

## **401.1 Development Standards Ordinance**

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The Town Board of the Town of Berry does hereby ordain as follows:

### **SECTION I – AUTHORITY**

These regulations are adopted under the authority granted by section 236.45 of the Wis. Stats.

### **SECTION II – PURPOSE AND INTENT**

The purpose of this ordinance is to promote the public health, safety and general welfare of the Town of Berry, and it is designed 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 overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision for transportation, water, sewerage, surface drainage, schools, parks, playgrounds and other public requirements; and to provide restrictions governing the subdivision of larger parcels into smaller parcels of land.

This subdivision ordinance is created specifically for use if/when the Transfer of Development Rights Program is implemented and/or if a landowner petitions the Town of Berry to use five or more of their existing building sites in less than a five-year period.

### **SECTION III – SEVERABILITY**

If any section, provision or portion of this chapter is adjudged invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

#### **SECTION IV – REPEAL**

All other ordinances or parts of ordinances of the Town which are inconsistent or in conflict with this chapter, to the extent of inconsistency or conflict only, are hereby repealed.

#### **SECTION V – TITLE**

This Ordinance shall be entitled the “Development Standards Ordinance of the Town of Berry, Dane County, Wisconsin”.

#### **SECTION VI – DEFINITIONS**

For the purpose of this chapter certain words or phrases used herein are defined as follows:

- A. *Certified survey map.*** A map of land divisions, not a subdivision, prepared in accordance with section 236.34 of the Wis. Stats. and in full compliance with the applicable provision of the Dane County Land Division and Subdivision Regulations. A certified survey map has the same legal force and effect as a subdivision plat, except that a certified survey map is used to create four or few lots.
- B. *Committee.*** The Town of Berry Plan Commission.
- C. *Comprehensive Plan.*** Refers to the Town of Berry Comprehensive Land Use Plan.
- D. *Contiguous.*** As defined in the Comprehensive Plan.
- E. *Extraterritorial plat approval jurisdiction.*** The unincorporated area within one and one-half (1 ½ ) miles of the corporate limits of a city of the fourth class or a village, if the city or village has exercised extraterritorial powers for land division review, official mapping or zoning.
- F. *Land divider.*** Any person, firm, corporation or other entity requesting review or action on a land division.
- G. *Land division.*** The act of dividing a parcel of land onto two or more parcels or lots, or changing the boundaries of one or more parcels of land, including parcel divisions, consolidations, and lot line adjustments.
- H. *Master plan.*** A plan for guiding and shaping the growth or development of Dane County, or of a community or area in Dane County, which has been adopted by a governmental unit of Dane County and whose preparation is authorized by the Wis. Stats.
- I. *Official map.*** A map indicating the location, width, extent of the existing and proposed streets, highways, parkways, parks and playgrounds adopted by the municipalities in Dane County, in accordance with section 62.23(6) of the Wis Stats.
- J. *Parcel.*** Contiguous lands under single ownership.
- K. *Plat.*** A map of a subdivision.
- L. *Shoreland area.*** Shoreland areas shall include all lands in the Town of Berry which are within 1,000 feet from the ordinary high water mark of navigable lakes, ponds or flowages listed in the “surface Water Resources of Dane county” published by the Wisconsin Department of Natural Resources, or so designated on the United States Geological Survey Quadrangle Maps, or included on other

county zoning base maps, and all lands which are within 300 feet of the ordinary high-water mark or landward side of the flood plain of the navigable reaches of rivers and streams. Rivers and streams shall be presumed to be navigable if they are designated as either continuous or intermittent waterways on U.S.G.S. Quadrangle Maps or other zoning base maps, available at the County Planning and Development Department.

