions served by a cul-de-sac(s) or a
4 dead-end street(s) shall make provision for the cul-de-sac(s) or dead-end street(s) to be connected by a
5 footpath to any existing or future cul-de-sac or dead-end street on an adjacent property.
- 6 (a) Temporary Cul-de-sacs. A temporary cul-de-sac with a minimum pavement diameter of 65 feet shall be
7 installed for each dead-end street in excess of 200 feet measured from the street of origin to the end of
8 its right-of-way. If each side of a dead-end street not requiring a cul-de-sac abuts one lot only, the
9 driveway for such lot shall be located to exit onto the street of origin. If either side of said dead-end
10 street abuts two lots, the driveway for the lot nearest the dead-end shall be located within the first 30
11 feet nearest the street of origin. Temporary cul-de-sac streets shall be not more than 300 feet in length
12 measured along their center lines from the streets of origin to the ends of their right-of-way. The design
13 may be adjusted by the Plan Commission, upon referral from the Village's Parks, Property & Streets
14 Committee, if deemed necessary to conserve land, preserve open space, and minimize excess
15 impervious surfaces.
- 16 (b) Permanent Cul-de-sacs. Cul-de-sac streets shall be not more than 300 feet in length measured along their
17 center lines from the streets of origin to the ends of their right-of-way. The Plan Commission may upon the
18 recommendation of the Fire Chief allow cul-de-sac streets up to 500 feet in length. Each cul-de-sac shall have
19 a terminus constructed in accord with the Village Engineering Design Manual. The design may be adjusted by
20 the Plan Commission, upon referral from the Village's Parks, Property & Streets Committee, if deemed
21 necessary to conserve land, preserve open space, and minimize excess impervious surfaces.
- 22 (c) Dead-End Streets.
- 23 1. A zoning permit shall be issued for the number of principal buildings allowed per Ch. 66, *Zoning*,
24 that are proposed to be built beyond the terminus point of an existing paved street, and beyond the
25 terminus point of existing sanitary sewer, water main or storm sewer, only if the sanitary sewer,
26 water main and storm sewer laterals are installed in a perpendicular manner from the proposed
27 principal building(s) to the street right-of-way or proposed street rights-of-way as required by the
28 Village Engineer.
- 29 2. A zoning permit shall be issued for the number of principal buildings allowed per Ch. 66, *Zoning*,
30 that are proposed to be built beyond the terminus point of an existing street or beyond the
31 terminus point of an existing sanitary sewer, water main or storm sewer only if a temporary cul-de-
32 sac is installed and the terminus point of the proposed cul-de-sac is at least 75 feet from the
33 terminus of the existing pavement or to a point perpendicular to the midpoint of the proposed prin-
34 cipal building(s), whichever is greater, the design of which shall be approved by the Village Engineer.
- 35 3. If a second dwelling is allowed on a lot, a zoning permit shall not be issued for a second residential
36 building which is proposed to be built across the street from a principal building as described in sub.
37 a. and b. unless all public improvements including paved streets, storm sewer or other storm
38 drainage facility, and sanitary sewer and water main are installed across the entire frontage of the
39 lot or parcel on which the building is located, or across the minimum lot frontage for the zoning
40 district in which the property is located, whichever is less, provided that a temporary cul-de-sac is
41 installed in accordance with (1), and the design of such is approved by the Village Engineer.
- 42 4. If, in the judgment of the Director of Public Works or the Village Engineer, a physical feature that
43 exists beyond the terminus of the new pavement described in (1) prevents the pavement from being
44 extended further, the temporary cul-de-sac described in (1) may, at the discretion of the Plan
45 Commission, be required to be a permanent cul-de-sac, the design of which shall be approved by
46 the Village Engineer.
- 47 (8) Half Streets. Where a half street exists adjacent to the subdivision, the other half of the street shall be
48 dedicated by the subdivider. Platting of new half streets along property lines shall not be permitted except by
49 approval of the Plan Commission.
- 50 (9) Intersections.
- 51 (a) Streets shall intersect as nearly as possible at right angles, and not more than two streets shall intersect
52 at one point unless approved by the Plan Commission.

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Sec. 54.120 General Street Design Standards

Sec. 54.122 Lot Design Standards

- 1 (b) Street jogs with center line offsets of less than 125 feet shall be avoided. Where streets intersect major
2 streets, their alignment shall be continuous.
- 3 (10) Street Names. New street names shall be in accordance with Sec. 66.1038, *Street and Road Naming*, and shall
4 not duplicate the names of existing streets, but streets that are continuations of others already in existence
5 and have already been named shall bear the names of the existing streets. Continuous streets that change
6 directions shall be given a distinct street name for each street segment of a different direction. Street names
7 shall be subject to approval by the Plan Commission.
- 8 (11) Limited Access Highway Treatment. Whenever a proposed subdivision contains or is adjacent to a limited
9 access highway or arterial street, the design shall provide the following treatment:
- 10 (a) Subdivision Lots. When lots within the proposed subdivision back upon the right-of-way of an existing or
11 proposed limited access highway, a planting strip that is at least 30 feet in depth shall be provided
12 adjacent to the highway in addition to the normal lot depth. This strip shall be part of the platted lots but
13 shall have the following restriction lettered on the face of the plat: "This strip reserved for the planting of
14 trees and shrubs. The building of structures or use for vehicular access is hereon prohibited."
- 15 (b) Trees shall be planted at a rate of at least one tree every 40 lineal feet parallel to the street, or as
16 dictated by Ch. 66, *Zoning*, within one year of Final Plat approval. An escrow in the amount of \$20,000
17 shall be held by the Village until the trees have been planted and there is evidence that the trees have
18 been maintained and are thriving for a period of twelve (12) months after planting.
- 19 (12) Streets Parallel to a Limited Access Highway. Streets parallel to a limited access highway when intersecting a
20 major street and highway or collector street which crosses the highway shall be located a minimum distance of
21 250 feet from the highway right-of-way. Such distance, where desirable and practicable, shall be determined
22 with due consideration of the minimum distance required for the future separation of grades by means of
23 appropriate approach gradients.

24 Sec. 54.121 Block Design Standards.

- 25 (1) Length; Arrangement.
- 26 (a) The maximum lengths of blocks containing lots of 75 feet and over in width shall be 1,800 feet, and the
27 maximum length of blocks containing lots less than 75 feet shall be 1,200 lineal feet. No blocks shall be
28 less than 900 lineal feet in length unless approved by the Plan Commission.
- 29 (b) No specific rule concerning the shape of blocks is made, but blocks must fit readily into the overall plan
30 of the subdivision and their design must evidence consideration of topographical conditions and surface
31 drainage, lot planning, traffic flow, public open-space areas and water and sewerage requirements.
- 32 (c) Blocks intended for commercial and institutional use must be designated as such, and the plan must
33 show adequate off-street areas to provide for parking, loading docks and such other facilities as may be
34 required to accommodate motor vehicles.
- 35 (2) Pedestrian Pathways. Pedestrian pathway easements not less than 12 feet wide or rights-of-way not less than
36 20 feet wide through the center of a block more than 900 feet long may be required by the Plan Commission,
37 where deemed essential to provide circulation or access to playgrounds, shopping centers, transportation and
38 other community facilities. Said pathways differ from sidewalks and are specific to block design.

39 Sec. 54.122 Lot Design Standards.

- 40 (1) Size. The size, shape and orientation of lots shall be appropriate for the location of the topography of the land
41 division, and for the type of development contemplated, provided that no lot shall be smaller in area than the
42 minimum lot size for the appropriate zone as established by Ch. 66, *Zoning*.
- 43 (2) Lot Dimensions.
- 44 (a) Width and area of lots shall conform to lot width and area requirements set forth in Ch. 66, *Zoning*. The
45 minimum lot width as required by the setback regulations for a particular zoning district shall be along
46 the minimum building setback line (front) as located in those zoning regulations.
- 47 (b) Depth of lots shall be in accordance with Plan Commission requirements but not less than 115 feet in
48 depth for interior lots and 90 feet in depth for corner lots.
- 49 (c) Depth and width of properties shall be adequate to provide for the off-street service, parking and
50 loading facilities required by the type of use and development contemplated.

