

VILLAGE OF MISHICOT

ORDINANCE 2026-06

AN ORDINANCE REPEALING AND RECREATING CHAPTER 377 OF THE MISHICOT MUNICIPAL CODE CONCERNING SUBDIVISION OF LAND IN THE VILLAGE OF MISHICOT

WHEREAS, the Village of Mishicot previously enacted regulations concerning Subdivision of Land, as authorized by 61.36 and 61.50, Wis. Stats.; and

WHEREAS, Village Board of Trustees has reviewed such regulations and desires to revise them to comply with the current recommendations from the Plan Commission;

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

Section 1. Repealing and Recreating Code. Chapter 377 of the Village of Mishicot Code of Ordinances "Subdivision of Land" is repealed and recreated to read as set forth on the attachment.

Section 2. Severability. Should any portion of this ordinance or the affected municipal code chapter be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

Section 3. Effective Date. This ordinance shall take effect the day after publication or posting.

Enacted on: May 19, 2026

VILLAGE OF MISHICOT

By: Bernie J. Samz
Bernie J. Samz, President

By: Kathy Reissmann
Kathy Reissmann, Clerk-Treasurer

CLERK'S CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing ordinance was duly enacted by the Village Board of the Village of Mishicot on the date indicated above.

Dated: May 19, 2026

Kathy Reissmann
Kathy Reissmann, Village Clerk-Treasurer

Vote For: 7 Vote Against: 0 Not Voting: 0

Date Adopted: May 19, 2026; Date Posted: May 20, 2026; Date Effective: May 21, 2026

Chapter 377

SUBDIVISION OF LAND

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[HISTORY: Adopted by the Village Board of the Village of Mishicot 7-19-1983 (Ch. 12 of the former Municipal Code). Amendments noted where applicable. Last amendments adopted on 5-19-2026.]

§ 377-1. Title.

This chapter shall be known, cited, or referred to as the "Village of Mishicot Subdivision Regulations."

§ 377-2. Purpose.

The purpose of these regulations is to promote the public health, safety, and general welfare of the community; to further the orderly layout and use of land; to ensure that land is developed in a manner that supports healthy, livable communities; to foster the development of a range of housing types; to advance complete streets that prioritize safety, comfort, and accessibility for pedestrians, cyclists, transit riders, and motorists alike; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to facilitate adequate provision of transportation, water, sewerage, schools, parks, playgrounds and other public requirements; to encourage development patterns that provide safe and convenient transportation choices for a variety of users, and to facilitate the further resubdivision of larger tracts into smaller parcels of land.

§ 377-3. Authority.

These subdivision regulations are enacted pursuant to and under the authority of § 236.45, Wis. Stats., as amended.

§ 377-4. General provisions.

- A. The provisions contained in Ch. 236, Wis. Stats., governing the subdivision or platting of land and such other state laws as may apply and any revisions and amendments thereof enacted by the State Legislature, the rules of the Department of Safety and Professional Services relating to lot size and lot evaluation, if the subdivision is not served by public sewer, and the rules of the Department of Natural Resources, the Department of Transportation and the Department of Administration, as they apply, are all made a part hereof with the same force and effect as if they were set out in full verbatim, except that where the provisions of these regulations are more restrictive, these regulations shall apply. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

- B. Any division of land within the Village of Mishicot or its extraterritorial plat approval jurisdiction which results in a subdivision, as defined herein, a certified survey map, or a condominium plat shall be and any other division may be surveyed and a plat thereof made and approved and recorded as required by these regulations and by Ch. 236, Wis. Stats., as amended.
- C. The provisions of these regulations shall not apply to:
- (1) The division of land into parcels greater than five acres.
 - (2) Transfers of interests in land by will or pursuant to court order.
 - (3) Leases for a term not to exceed 10 years, mortgages or easements.
 - (4) 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 chapter or other applicable laws or ordinances.
 - (5) Condominium conversion of existing structures where no additional dwelling units, building sites or lot equivalents are being created;
- D. Abrogation and greater restrictions. It is not otherwise intended by this chapter to repeal, abrogate or impair any existing easements, covenants, agreements, ordinances, rules, or deed restrictions; however, where this chapter imposes greater restrictions, the provisions of this chapter shall prevail.
- E. Warning and disclaimer of liability. The degree of protection provided by this chapter is considered reasonable for regulatory purposes only and is based on engineering experience and study. This chapter, however, does not imply that land division permitted by these regulations will be totally free of problems, nor shall this chapter create a liability on the part of or be a cause of action against the Village of Mishicot or any officer or employee thereof for any problems that may result from reliance on these regulations.

§ 377-5. Definitions.

- A. The following words are defined for the purpose of these regulations:

ALLEY — A public or private right-of-way shown on a plat which provides secondary access to a lot, block, or parcel of land.

ARTERIAL — A street or highway with high traffic volume and having a primary function of traffic movement. Arterials connect population centers to each other and may connect major centers of activity within a community.

BLOCK — A parcel of land bounded on at least one side by a street, but may be bounded on the other sides by natural or man-made barriers or unplatted land.

BUILDING LINE — The line establishing the minimum open space between the lot line and the area within the lot upon which a structure may be erected.

CERTIFIED SURVEY MAP — A map of a lot split prepared in accordance with § 236.34, Wis. Stats., as amended.

CONDOMINIUM or CONDOMINIUM DEVELOPMENT - Property subject to a condominium declaration established under Chapter 703, Condominiums, Wisconsin State Statutes. A condominium is a legal form of ownership and not a specific building type or style.

CONDOMINIUM AGREEMENT - A legal agreement outlining the management of the common open space.

CONDOMINIUM ASSOCIATION - An association, whose members consist of owners of units in a condominium, which administers and maintains the common property and common elements of a condominium

CONDOMINIUM INSTRUMENTS - The declaration, plats and plans of a condominium together with any attached exhibits or schedules.

CONVERSION CONDOMINIUM - An existing structure or structures which, before the recording of a condominium declaration, was not a condominium and was either i) occupied by persons, either wholly/partially, or ii) designed/approved to be occupied by persons under a previously issued occupancy permit from the Village of Mishicot. A conversion condominium must have proof of facts to demonstrate that existing buildings and condominium units will comply with all building, fire and sanitary sewer code requirements, as well as the requirement of this chapter.

COLLECTOR — A street or highway serving a dual and equal function of traffic movement and access. Collector streets provide movement within rather than between areas; they collect and distribute traffic between arterials and local roads, and they provide some access to property.

CROSSWALK — A public right-of-way across or within a block for use by pedestrian traffic.

CUL-DE-SAC — A short minor street having one end open to motor traffic and the other terminated by a vehicular turnaround.

DEAD-END STREET — A street having one end open for motor traffic and no vehicular turnaround.

EASEMENT — A grant by the property owner of a strip or portion of his land for use by the public, a corporation, or persons, for specified purposes.

