

**CHAPTER 15**  
**Town of Woodmohr, Wisconsin**  
**Land Division Control Ordinance**  
**14 September 2021 Revision**

**GENERAL PROVISIONS**

**15.01 AUTHORITY**

These regulations are adopted under the authority granted by Section 236.45 of the Wisconsin Statutes. Therefore, the Town Board of Supervisors of the Town of Woodmohr, County of Chippewa, Wisconsin, do ordain as follows:

**15.02 TITLE**

The name of this ordinance shall be known and cited as the "Land Division Control Ordinance for the Town of Woodmohr".

**15.03 EFFECTIVE DATE**

This ordinance shall be effective after adoption by the Town Board and publication or posting as provided by law.

**15.04 PURPOSE**

The purpose of this ordinance is to implement the Town of Woodmohr, Chippewa County, Wisconsin Comprehensive Plan 2010-2030, supplement the provisions of Chapter 236 of Wisconsin Statutes and to promote the public health, safety and general welfare within the Town of Woodmohr; to lessen congestion in the streets and highways; to further the orderly layout and use of land; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the over-crowding of land; to avoid undue concentration of population; to facilitate adequate provision for transportation, water, sewerage, schools, parks, playgrounds and other public requirements, and to facilitate the further re-subdivision of larger tracts into smaller parcels of land. As Chippewa County Comprehensive Zoning is not consistent with the Town of Woodmohr, Chippewa County, Wisconsin Comprehensive Plan 2010-2030 at the time of the revision of this ordinance, the Town of Woodmohr exercises its authority under Section 236.45, Wisconsin Statutes to create more stringent provisions that will further the purpose and intent of the *Town of Woodmohr, Chippewa County, Wisconsin Comprehensive Plan 2010-2030*. The provisions of this ordinance are made with reasonable consideration among other things, of the character of the Town with a view conserving the value of natural resources and the buildings placed upon the land, providing the best possible environment for continued agricultural activity and human habitation, and encouraging the most appropriate use of land throughout the Town.

**15.05 INTERPRETATION**

The provisions of this ordinance shall be liberally construed in favor of the Town and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

**15.06 ABROGATION AND GREATER RESTRICTIONS**

It is not the intent of this ordinance to repeal, abrogate, annul, impair or interfere with existing rules and regulations governing the subdivision of land or land divisions, provided, however, that where this ordinance is more restrictive, the provisions of this ordinance shall govern.

**15.07 JURISDICTION**

The jurisdiction of this ordinance shall include all lands and waters within the Town of Woodmohr.

A. EXCEPTIONS: This ordinance, insofar as it may apply to land divisions less than five parcels, shall not apply to :

1. Transfer of interest in land by Will or pursuant to court order.
2. Leases for a term not to exceed ten (10) years, mortgages or easements.
3. The sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum size required by this ordinance or other applicable laws or ordinances.
4. Cemetery plots per Section 15.7, Wisconsin Statutes.
5. Assessor's plats per Section 70.27, Wisconsin Statutes.

**15.08 COMPLIANCE**

No person, firm or corporation shall divide, monument or describe any land located within the jurisdictional limits of these regulations which results in a land division as defined herein, no such land division shall be entitled to record; and no streets shall be laid out or improvements made to land without compliance with all requirements of this ordinance and:

- A. Provisions of Chapter 236, Wisconsin Statutes.
- B. Rules of the Wisconsin State Department of Commerce if the land to be subdivided is not served by a public sewer and provisions for such service have not been made.
- C. Rules of the State Department of Transportation if the land owned or controlled by the subdivided abuts on the state trunk or federal highway system or a connecting street.
- D. Duly approved comprehensive plan or land use plan, or any components thereof including the zoning ordinance, official map and all other applicable ordinances of the Town.
- E. Applicable local and county ordinances.

**15.09 DEFINITIONS**

For the purpose of these regulations the following terms are defined. Words used in the present tense include the future, the singular number includes the plural number, and the plural number includes the singular number. The word "shall" is mandatory.

ADEQUATE COPIES OF THE PLAT. The number of copies of the plat to be filed deemed sufficient for the distribution to reviewing parties by the Town Clerk at the time of application or recordation.