- M. Street.** A public way for vehicular and/or pedestrian traffic.
1. *Arterial streets and highways:* streets which provide for rapid movement of concentrated volumes of traffic over relatively long distances between the activity areas.
  2. *Principal arterials:* streets serving the major interstate and interregional traffic corridors. These routes provide the highest level of mobility under a high degree of access control.
  3. *Primary arterials:* streets serving major regions or connecting several significant cities and intercommunity corridors within the metropolitan area. These routes provide for a high degree of mobility under a high degree of access control.
  4. *Standard arterials:* streets which more commonly provide for intermediate length trips, thus serving through traffic movement in trade areas or feeding traffic to the primary and principal arterials from lower activity areas not served by such routes.
  5. *Collector streets:* streets which provide for moderate speed movement within large areas. They are basically local streets which usually, because of more directness of routing and high capacity than other local streets, receive higher volumes of traffic to be distributed from or collected toward nearby arterial streets.
  6. *Connectors:* streets which perform a semi arterial function as well as serving as distribution and land access streets.
  7. *Distributors:* streets which gather and distribute traffic from and to the local streets and adjacent lands.
  8. *Local streets:* streets designed for low speeds and volumes which provide access from low traffic generating areas to collector and arterial streets.
  9. *Marginal access streets:* streets which are parallel and adjacent to arterial streets and highways and which provide access to abutting properties.
  10. *Alleys:* streets which provide secondary means of access for vehicular services to the back or side of property otherwise abutting a street.
  11. *Cul-de-sac streets:* streets closed at one end with turn-arounds.
  12. *Dead-end streets:* streets closed at one end without turn-arounds.
- N. Subdivider.** Any person, firm, corporation or other entity requesting review or action on a subdivision.
- O. Subdivision.** For the purposes of this Ordinance, the definition below applies to a high density development requiring a plat under Chapter 236 WI Stats. This differs from the definition in the Comprehensive Plan. A division of a parcel of land where the act of division creates either:
1. Five or more lots, parcels or building sites of 35 acres each or less in area by a single division; or

- 2. Five or more lots, parcels or building sites of 35 acres each or less in area by successive divisions within a period of five years.
- P. *Subdivision, Type I.* A subdivision located outside of a town sanitary district or a utility district or a subdivision located within such a district in which sanitary sewer facilities will not be available within two (2) years from the date of submission of the final plat.
- Q. *Subdivision, Type II.* A subdivision located within a town sanitary district or utility district in which public sanitary sewer facilities are available or will be available within two (2) years from the date of the submission of the final plat.
- R. *Utility easement.* An easement to place, replace, maintain or move utility facilities.
- S. *Lot (or Lot of Record).* A single parcel of land occupied or intended to be occupied by one (1) building and its accessory buildings and uses. A lot, minimum of one acre, may be designated through a subdivision plat, certified survey map, or described as a parcel of single ownership in a conveyance recorded in the Dane County Office of the Register of Deeds. No land included in any street, road, highway or railroad right-of-way shall be included when computing lot area. A street, road, highway, or railroad right-of-way shall divide one lot from another.

## **SECTION VII – JURISDICTION**

The provisions of this chapter shall apply throughout the entire Town of Berry.

## **SECTION VIII – COMPLIANCE WITH ORDINANCES, STATUTES, REGULATIONS AND PLANS**

Any subdivider dividing land which results in a subdivision shall prepare a plat of the subdivision. Any land divider dividing land which results in a land division shall prepare a certified survey map. Any such plat or certified survey map shall be prepared in accordance with the requirements of this chapter and with any of the following which may be applicable:

- A. The provisions of Chapter 236 and section 82.50 (1)(c) of the Wis. Stat.
- B. The rules of the division of health contained in COMM 83, if the subdivision is not served by public sewer.
- C. The rules of the division of highways, Wisconsin State Department of Transportation contained in Wis. Admin. Code chapter Hy 33, if the subdivision abuts a state trunk highway or connecting street.
- D. The rules of the Wisconsin Department of Natural Resources contained in Admin. Code chapter NR 116 for flood plain management program.
- E. All Dane County ordinances and regulations
- F. All master plans and master plan components.
- G. The official maps of any municipality or governmental unit having jurisdiction.
- H. The rules and bylaws of the State of Wisconsin Department of Regulation and Licensing.
- I. No building permits shall be issued for erection of a structure on any lot created by a land division or subdivision until all the requirements of this ordinance have been met. No construction of any kind may commence until the final plat has

been recorded.

### **SECTION IX – DEDICATION OF LANDS FOR STREETS AND PUBLIC WAYS**

Whenever a parcel to be divided as a subdivision or as a land division contains all or in part, a street, drainage way or other public way, which has been designated in a master plan or in an official map adopted under section 62.23 of the Wis. Stats., such street or public way may be required to be platted and dedicated in the location and width indicated in the master plan or official map, unless otherwise provided in this chapter.