Land Division Code

Sec. 54.122 Lot Design Standards

Sec. 54.123 Drainage and Storm Water Man. System

- 1 (d) Residential lots abutting on major streets and highways shall be platted with sufficient depth to permit
2 adequate separation between the buildings and such traffic ways in accord with the setback provisions
3 of the particular zoning district.
- 4 (e) Butt lots shall be platted at least five feet wider than the average interior lots in developments containing
5 lots less than 12,000 square feet in area.
- 6 (f) Lots abutting upon a water course, drainage way, channel or stream, shall be an additional depth or
7 width as required to provide an acceptable building site.
- 8 (g) If in a cluster subdivision, lot dimensions shall be determined by the Plan Commission.
- 9 (3) Corner Lots. Corner lots should be designed to permit full setback on both streets as required by the applicable
10 zoning district requirements.
- 11 (4) Access to Public Streets. Every lot shall front or abut a public street. Plan Commission approval is required
12 before any permits may be issued for lots that only allow access to private drives or streets. Lots abutting a
13 state highway shall conform to Wis. Adm. Code, Sec. Trans. 233.
- 14 (5) Lot Lines. Side lot lines shall be substantially at right angles or radial to street lines.
- 15 (6) Large Lots. Where lots are created of a size larger than normal for the area, the Plan Commission may require
16 that the plat be so designed as to allow for the possible future re-subdivision of such lots into normal sizes
17 compatible with the area.
- 18 (7) Municipal Boundaries. Lots shall follow municipal boundary lines whenever practicable, rather than cross
19 them.
- 20 (8) Through Lots. Through lots shall be avoided except where necessary to provide separations of residential
21 development from traffic arteries or to overcome specific disadvantages of topography and orientation.
- 22 (9) Natural Features. In the dividing of any land, regard shall be shown for all natural features, such as tree
23 growth, water courses, historic spots or similar conditions which, if preserved, will add attractiveness and
24 stability to the proposed development.
- 25 (10) Land Remnants. Rather than allowing remnants of lots that are below the minimum size to remain as unusable
26 parcels of land after a larger tract has been divided, those remnants must be added to adjacent lots, or a plan
27 that describes the proposed future use of the remnants must be presented to the Plan Commission.
- 28 (11) Trunk Highway Proximity. All lots adjacent to state highways shall be platted with the additional depth
29 necessary to provide for a building setback line that is not less than 50 feet from the nearest right-of-way line
30 or 110 feet from the centerline, whichever is more restrictive (Sec. Trans. 233 of the Wis. Adm. Code). The
31 subdivider may appeal this requirement to the Plan Commission. Upon written request of the Village
32 Administrator or their designee or the Village Engineer; the Wisconsin Department of Transportation is hereby
33 authorized to determine building setback requirements equal to or less than those required above in all land
34 divisions (including certified surveys) adjacent to state highways in accordance with the authority granted in
35 the Administrative Code. The required building setback line and additional lot depth shall be platted so as to
36 accommodate such required building setbacks. If a lot is approved under this chapter, said setbacks herein
37 shall be applicable and supersede any setback requirement in Ch. 66, *Zoning*.
- 38 (12) Easement Allowance. Lots containing side yard pedestrian or drainage easements shall be platted to include
39 the additional width required for the easement(s).
- 40 (13) Drainage Way and Watercourses. Lots abutting upon a water course, drainage way, channel or stream shall
41 have such additional depth or width as required by the Plan Commission, upon recommendation of the Village
42 Engineer, to obtain building sites that are not subject to flooding from a post-development 100-year storm.

Sec. 54.123 Drainage and Storm Water Management System.

- 45 (1) Purpose. The following provisions in this section are established to preserve and provide properly located
46 public sites and facilities for drainage and storm water management as the community develops, and to
47 ensure that the costs of providing and developing such public sites are equitably apportioned on the basis of
48 serving the need for the management of increased storm water quantities resulting from land development.
- 49 (2) Drainage System Required. A drainage system that complies with the Engineering Design Manual shall be
50 provided by the subdivider. The Plan Commission shall not recommend any land division for approval that
51 does not provide adequate means for storm water or flood water runoff, and a final plat shall not be submitted
52 and/or approved until the subdivider installs the drainage improvements specified in this section. All of said
53 drainage improvements must be approved by the Village Engineer.

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- 1 (a) A drainage system shall be designed and constructed by the subdivider to provide for the proper
2 drainage of the surface water of the land division and the drainage area of which it is a part, and the
3 design of that drainage system shall be in conformance with the Engineering Design Manual. A Final Plat
4 shall not be submitted or approved until the subdivider installs all the drainage improvements specified
5 in this section.
- 6 (b) Lots shall be laid out to provide positive drainage away from all buildings, and individual lot drainage
7 shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed to
8 avoid concentration of storm drainage water from each lot to adjacent lots.
- 9 (c) The Plan Commission shall not recommend for approval any subdivision plat which does not provide
10 adequate means for storm water or flood water runoff. Any storm water drainage system must be
11 separate and independent of any sanitary sewer system. Storm sewers, where necessary, shall be
12 designed in accordance with all governmental regulations, and a copy of design computations for
13 hydraulic capacities shall accompany plans submitted by the design engineer.
- 14 (3) Drainage System Plans.
- 15 (a) The subdivider shall submit to the Village at the time of filing a Preliminary Plat a drainage plan and
16 engineering report on the ability of existing watercourse channels, storm sewers, culverts and other
17 improvements pertaining to drainage or flood control within the subdivision to handle the additional
18 runoff which would be generated by the development of the land within the subdivision. Additional
19 information shall be submitted to adequately indicate that provision has been made for disposal of
20 surface water without any damage to the developed or undeveloped land downstream or below the
21 proposed subdivision.
- 22 (4) Drainage System Requirements. The subdivider shall install all the storm drainage facilities indicated on the
23 plans required in subsection (a) of this section necessary to serve, and resulting from, the phase of the land
24 division under development:
- 25 (a) Street Drainage. Street drainage systems shall comply with the requirements in the Engineering Design
26 Manual.
- 27 (b) Off-Street Drainage. Off-street drainage systems shall comply with the requirements in the Engineering
28 Design Manual.
- 29 (5) Protection of Drainage Systems. The subdivider shall adequately protect all ditches to the satisfaction of the
30 Director of Public Works or the Village Engineer.
- 31 (6) Drainage Easements. Storm water and drainage easements or rights-of-ways shall be provided in accordance
32 with the Engineering Design Manual.
- 33 (7) Dedication of Drainage-Ways. Whenever a parcel to be subdivided or consolidated embraces any part of a
34 drainage-way identified on a Village Comprehensive Storm Water Management Plan, Master Plan and/or
35 Official Map or any portion thereof, such part of said existing or proposed public drainage-way shall be platted
36 and dedicated by the subdivider as an easement or right-of-way in the location and at the size indicated along
37 with all other streets and public ways in the land division. Whenever any parcel to be subdivided or
38 consolidated is part of a drainage district established under the authority of Wis. Stats., Ch. 88, the subdivider
39 shall petition the Circuit Court to transfer the jurisdiction of that portion of the drainage district being
40 subdivided or consolidated to the Village in accordance with Wis. Stats., §88.83.
- 41 (8) Dedication/Preservation of Storm Water Management Facilities. The subdivider shall dedicate sufficient land
42 area for the storage of storm water to meet the needs to be created by the proposed land development and
43 comply with all the Village's standards for on-site detention as determined by the Village Engineer. Whenever
44 a proposed storm water management facility (e.g., detention or retention basin) shown on the Comprehensive
45 Storm Water Management Plan, Master Plan and/or Official Map is located, in whole or in part, within the
46 proposed land division, ground areas for providing the required storage capacity in such proposed public
47 facility shall be dedicated to the public in accord with the requirements of the Master Plan and/or the Official
48 Map. Storage areas necessary to serve areas outside the land division shall be held in reserve for a
49 period of five years from the date of final plat approval for future dedication to the Village or other appropriate
50 agency.
- 51 (a) Storm Drainage Facilities. The subdivider, at their cost, shall install all drainage facilities identified in the
52 Erosion Control Plan or determined by the Village Engineer as being necessary for the management of all

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- lands and roadways within the development. In addition, if applicable, drainage capacity through the development from other areas shall be provided in accordance with a Comprehensive Surface Water Management Study. All required storm drainage facilities shall be constructed and operational prior to acceptance of any dedications and/or public improvements served by the storm drainage facilities.
- (9) Major Drainage System. The subdivider shall install all major drainage system components necessary to reduce inconvenience and damages from infrequent storms. Major system components shall include large channels and drainage-ways, streets, easements and other paths and shall be capable of accommodating post-development runoff in excess of that accommodated by minor system components resulting from the design rainfall event as specified in the Engineering Design Manual for storms with return frequencies greater than ten years up to and including the 100-year return event.
- (a) Storm Water Drainage Control. Drainage and storm water management systems for new development as well as redevelopment shall comply with the requirements of the Engineering Design Manual.