EXTRATERRITORIAL PLAT APPROVAL JURISDICTION — The term as used here is defined in Ch. 236, Wis. Stats., and as it pertains therein to the Village of Mishicot.

LOT SPLIT — A division of land other than a subdivision.

OUTLOT — A parcel of land, other than a lot or block, so designated on the plat.

PLAT — A map of a subdivision.

PRELIMINARY PLAT — A map showing the noticeable or prominent features of a proposed subdivision submitted for purposes of preliminary consideration. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

RIGHT-OF-WAY — The width between property lines of a street, alley, crosswalk, or easement.

SUBDIVISION — 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:

- (1) The act of division creates five or more parcels or building sites of 1 1/2 acres each or less in area; or
- (2) Five or more parcels or building sites of 1 1/2 acres each or less in area are created by successive divisions within a period of five years.

- B. Terms or words used in these regulations, not defined above, shall be defined in § 236.02, Wis. Stats., as amended, or if not defined in § 236.02, Wis. Stats., the words shall be as defined in other sections of the statutes, Wisconsin administrative rules, or other Village of Mishicot ordinances, or if not defined in any of the preceding, the terms or words shall be used with a meaning of common or standard utilization. Words used in the present tense include the future; words in the singular number include the plural number; and words in the plural number include the singular number. The word "shall" is mandatory, not permissive or directory. The word "person" includes any partnership, association, organization, firm, trust company or corporation.

§ 377-6. Procedure.

- A. The Village Clerk-Treasurer of the Village of Mishicot is hereby designated as the administrative officer of this chapter. Any owner or subdivider proposing to subdivide a tract of land within the Village or area of extraterritorial jurisdiction shall first contact the Clerk-Treasurer and acquaint himself with the provisions of the Wisconsin Statutes and the regulations of the Village of Mishicot, Wisconsin, and seek advice concerning the proper procedure for subdividing land.
- B. Pre-submission concept plats. Any owner or developer subdividing a tract of land into five or more parcels or building sites of 1 1/2 acres each or less in area shall first submit a sketch of the proposed subdivision with necessary accompanying data to the Village Plan Commission and seek its advice and assistance prior to filing a preliminary plat, per § 377-7 A.
- C. Submission of plats for approval.
- (1) Before submitting a final plat, the owner or subdivider shall submit a preliminary plat to the Village Clerk-Treasurer. It shall be clearly marked "Preliminary Plat" and shall be prepared in accordance with § 377-7 of this chapter in sufficient detail to determine whether the final plat will meet layout requirements.
 - (2) The Village Clerk-Treasurer shall refer the preliminary plat to the Village Plan Commission, which shall review the plat for conformance with these regulations and other Village ordinances and shall recommend, in writing, the approval, conditional approval or rejection of the plat to the Village Board with any reasons or conditions clearly stated.
 - (3) Within 90 days of the filing of the preliminary plat, the Village Board shall grant approval or conditional approval, with explanation, or reject the plat, giving the reasons or conditions for such approval or rejection, unless the time is extended by agreement with the subdivider. Failure of the Village Board to act within 90 days, or extension thereof, constitutes approval of the preliminary plat.
 - (4) If the final plat conforms substantially to the preliminary plat as approved, including any conditions of that approval, and to local plans and ordinances adopted as authorized by law, it is entitled to approval. If, however, the final plat is not submitted within 36 months of the last required approval of the preliminary plat, the Village Board may refuse to approve the final plat. The final plat may, if permitted by the Village Board, constitute only that portion of the approved preliminary plat which the subdivider proposes to record at that time. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
 - (5) Prior to submission of a final plat, the subdivider shall have provided three copies of the improvement plans, profiles, and other necessary engineering detail for streets, sanitary sewage system, stormwater drainage system, water distribution system, and other improvements prepared by a registered professional engineer in accordance with the requirements of these regulations. Plans and profiles for sanitary and storm sewers shall be at a scale of not less than one inch equals 40 feet.
 - (6) After the improvement plans have been approved, the final plat shall be submitted to the Village Clerk-Treasurer for processing pursuant to § 236.12, Wis. Stats. The plat shall be prepared in accordance with the provisions of §§ 236.20 and 236.21, Wis. Stats., as amended. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
 - (7) The Village Clerk-Treasurer will forward the final plat to the Village Plan Commission for its review and recommendations to the Village Board.

- (8) Within 60 days after the final plat has been submitted to the Village Clerk-Treasurer, the plat shall be approved on the basis of § 236.13, Wis. Stats., as amended, or rejected. If approved, the Village Board shall indicate approval of the final plat by resolution and by signing the plat. If rejected, the reasons for rejection shall be stated in the minutes of the Board and a written statement shall be supplied to the owner or subdivider.
- (9) A final plat that has the approvals required under s. 236.10, or that is deemed approved under § 236.11, is entitled to be recorded. The Village shall sign the final plat to that effect on the face of the plat no later than 10 days after the subdivider submits the plat with the certificates and affidavits as required under § 236.25 (2) (c) and (d).
- (10) After Village Board approval, the owner or subdivider shall have the final plat recorded in the office of the Register of Deeds for Manitowoc County in accordance with the provisions of § 236.25, Wis. Stats., as amended. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- (11) The final plat shall be approved or rejected by the Village Board within 60 days of its submission, unless the time is extended by agreement with the subdivider. Upon failure of the Village Board to act within the 60 days, and the time has not been extended by agreement and if no unsatisfied objections have been filed by approving or objecting authorities within that period, the plat shall be deemed approved in accordance with § 236.11(2), Wis. Stats., as amended.
- (12) The owner or subdivider shall provide an electronic copy of the subdivision to the Village Clerk-Treasurer. This requirement may be waived by the Village Board. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

§ 377-7. Requirements for pre-submission concept plats, preliminary plats and final plats.

Pre-submission concept plats, preliminary plats and final plats shall include, as a minimum, the information required by this section.

A. Pre-submission concept plats.

- (1) The Village of Mishicot provides the subdivider the opportunity to meet informally with representatives of the Village before the submitting a preliminary plat for approval to obtain the village's conceptual review of a pre-submission concept plat of the proposed subdivision for opinions regarding whether the subdivision complies with the village's requirements and conditions for approving plats. Pre-submission plat reviews and opinions provided under this section are not binding on the village or the subdivider.
- (2) Pre-submission concept plats can be hand-drawn maps and do not have to be to scale but must include general location, proposed lot layout, future streets, adjacent streets and adjacent land division. Sufficient detail should be shown to provide a general understanding of the proposed land division.

B. Preliminary plat.

- (1) The preliminary plat shall be prepared by a professional land surveyor on tracing cloth, Mylar, or paper of good quality at a scale of not more than 100 feet to one inch and shall have the following shown correctly on its face: **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
 - (a) Date, scale and North point.