### **SECTION X – DEDICATION OF LANDS FOR PUBLIC RECREATION WITHIN RESIDENTIAL PLATS**

- A. *Dedication as a condition of plat approval.*** The committee shall require the dedication of land or monies in lieu of land for public recreation as follows; and shall determine whether the dedication of land for parks or monies in lieu thereof will better serve the public interest.
1. The sub-divider shall designate on every new preliminary plat of a residential subdivision, an area of land suitable for park or playground purposes, and shall dedicate said land to the public where the town agrees to accept the land. The amount of land to be provided shall be at least 1,750 square feet of land for each proposed residential dwelling unit within the plat. However, the total amount of land dedicated for public purposes or otherwise provided for meeting the objections of sections 75.10 and 75.11 need not exceed one-third (1/3) of the total (gross) area of the plat.
  2. Where the town agrees to accept money for park or recreation purposes in lieu of land, the specific amount of money shall be set as a general standard by the respective town board, but in no case should the minimum amount be less than the last official equalized value of the required public land area (1,750 square feet of land for each proposed residential dwelling unit within the plat). The equalized value is to be determined after the property use is removed from agricultural.
  3. The Town shall place any fees collected pursuant to the provisions of this article in a fund which may be used for any park purpose, including land acquisition and development of adequate park space, play ground, recreation and open space to meet the needs created by the land division or subdivision.

### **SECTION XI – RESERVATION OF LANDS FOR PARKS, PLAYGROUNDS, SCHOOL SITES OR PUBLIC SITES**

Whenever a parcel to be divided as a subdivision or a land division contains all or in part a site which has been designated on a master plan or official map as a park, playground, school site or other public site and the area of the site shown in the master plan or the official map is greater than the area, if any, required by Section 75.11, the excess area shall be reserved for a period of two (2) years from the date of approval of the final plat or certified survey map for acquisition by the governing body or other appropriate agency having the authority to purchase the property.

## **SECTION XII – EXCEPTIONS**

The provisions of this chapter shall not apply to:

- A.** Transfers of interests in land by will or pursuant to Court order;
- B.** Leases for a term not to exceed 10 years, mortgages or easements; or
- C.** 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 sizes required by this chapter; the Dane County zoning ordinance (Chapter 10, Dane County Code) or other applicable laws or ordinances.

## **SECTION XIII – DESIGN STANDARDS**

Chapter Seven of the Comprehensive Plan is included in this Ordinance by reference. In approving or disapproving any plat or certified survey map, the committee shall apply the standards set forth in this section, deciding any conflicts in design standards.

### **A. *Streets.***

- 1.** The arrangement, character, extent, width, grade and location of all streets shall conform to all official maps, may be required to conform to master plans, and shall be related to: existing and planned streets; topographic conditions; existing natural features including streams, lakes and tree growth; public convenience and safety; existing and proposed uses of land served by such streets; and to the most advantageous development of adjoining uses.
- 2.** The arrangement of streets in a subdivision shall provide, where possible, for the continuation or appropriate projection of existing or proposed collector and arterial streets in the area.
- 3.** Local streets shall be laid out so as to discourage their use by through traffic.
- 4.** Where a subdivision abuts or contains an existing or proposed arterial street, the committee may require marginal access streets, reverse frontage lots with screen planting contained in a non-access reservation along the rear of the property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- 5.** The number of intersections along arterial streets shall be held to a minimum. Wherever practicable the distance between such intersections shall be not less than 1200 feet.
- 6.** Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the committee may require a street approximately parallel to 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 to the requirements of approach grades and future grade separation.
- 7.** Street jogs with centerline offsets of less than 150 feet shall be avoided.
- 8.** A tangent at least 100 feet long shall be introduced between reverse curves on arterial and collector streets.
- 9.** Streets shall be laid out so as to intersect as nearly as possible at right angles, no street shall intersect any other street at less than 75 degrees, and not more than two streets shall intersect at one point.