Sec. 54.124 Reserved.

Sec. 54.125 Grading.

The subdivider shall grade each land division in order to establish street, block and lot grades in proper relation to each other and to topography as follows:

- (1) Master Site-Grading Plan.
- (a) The subdivider shall see that a professional engineer prepares a Master Site-Grading Plan that satisfies all the standards that are contained in the Engineering Design Manual as well as the requirements and standards established by the Village for all new land divisions, and that plan must be approved by the Village Engineer prior to the approval and recording of the final plat.
- (b) The grading plans for all subdivisions or certified survey maps that create lots that back onto an arterial or collector street shall contain an earthen berm; the height and slope of which shall conform to the provisions of the Engineering Design Manual. The berm shall be landscaped with appropriate plantings to provide a visual screen from casual view.
- (c) After approval or modification of the Master Site-Grading Plan by the Village Engineer, the full width of the right-of-way of the proposed streets within the subdivision and the entire subdivision lot area shall be graded in accordance with that plan, and the owners of the subdivision lots must adhere to that plan.
- (d) Upon completion of all street and subdivision grading, the grades shall be certified by the subdivider and checked by the Village Engineer to ensure that the completed grading work does, in fact, comply with the Master Site Grading Plan.
- (e) The cost of all required grading work, supervision, certification, inspection and engineering fees shall be paid for by the subdivider.
- (2) Right-of-Way Grading. The subdivider shall grade the full width of the right-of-way of all proposed streets in accordance with the Village's approved specifications and plans, including the grading of site triangles at each intersection. The grading shall take into account the locations of trees and attempt to preserve them.
- (3) Block Grading. Block grading shall be completed by one or more of the following methods:
- (a) Re-grading along the side or rear lot lines which provides for drainage to the public drainage facilities.
- (b) Parts of all lots may be graded to provide for drainage to a ditch or to a swale, provided any ditches or swales are in public drainage easements.
- (c) Draining across rear or side lot lines may be permitted provided that the course of drainage is within a public drainage easement and is toward public drainage facilities.
- (4) Miscellaneous Grading Requirements.
- (a) Grading shall be in conformance with the Engineering Design Manual.
- (b) The topsoil stripped for grading shall not be removed from the site unless identified in the Erosion Control Plan that was approved by the Village Engineer as not being necessary for erosion control or site landscaping purposes, and topsoil shall be uniformly returned to the lots when rough grading is finished.
- (c) Topsoil piles shall be leveled and seeded for erosion control in accord with Village approved specifications prior to the Village releasing the two-year guarantee provision on public improvements in the streets adjacent to the lots on which the topsoil is stockpiled.

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PARK AND PUBLIC LAND DEDICATIONS

Sec. 54.140 General Park and Public Land Dedication Requirements.

- (1) Parks and Other Public Areas. The following provisions of this section are hereby established In order to ensure that adequate open spaces and sites for public uses are properly located and preserved as the community develops. The provisions are also established in order to ensure that the cost of providing the public park and recreation sites and facilities necessary to serve the additional families brought into the community by subdivision development is most equitably apportioned on the basis of the additional need created by the individual subdivision development, and is coordinated with the environmental pattern and land use goals established by the Village.
- (2) Consideration in Plat Layout. In the design and layout of plats, consideration shall be given to the provision of the foregoing open space and public use areas that are compatible with the specific terrain and related use characteristics of the site and would serve to implement the recommendations of the Outdoor Recreation Plan or Comprehensive Master Plan of the Village.
- (3) Dedication of Public Access to Water. Subdivisions abutting on a navigable waterway shall, in accord with the provisions of Wis. Stats., §236.16(3), provide public access that is at least 60 feet wide and is connected to existing public roads, at not more than one-half mile intervals as measured along the shoreline, except where greater intervals and wider access is agreed upon by the State Department of Natural Resources and the State Department of Administration, and excluding shore areas where public parks or open spaces and streets or roads on either side of a stream are provided. Such access shall be dedicated to the Village.

Sec. 54.141 Land Dedication.

- (1) Dedication. Subdividers of property that is located in the Village will be required to dedicate sufficient land area to implement the Village's recommendations for pedestrian and bikeway purposes, as set forth in the Village's Comprehensive Outdoor Recreation Plan, the Comprehensive Master Plan and Plan Commission approvals. In areas of the Village where the Official Map already shows pedestrian or bikeway areas, those areas shall be dedicated for such use as the land adjacent to it is platted.
- (2) Payment in Lieu of Dedication.
 - (a) For all residential developments that are not part of a cluster subdivision with dedicated public park land, a fee of \$10,000 per lot, or more, as amended by resolution adopted by the Village Board of Trustees establishing a higher fee, shall be paid for each new dwelling unit or lot.
 - (b) All payments shall be made in full to the Village prior to Board of Trustees final approval of the land division or development.

Sec. 54.142 Development of Park Area.

- (1) Subdivider Responsibilities on Dedicated Lands. When parklands are dedicated to the Village, the subdivider may be required by the Director of Public Works or the Village Engineer to:
 - (a) Properly grade and contour for proper drainage;
 - (b) Provide surface contour suitable for anticipated use of the area as approved by the Director of Public Works or the Village Engineer; and
 - (c) Cover areas to be seeded in accord with Village-approved specifications. It shall be the responsibility of the subdivider to maintain the area until the Village accepts the dedication.
- (2) Village Maintenance Responsibility. It shall be the responsibility of the Village to maintain the dedicated areas upon their dedication and acceptance by the Village.
- (3) Compliance Reports. The Board of Trustees may require certification of compliance by the subdivider with the applicable provisions of this chapter. The cost of such a report shall be paid by the subdivider.
- (4) Noncompliance. If the subdivider fails to satisfy the requirements of this section, the Board of Trustees may contract said completion and bill such costs to the subdivider, following a public hearing and written notice of non-compliance being provided to the subdivider. Failure to pay such costs may result in the immediate withholding of all building permits until such costs are paid.

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Sec. 54.142 Development of Park Area

Sec. 54.162 Includable Costs

- 1 (5) Public Improvement Costs to be Paid by the Subdivider. The subdivider shall pay all costs of public improve-
2 ments to the public streets that are adjacent to or within any public and/or park lands within their
3 development.
4

FEES

Sec. 54.160 Administrative and Other Fees.