- (a) The title in accordance with the Village standard for titling subdivisions under which the proposed subdivision is to be recorded.
- (b) The name and address of the owner, the subdivider and the state-licensed surveyor preparing the plat.
- (c) The location of the proposed subdivision by government lot, quarter section, township, range, county and state.
- (d) Exact length and bearings of the exterior boundaries of the proposed subdivision and the approximate acreage therein.
- (e) Location and names of adjacent subdivisions.
- (f) Zoning on and adjacent to the proposed subdivision.
- (g) Location, widths and names of any adjacent existing highways, streets, alleys or other public ways, easements, railroad and utility rights-of-way, parks and cemeteries.
- (h) A small-scale drawing of the section or government subdivision of the section in which the subdivision lies, with the location of the subdivision indicated thereon.
- (i) The approximate location, size and elevations within the proposed subdivision and in the adjoining streets or property of any existing water main, sewers, culverts, drainpipes, including farm drain tile, and electric conduits proposed to be used on the property to be subdivided, or direction and distance to the nearest water and sewer mains if not adjacent or within the tract to be divided. The location of the existing property lines, streets, drives, buildings, watercourses, utilities, railroads and other similar features within the tract being subdivided, the water elevations of adjoining lakes or streams at the date of survey and approximate high and low water elevations all referenced to USGS datum shall be shown.
- (j) Locations, widths and names of all proposed streets and rights-of-way, such as alleys and easements, and all parks and other open spaces.
- (k) Street names shall be indicated and approved by the Village.
- (l) Approximate dimensions of all lots together with proposed lot and block numbers.
- (m) The area of each lot and outlot in square feet.
- (n) The dimensions of all parcels of land proposed to be dedicated to public use and the conditions of such dedications if any.
- (o) Proposed building setback lines.
- (p) Approximate radii of all curves and lengths of tangents.
- (q) Source of domestic water supply and type of sewage disposal. Location of sites for community domestic water facilities and/or community sewage treatment or handling facilities, and all subject to the rules and regulations of the Department of Natural Resources and Department of Safety and Professional Services.
- (r) Contours at vertical intervals of not more than five feet where the slope is greater than 10% and not more than two feet where the slope is less than 10%. Elevations shall be marked on such contours based on U.S. Coast and Geodetic Survey datum.

- (2) In addition, the Village Board may require any one or all of the following:
- (a) Profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision.
 - (b) A draft of any protective covenants whereby the subdivider proposes to regulate land use in the subdivision and otherwise protect the proposed development.
- (3) The subdivider may submit preliminary, rather than final, plans and reports regarding sewer, water, road cross-sections, grading, stormwater, soil testing, landscaping and street lighting. The village may not reject the preliminary plat on the basis that the plans and reports are not final, but the village may approve conditionally the preliminary plat on that basis and state in writing the conditions of approval as allowed under § 236.11 (1) (a), including conditions that the final plans and reports are submitted.
- C. Final plat. The final plat shall be prepared to include all of the information contained on the preliminary plat and shall also be prepared in accordance with §§ 236.20 and 236.21, Wis. Stats., as amended.

§ 377-8. Design standards.

A. General requirements.

- (1) The proposed subdivision shall conform in all respects to the regulations of Ch. 236, Wis. Stats., as amended, the Wisconsin Department of Transportation, the Wisconsin Department of Administration, the Wisconsin Department of Health Services, the Wisconsin Department of Natural Resources and the Wisconsin Department of Safety and Professional Services, these regulations and other applicable rules, regulations and ordinances of the Village of Mishicot, Wisconsin. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- (2) No land shall be subdivided or split which is held unsuitable for the proposed use by the Village Board for reason of flooding, inadequate drainage, rock formation, unfavorable topography, inadequate sewage disposal capabilities or any other feature likely to be harmful to the health, safety or welfare of the future residents of the subdivision. The Village Board, in applying the provisions of this section, shall, in writing, indicate the particular facts upon which it bases its conclusion that the land is not suitable for development and afford the subdivider an opportunity to present evidence regarding such suitability, if he so desires, at a public hearing called by the Board. Thereafter, the Village Board may affirm, modify or withdraw its determination of unsuitability.
- (3) The subdivision layout shall conform to the Official Map of the Village of Mishicot; however, where necessary and practical, a variance from the exact design shown on the Official Map may be permitted, if such variance is not detrimental to the public interest, the intent of these regulations or the integrity of the Official Map.
- (4) Applicability to condominiums. This chapter is expressly applicable to condominium developments within the village's territorial or extraterritorial jurisdiction, pursuant to Wis. Stats. § 703.27(1). For the purposes of this chapter, a condominium unit and any associated limited common elements shall be deemed to be equivalent to a lot or parcel created by the act of subdivision.

B. Streets.

- (1) The arrangement, character, extent, width, grade and location of all streets shall conform to all applicable plans officially adopted by the Village Board and shall be contiguous in alignment with existing or platted streets to which they will connect.
- (2) Wherever possible, streets shall intersect at right angles, with no street intersecting any other at an angle of less than 60°, and where they cross-jog, offsets of less than 130 feet center line to center line shall be avoided.
- (3) Minor streets shall be laid out so as to discourage through traffic.
- (4) Where a subdivision abuts or contains an existing or proposed arterial street, the Village Board may require marginal access streets, reverse frontage lots with screening plants placed along the rear lot line, deep lots with rear service alleys, or similar treatment deemed necessary for adequate protection of residential properties and to afford separation of local and through traffic.
- (5) The Village Board may require a subdivision bordering on a railroad or limited access highway right-of-way to include construction of a street approximately parallel to and on each side of that right-of-way at a distance suitable for the appropriate use of the intervening land.
- (6) A tangent of at least 100 feet in length shall be provided between reverse curves on arterial and collector streets.
- (7) More than two streets intersecting at one point shall be discouraged.
- (8) A horizontal curve shall be required where a deflection of 5° or more exists.