10. Reserve strips controlling access to streets shall be prohibited except where their control is definitely placed in the committee under conditions approved by said committee.
11. All street rights-of-way shall be of the width specified on applicable official plans and official maps, or if not specified therein, they shall not be less than the width specified in this ordinance.
12. The minimum radius of curvature on the centerline shall be as specified in this ordinance.
13. The maximum street grade shall be as specified in this ordinance.
14. The design of the vertical alignment of the centerline shall be based on the minimum safe stopping sight distance in accordance with the design standards of the American Association of State Highway Officials.
15. *Streets*

	Principal & Primary Arterials	Standard Arterial & Collectors	Local	Marginal Access
Minimum Right-of-way	120	80	66	50
Minimum Right-of-Way Width in feet	120	80	66	50
Minimum Radius of Curvature in feet of Centerline	450	250	150	None
Maximum Grade	6%	8%	12%	None

16. Cul-de-sacs and permanent dead end streets shall not be permitted unless specifically approved in writing by the Town Plan Commission. The traveled way, if permitted, within the cul-de-sac shall provide a minimum radius of 40 feet.
17. Temporary dead-end streets shall not be permitted without a suitable turn-around. Appropriate arrangements shall be made for those parts of temporary turn-arounds outside of street right-of-way to revert to the abutting property owners at such time as streets shall be extended
18. In commercial and industrial zoning districts, alleys or other definite and assured provisions shall be made for off-street parking, loading and service access consistent with and adequate for the uses proposed. The width of alleys shall be not less than 21 feet. Alleys shall not be permitted in residential areas.
19. Half streets shall be prohibited except where necessary for continuity of the street plan in the area.
20. Street names:
  - a. The committee may disapprove the name of any street shown on a plat which has already been used elsewhere in the area or which, because of similarity to the name of another street, may cause confusion.
  - b. Where a street maintains the same general direction except for curvilinear changes for short distances, the same name shall continue for the entire

length of the street.

- c. A name which is assigned to a street which is not presently a through street, due to intervening land over which a street extension is planned, shall be continued for the separate portions of the planned through street.
- d. The name of the projection of a street shall continue the same suffix as the street even if the projection terminates in a cul-de-sac.
- e. Access roads and highways served by them shall have the same street names and designation.
- f. Approval of street names on a preliminary plat will not reserve the street name nor shall it be mandatory for the committee to accept it at the time of final platting.
- g. All street names shall be consistent with chapter 76 of the Dane County Ordinances.

**B. *Utility easements.***

- 1. Easements across lots or along rear or side lot lines shall be provided for utilities where necessary, shall be at least 6 feet wide on each side of lot lines, and shall be designated as “utility easement” on the plat or certified survey map. The committee shall solicit the recommendations of the utility companies regarding utility easement needs to service the subdivision.
- 2. In residential subdivisions, lots shall be served by underground electric, cable TV and telephone utility lines unless waived by the committee. Land disturbed by such installation shall be restored.
- 3. Where utility facilities are to be installed underground, the utility easements shall be graded to within six (6) inches of the final grade by the subdivider prior to the installation of such facilities, and earth fill, piles or mounds of dirt shall not be stored on such easement.
- 4. All utility lines for electric power and telephone service when carried overhead on poles shall be placed in utility easements unless waived by the committee.
- 5. Utility facilities when installed on utility easements, whether overhead or underground, shall not be closer than one (1) foot to a property line or three (3) feet to any monument.
- 6. Where a subdivision is served by an existing overhead facility, the facility may be utilized and improved with the approval of the committee.

**C. *Drainage easements.*** Where a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided an adequate drainage way easement as required by the committee. The location, width, alignment and grading of such easements shall be of such a width and design to accommodate the anticipated discharge from the property being subdivided and also the anticipated runoff that will occur when property at a higher elevation in the drainage basin is developed.

**D. *Setbacks.*** Where the lots abut navigable waters, building setback lines for all buildings and structures, except piers, marinas, boathouses and similar uses, shall be shown on the plan and shall not be less than 75 feet from the normal high water line.

**E. *Blocks.***

1. The length, width, and shape of blocks shall be suited to the planned use of the land, the applicable zoning requirements, the needs for convenient access, control and safety of street traffic, and the limitations and opportunities of topography. Block lengths in residential areas shall not, as a general rule, be less than 600 feet in length between street lines unless dictated by exceptional topography or other limiting factors of good design.
2. Blocks shall have sufficient widths to provide two tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic.
3. Pedestrian ways or cross walks, not less than ten (10) feet in width, shall be provided near the center and entirely across any block 900 feet or more in length where deemed essential to provide adequate pedestrian circulation or access to schools, shopping centers, churches, or transportation facilities.