- 7 (1) General. The subdivider shall pay all fees as hereinafter required and at the times specified to the Village
8 before being entitled to recording of a plat or certified survey map. At the time of submission of a plat or a
9 certified survey, the Plan Commission, at its sole discretion, may require the subdivider to make a good faith
10 deposit with the Village Treasurer to cover all or in-part, the expenses anticipated to be incurred by the Village
11 because of the land division. Unused portions of such fund may be refunded to the subdivider.
12 (2) Engineering Fee. The subdivider shall pay a fee equal to the actual cost to the Village for all engineering work
13 incurred by the Village in connection with the plat or certified survey map, including inspections required by
14 the Village pursuant to Sec. 54.102(c). The subdivider shall pay a fee equal to the actual cost to the Village for
15 such engineering work and inspection as the Board of Trustees, the Director of Public Works and/or the Village
16 Engineer deem necessary to assure that the construction of the required improvements is in compliance with
17 the plans, specifications and codes of the Village or any other governmental authority. Engineering work shall
18 include the preparation of construction plans, standard specifications, inspections, and administration of the
19 engineering work.
20 (3) Administrative Fees.
21 (a) The subdivider shall pay a fee to the Village that is equal to the cost of any legal, administrative or fiscal
22 work which may be undertaken by the Village in connection with the plat or certified survey map, and
23 any fee required by resolution adopted by the Board of Trustees.
24 (b) All land division documents and requests for vacation of street right-of-way shall be accompanied by the
25 appropriate fee as required by resolution adopted by the Board of Trustees.
26 (4) Concept Plan. There shall be no fee for the Village's staff to review a concept or sketch plan of a proposed land
27 division. However, such reviews shall be conducted only as staff time permits.
28 (5) Filing Fees. All land division documents and requests for vacation of street right-of-way shall be accompanied
29 by the appropriate fee as set forth by resolution.
30 (6) Other Agency Review Fees. The subdivider shall transmit all fees required for state and county agency review,
31 if applicable, to the Village Clerk at the time of application. Said review fees shall be re-transmitted to the
32 proper state and county review agency by the Village Clerk. Said fees shall be applicable, where appropriate,
33 to review fees required by the Wisconsin Department of Administration and the County Land Use Services
34 Department.
35 (7) Taxes and Assessments. All outstanding assessments, personal property taxes, real estate taxes and all other
36 debts due to the Village shall be due prior to the signing of the Final Plat or Certified Survey map by the
37 Village.

Sec. 54.161 Levy of Special Assessments.

38 The cost of installing, constructing or completing any public work or improvement by the Village may be charged under
39 this section, in whole or in part, to the property benefited by such work or improvement and the Board of Trustees may
40 levy an assessment against such benefited property in the manner provided herein.
41

Sec. 54.162 Includable Costs.

- 42 (1) Special Assessment Costs. The cost of any work or improvements to be paid in whole or in part by special
43 assessment levied against property may include the following:
44 (a) The direct and indirect cost thereof;
45 (b) The damages occasioned thereby;
46 (c) The interest on bonds or notes issued in anticipation of the collection of the assessments;
47 (d) A reasonable charge for the services of the administrative staff of the Village;
48 (e) The cost of any architectural, engineering and legal services;
49

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Sec. 54.162 Includable Costs

Sec. 54.165 Waiver of Notice & Hearing

- 1 (f) Any other items of direct or indirect cost, which may reasonably be attributed to the proposed work or
2 improvements.
- 3 (g) The amount to be assessed against all property for any such proposed work or improvements shall be
4 apportioned among the individual parcels in the manner designated by the Board of Trustees.
- 5 (2) Assessment Limitations. The amount assessed against any property for any work or improvement, which
6 represents an exercise of the Village's taxing power, shall not exceed the actual value of the benefits conferred
7 on the property. An assessment levied under the police power must benefit the property and the assessment
8 shall be levied on a reasonable basis as determined by the Board of Trustees.

9 Sec. 54.163 Engineer's Report.

- 10 (1) Prior to levying a special assessment, the Board of Trustees, must adopt a preliminary resolution, which shall
11 consist of:
- 12 (a) A statement declaring the Village's intent to exercise its police or taxing power to specially assess for a
13 stated municipal purpose;
- 14 (b) A description of the contemplated purpose for which the assessment is to be levied;
- 15 (c) A description of the limits of the proposed area to be assessed;
- 16 (d) The proportion of the cost of the project (not exceeding 100%) which will be assessed against the
17 benefitted properties;
- 18 (e) Either the number of installments in which the special assessment is to be paid or a statement that the
19 number of installments will be determined at the public hearing; and,
- 20 (f) An order to the Village Engineer to prepare a report on the proposed work or improvements and the
21 proposed assessment levies.
- 22 (2) The Village Engineer shall prepare and file with the Village Clerk, for public inspection, their report which shall
23 consist of:
- 24 (a) Plans. A copy of the preliminary or final plans and specifications of the proposed work or improvements.
- 25 (b) Estimate – Entire Cost. An estimate of the entire cost of the proposed work or improvements or the
26 actual cost thereof based on contracts awarded.
- 27 (c) Estimate – Levied. An estimate of that portion of the total cost of the improvements to be levied against
28 the benefitted properties.
- 29 (d) Estimate – Parcels Affected. An estimate, as to each parcel of property affected, of:
- 30 1. The assessment of benefits to be levied.
- 31 2. The damages to be awarded for property taken, damaged, or adversely affected.
- 32 3. The net amount of such benefits over damages or the net amount of such damages over benefits.
- 33 4. A statement that the property against which the assessments are proposed is benefitted, and where
34 the work or improvements constitutes an exercise of police power. In such cases the estimates
35 required under subsection (d) above shall be replaced by a schedule of the proposed assessments.
36

37 Sec. 54.164 Notice and Hearing.

- 38 (1) Upon completion and filing of the Engineer's Report, the Village Clerk shall cause notice to be given stating the
39 nature of the proposed work or improvement, the general boundary lines of the proposed assessment district
40 or area including, in the discretion of the Board of Trustees, a small map thereof, and the place and time at
41 which all persons interested, or their agents or attorneys, may appear before the Board of Trustees and be
42 heard concerning the matters contained in the report. Such notice shall be published as a Class 1 notice, under
43 Wis. Stats., Ch. 985. A copy of such notice shall be mailed, at least ten days before the hearing or proceeding,
44 to every interested person whose post office address is known or can be ascertained with reasonable
45 diligence. The hearing shall commence not less than 10 and not more than 40 days after publication of the
46 notice.

47 Sec. 54.165 Waiver of Notice and Hearing.

48 The Board of Trustees may, without any notice or hearing hereunder, levy and assess the whole or any part of the cost
49 of any municipal work or improvement as a special assessment upon the property benefitted thereby whenever notice
50 and hearing thereon is waived in writing by all the owners of property affected by such special assessment.

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1 **Sec. 54.166 Resolution Levying Assessments.**

2 After hearing persons interested in the proposed assessment levy, the Board of Trustees may approve, disapprove, or
3 modify the proposed assessments, or it may refer the report to the Engineer with such direction, as it deems necessary
4 to accomplish a fair and equitable assessment. Upon approval of the Engineer's Report, the Board of Trustees shall
5 adopt a resolution levying the special assessment as finally approved. Such resolution must be published as a Class I
6 notice in the assessment district and mailed to each interested person whose address is known or can be ascertained
7 with reasonable diligence according to Wis. Stats., §66.0703(8)(d). The resolution shall contain the following
8 information:

- 9 (1) Confirmation of the Engineer's Report including a directive that the public work or improvement be
10 performed, and the special assessments levied as indicated in the Report or as modified after the public
11 hearing and set forth in the resolution;
- 12 (2) A provision for collection of the assessment and any penalties to be imposed for failure to timely pay the
13 assessment or any installment thereof;
- 14 (3) A statement that all assessments or installments, if permitted, which are not paid by the date specified shall be
15 extended on the tax roll as a delinquent tax and collected in the same manner as delinquent real estate taxes;
- 16 (4) The terms and conditions of any allowed deferral of an assessment while no use is made of the improvement
17 being financed thereby pursuant to Wis. Stats., §66.0715; and,
- 18 (5) The reference to any charter ordinance provisions postponing collection of special assessments for worthy
19 indigent persons even while use is made of the improvement, and the terms and conditions of such
20 postponement.

21 **Sec. 54.167 Reserved.**

22 **Sec. 54.168 Appeal of Special Assessments.**

23 Any person having an interest in any parcel of land affected by any determination of the Board of Trustees may appeal
24 therefrom to the Door County Circuit Court in the manner provided in Wis. Stats., §66.0703(12) .

25 **Sec. 54.169 Property Excluded from Special Assessment.**

26 If any property included within the proposed assessment district or area shall be excluded from assessment, the
27 proposed assessment shall be computed and paid by the Village, Water and Sewer Utility, or Storm Water Drainage
28 District as determined by the Board of Trustees.