BOARD. Town Board of Supervisors of the Town of Woodmohr.

BUILDING SITE. A parcel of land occupied, or intended to be occupied, by a structure as permitted under applicable zoning regulations.

CERTIFIED SURVEY MAP A map of a land split of not more than four (4) parcels of land prepared in accordance with this ordinance and Section 236.34, Wisconsin Statutes. See OTHER DIVISION.

CLERK. Clerk of the Town of Woodmohr.

COMPREHENSIVE PLAN. A master plan, adopted by the Town Plan Commission and certified to the Town Board pursuant to Section 62.23 of the Wisconsin Statutes, including proposals for future land use, transportation, urban redevelopment and public facilities. Devices for the implementation of these plans, such as zoning, official map, land division and building ordinances and capital improvement programs shall also be considered a part of the comprehensive plan.

CONDOMINIUM PLAT. A plat which is required to be created and recorded with condominium instruments according to Chapter 703, Wisconsin Statutes.

CONSTRUCTION. Any activity on any parcel of land resulting in a non-restorable change, or the permanent affixing of a structure, to any part of the parcel, in the course of, or with the intent of, altering or improving the parcel.

COUNTY. Chippewa County.

EQUAL HALF DIVISION OF A QUARTER-QUARTER SECTION. A division of land creating two equal parcels of land from a quarter-quarter section of land. (It may not contain exactly forty acres.) The division must divide the original parcel into two equal parcels either along a straight north / south line or a straight east / west dividing line. A Certified Survey Map is not required though the resulting parcels may be smaller than twenty (20) acres.

west half 20 acres	east half 20 acres
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roadway
north half 19 acres
south half 19 acres

EXTRATERRITORIAL PLAT APPROVAL JURISDICTION. The unincorporated area within one and one-half, (1 1/2), miles of a fourth class city or a village and within three (3) miles of all other cities.

LAND DIVISION. The division of a parcel of land by the owners thereof, or their agents, for the purpose of transfer of ownership or building development where the act of division results in a subdivision, other division, replat, or condominium plat.

OTHER DIVISION. The division of a parcel of land by the owners thereof, or their agents, for the purpose of transfer of ownership or building development where the act of division creates a lot or building site, or lots or building sites, any of which is twenty (20) acres in area or less, or *is less than an equal half division of a quarter-quarter section*, except where the newly created lot(s) or building site(s) constitute a subdivision. A Certified Survey Map shall be required for all lots or building sites of land so created. See CERTIFIED SURVEY MAP.

OUTLOT. A parcel of land not intended for immediate or eventual development, so designated on the plat, replat or Certified Survey Map.

OWNER. Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to land sought to be subdivided or subject to a land division under this ordinance.

PARCEL. Contiguous land not separated by public roads or railroad rights-of-way. Creation of private or public roads or railroad rights-of-way after the effective date of this ordinance does not create separate parcels.

PLAN COMMISSION. Town of Woodmohr Plan Commission.

PLAT. A map of a subdivision complete with all certificates and engineering data per Chapter 236, Wisconsin Statutes.

REPLAT. The process of changing, or the map or plat which changes, the boundaries of a recorded subdivision plat or part thereof.

STEEP SLOPE. Any area with a slope of twelve percent or greater and a vertical relief of four feet or more.

SUBDIVIDE. The act of creating a subdivision, other division or condominium plat.

SUBDIVIDER. Any person, firm, corporation, any agent thereof, assigns or the land owner submitting an application to divide land resulting in a subdivision, other division, replat or condominium plat, as defined herein.

SUBDIVISION. The division of a parcel of land by the owners thereof, or their agents for the purpose of transfer of ownership or building development where the act of division creates five (5) or more lots or building sites any one of which is five (5) acres or less in area, or where the act of division creates five (5) or more lots or building sites any one of which is five (5) acres or less in area by successive division within a period of five (5) years.

#### **15.10 FEES**

A filing fee shall be required when a Certified Survey Map, preliminary plat, and final plat is submitted for Town approval. Fees to be set by the Town Board *by ordinance*.