C. Street standards.

- (1) All street rights-of-way shall be the width specified on the Official Map of the Village of Mishicot or, if not specified, they shall not be less than the width specified as follows:

Street Type	Minimum Width (feet)
Arterial	66
Collector	66
Local or minor	60

- (2) Minor loop and cul-de-sac streets not over 500 feet in length may be 60 feet in right-of-way width.
- (3) A cul-de-sac or street designed to have one end closed to vehicular traffic shall not exceed 500 feet in length and shall provide a turnaround with a minimum radius of 60 feet and shall have a reverse curve to tangent.
- (4) Clear visibility, measured along the center line, shall not be less than specified as follows:

Street Type	Minimum Sight Distance (feet)
Arterial	500
Collector street	250
Local or minor	200

- (5) Street grades shall conform to the following specifications:

Street Type	Maximum Grade
Arterial	6%
Collector	7%
Local or minor street	10%
Streets shorter than 500 feet	12%

- (6) All streets shall have a minimum grade of not less than 0.5%.
- (7) All new streets shall have standard 24-inch curb and gutter. Driveway curb cutouts are prohibited.
- (8) All asphalt streets shall comply with the current State "Standard Specifications" requirements for asphalt materials and composition, and shall have a minimum asphalt thickness as follows:

Street Type	Minimum Thickness (inches)
Arterial	4+
Collector	4
Local or minor street	3.5
Streets shorter than 500 feet	3.5

- (9) All new streets shall have a minimum of 12-inches of crushed aggregate base course.
- (10) Base course shall extend a minimum of 1 foot beyond the back of curb.
- (11) All new streets shall have sidewalks on both sides of the right-of-way. Sidewalks shall be a minimum of 5 feet in width, with a minimum thickness of 4 inches on walkways, a minimum of 6 inches when crossing residential driveways and a minimum of 7 inches when crossing commercial and industrial driveways.

D. Driveway standards.

- (1) Driveways shall comply with the Village of Mishicot Driveway Permit.
- (2) Only full sections of driveway shall be replaced. This means from existing end or joint to existing end or joint.
- (3) All applicable WisDOT concrete specifications and Village ordinances shall apply.
- (4) All construction materials used are subject to approval, and the construction of concrete driveways shall comply with section 602 of the current State "Standard Specifications".
- (5) Joints and expansion material shall be constructed as directed.
- (6) The width of driveways shall not exceed 25 feet at the sidewalk for residential, or 35 feet for residential with a 3-car garage, or 35 feet for business or commercial properties, and residential duplex dwelling units which have adjoining garages with at least two parking stalls for each unit unless special permission is granted by the Village Board.

- (7) Driveways shall not be constructed within 25 feet of street corners (the back of curb or edge of shoulder for the perpendicular roadway).
- (8) Driveway approaches at the sidewalk shall be three feet minimum for the side lot line, unless approved by the Village Board.
- (9) All drainage shall drain to the street at a minimum of ¼ inch per foot except in areas where change in drainage is necessary.
- (10) The base for all concrete areas shall be constructed on a minimum of 6-inch thick compacted sand base.
- (11) Work shall be completed within the same calendar year that the permit is issued.
- (12) The concrete finished surface shall meet the standards stated in Section 602.3.1.3 of the current State "Standard Specifications", having a maximum of 6mm (about ¼ inch) variation or departure from a 3m straightedge on any surface area.
- (13) Asphalt driveways shall only be permitted outside the sidewalk, shall have a minimum thickness of three inches of asphalt, shall be constructed on a minimum of six inches of crushed aggregate base course, and shall meet applicable current State "Standard Specifications" and Village ordinances.

E. Blocks.

- (1) The lengths, widths and shapes of blocks shall be appropriate for the locality and type of development contemplated.
- (2) Block lengths shall not exceed 1,350 feet between right-of-way lines.
- (3) Pedestrian crosswalks not less than 10 feet wide shall be required where deemed necessary to provide circulation or access to parks, playgrounds, schools, shopping centers, transportation and other community facilities.

F. Lots.

- (1) The lot size, width, depth, shape and orientation shall be appropriate for the location of the subdivision and for the type of development proposed.
- (2) The lot area of proposed lots shall comply with the minimum standards set by the Wisconsin Department of Natural Resources and Department of Safety and Professional Services when public water and sewer are not available. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- (3) Side lines of lots shall be, whenever possible, perpendicular to road right-of-way lines. Variations shall be permitted in unusual situations but pointed lots should be avoided.
- (4) Double lots with access on both streets should be avoided.
- (5) Corner lots should be at least 10% wider than interior lots to provide adequate setbacks from both streets.

- G. Easements. Where necessary, easements shall be provided for utilities. Such easements shall have a minimum width of 20 feet, and, where located along lot lines, 1/2 the width shall be taken from each lot.

§ 377-9. Required improvements.

The following improvements are hereby required and they shall be designed, furnished and installed by the subdivider in accordance with these regulations and all other laws, codes, etc., of the Village and the State of Wisconsin except as otherwise noted. As a further condition of approval, Village may require that the subdivider agree to install any public improvements reasonably necessary and provide financial security to ensure that the subdivider will make those improvements within a reasonable time after approval. The Village may not require that public improvements be installed or accepted as a condition of submitting, reviewing, approving, or recording of a preliminary or final plat. The Village may not require the subdivider to provide security at the commencement of a project in an amount that is more than 120 percent of the estimated total cost to complete the required public improvements, as determined under § 236.13 (2) (am) 1. 1.d. Nothing in this ordinance prohibits a governing body from requiring as a condition of approval that public improvements be installed within a reasonable time after the plat is approved.

- A. Prior to commencement of any construction required by these regulations, a preconstruction meeting will be held with the Village or its authorized representative to discuss the project and plans in regard to procedure, materials, inspection, etc.
- B. The subdivision shall be monumented as required in § 236.15, Wis. Stats., as amended, before final plat approval will be given.
- C. Upon such substantial completion of public improvements, any outstanding local building permits for home sites on the plat that meet the requirements of applicable building codes, zoning ordinances, and other municipal regulations shall be released and may not be withheld solely because of the status of public improvements.
- D. Drainage system. A drainage system shall be designed and constructed by the subdivider to provide for the proper drainage of the surface water of the subdivision and the drainage area of which it is a part. A final plat shall not be approved until the subdivider shall submit plans, profiles and specifications as specified in this section which have been prepared by a registered professional engineer and approved by the Village Engineer.

(1) Drainage system plans.

- (a) The subdivider shall submit to the Village Engineer a report on the ability of existing watercourse channels, storm sewers, culverts, and other improvements pertaining to drainage or flood control within the subdivision to handle the additional runoff which would be generated by the development of the land within the subdivision. Additional information shall be submitted to adequately indicate that provision has been made for disposal of surface water without any damage to the developed or undeveloped land downstream or below the proposed subdivision. The report shall also include estimates of the quantity of stormwater entering the subdivision naturally from areas outside the subdivision; quantities of flow at each inlet or culvert; and location, sizes and grades of required culverts, storm drainage sewers and other required appurtenances.
- (b) A grading plan for the streets, blocks and lots shall be submitted by the subdivider for the area within the subdivision.
- (c) The design criteria for storm drainage systems shall be based upon information provided by the Village Engineer and shall comply with Section 300.