29 **Sec. 54.170 Special Charges.**

30 Special charges for services rendered by the Village may be imposed by the Board of Trustees pursuant to Wis. Stats.,
31 §66.0627.

32 **Sec. 54.171 Payment Plans.**

- 33 (1) Special Assessment Payment Schedules. Except those properties that are subject to subsection (b) the property
34 owner may pay special assessments as follows:
- 35 (a) Within thirty days of the date of the levy;
- 36 (b) Within five years of the date of the levy in equal annual installments on the property tax bill with interest
37 as determined in the final assessment resolution;
- 38 (c) Within ten years of the date of the levy in equal annual installments on the property tax bill with interest
39 as determined in the final assessment resolution.
- 40 (2) Long Term Schedules. For those properties that are vacant or have one residential dwelling unit, that are two
41 and one-half (2 ½) acres or more in area, or have 330 feet or more of assessed frontage, payment shall be made
42 within twenty years of the date of the levy in equal annual installments on the property tax bill with interest as
43 determined in the final assessment resolution.

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1 **Sec. 54.172 Existing Deferred Special Assessments.**

- 2 (1) The Village Clerk shall keep a record of all existing deferred and active special assessments. The annual tax bill
3 for each property subject to a deferred special assessment shall indicate this condition by inserting the word
4 "Deferred" under the special assessment column.
- 5 (2) Before the issuance of any building or plumbing permit, the Village Administrator or their designee shall refer
6 the application for permit to the Village Clerk to determine if any special assessment is outstanding against the
7 parcel involved.
- 8 (3) The Village will comply with the assessment and deferment conditions as previously established by assessment
9 resolution unless the property owner(s) so affected agree to a change.

10 **Sec. 54.173 Village Owned Property.**

11 There shall be no special assessment levied against Village property. The cost of the project which otherwise would be
12 levied against Village property shall be the Village's financial responsibility.

13 **Sec. 54.174 Notice of Levy of Special Assessment.**

14 An Assessment Notice shall be mailed to each affected property owner after final determination of all costs and
15 computations for all affected properties has been completed.

16 **Sec. 54.175 Reserved**

17 **Sec. 54.176 Oversizing Rates and Practices.**

18 The schedule of rates and the practice of oversizing shall be dictated by the Sewer and Water Utility Committee.

19 **Sec. 54.177 Reserved.**

20 **Sec. 54.178 Corner Parcels.**

21 (1) Lot Abuts Improvement – Assessments.

- 22 (a) When special assessments are determined on a front foot basis and a corner lot abuts the work or
23 improvement, the assessment against the parcel shall be determined as follows: When the
24 improvement is installed abutting both the long frontage side and the short frontage side of a corner
25 parcel, the assessment shall be determined by multiplying the full per foot assessment rate times the
26 sum of the short side frontage plus that portion of the long side frontage in excess of one hundred feet.
- 27 (b) When the improvement is installed abutting only the long frontage side of a corner parcel, and no
28 previous assessment for the same improvement has been made, the assessment shall be determined as
29 in (a) above.
- 30 (c) When the improvement is installed abutting only the short frontage side of a corner parcel, and no
31 previous assessment for the same improvement has been made, the assessment shall be determined by
32 multiplying the full per foot assessment rate times the length of the short side.
- 33 (d) When the improvement is installed abutting only the long frontage side of a corner parcel, and a
34 previous assessment for the same improvement has been made for the short side, the assessment shall
35 be determined by multiplying the full per foot assessment rate times that portion of the long frontage
36 side in excess of one hundred feet.
- 37 (e) When the improvement is installed, abutting only the short frontage side of a corner parcel and a
38 previous assessment has been made for the long side, there shall be no additional assessment for the
39 initial one hundred feet of the short side. The portion in excess of one hundred feet shall be assessed
40 under the provisions of (b) above.

- 41 (2) Other Frontage – Assessments. If the improvement is installed on either the long frontage side or short frontage
42 side of a parcel previously assessed for the same improvement, and no corner lot computation was made, the
43 assessment shall be determined by adding the short side frontage to that portion of the long side frontage in
44 excess of one hundred feet, and from that sum subtracting the previously assessed frontage, and then
45 multiplying the full per foot assessment rate times the difference.

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Sec. 54.179 Double Frontage Parcels

Sec. 54.190 Variations and Exceptions

Sec. 54.179 Double Frontage Parcels.

- (1) Assessment Determination. When special assessments are determined on a front foot basis and a double frontage parcel (a parcel that runs through an entire block and has frontage on two different streets or public rights-of-way) abuts the work or improvement, the assessment against the parcel shall be determined as follows:
 - (a) If, after an investigation and report by the Village Administrator or their designee, the Board of Trustees determines that under the provisions of Ch. 66, *Zoning*, it is possible to divide the parcel into two parcels, one fronting each street, the parcel shall be subject to an assessment for each frontage when the improvement abutting the frontage is installed. In such cases, the assessment against each frontage shall be determined and treated as separate assessments. The assessment for the vacant frontage shall be assessed under the provisions of Sec. 54.178.
- (2) No Additional Assessment. If such a parcel cannot be divided to create two parcels, there shall be no assessment for the same benefit from the same type of improvement installed abutting the second frontage.
- (3) Assessment Due. The assessment shall become due as specified by the resolution levying special assessments for that frontage which abuts the assessable improvement.

Sec. 54.180 Lots Created by Re-division or Combination.

An investigation shall be made by the Village Administrator or their designee to determine if a parcel, under the provisions of Ch. 66, *Zoning*, may reasonably be divided or combined in such a way as to create additional parcels. The results of this investigation shall be reported to the Board of Trustees, which shall determine the special assessments on a reasonable, case-by-case, basis.

Sec. 54.181 Reconstruction Jurisdiction and Policy.

- (1) Jurisdiction. The following criteria shall apply:
 - (a) Reconstruction of sanitary sewer and water main are under the jurisdiction of the Sister Bay Water and Sewer Utility.
 - (b) Those facilities under the jurisdiction of the Village include the following: storm sewer, drainage ditches, detention and retention structures, storm water management districts, laterals, streets, sidewalks, bike paths, bridges, culverts and headwalls, street lighting, street trees, parks, playgrounds, and Village installed service connections, or other land dedicated to the Village for public purposes.
- (2) Zoning Effect on Services. Reconstruction assessment shall be based on a combination of the zoning category of a property and the road classification, by use, of the street in which the facility assessed is located. For facilities installed in easements, the zoning category of a property shall be the only consideration in assessing reconstruction costs. The effective rate of assessment shall be obtained from the appropriate Schedule of Rates table, which applies to the facility which has been reconstructed.
- (3) Effective Date and Manner. The policies and rates of assessment for reconstruction of facilities under Village jurisdiction shall be determined and approved by the Board of Trustees and shall be set forth by ordinance or resolution. The rates set by the Trustees shall be effective beginning on January 1st and shall apply for the entire calendar year and remain in effect until changed by resolution.

Sec. 54.182 Other Authority Retained.

It is not intended by the enactment of this chapter to deprive the Board of Trustees of any power conferred by Wis. Stats., §66.53 through §66.698, but any limitations contained therein and any procedures prescribed therein for the levy of special assessments or special charges shall not apply to the exercise of the special assessment authority contained herein.

VARIATIONS; PENALTIES AND VIOLATIONS

Sec. 54.190 Variations and Exceptions.

- (1) Where the subdivider alleges that extraordinary hardships or particular difficulties may result from strict compliance with these regulations, they may request variations or exceptions to the regulations so that substantial justice may be done and the public interest secured, provided that such variation or exception shall not have the effect of nullifying the intent and purpose of this chapter. Application for any such variation shall be made in writing by the subdivider to the Village Clerk at the time when the Preliminary Plat or certified

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1 survey is filed for consideration, stating fully all facts relied upon by the petitioner, and shall be supplemented
2 with maps, plans, or other additional data which may aid Village officials in the analysis of the proposed
3 project. The plans for such development shall include such covenants, restrictions, or other legal provisions
4 necessary to guarantee the full achievement of the plan. The Village Administrator or their designee may
5 request that the Village Engineer, Village Attorney or other officials review each situation to ensure that the
6 request is consistent with the requirements and standards of this chapter. The Village Administrator or their
7 designee shall refer the matter to the Plan Commission with a written report and recommendation. The Plan
8 Commission shall make a recommendation to the Board of Trustees. The previous granting of variations or
9 exceptions in the same or similar circumstances shall not, of itself, constitute grounds for the granting of a
10 variance or exception, nor shall strictly financial rationale be considered.