#### **15.11 VARIANCE, AMENDMENTS AND APPEAL**

A. Variance. Where the Plan Commission finds that extraordinary hardships may result from strict compliance with these regulations, due to physical features of the site or its location, it may vary the regulations so that substantial justice may be done and the public interest secured; provided that such variation shall not have the effect of nullifying the intent and purpose of these regulations and any development plans of any other agency. In granting variances and modifications, the Plan Commission may require such conditions, as shall in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

B. Amendments. The Town Board, upon recommendation of the Plan Commission, may amend, supplement or repeal any of these regulations after public notice and hearing.

C. Appeals. Any person aggrieved by an objection to a plat or failure to approve a plat or Certified Survey Map may appeal to the Town Board within thirty (30) days of notification of the rejection of the plat or Certified Survey Map, (CSM). The appeal shall be considered in accordance with Section 236.13(5), Wisconsin Statutes.

#### **15.12 SEVERABILITY.**

The provisions of this ordinance are severable, and if for any reason a clause, sentence, paragraph, section or other part of this ordinance should be decided by a court of competent jurisdiction to be invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provisions.

If any provision of this ordinance is invalid or unconstitutional, or the application of this ordinance is to any person or circumstance unconstitutional, such invalidity or unconstitutionality shall not affect the above provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or its application.

#### **15.13 VIOLATIONS AND PENALTIES**

Any person who builds upon, divides, conveys, records or monuments in violation of or fails to comply with the provisions of this ordinance shall, upon

conviction thereof, forfeit not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00) plus the costs of prosecution for each violation, and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until payment thereof, but not exceeding thirty (30) days. Each violation and each day a violation exists or continues shall constitute a separate offense. In addition, the remedies authorized by Sections 236.30, 236.31 and 236.32, Wisconsin Statutes, shall be available to the Town.

## **PROCEDURES**

### **15.14 SUBDIVISION**

When it is proposed to divide a parcel of land by the owners thereof, or their agents, for the purpose of transfer of ownership or building development where the act of division creates five (5) or more lots or building sites any one of which is five (5) acres or less in area; or where the act of division creates five (5) or more lots or building sites any one of which is five (5) acres or less in area by successive division within a period of five (5) years, the subdivider shall subdivide in accordance with Chapter 236, Wisconsin Statutes, and this ordinance.

A. COPIES. The subdivider shall file adequate copies of the plat submittals of the preliminary plat, final plat and the recorded final plat with the Town Clerk for distribution to the Town Board and Plan Commission. The subdivider shall also distribute copies to utilities, and other approving, objecting or affected agencies for their files, with a copy of the transmittal to the Town Clerk.

### **15.15 REPLAT**

When it is proposed to replat a recorded subdivision or part thereof, so as to change the boundaries of a recorded subdivision, or part thereof, the subdivider shall follow Sections 236.36 and 236.40 through 236.44 of the Wisconsin Statutes.

When necessary, the Town Clerk shall schedule a public hearing before the Plan Commission when a preliminary plat of a replat of lands within the Town is filed, and shall cause notices of the proposed replat and public hearing to be mailed to the owners of all properties within the limits of the exterior boundaries of the proposed replat and to the owners of all properties within two hundred (200) feet of the exterior boundaries of the proposed replat.

### **15.16 OTHER DIVISION**

A Certified Survey Map (CSM) shall be required for all newly created lots for building sites, where the act of division creates a lot or building site, or lots or building sites, any of which is twenty (20) acres in area or less, or is less than an equal half division of a quarter-quarter section, except where the newly created lot(s) or building site(s) constitute a subdivision. A CSM shall also be required for all public dedications. No land included in any street, highway or railroad right-of-way shall be included in computing lot area.

If any lots or building sites to be divided are not served by public sanitary sewer, percolation tests shall be submitted to the Town Clerk for approval by the Town Plan Commission according to the procedure and standards established under the rules of the State of Wisconsin Department of Commerce applicable to subdivisions.

Failure of the Town Plan Commission to act upon percolation tests within forty-five (45) days shall constitute approval by the Town.