**F. Lots.**

1. The size, shape and orientation of the lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. Lots should be designed to provide an esthetically pleasing building site and a proper architectural setting for the buildings contemplated.
2. Every lot or parcel shall front or abut a public street. Conventional lots shall maintain a minimum frontage of 66 feet to facilitate the possible development of a public right-of-way that could service additional lots. Cul-de-sac lots shall provide a minimum of 30 feet of frontage on a public street.
3. Lot width as measured from the building setback line and lot area for residential development shall conform to the requirements of the county zoning ordinance but shall not be less than specified below:

	Type 2 Subdivision (Served by Public Sewer)		Type 1 Subdivision (Not served by Public Sewer)	
	Area in Square Feet	Width in Feet	Area in Square Feet	Width in Feet
Lots located in shoreland areas	10,000	75	43,560	100
Lots not located in shoreland areas	8,000	60	43,560	100

Note: 1 acre = 43,560 sq. ft.

4. Side lot lines shall be substantially at right angles or radial to street lines.
5. Corner lots shall have an extra width of 10 feet over the minimum requirement to permit adequate building setbacks from side streets.
6. In case a parcel is subdivided into smaller parcels, such parcels shall be arranged as to allow the resubdivision of any such parcels into normal lots in accordance with the provisions of this chapter.

7. Lot lines shall follow political and zoning boundary lines rather than cross them.
8. Double frontage, or reverse frontage lots, shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least 10 feet shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use.
9. Depth and width of properties reserved or laid out for commercial or industrial use shall be adequate to provide for the off-street parking and service facilities required by the type of use and development contemplated.

#### **SECTION XIV – REQUIRED IMPROVEMENTS**

All subdivisions shall meet the requirements of this section.

- A. *Survey monuments.* The subdivider shall install survey monuments in accordance with the requirements of Section 236.15, of the Wisconsin Statutes.
- B. *Public water supply.* If public water service is available, water mains shall be installed so as to provide service to each lot within the subdivision.
- C. *Sewage disposal system.*
  1. In Type I subdivision, provision for private sewage disposal systems shall be as specified by the Wisconsin Administrative Code COMM 83 and the Dane County Sanitary Ordinance, chapter 46.
  2. In Type II subdivisions where public sanitary sewers are available at the time of platting, sanitary sewers shall be provided to each lot within the subdivision.
  3. In Type II Subdivisions where public sanitary sewers are not available at the time of platting, provision for private sewage disposal systems shall be as specified by the Wisconsin Administrative Code chapter COMM 83 and the County Sanitary Ordinance, chapter 46. In addition, the sanitary sewers shall be provided to each lot within the subdivision.
  4. For purposes of this chapter, determinations of whether sewer facilities will not be available to the subdivision within a period of two (2) years shall be made by the committee after review of sewer facilities, plans and programs affecting the area in which the subdivision is located.
- D. *Grading and surfacing.* All streets shall be graded and surfaced in accordance with plans, specifications and requirements of the Department of Transportation and the Wisconsin State Statutes. Surfacing is to include asphalt paving.
- E. *Storm water drainage facilities.* Storm water drainage facilities of a size and design that will adequately accommodate design volumes of flow and that will present no hazard to life or property shall be installed in accordance with plans and specifications approved by the committee.
- F. *Erosion control.* The subdivider shall cause all grading, excavations, open cuts, side slopes and other land surface disturbances to be mulched, seeded, sodded or otherwise protected so that erosion, siltation, sedimentation and washing are prevented. The committee may request the subdivider to submit an erosion control plan that specifies measures that will be taken to assure the minimization of erosion problems. The erosion control plan may be reviewed by the soil

conservation district to determine the adequacy of the proposed measures. Guidelines, standards and specifications contained within the publication “Minimizing Erosion in Urbanizing Areas” will provide a framework for the development, review and implementation of the erosion control plan.