11 (2) The Plan Commission shall not recommend nor shall the Board of Trustees not grant variations or exceptions
12 to the regulations of this chapter unless they make findings based upon the evidence presented to them in
13 each specific case that:

- 14 (a) Failure to grant the variation may be detrimental to the public safety, health or welfare or injurious to
15 other property or improvements in the neighborhood in which the property is located;
- 16 (b) The conditions upon which the request for a variation is based are unique to the property for which the
17 variation is sought and are not applicable generally to other property;
- 18 (c) Because of the particular physical surroundings, shape or topographical conditions of the specific
19 property involved, a particular hardship to the owner would result, as distinguished from a mere in-
20 convenience, financial hardship or self-imposed hardship, if the strict letter of the regulations were
21 carried out; and,
- 22 (d) There would be no costs (present or future) to the Village resulting from the granting of the variation or
23 exception.

24 (3) Any recommendations for variations or exceptions by the Plan Commission must be approved by a three-
25 fourths (3 /4) majority vote of the Plan Commission and shall be so endorsed by the Village Administrator or
26 their designee and transmitted to the Board of Trustees. The Board of Trustees, if they approve, shall do so by
27 resolution adopted by a majority vote and shall instruct the Village Clerk to notify the Plan Commission and
28 the subdivider.

29 (4) Variations from the strict application of this chapter may also be granted in accordance with this chapter in the
30 case of Planned Unit Developments. provided the Board of Trustees, upon review and recommendation from
31 the Plan Commission, shall find that the proposed development is fully consistent with the purpose and intent
32 of this chapter; Ch. 66, *Zoning*; and any Village Comprehensive Master Plan or Comprehensive Outdoor
33 Recreation Plan.

34 Sec. 54.191 Enforcement, Penalties and Remedies.

35 (1) Violations. It shall be unlawful to build upon, divide, convey, record or monument any land in violation of this
36 chapter or the Wisconsin Statutes and no person shall be issued a building permit by the Village authorizing
37 the building on, or improvement of, any subdivision, land division, certified survey, or replat within the juris-
38 diction of this chapter not of record as of the effective date of this chapter until the provisions and
39 requirements of this chapter have been fully met. The Village may institute appropriate action or proceedings
40 to enjoin violations of this chapter or the applicable Wisconsin Statutes.

41 (2) Penalties.

- 42 (a) General Violations. Any person, firm or corporation who fails to comply with the provisions of this
43 chapter shall, upon conviction thereof, be subject to forfeiture as prescribed in the Municipal Code and
44 resolution adopting a fee schedule. Each day a violation exists or continues shall constitute a separate
45 offense.
- 46 (b) Forfeiture for Not Proper Recording. Any person causing their final plat to be recorded without
47 submitting such plat for approval as herein required, or who shall fail to present the same for record
48 within the time specified after approval shall be subject to the forfeiture as prescribed in the Municipal
49 Code and resolution adopting a fee schedule.
- 50 (c) Transfer of Lots in Unrecorded Plat. Any subdivider or their agents who offer or contracts to convey, or
51 conveys, any subdivision as defined in Wis. Stats., §236.02(8), or lot or parcel which lies in a subdivision
52 as defined in Wis. Stats., §236.02(7), knowing that the final plat thereof has not been recorded may,

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- 1 upon conviction, be subject to the forfeiture as prescribed in the Municipal Code and resolution adopting
2 a fee schedule.
- 3 (d) Penalty for Disturbing or Not Placing Monuments. Any owner, surveyor or subdivider who fails to place
4 monuments as prescribed by this chapter when subdividing land shall be subject to the forfeiture as
5 prescribed in the Municipal Code and resolution adopting a fee schedule.
- 6 (e) Knowingly Removing or Disturbing Monuments. Any person who knowingly removes or disturbs any
7 monument or survey marker within the Village without permission of any governing authority or who
8 fails to report such disturbance or removal shall be subject to the forfeiture as prescribed in the
9 Municipal Code and resolution adopting a fee schedule.
- 10 (f) Failure to Replace Removed or Disturbed Monument. Any person who fails to replace properly any
11 monument or survey marker by him removed or disturbed when ordered to do so by any officer of the
12 Village shall be subject to the forfeiture as prescribed in the Municipal Code and resolution adopting a
13 fee schedule.
- 14 (g) Failure to Comply with the Master Site Grading Plan. Any property owner who fails to comply with the
15 master site grading plan pursuant to Sec. 54.125(a) shall be subject to forfeiture as prescribed in the
16 Municipal Code and resolution adopting a fee schedule. Each day a violation exists or continues shall
17 constitute a separate offense.
- 18 (h) Failure to Comply with the Official Map. Any person, firm, or corporation who fails to comply with the
19 provisions of this section shall, upon conviction thereof, forfeit not more than two hundred dollars
20 (\$200.00) and not less than fifty dollars (\$50.00) and cost of prosecution for each violation, and in
21 default of payment of such forfeiture and costs shall be imprisoned in the Door County jail until payment
22 thereof but not exceeding 30 days. Every day of violation shall constitute a separate offense. No
23 damages shall be allowed for the taking by any governmental agency, for street, highway, drainageway,
24 or parkway purposes, any building erected in violation of this chapter.
- 25 (4) Revocation of Permits and/or Approvals.
- 26 (a) The Village Engineer or Village Administrator or their designee may revoke or suspend any permit or
27 approval issued under the regulations of this chapter and may stop construction or use of approved
28 materials, equipment, methods of construction, devices or appliances for any of the following reasons:
- 29 1. Whenever the Village Administrator or their designee, the Director of Public Works, or the Village
30 Engineer shall find at any time that applicable ordinances, laws, orders, plans, specifications and
31 agreements are not being complied with and that the subdivider or their contractor has refused to
32 conform after written warning or instruction has been issued to them.
- 33 2. Whenever the continuance of any construction becomes dangerous to life or property.
- 34 3. Whenever there is any violation of any condition or provisions of the application for permit, or of
35 the permit or of any approval.
- 36 4. Whenever, in the opinion of the Director of Public Works, the Village Engineer, or the Village
37 Administrator or their designee, the subdivider has provided inadequate management of the
38 project.
- 39 5. Whenever any false statement or misrepresentation has been made in the application for permit,
40 plans, drawings, data specifications or certified lot or plot plan on which the issuance of the permit
41 or approval was based.
- 42 6. Whenever there is a violation of any of the conditions of an approval or occupancy given by the
43 Director of Public Works, the Village Engineer, or the Village Administrator or their designee for the
44 use of materials, equipment, methods of construction, devices or appliances.
- 45 (b) The notice revoking a permit or approval shall be in writing and may be served upon the applicant of the
46 permit, the owner of the premises or their agent, if any, or on the person having charge of construction.
- 47 (c) A revocation placard shall be posted upon the premises in question by the Director of Public Works, the
48 Village Engineer, or the Village Administrator or their designee.
- 49 (d) After the notice is served upon the aforesaid persons and posted, it shall be unlawful for any person to
50 proceed thereafter with any construction operation whatsoever on the premises. The permit which has
51 been revoked shall be considered "null and void", and before any construction or operation is again
52 resumed, a new permit, as required by this chapter, shall be procured and fees paid. Thereafter the
53 resumption of any construction or operation must be in compliance with the provisions of this chapter.

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Sec. 54.191 Enforcement, Penalties and Remedies

Sec. 54.193 Restrictions for Public Benefit

1 (Please note that it is possible that such work as the Public Works Director, the Village Engineer, and/or
2 the Village Administrator or their designee order as a condition precedent to the reissuance of the
3 permit, and/or such work as may be required to preserve life and safety may still be allowed if written
4 permission is granted by the Village Administrator.)