- (d) Material and construction specifications for all drainage projects (i.e., curb and gutter, pipe, culverts, seed, sod, etc.) shall be in compliance with Village Ordinance, and with specifications provided by the Village Board or Village Engineer.
- (2) Grading. The subdivider shall grade each subdivision in order to establish street, block and lot grades in proper relation to each other and to topography as follows:
- (a) The subdivider shall grade the full width of the right-of-way of all proposed streets in accordance with the approved plans.
 - (b) Block grading shall be completed by one or more of the following methods:
 - [1] A ridge may be constructed along the rear lot lines which provides for drainage onto the streets.
 - [2] Parts of all lots may be graded to provide for drainage to the street or to a ditch along the rear lot line.
 - [3] Draining across rear or side lot lines may be permitted provided that drainage onto adjoining properties is skillfully controlled.
 - (c) Lot grading shall be completed so that water drains away from each proposed building at a minimum grade of 2% and provisions shall be made to prevent excessive drainage onto adjacent properties.
 - (d) The topsoil stripped by grading shall not be removed from the site and shall be uniformly spread over the lots when rough grading is finished.
- (3) Drainage system requirements. The subdivider shall install all the storm drainage facilities indicated on the plans required in Subsection E(1) of this section.
- (a) Street drainage. All streets shall be provided with curb and gutter and storm sewer. The street storm system shall serve as the primary drainage system and shall be designed to carry street, adjacent land and building stormwater drainage. No stormwater shall be permitted to be run into the sanitary sewer system within the proposed subdivision.
 - (b) Off-street drainage. The design of the off-street drainage system shall include the watershed affecting the subdivision and shall be extended to a watercourse or ditch adequate to receive the storm drainage. When the drainage system is outside of the street right-of-way, the subdivider shall make provisions for dedicating an easement to the Village to provide for the future maintenance of said system. Easements shall be a minimum of 20 feet, but the Village may require larger easements if more area is needed due to topography, size of watercourse, etc.
 - (c) All cross culverts for any roadway shall be a minimum of 12-inches in diameter.
 - (d) For new roadways in non-residential areas, the Public Works Director or Village Engineer may allow for rural roadways without curb and gutter. Ditching and storm water facilities will still be required.
- (4) Protection of drainage systems. The subdivider shall adequately protect all ditches to the satisfaction of the Village Board and Village Engineer. Ditches and open channels shall be seeded, sodded or paved, depending upon grades and soil types. (Generally ditches or channels with grades up to 1% shall be seeded, those with grades up to 4% shall be sodded and those with grades over 4% shall be paved.)

- (5) Easements. Minimum 15-foot easements shall be provided for access to public and private stormwater ponds and all other constructed Best Management Practices (BMPs)

E. Sanitary sewer system.

- (1) A sanitary sewer system shall be designed and constructed in accordance with state codes, these regulations and specifications of the Village Engineer to adequately serve all lots in the subdivision. In addition, pipe sizes, lift stations, force mains or other appurtenances shall be sized or provided to accommodate the orderly development of nearby land which is an integral part of the neighborhood service or drainage area. (See Subsection I regarding off-site and over-size improvements.) The subdivision collection system shall be connected to the Village sewerage system.
- (2) Sanitary system plans. The subdivider shall submit to the Village Engineer a report including plans, profiles and specifications for the proposed sanitary sewerage system which shall show pipe sizes, gradients, types of pipe, invert and finished grade elevations, and location, type and size of all lift stations or force mains for all sanitary facilities, including house laterals to each lot line. No final plat will be approved until sanitary sewer plans have been approved by the Village Engineer and installed by the subdivider in accordance with said plans. (Improvement guarantee in lieu of construction may be permitted by the Village Board.)
- (a) The sanitary sewerage system shall be designed to serve the estimated future tributary area that can reasonably be expected to be developed within 40 years of plat approval. The Village Board will make this determination. Sewer capacities should be adequate to handle the anticipated maximum hourly quantity of sewage and nonresidential waste with an allowance for infiltration and other extraneous flow. Generally, a unit design flow of 0.02 cubic foot per second per acre may be used to compute tributary area flows from undeveloped upstream areas.
- (b) No sewer pipe shall be less than eight inches in diameter.
- (c) House laterals up to each lot line of the subdivision shall be provided.
- (d) All sewers shall be designed to give mean velocities, when flowing full, of not less than
- (e) 2.0 feet per second. Maximum slope shall provide velocity of from 12 to 15 feet per second at average flow. The following table may be used for minimum slopes:

	Dead-End Sewers	Other Sewers
8-inch sewer	0.60 foot/100 feet	0.40 foot/100 feet
10-inch sewer	0.44 foot/100 feet	0.28 foot/100 feet
12-inch sewer	0.36 foot/100 feet	0.22 foot/100 feet
All other	In accordance with Village Engineer's specifications	

- (f) Manholes shall be provided at least at 400-foot intervals, at the end of each line and at all changes in grade, size or alignment.

- (g) Not less than six feet of cover shall be provided over top of pipe in street rights-of-way or four feet in all other areas.
 - (h) A minimum horizontal distance of eight feet shall be maintained between parallel water and sewer lines, except where same trench burial of sanitary sewers and water mains is permitted in accordance with Subsection D(2)(h). Where sewers cross water mains, the separation distance and pipe materials shall be as specified by the Village Engineer.
 - (i) Same trench burial of sewer mains and water lines may be permitted by the Village Board after receiving a report and recommendation from the Village Engineer and Plan Commission where excavation is especially difficult due to the presence of rock near the surface or unstable soil. Where the water mains are permitted to be laid in the same trench
 - (j) with the sewer lines, the sewer and water lines shall be laid in accordance with instructions provided by the Village Engineer. Backfill material shall be thoroughly tamped around and above the sewer until it forms a solid bed for the water main.
 - (k) All sewers shall be laid with straight alignment between manholes unless otherwise directed or approved by the Village Engineer.
 - (l) Sanitary lateral connections must be made into sewer main. Sanitary lateral connections into manholes are prohibited, unless approved by the Village Engineer.
- F. Water system. A water system shall be designed and constructed in accordance with state codes, these regulations and specifications of the Village Engineer to adequately serve all lots in the subdivision with water at sufficient pressure for fire-fighting needs. The subdivision water system shall be connected to the Village water system. Elevated storage tank, ground reservoirs, treatment works, booster pumps, hydrants and oversized water lines will be provided by the Village as needed.
- (3) Water system plans. The subdivider shall submit to the Village Engineer a report including plans and specifications for the proposed water system, which shall show pipe sizes, hydrant locations and specifications, valve locations and specifications, cross connectors, and booster pumps with house lines provided to the lot line of each lot in the subdivision. No final plat will be approved until the water system plan has been approved by the Village Engineer and installed by the subdivider in accordance with said plans. (Improvement guarantee in lieu of construction may be permitted by the Village Board.)
 - (4) Water system requirements. The design criteria for the water distribution system shall be based on the specifications or standards of these regulations, state codes and other Village requirements. The following is a partial summary of the more general minimum requirements:
 - (a) No water mains shall be less than six inches in diameter.
 - (b) Fire hydrants, which will be provided by the Village, must be installed by the subdivider at locations no more than 1,000 feet apart and within 500 feet of every proposed structure.
 - (c) Gate valves with valve manholes on cross-connecting water mains shall be located on all branches at all tees and crosses, and shall be so located that no single break in the distribution system shall require more than 800 feet to be out of service in residential districts.
 - (d) Manholes are required for all water main valves.
- G. Street system. A street system shall be designed and constructed by the subdivider in accordance with these regulations and specifications of the Village so as to provide all lots in the subdivision with adequate frontage on, or access to, a public street.