- G.** *Street lights.* Street lights shall be provided in accordance with applicable town specifications.
- H.** *Street signs.* Street signs shall be provided in accordance with applicable town specifications.
- I.** *Installation of improvements.* The improvements specified herein shall be installed and approval of a final plat shall be given only after the work has been completed or there shall have been filed with the appropriate governmental jurisdiction or with the committee, one of the following:
  - 1.** A duly completed and executed continuing surety bond in an amount sufficient to complete the work with surety satisfaction to the appropriate governmental jurisdiction or with the committee.
  - 2.** A certified check, in an amount sufficient to complete the work, drawn on an approved bank and available to the appropriate governmental jurisdiction or the committee. As the work progresses the governmental jurisdiction or the committee may permit the exchange of said check for another check of sufficient amount to complete the remaining improvements agreed upon. If the improvements are not completed within the specified time, the governmental jurisdiction or the committee may use the bond or the certified check to complete the remaining work provided for.
  - 3.** Other collateral satisfactory to the appropriate governmental jurisdiction or the committee in an amount sufficient to complete the work.

#### **SECTION XV – VARIANCES**

- A.** Where the committee finds that unnecessary hardship may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done; provided that public interest is secured and that such variation will not have the effect of nullifying the intent and purpose of these regulations.
- B.** Any modifications or variance thus granted shall be entered in the minutes of the committee setting forth the reasons which, in the judgment of the committee, justified the modification or variance.

#### **SECTION XVI – FEES.**

- A.** The sub-divider(s) shall pay to the Town a fee amounting to One Hundred (\$100.00) Dollars plus Five (\$5.00) Dollars for each lot or parcel shown on the preliminary plat to assist in defraying the cost of reviewing the plat.
- B.** The sub-divider(s) shall pay to the Town prior to that approval of a final plat of a subdivision a fee to defray the cost of checking improvement plans and inspecting improvements amounting to One Hundred (\$100.00) Dollars plus Five (\$5.00) Dollars per lot as shown on the final plat.
- C.** If applicable, the sub-divider(s) shall pay the fee as set forth in Chapter Ten of this ordinance.

- D. The subdivider shall pay all engineering, inspection, consulting and legal fees incurred by the Town for services performed by or on behalf of the Town in conjunction with the design, inspection and review of any preliminary plat, certified survey, final plat, comprehensive development plan, or contract, with the drafting of legal documents, and with such inspections as the Town deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications and ordinances of the Town or any other governmental authority. Consulting, engineering, inspection and legal fees shall be the actual costs to the Town on the basis of submitted invoices plus twice (2x) the actual payroll costs for time spent by any employees of the Town. Such fees may be billed monthly, or upon completion of the project as determined by the Board.
- E. To guarantee payment of the engineering, inspection and attorneys fees, the subdivider shall deposit the sum of \$1,000.00 plus \$100.00 for each lot or parcel within the preliminary plate or certified survey with the Town Clerk-Treasurer at the time that the application for approval is first filed. If such fees are paid timely, the deposit will be refunded at the time that the final plat or certified survey is approved by the Town Board or thirty days after the preliminary plate, certified survey, or final plate is rejected. In the event that the subdivider fails to pay such fees within fourteen (14) days of the time when the Town submits its bill therefore, the Town may deduct the amount of such fees from the security deposit.

#### **SECTION XVII – VIOLATIONS AND PENALTIES**

Any person, firm or corporation who fails to comply with the provisions of these regulations shall, upon conviction thereof, be subject to penalties and forfeitures as provided in sections 236.30, 236.31, 236.32, 236.335 and 236.35 of the Wisconsin Statutes. Failure to comply with the requirements of this ordinance shall invalidate purported transfers of titles at the option of the purchaser in accordance with provisions of Section 236.31(3) WI Stats. Building permits shall also be refused for construction on sites created in violation of these requirements.

#### **SECTION XVIII – EFFECTIVE DATE**

This Ordinance shall be effective on day following proper publication and posting as required by Wisconsin Statutes and after adoption of this Ordinance by the Town Board.

Dated this 18<sup>th</sup> day of April, 2005

Posted: April 19, 2005

Brenda Kahl, Clerk/Treasurer  
Fran Tourdot, Supervisor  
Judy Laubmeier, Supervisor

Melvyn Bankes, Chair  
Mark Hellenbrand, Supervisor  
Terry Zander, Supervisor