The Town Clerk shall transmit a copy of the map to all affected Municipalities, Commissions or Departments for their review and recommendations concerning matters within their jurisdiction. Their recommendations shall be transmitted to the Town Plan Commission within ten (10) days from the date the map is filed.

The map shall be reviewed by the Plan Commission for conformance with this ordinance and all ordinances, rules, regulations, and comprehensive plans which affect it. The Plan Commission shall, within sixty (60) days from the date of filing of the map, recommend approval, conditional approval or rejection of the map, and shall transmit the map along with its recommendations to the Town Board.

The Town Board shall approve conditionally, or reject such map within ninety (90) days from the date of filing of the map unless the time is extended by agreement with the subdivider. If the map is approved, the Town Board shall cause the Town Clerk to so certify on the face of the original map and return the map to the subdivider.

A. RECORDING. The Certified Survey Map shall be recorded with the County Register of Deeds. When a Certified Survey Map has been so recorded, the parcels of land in the map shall be described by reference to the number of the survey, the volume and page where recorded, and the name of the county. Any land or improvements offered for dedication and noted on the Certified Survey Map shall be deeded at the time of recording, unless otherwise arranged.

B. COPIES. The subdivider shall file fifteen (15) copies of the recorded Certified Survey Map with the Town Clerk for distribution to the Town Board, Plan Commission and other affected Town Departments for their files, with copies of the transmittal sent to the Town Clerk.

**15.17 ASSESSOR'S PLAT**

An assessor's plat made under Section 70.27 of the Wisconsin Statutes may be ordered by the Town Board at the expense of the subdivider when a subdivision is created by successive divisions without complying with this ordinance.

**15.18 CONDOMINIUM PLATS.**

Condominium projects shall be reviewed on the basis of a condominium plat prepared pursuant to Wisconsin Statutes Chapter 703 and other applicable statutes, as well as these land division regulations, as a plat or Certified Survey Map for the land development of the property. Subdivision procedures in S. 15.14, and applicable land division standards in this ordinance, shall apply to review of all condominium plats.

**15.19 RESERVED FOR FUTURE PROVISIONS**

**15.20 RESERVED FOR FUTURE PROVISIONS**

**15.21 LOCATION OF SITE**

A. General Plan. The location and design of all land divisions must conform to any applicable comprehensive or land use plan.

B. Zoning. The use of land in all land divisions must conform to any applicable municipal, town or county zoning ordinances, however, larger lots and setbacks may be required by this ordinance or by the Plan Commission where conditions warrant. In addition, the particular zoning of the land to be divided may need to be changed to a compatible zoning district where the lot standards of this ordinance are less restrictive than the lot standards in the district.

C. Objectionable Areas. Land subject to hazards of life, health or property as may arise from fire, floods, disease, noise, falling aircraft or considered to be uninhabitable for other reasons, may not be approved for a land division for building purposes unless the hazard has been eliminated or the plans show adequate safeguards correcting the hazards have been approved by the Town.

D. Nearby Development. All land divisions shall be coordinated with existing nearby development or neighborhoods so that the area as a whole shall be developed harmoniously.

## 15.22

### DESIGN OF SITE

#### A. Natural Features.

1. Preservation. In all land divisions, care shall be taken to preserve all natural and historic features which will add attractiveness and value to the remainder of the land being divided, (i.e. farmland, trees, wetlands, water courses, views, historic structures).
2. Steep Slope Development. Where a land division is on an area that has a slope of twelve (12) percent or greater and with a vertical relief of four (4) or more feet, the Plan Commission may require larger lot sizes than are zoned, additional best management practices for erosion control and stormwater management, and may reduce setback requirements upon proper appeal. The footprint of buildings or structures, including retaining walls, shall not encroach within ten (10) feet of areas with slopes twenty (20) percent or greater and with a vertical relief of four (4) or more feet. A naturally occurring steep slope shall not be graded, filled or otherwise altered to avoid these requirements.
3. Water Frontage and Surface Drainage. For all land divisions the damming, filling or relocating or otherwise interfering with the natural flow of surface water (including intermittent drainage) along any surface water drainage channel or natural water course shall not be permitted except with approval of the Plan Commission or any other affected agency. Building setback lines shall be established no less than seventy-five (75) feet from the high water line of any stream, lake, or water body to prevent construction of any structure other than a dam, bridge, boat house, retaining wall, bulkhead or revetments in the setback area. See County Shoreland Zoning Ordinance requirements for lot size, setbacks, well location location of private on-site wastewater treatment systems, etc.
4. Planting Screens. For all land divisions the Town may require planting or buffering easements, extra lot depth or width alongside heavily traveled highways where lots are backed into the roadway; along zoning district lines; as buffer strips separating agricultural zoning districts from residential, commercial or industrial land uses or residential zoning districts from commercial or industrial land uses; as buffer zones along railroad rights-of-way or for any such use as may be deemed appropriate and consistent with the total development of the community.