- (1) Street system plans. The subdivider shall submit to the Village Engineer a report including plan, profiles, typical cross sections and specifications for the proposed street system throughout the subdivision with additional data supplied to indicate how all the streets in the subdivision, which connect to surrounding streets, will be designed. The street plans shall show the proposed right-of-way, pavement width, location and proposed alignment grade, geometric details, and cross sections as well as base course and thickness. No final plat will be approved unless all streets in the subdivision have been constructed in accordance with approved plans or an improvement guarantee in the form of a bond, letter of credit, etc., has been provided by the subdivider.
- (2) Street system requirements. The proposed street system shall be constructed to conform to the design standards of § 377-8 of these regulations and other Village street specifications.
 - (a) Local streets shall be surfaced for a width of 32 feet.
 - (b) A minimum of twelve inches of crushed aggregate base course shall be provided. Increased thickness of base course may be required by the Village Engineer after an examination of soils and topography.
 - (c) All road sub-base must pass a proof-roll with a fully loaded dual-axle dump truck. Any deviation of $\frac{1}{2}$ " or more will require excavation of 1 foot in depth, and replacement with geogrid and breaker run. Additional measures may be required at the direction of Village Engineer if subsoils are extremely poor.

H. Public utilities.

- (1) Location. All utility facilities, including but not limited to gas, electric power, and telephone and television cables, existing and proposed, throughout the subdivision shall be shown on the preliminary plat.
 - (2) Easements.
 - (a) Easements centered on rear lot lines shall be provided for utilities (private and municipal). Such easements shall be at least 20 feet wide. Proper coordination shall be established between the subdivider and the applicable utility companies for the establishment of utility easements established in adjoining properties.
 - (b) Where topographical or other conditions are such as to make impractical the inclusion of utilities within the rear lot lines, perpetual unobstructed easements at least 20 feet in width shall be provided alongside lot lines with satisfactory access to the road or rear lot lines. Easements shall be indicated on the preliminary and final plat.
- I. Parks, playgrounds, recreation areas and schools. The Village shall require that land be reserved for parks, playgrounds, schools or other recreation purposes in locations designated on the Comprehensive Plan and Official Map of the Village.
- J. Extra-size or off-site improvements. All improvements shall be installed to satisfy the service requirements for the service or drainage area in which the subdivision is located, and the improvements shall be of sufficient capacity to handle the expected development of the overall service or drainage area involved.

- (1) Extra-size improvement. Where improvements in excess of the size needed to serve just the proposed subdivision are required, the subdivider shall pay for the total cost of improvements he is required to install to serve his subdivision. The additional costs which result from the extra-size improvement shall be paid for by the Village. Thus, when conditions within the whole drainage area will require an eighteen-inch sanitary sewer, for example, and a twelve-inch sewer will adequately serve the subdivision involved, the subdivider shall construct the eighteen-inch utility and bill the Village for the difference in material costs between a twelve-inch and an eighteen-inch sewer pipe.
- (2) Off-site extensions. When streets or utilities are not available at the boundary of proposed subdivision, the Village, or its duly authorized representative, shall require, as a prerequisite to approval of a final plat, assurances that such improvement extensions shall be provided as follows:
 - (a) Extensions of utilities, onto the property involved, shall be adequate to serve the total development requirements of the service or drainage area. Utilities leaving the property shall be constructed in such a manner as to make their extension practical for servicing the adjacent areas of the service or drainage area.
 - (b) If the Village, or its duly authorized representative, finds that extensions across undeveloped areas would not be warranted as a special assessment to the intervening properties or as a governmental expense until some future time, the developer shall be required, if he wishes to proceed with the development, to obtain necessary easements or rights-of-way and construct and pay for such extensions. Such improvements shall be available for connections by subdividers of adjoining land, and the subdivider may contract with adjacent property owners and/or subdividers of adjacent land for reimbursement of the oversize and/or off-site improvements constructed.
- (3) Where sanitary sewer lift stations and force mains are required to lift sewage to the gravity system, the subdivider shall have plans, profiles and specifications prepared for the installation of such facilities. The installation, inspection, supervision and engineering fees for lift stations and/or force mains shall be paid for by the subdivider, unless otherwise determined and agreed upon by the Village Board.

K. Nonresidential subdivisions.

- (1) If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision with respect to such land shall make such provisions as the Village may require.
- (2) A nonresidential subdivision shall also be subject to all the requirements of site development plan approval set forth in Chapter 395, Zoning, § 395-48, of this Code. A nonresidential subdivision shall be subject to all the requirements of these regulations, as well as such additional standards required by the Village, and shall conform to the proposed land use standards established in the Comprehensive Plan, Official Map, and Chapter 395, Zoning. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- (3) In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Village that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

- (a) Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
 - (b) Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
 - (c) Special requirements may be imposed by the Village with respect to street, curb, gutter and sidewalk design and construction.
 - (d) Special requirements may be imposed by the Village with respect to the installation of public utilities, including water, sewer and stormwater drainage.
 - (e) Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for permanently landscaped buffer strip when necessary.
 - (f) Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.
- L. Streetlighting. The subdivider shall provide streetlights as required. Street trees, traffic control signs and devices shall be the responsibility of the Village or other appropriate governmental unit. All street lights on residential streets shall be LED, shall provide minimum light of 0.1 foot candles, and veiling luminance (glare) of 0.4 to 1 max. Street lights shall comply with one of the following styles:
- (1) Standard Lighting:
 - (a) Street lighting shall consist of light poles at all intersections, curves of at least 45 degree deflection angles, cul-de-sacs, and at 300 foot minimum spacing. Closer spacing may be required due to the usage of the area. Utilize wooden pole with a mounting height of 30', truss arm length of 6', and a cobra head semi cut-o2 fixture. Fixtures must comply with the following:
 - Leotek GreenCobra Series or approved equal.
 - 2700k to 3000k Color Temperature.
 - (2) Decorative Lighting:
 - (a) Street lighting shall consist of 12 to 15 foot decorative pole with a full cut-o2 fixture at spacings of 100 to 125 feet. Fixtures must comply with the following:
 - American Revolution LED Series 247L or approved equal.
 - 2700k to 3000k Color Temperature.
- M. Phased or partial improvements. In all instances where it shall appear to the satisfaction of the Village Board that all of a platted subdivision cannot immediately be improved with respect to the installation of streets, storm sewers, sanitary sewers, water distribution systems and related facilities, the Village Board may authorize the subdivider to proceed with the installation of improvements required under these regulations on one or a portion of the total number of lots covered by the plat.
- N. Costs. The cost of installing all improvements specified in these regulations shall be paid for and borne by the subdivider, except as noted in Subsections E(2)(b) and I(1), (2) and (3). In addition, the cost of all grading, supervision, certification, inspection and engineering shall be paid for by the subdivider.