5 (e) In order for any appeals of such revocations or suspensions to be considered by the Village Board a
6 written request must be submitted to the Village Clerk within seven calendar days. Provided the appeal
7 is filed not less than seven days prior to the next regularly scheduled meeting of the Village Board, the
8 appeal will be heard at that meeting.

9 (f) The Village Administrator or their designee is hereby directed to withhold the issuance of zoning permits
10 within the land division until compliance with the provisions of this chapter is obtained.

11 (g) The - Building Inspector is hereby directed to withhold the issuance of occupancy permits within the land
12 division if violations of this chapter may result in health or safety problems for the occupants.

13 Sec. 54.192 Disclaimers on Approvals.

14 (1) The purpose of requiring approvals under this chapter is to ensure the health, safety, comfort, prosperity and
15 general welfare of the Village. This chapter shall not be interpreted as placing any responsibility or liability on
16 any Village official, Village employee, or the Village as a municipal corporation for the granting of approval, or
17 the denial of any approval. All approvals rendered as part of this chapter shall be considered as being approved
18 conditionally based on the information and circumstances apparent at that time.

19 (2) Approvals issued by the Village shall not be construed as an assumption or expression of any responsibility,
20 warranty, or guarantee, for the design or construction of any improvements within the land division.

21 Sec. 54.193 Restrictions for Public Benefit.

22 Pursuant to Wis. Stats., §236.293, any restriction placed on platted lands by covenant, grant of easement, land division,
23 certified survey or consolidation approval, which was required by the Village and which names a public body or public
24 utility as grantee, promise, or beneficiary, vests in the public body or utility the right to enforce the restriction by law or
25 in equity against anyone who has interest in the land subject to the restriction. The restriction may be released or
26 modified by a three-fourths (¾) majority vote of the Board by resolution of the Board of Trustees.
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DEFINITIONS

Sec. 54.200 Definitions.

In this chapter, all terms used which are defined in Wis. Stats., Ch. 236, shall have the same meaning as ascribed thereto in the chapter, and as the chapter may hereafter be amended, unless otherwise defined in this chapter or unless the context and/or subject matter clearly indicates otherwise. All words used in the present tense include the future tense; the singular includes the plural and the plural the singular; the word "person" includes associations, co-partnerships or corporations; "they or theirs" means "he, she, him, her, they, them or theirs"; and the term "shall" is mandatory while the word "may" is permissive.

The following definitions shall be applicable in this chapter:

Bikeway. A bike route completely apart from a street and restricted to bicycle, pedestrian, and maintenance vehicle traffic.

Block. An area of land within a subdivision that is entirely bounded by a combination or combinations of streets, exterior boundary lines of the subdivision and streams or water bodies.

Building Setback Line. Lines drawn within a lot the appropriate distance, based upon the zoning district in which the lot is located, from the front, rear and side lot lines that identify the buildable area of the lot.

Butt Lots. Lots the rear lot lines of which abut the side lot lines of other lots platted in the same block not separated by an alley or other open space.

Commission. The Plan Commission created by the Board of Trustees pursuant to Wis. Stats., §62.23.

Comprehensive Plan. A comprehensive plan prepared by the Village indicating the general locations recommended for the various functional classes of land use, places and structures and for the general physical development of the Village and includes any unit or part of such plan separately adopted and any amendment to such plan or parts thereof. Also referred to as Comprehensive Master Plan, Master Plan, and Comprehensive Land Use Plan.

Concept Plan. A preliminary drawing, made to approximate scale, of a proposed land division for discussion purposes.

Condominium Development. A real estate development in which a condominium form of ownership pursuant to Wis. Stats., Ch. 703, is utilized.

Consolidation. Legally merging two or more recorded parcels into a single parcel.

Conveyance. Where the title or any part thereof is transferred by the execution of a land contract, deed or other legal means.

Correction Instruments. Any recordable document correcting distance, angles, directions, bearings, chords, block or lot numbers, and street names and shall include all other details concerning the corrected item(s) shown on a recorded plat.

Crosswalk. A public right-of-way across a block to be used by pedestrians and/or for underground utilities.

Division of Land. A division of a lot, parcel or tract of land by the owner thereof or the owner's agent for any purpose, including sale or development.

Drainageway. An open area of land, either in an easement or dedicated right-of-way, the primary purpose of which is to carry storm water on the ground surface in lieu of an enclosed

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1		storm sewer. Drainageways may serve multiple purposes in addition to their principal
2		use including, but not limited to, maintenance, storm water detention, park develop-
3		ment, and other related uses.
4	<u>Easement.</u>	The area of land set aside or over or through which a liberty, privilege or advantage
5		in land, distinct from ownership of the land, is granted to the public or some
6		particular person or part of the public.
7	<u>Engineering Design Manual.</u>	The publication published by the Village Engineer, and approved by the Board of
8		Trustees, that establishes uniform standards for the design and construction of public
9		works improvements.
10	<u>Final Plat.</u>	The final map, drawing or chart on which the subdivider's plan of subdivision is
11		presented for approval and which, if approved, will be submitted to the County
12		Register of Deeds for recording.
13	<u>Flood Fringe.</u>	Those flood lands, outside the floodway, subject to inundation by the 100-year
14		recurrence interval flood. The unobstructed flood fringe does not provide for
15		conveyance of floodwaters but does provide flood storage area during a flood event.
16	<u>Floodplain.</u>	That land which has been or may be hereafter covered by the flood water during the
17		"regional flood" or 100-year recurrence interval flood. The floodplain includes the
18		floodway and the flood fringe and may include other floodplain designations for
19		regulatory purposes.
20	<u>Floodway.</u>	A designated portion of the 100-year floodplain that will safely convey the regulatory
21		flood discharge with small, acceptable upstream and downstream increases, limited
22		in Wisconsin to 0.01 foot unless special legal measures are provided. The floodway,
23		which includes the channel, is that portion of the floodplain not suited for human
24		habitation.
25	<u>Lot.</u>	A designated parcel, tract or area of land established by plat, subdivision, or as
26		otherwise permitted by law, to be used, developed or built upon.
27	<u>Lot, Corner.</u>	A lot situated at the junction of and abutting on two or more intersecting streets, or
28		a lot at the point of deflection in alignment of a continuous street, the interior angle
29		of which does not exceed one hundred thirty-five degrees (135°).
30	<u>Lot, Through.</u>	A lot having a pair of opposite lot lines along two more or less parallel public streets
31		and which is not a corner lot. On a "through lot," both street lines shall be deemed
32		front lot lines.
33	<u>Lot Area, Gross.</u>	The total area within the lot lines of a lot, including any streets rights-of-way.
34	<u>Lot Area, Net.</u>	The total area within the lot lines of a lot, excluding any street rights-of-way.
35	<u>Lot Depth.</u>	The average dimension of a parcel measured from the rear lot line to the front lot
36		line along each side yard setback.
37	<u>Lot Lines.</u>	The peripheral boundaries of a lot as defined herein.
38	<u>Lot Width.</u>	The width of a parcel of land measured at the buildable area.
39	<u>Master Plan.</u>	The composite of the functional and geographic elements of the Master Plan or any
40		segment thereof in the form of plans, maps, charts and textual material as adopted
41		by the Village in the form of General Development Plan; Ch. 66, <i>Zoning</i> ; Official Map;
42		Master Sanitary Sewer Plan; Master Storm Sewer Plan; Master Watermain Plan; any
43		other planning documents; or a combination of any or all of them.
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1	<u>Minimum Street</u>	
2	<u>Right-Of-Way Width.</u>	All streets having widths specified on the Master Plan or Official Map; no full street
3		right-of-way shall be less than 60 feet wide unless the Board of Trustees shall
4		otherwise permit by ordinance.
5	<u>Official Map.</u>	A map indicating the location, width, and extent of existing and proposed streets,
6		highways, drainageways, parks, playgrounds, and other facilities, as adopted by the
7		Board of Trustees pursuant to Wis. Stats., Ch. 62.23(6).
8	<u>Outlot.</u>	A portion of a subdivision or other land division not of standard “lot” size but
9		provided as a remnant of the subdivision, the intention of which is to either re-divide
10		it in the future into “lots” or combine it with one or more other adjacent “outlots”,
11		“lots” or unplatted parcels to create a buildable lot.
12	<u>Owner or Subdivider.</u>	Shall include any person, firm, association, partnership, private corporation, public or
13		quasi-public corporation, or a combination of any of them, or other legal entity
14		having sufficient proprietary interest in the land sought to be subdivided to
15		commence and maintain proceedings to subdivide the same.
16	<u>Parcel.</u>	Contiguous lands under the control of a subdivider whether or not separated by a
17		combination of streets, exterior subdivision boundary lines, streams, or other water
18		bodies.
19	<u>Pedestrian Pathway.</u>	A public way which is intended for the convenience of pedestrians only; it may also
20		provide public right-of-way for utilities.
21	<u>Person.</u>	Includes the plural as well as the singular and may mean any individual, firm,
22		association, syndicate, partnership, corporation, trust, or any other legal entity.
23	<u>Plan Commission.</u>	The Village Plan Commission.
24	<u>Planned Unit Dev./PUD.</u>	A form of development usually characterized by a unified site design for a number of
25		housing units. The concept usually involves clustering of buildings, providing
26		common open space, and mixing different types of housing (single family, duplexes,
27		and multi-family). Ordinances permitting planned unit developments permit planning
28		a project and calculating densities for the entire development rather than on an
29		individual lot-by-lot basis. It is hereby declared that regulating planned unit
30		developments require greater involvement of public officials in site plan review and
31		development aspects of both zoning and land division regulation, since such develop-
32		ments require exceptions from both types of regulation. PUDs shall appear on the
33		Official Zoning Map for Sister Bay as an overlay district.
34	<u>Plat.</u>	A map of a subdivision.
35	<u>Prelim. Improvement Plans.</u>	Existing topography, storm water detention analysis, sanitary sewer and water main
36		system plans.
37	<u>Preliminary Plat.</u>	The Preliminary Plat map, drawing or chart indicating the proposed layout of the
38		subdivision to be submitted to the Village for its consideration as to compliance with
39		the Comprehensive Development Plan and these regulations along with required
40		supporting data.
41	<u>Protective Covenants.</u>	Contracts entered into between private parties or between private parties and public
42		bodies pursuant to Wis. Stats., §236.293, which constitute a restriction on the use of
43		all private or platted property within a subdivision for the benefit of the public or
44		property owners and to provide mutual protection against undesirable aspects of
45		development which would tend to impair stability of values.
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Land Division Code