#### B. Street Arrangement. These standards shall apply to all land divisions.

1. Location Principles. The streets shall be properly located and designed with regard to:
  - a.) Existing and planned streets.
  - b.) Topographic conditions.

- c.) Public convenience and safety including facilitating fire protection and pedestrian traffic.
  - d.) The proposed uses of land to be served by the streets.
  - e.) Anticipated traffic volumes.
  - f.) Further land division possibilities with suitable access to abutting properties.
  - g.) Any other principles as may be deemed significant to protect the public interest by the Town.
2. Coordination of Existing Street Pattern. The arrangement, character, extent, width, grade, location and engineering specifications of all streets shall conform to the standards of this ordinance, adopted municipal or county plans and any official highway maps. If there is a comprehensive plan or official map, the arrangement of streets in a land division shall provide for the continuation or appropriate projection of existing streets into surrounding areas, subject to topography conditions, public convenience safety and proposed uses of land to be served. The Plan Commission may require multiple egress / ingress for land division if it deems it necessary due to the size of the land division or its particular characteristics. Where a land division borders on or contains a railroad right-of-way, the Plan Commission may require a street approximately parallel with and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with regard for the requirements of approach grades and future grade separations.
3. Land Division Abutting Arterials. Where a proposed land division abuts or contains an existing or proposed street right-of-way as designed on the official map of the Town, or as may be determined by the Plan Commission, adequate protection of existing or proposed development, limitation of access and separation of through and local traffic shall be handled as follows:
- a.) Reverse frontage, with screen planting contained in a non-access reservation along the rear property line; or
  - b.) by frontage streets; or
  - c.) by having development front on a perpendicular street to the primary right-of-way.

When lots within the proposed land division back upon the right-of-way of an existing or proposed limited access highway or a railroad, a planting easement of at least fifteen (15) feet in width shall be provided adjacent to normal lot depth. This easement shall be a part of the platted lots or Certified Survey Map, but shall have the following restriction lettered on the face of the plat or Certified Survey Map: "This strip reserved or the planting of trees and shrubs, the building of any structure hereon prohibited."

Streets parallel to a limited access highway or railroad right-of-way, when intersecting a major street and highway, said intersection shall be located a minimum distance of two hundred fifty (250) feet from said limited access highway or railroad right-of-way. Such minimum distance shall be determined with due consideration of the minimum distance required for the future



separation of grades by means of appropriate approach gradients.