O. Inspection.

- (5) The Village or its duly authorized representative shall be responsible for the inspection of all improvements.
- (6) Inspectors employed by the Village shall be authorized to inspect all work done and all materials furnished. Such inspection may extend to all or any part of the work and to the preparation, fabrication, or manufacture of the materials to be used. The inspector shall not be authorized to revoke, alter or waive any requirements of the specifications or plans. He shall be authorized to call the attention of the contractor to any failure of the work or materials to conform to the specifications and contract. He shall have the authority to reject materials which do not meet specifications requirements or suspend the portion of the work involved until any question at issue can be referred to and decided by the Village or its duly authorized representative.
- (7) Upon completion of all the improvements, the subdivider shall request, in writing, a final inspection by the Village or its duly authorized representative. The Village, or its duly authorized representative, shall make final inspection of streets, sidewalks, curbs and gutters, sanitary and storm sewers, water mains and other improvements required in these regulations.
- (8) The subdivider shall provide the Village Clerk-Treasurer with as-built plans of the water, sanitary sewer, and storm sewer systems.

§ 377-10. Lot splits.

- A. Certified survey maps prepared in accordance with § 236.34, Wis. Stats., as amended, for the purpose of recording the division of land other than a subdivision shall be submitted to the Village Clerk-Treasurer.
- B. Review procedure. The certified survey map shall, within 90 days, be approved by the Village Clerk-Treasurer or be approved conditionally or rejected by the Plan Commission. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
 - (1) If the Village Clerk-Treasurer finds that the certified survey map complies with Ch. 236, Wis. Stats., as amended, and this chapter, then the Clerk-Treasurer shall place the certificate of Village approval on the face of the map.
 - (2) If the Village Clerk-Treasurer finds that the certified survey map cannot be approved without a variance, modification, or condition of approval, the Clerk-Treasurer shall forward the map to the Plan Commission for action in accordance with § 377-13 of this chapter.
- C. Requirements.
 - (1) To the extent reasonably practicable, the division shall comply with the provisions of this chapter relating to general requirements and design standards and required improvements. All required improvements shall be designed, furnished and installed at the expense of the applicant before a certified survey map will be considered for approval, or in lieu of construction, a surety bond, certified check, escrow account, or other financial assurance may be provided in accordance with § 377-9.

- (2) The survey shall be performed and the map prepared by a land surveyor licensed in the state. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- (3) All corners shall be monumented in accordance with § 236.15(1)(c) and (d), Wis. Stats., as amended.
- (4) The map shall be prepared in accordance with § 236.20(2)(a), (b), (c), (e), (f), (g), (h), (i), (j), (k) and (L) and (3)(a), (b) and (e), Wis. Stats., as amended, on a scale of not more than 500 feet to one inch.
- (5) The map shall be prepared on durable white paper 8 1/2 inches wide by 14 inches long with nonfading black image or reproduced with photographic silver haloid image on double matt polyester film not less than four mil thickness, which is 8 1/2 inches wide by 14 inches long.

D. Certificates and affidavits.

- (1) The map shall include the certificate of the surveyor who surveyed and mapped the parcel, typed, lettered, or reproduced legibly with nonfading black ink, giving a clear and concise description of the land surveyed by bearings and distances, commencing with some corner marked and established in the U.S. Public Land Survey or some corner providing reference to a corner marked and established in the U.S. Public Land Survey. Such affidavit shall include the certificate of the surveyor to the effect that he has fully complied with the requirements of these regulations and all requirements of § 236.34, Wis. Stats., as amended.
- (2) The certificate of Village approval shall be typed, lettered, or reproduced legibly with nonfading black ink on the face of the certified survey map in substantially the following form:
 - (a) For certified surveys that do not require Plan Commission action on a variance, modification, or condition of approval, the certificate shall read: *"This certified survey map has been submitted to and approved by the Village of Mishicot as complying with Chapter 236, Wisconsin Statutes, as amended and the Subdivision Regulations of the Village of Mishicot. Date _____ Signed _____"*
 - (b) For certified surveys which required Plan Commission action on a variance, modification, or condition of approval, the certificate shall read: *"This certified survey map has been submitted to and approved by the Village of Mishicot as complying with Chapter 236, Wisconsin Statutes, as amended and the Subdivision Regulations of the Village of Mishicot. All variances, modifications, or conditions of approval for this survey map are contained in the minutes of the _____ meeting of the Mishicot Plan Commission. Date _____ Signed _____"*
- (3) A certificate by the owner of the land in substantially the following form shall be provided: *"As owner, I hereby certify that I caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map."* This certificate shall be signed by the owner, the owner's spouse, if any, and all persons holding an interest in fee or record or by being in possession and, if the land is mortgaged, by the mortgagees of record. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

E. The certified survey map shall be filed by the divider, subdivider, or owner for record with the Register of Deeds of Manitowoc County and a copy of said map shall be filed with the Village of Mishicot.

F. Development plan.

- (1) A development plan shall be submitted to the Plan Commission after any division of a lot, parcel or tract of land by the owner thereof or his agent for other than a subdivision where the act of division creates five or more parcels which are greater than 1 1/2 acres but are five acres in size or less or where five or more such parcels are created by successive divisions within a period of five years.
- (2) The development plan map and supporting information shall provide at least the requirements contained in § 377-7B of this chapter, except certain map and data requirements may be waived by the Plan Commission for land division which involves 10 lots or less.
- (3) A development plan shall include all of the owner's or applicant's lands which are contiguous and which are bounded by private property lines, public rights-of-way, navigable streams, lakes, parks, or other watercourses which serve to define the contiguous area.
- (4) Development shall, to the extent reasonably practicable, conform to the requirements of § 377-8 of this chapter and to all other related Village of Mishicot ordinances and regulations.

§ 377-11. Subdivisions created by successive divisions.

Where it is not practicable to require that a final plat of a subdivision created by successive divisions be filed in accordance with this chapter, the Village Board of the Village of Mishicot may, in lieu thereof, order an Assessor's plat to be made under § 70.27, Wis. Stats., as amended.

§ 377-12. Condominium instrument submittal and review process.