Sec. 54.200 Definitions

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1	<u>Public Improvement.</u>	A public sewer, water mains, storm water relief provisions, highways and parkways, sidewalks, street lighting and shall include all other public improvements reasonably to be required by the Board of Trustees or the Plan Commission and shall not be limited because of enumeration and whether or not such improvements are shown on the Official Map.
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6	<u>Recording a Plat.</u>	The filing of the original of the final plat with the Register of Deeds.
7	<u>Re-plat.</u>	The process of changing, or a map or plat which changes, the boundaries of a recorded subdivision plat or part thereof. The legal dividing of a large block, lot or outlot within a recorded subdivision plat without changing exterior boundaries of said block, lot or outlot is not a re-plat.
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11	<u>Residential Dwelling Unit</u>	
12	<u>or Dwelling Unit</u>	For purposes of this chapter only, a group of rooms including at least a kitchen or kitchenette, sanitary facilities, and a bedroom, and providing, or intended to provide, living quarters for not more than one family.
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15	<u>Right-of-Way.</u>	A public way dedicated to the public for its intended use.
16	<u>Shorelands.</u>	Those lands within the following distances: one thousand (1,000) feet from the high-water elevation of navigable lakes, ponds and flowages or three hundred (300) feet from the high-water elevation of navigable streams or to the landward side of the floodplain, whichever is greater.
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20	<u>Sight Distance.</u>	A minimum sight distance affording clear visibility along the center line of all major streets.
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22	<u>Street.</u>	A public way for pedestrians and vehicular traffic and utility access including, but not limited to, highways, thoroughfares, parkways, through highways, roads, avenues, boulevards, lanes, places, and courts, and any pavements, turf, fixtures, facilities, structures, plantings, signs, and other elements of the right-of-way.
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26	<u>Street, Alley.</u>	A public right-of-way affording only secondary access to abutting properties and not intended for general traffic circulation.
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28	<u>Street, Arterial.</u>	A public street or highway used or intended to be used to connect and serve collector streets, residential, commercial or industrial land uses. Arterial streets and highways include freeways and expressways, state trunk and county trunk highways, and other high use streets.
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32	<u>Street, Collector.</u>	A Street which will carry traffic from a minor street to a major street system and includes principal entrance streets of developed areas and the primary circulating streets within a developed area.
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35	<u>Street, Cul-de-sac.</u>	A short street having but one end open to traffic and the other end being permanently terminated in a vehicular turnaround.
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37	<u>Street, Dead End.</u>	A street permanently or temporarily closed at one end, with or without turnarounds.
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39	<u>Street, Frontage.</u>	A minor street auxiliary to and located on the side of an arterial street for control of access and for service to the abutting development.
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41	<u>Street, Half Street.</u>	A street, either existing as or proposed to be, half of the required right-of-way width with the intention that the adjoining half will be platted at the time the adjoining lands are subdivided; or an existing street, of which, due to reasons of ownership, only half of the right-of-way is within the boundaries of a proposed land division or annexation.
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Land Division Code

Sec. 54.200 Definitions

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1	<u>Street, Local or Minor.</u>	A street designed to provide access to abutting property and leading into collector streets.
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3	<u>Street, Major.</u>	A public thoroughfare capable of accommodating continuity of fast or heavy traffic, having an established right-of-way width of at least one hundred twenty (120) feet.
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5	<u>Street, Private.</u>	A roadway created by an easement for use only by the abutting property owners which is not dedicated to the Village.
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7	<u>Structure.</u>	For purposes of this chapter only, anything constructed or erected, the use of which requires more or less permanent location on the ground or attached to something having permanent location on the ground, excepting public utility fixtures and appurtenances.
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11	<u>Subdivider.</u>	Any person, firm, corporation, agent, partnership, or entity of any sort, which divides or proposes to divide, by plat or certified survey, or replat land in any manner, including such heirs and assigns as may be responsible for the obligations of the subdivider under the provisions of this chapter.
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15	<u>Subdivision Design Standards.</u>	The guides, principles, and specifications for the preparation of subdivision plans indicating, among other things, the minimum and maximum dimensions of the various elements set forth in the Preliminary Plat.
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18	<u>Subdivision.</u>	Subdivision is a division of a lot, parcel or tract of land by the owner thereof or the owner's agent for the purpose of sale or of building development where: a: The act of division creates five or more parcels, lots or building sites of one and one-half (1-1/2) acres each or less in area; or b: Five or more parcels, lots or building sites of one and one-half (1-1/2) acres each or less in area are created by successive divisions within a period of five years.
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24	<u>Substantially Complete.</u>	The point in time when the work is completed to the extent that the owner can make beneficial use of the work for the purpose intended and the point in time when warranties and guarantees go into effect. There may be minor items of the work or deficiencies that remain to be completed or corrected following substantial completion.
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29	<u>Village.</u>	The Village of Sister Bay, Wisconsin, and, where appropriate, its Board of Trustees, commissions, committees and authorized officials.
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31	<u>Wetlands.</u>	An area where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions. (Wis. Stats., §23.32(1))
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34	<u>Wisconsin</u>	
35	<u>Administrative Code.</u>	The rules of administrative agencies having rule-making authority in Wisconsin, published in a continual revision system, as directed by Wis. Stats., §35.93 and Wis. Stats., Ch. 227, including subsequent amendments to those rules.
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38	<u>Wisconsin State Statutes.</u>	A compilation of the general laws of the state of Wisconsin currently in effect that have been given statute section numbers by legislation or supreme court order. The statutes are regularly updated to include legislation adopted during each legislative session. Herein the Wisconsin State Statutes are abbreviated Wis. Stats.
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