- C. Easements In All Land Divisions. Easements across lots or centered on rear or side lot lines shall be designed for utilities where necessary and shall be at least fifteen (15) feet wide. Electric and telephone lines shall be planned along rear lot lines whenever possible. The Plan Commission shall determine the feasibility of burying utility lines. Where a land division is traversed by a water course, drainageway, channel or street, there shall be provided a storm water easement or drainage right-of-way not less than thirty (30) feet in width, conforming substantially with the lines of such water courses. Parallel streets or parkways may be required in connection therewith.
- D. Storm Drainage In All Land Divisions. Storm sewers, culverts and related facilities shall be designed to permit the unimpeded flow of natural water courses; insure the drainage of all low points along the line of streets; provide positive drainage away from on-site sewer disposal facilities; and, facilitate infiltration of on-site runoff where possible. Storm drainage facilities must be designed not only to handle the anticipated peak discharge from the property being divided, but also the anticipated increase in runoff that will occur when all the property at a higher elevation in the same drainage basin is fully developed. On-site infiltration of stormwater runoff facilitated by recognized stormwater management best management practices will be preferred. Where adequate existing storm sewers are readily accessible, the subdivider shall connect his storm water facilities to these existing sewers. In the design of storm drainage facilities, special consideration shall be given to preventing excess runoff onto adjacent property. Where a storm drainage outlet will abut another property, sufficient and adequate engineering safeguards shall be designed in the plat or Certified Survey Map to prevent damage to adjoining property. Sloped drainage channels must be protected against erosion.
- E. Lots and Building Location. The lot size, width, depth, shape, orientation and minimum building lines shall be appropriate for the location of the land division and for the type of development and use proposed. Except as specified herein, lot dimensions shall conform to the requirements of the local zoning ordinance, or as may be determined by soil capability ratings and by the County Shoreland Ordinance. Corner lots shall have increased width to permit adequate setback from both streets. Side lot lines shall be substantially at right angles to the street lines. Double frontage shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome particular topographic and orientation disadvantages.
1. Lot Size. The size for lots allowed in land divisions are related to the purposes of the planning areas identified in the Town of Woodmohr Comprehensive Plan 2010-2030. Four planning areas are identified in that plan; Agriculture Production, Urban Transition, Industrial / Commercial and Residential. No land included in any street, highway, or railroad right-of-way shall be included in the computing lot area.

- a.) Agriculture Production. The minimum lot size in the Agriculture Production Area is two (2) acres.
  - b.) Urban Transition. The maximum number of lots and the minimum lot size in the Urban Transition Area is that which is established by Chippewa County Zoning or City of Bloomer Zoning for its highest density residential district. The owner or subdivider may need to seek a zoning amendment from the proper jurisdiction to achieve the allowable density herein.
  - c.) Industrial / Commercial. The minimum lot size in the Industrial / Commercial Area is one (1) acre for residential uses and one half (1/2) acre for commercial or industrial uses.
  - d.) Residential. The minimum lot size in the Residential Area is two (2) acres.
- 2. Access. Every lot in a land division shall front or abut on a public street and have direct vehicular access to that public street for a distance of at least thirty-three (33) feet. Direct vehicular access does not include the use of easements.
  - 3. Width and Depth. All lots shall be designed with a suitable proportion between width and depth. Neither long, narrow or wide, shallow lots are normally desirable.
- F. Filling. For any land division, where any land is to be filled more than six (6) inches above an adjacent property, a grading plan must be approved by the Plan Commission.
  - G. Street Names. No street names shall be used which will duplicate or be confused with the name of an existing street within the Town. Streets that are extensions, or obviously are in alignment with existing named streets, must bear the names of those streets. Street names shall be consistent with the Chippewa County Uniform Addressing Grid System (Ordinance #4-95) and be approved by the Town and County.
  - H. Commercial and Industrial Areas. The land division for commercial and industrial use shall be designed with consideration of site conditions to permit the best possible layout to serve the public; to be compatible with surrounding uses; to permit good traffic circulation and the parking of cars; to make delivery and pickup efficient; to design individual units so that they blend with the whole; to provide for the most efficient arrangement of space for present use and future expansion; and to provide adequate and safe space for worker and customer access and parking. A development plan of this nature shall be accompanied by a plan indicating the general landscape treatment intended.

**15.23** RESERVED FOR FUTURE PROVISIONS

**15.24** RESERVED FOR FUTURE PROVISIONS

**15.25** RESERVED FOR FUTURE PROVISIONS

## **REQUIRED IMPROVEMENTS**

### **15.26**

#### **SURVEY MONUMENTS**

The subdivider shall install survey monuments placed in accordance with the requirements of Chapter 236.15 of the Wisconsin Statutes witnessed with a T-type post at least five (5) feet long or 4 inches by 4 inches by 6 feet long CCA ground contact treated timbers and as may be required by the Town Board.