- A. The subdivider shall submit the necessary copies of the condominium instrument(s) for review to the Village Clerk-Treasurer. The Village shall review the condominium instrument(s) for conformance with Section 703 of the Wisconsin Statutes.
- B. Application submittal. The subdivider, or agent, shall submit the following in order to begin an application review:
 - (1) Completed digital copy of application form.
 - (2) Digital copies of the condominium instrument(s) in full size are preferred. Hard copies are accepted.
 - (3) Payment for condominium instrument(s) review.
- C. Required information. The subdivider, or agent, shall include the following information on the condominium plat when submitting to the Village Clerk-Treasurer:
 - (1) Condominium plat or addendum, prepared by a registered land surveyor, that complies in all respects with the requirements of Section 703.115 of the Wisconsin Statutes and conforms substantially to the approved preliminary plat.
 - (2) A blank space at least 3 inches by 3 inches in size in the upper right corner on the first sheet for recording use by the register of deeds.
 - (3) Condominium plat or addendum pages numbered.
 - (4) Date.

- (5) Scale.
- (6) North point.
- (7) Surveyor name and contact information.
- (8) Surveyor signature, date, and seal (on hard copies).
- (9) Location of the condominium plat or addendum by private claim or by government lot, quarter, quarter section, section, township, range, and county.
- (10) When referencing recorded documents, the reference shall include all the following if given on said document: jacket and image, volume and page, map number, document number.
- (11) A small scale drawing of the section or region in which the plat lies with the location of the plat clearly identified.
- (12) Boundary lines and platting status.
- (13) Lot equivalents numbered sequentially. Units numbered sequentially.
- (14) Dimensions of, and area of, lot equivalents, right-of-ways, and the encompassing area of the map listed as square footage.
- (15) Layout, locations, widths, and names of existing or dedicated streets, alleys, or other public walkways.
- (16) Street access restrictions.
- (17) Radii of all curves.
- (18) Layout, locations, widths, types, and names of existing and proposed public and private easements, drainage easements, railroads, and utility rights-of-way public stormwater management facilities and private waste water treatment system locations.
- (19) Existing permanent buildings and structures.
- (20) Parks and cemeteries.
- (21) Location and dimensions of any site to be reserved or dedicated for parks, playgrounds, or other public use or to be reserved by deed or covenants for use of all property owners in the plat or addendum with the conditions, if any, of such dedication or reservation.
- (22) Airport zoning districts.
- (23) The Village may require information to be shown beyond the plat boundary, if needed, for staff review of the condominium plat or addendum.
- (24) Surveyor's Certificate, Owner's Certificate, Municipality Certificate(s), Manitowoc County Register of Deeds Certificate, Manitowoc County Treasurer's Certificate.

- (25) Additional certificates identified in Section 703 of the Wisconsin Statutes.
- (26) Required notes and restrictive covenants.
- D. Required information for any additional condominium instruments. The subdivider, or agent, shall include the following information on any additional condominium instruments when submitting to the Village:
 - (1) Cover sheet in recordable format for the Register of Deeds.
 - (2) When referencing recorded documents, the reference shall include all of the following if given on said document: jacket and image, volume and page, map number, and document number.
- E. Review Process. Following the filing of a complete condominium instrument(s) as determined by Village staff, the Village staff shall complete the review of the condominium instrument(s). The preliminary condominium instrument(s) review and final condominium instrument(s) review shall occur simultaneously as a final condominium instrument. Village staff may contact the subdivider, or agent, with questions regarding the condominium instrument(s). The review may include a visit to the site to review the existing features of the site.
- F. Condominium instrument(s) changes. Proposed changes to a submitted condominium instrument(s) may be made once without resubmittal of condominium instrument(s) review fees provided all of the following occurs:
 - (1) Submittal occurs prior to completion of the Village staff review of the condominium instrument.
 - (2) The number of lot equivalents or units does not increase.
 - (3) The condominium instrument shall be resubmitted with the required information identified in Section 703.115 of the Wisconsin Statutes. The date any complete condominium instrument change is submitted will be the date used when establishing the review timeline.
- G. Review timeline. 10 working days.
 - (1) Village staff shall complete the review within 10 working days following the submittal of a complete application, condominium plat, declaration, addendum, amendment, and fees and provide written comments informing the subdivider, or agent, of any additions, changes, or corrections to the condominium plat.
 - (2) Any approval, or conditional approval made by Village staff in writing is valid for a period of three years.
- H. Recordation. After the condominium plat or addendum has been approved and inscribed, with the final signature of the Village Clerk-Treasurer, the final plat or addendum shall be recorded by the subdivider, or agent, in the office of the Register of Deeds of Manitowoc County on accordance with Section 703 of the Wisconsin Statutes.

§ 377-13. Administration.

- A. The Village Clerk-Treasurer is hereby designated the administrative officer for these regulations. Administrative determinations and the reasons therefor shall be reduced to writing at the written request of a party who is adversely affected by an administrative determination and such information shall be mailed or delivered to the affected person.

- B. Decisions on state-defined plats by the Plan Commission or Village Board are also subject to further review in accordance with the provisions of § 236.13(5), Wis. Stats., as amended. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- C. Decisions on non-state plats or certified surveys are subject to review in accordance with the procedures and provisions of Ch. 68, Wis. Stats., as amended.
- (1) The Village Clerk-Treasurer shall, upon written request of any person aggrieved by his determination, reduce the determination and the reasons therefor to writing in accordance with § 68.07, Wis. Stats., as amended.
 - (2) The Village Board shall, upon written request of any person aggrieved by a determination of the Village Clerk-Treasurer, provide for a review of the Clerk-Treasurer's determination at a hearing conducted substantially in compliance with § 68.11, Wis. Stats., as amended and in accordance with the procedures of §§ 68.09 and 68.11, Wis. Stats., as amended.
 - (3) Any party to a proceeding under Subsection C(2) above may seek judicial review of the determination of the Village Board by a writ of certiorari in accordance with § 68.13, Wis. Stats., as amended.
 - (4) Nothing in this section shall preclude the Village or aggrieved person from employing other methods of resolving disputes, nor is an aggrieved person precluded from seeking relief from the Village Board according to § 68.14, Wis. Stats., as amended.

§ 377-14. Variances.

Where the Plan Commission finds that extraordinary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice will be done and the public interest secured; provided, however, that such variations will not have the effect of nullifying the intent and purpose of the regulations. Any modification or variance thus granted shall be entered in the minutes of the Plan Commission, setting forth the reasons which, in the judgement of the Commission, justified the variance.

§ 377-15. Violations and penalties. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

Any person, firm or corporation who or which fails to comply with the provisions of these regulations shall, upon conviction thereof, forfeit not less than \$25 nor more than \$1,500 and the cost of prosecution for each violation and in default of payment of such forfeiture shall be imprisoned in the county jail until payment thereof, not exceeding 90 days. Each day a violation exists or continues shall constitute a separate offense. Nothing herein shall limit or restrict any other remedies which may be available to the Village or owner of real estate as provided by law.