Any existing survey monuments which are disturbed during construction shall be rehabilitated at cost to the subdivider and to the specifications of existing state regulations and the County Surveyor.

### **15.27**

#### **GRADING**

After the installation of temporary block corner monuments by the subdivider and establishment of street grades, the subdivider shall grade the full width of the right-of-way of all streets proposed to be dedicated in accordance with plans and standard specifications approved by the Town Board. The subdivider shall grade the roadbeds in the street right-of-way to subgrade.

### **15.28**

#### **SURFACING**

All roadways and streets to be accepted by the Town Board must be finish grade with gravel fill to the specifications of the Town Board.

At a minimum, the roadway or street shall be hard-surfaced with asphalt according to the specifications given by the Town Board. A copy of such minimum specifications is on file with the Town Clerk.

### **15.29**

#### **RURAL STREET SECTIONS**

When permanent rural street sections have been approved by the Town Board, the subdivider shall finish grade all shoulders and road ditches, install all necessary culverts at intersections and driveways and, if required surface ditch inverts to prevent erosion and sedimentation in accordance with plans and standard specifications approved by the Town Board.

### **15.30**

#### **STORMWATER MANAGEMENT FACILITIES**

The subdivider shall construct stormwater drainage or management facilities and structures, which may include, but not be limited to, curb and gutter, grassy swales, catch or infiltration basins, trenches and inlets, porous pavements, retention or detention ponds, French drains, culverts, storm sewers road ditches and open channels as may be required. All such facilities are to be of adequate size and grade to hydraulically accommodate maximum potential volumes of flow; the type of facility required, the design criteria, and the sizes and grades to be reviewed by the Plan Commission. Stormwater management facilities shall be so designed as to present no hazard to life or property; and the size, type and installation of all storm water drains and sewers or management structures proposed to be constructed shall be in accordance with any plans and standard specifications approved by the Town Board.

### **15.31**

#### **OTHER UTILITIES**

The subdivider shall cause gas, electrical power, telephone, telecommunications and cable facilities to be installed in such a manner as to make adequate service available to each lot in the land division. No such electrical, telephone or cable

service shall be located on overhead poles along the front lot lines unless otherwise allowed due to exceptional topography or other physical barriers. The subdivider shall consult with the various utility companies to determine the feasibility of burying utility lines.

Plans indicating the proposed location of all gas, electrical power, telephone and cable distribution and transmission lines required to service the plat shall be approved by the particular utility having jurisdiction.

**15.32 LOT GRADING**

The Plan Commission shall require that a grading plan be submitted prior to the approval of a preliminary plat or Certified Survey Map.

**15.33 RESERVED FOR FUTURE PROVISIONS**

**15.34 RESERVED FOR FUTURE PROVISIONS**

**15.35 RESERVED FOR FUTURE PROVISIONS**

**15.36 RESERVED FOR FUTURE PROVISIONS**

## **CONSTRUCTION**

**15.37 COMMENCEMENT**

No construction or installation of improvements shall commence in a proposed land division until the final plat or Certified Survey Map has been approved and the Town Board has given written authorization.

**15.38 BUILDING PERMITS**

No building permits shall be issued for erection of a structure on any lot of record until all the requirements of this ordinance have been met.

**15.39 PLANS.**

The following plans and accompanying construction specifications shall be required by the Town Board before authorization of construction or installation of improvements:

- A. Street plans and profiles showing existing and proposed grades, soil conditions, elevations and cross sections of required improvements.
- B. Stormwater management plans and profiles showing the location, grades, sizes, cross sections, elevations and materials of required facilities.
- C. Surface water drainage plan.
- D. Grading plan.

Additional special plans or information as required.

**15.40 REFERENCE MAPS.**

The following pages have reference maps for use in determining certain aspects of the ordinance. These maps are not a definitive authority on the location of

these features or boundaries and are to be used as reference only. Further site investigation may be required to make appropriate or complete determinations.

**SIGNATURES:**

Town Chairman \_\_\_\_\_ Date \_\_\_\_\_

Town Supervisor \_\_\_\_\_ Town Supervisor \_\_\_\_\_

Town Clerk \_\_\_\_\_