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CHAPTER 15: SUBDIVISION AND PLATTING

15.0100 SUBDIVISION AND PLATTING

ARTICLE A: GENERAL PROVISIONS

15.0101 TITLE

This Chapter shall be known, referred to, and cited as, "The Land Subdivision Control Ordinance of the City of Marinette, Wisconsin."

15.0102 SUBDIVISION CONTROL

- A. That for the purpose of the present and future development of the City of Marinette, and for the promotion of the public health, and of the comfort, morals, safety, and general welfare of the persons living within the territory governed, the provisions and regulations hereinafter contained which shall govern the subdividing and platting of lands lying within the corporate limits of the City as now or hereafter existing, as well as the unincorporated area within three (3) miles of the corporate limits, or within the area of jurisdiction of the City Plan Commission as now or hereinafter established under the provisions of the statutes of the State of Wisconsin.
- B. For the purpose of this Chapter, the word "Subdivision" shall mean the dividing of a tract of land into two (2) or more lots, tracts, or sites for the purpose, either immediate or future, of sale or building development or re-subdivision for any such purpose. Any such subdivision shall be surveyed and a plat thereof approved and recorded as required by this Chapter and Chapter 236 of the Wisconsin Statutes.

15.0103 PLAT INVALID WITHOUT APPROVAL

No plat of any subdivision shall be valid nor entitled to record unless and until the same has been approved by the Common Council in accordance with the procedures hereinafter provided, and no plat of a subdivision shall be approved without compliance with the standards of design and improvements required as hereinafter set forth.

15.0104 RESERVED FOR FUTURE USE

15.0105 RESERVED FOR FUTURE USE

15.0106 RESERVED FOR FUTURE USE

15.0107 RESERVED FOR FUTURE USE

15.0108 RESERVED FOR FUTURE USE

15.0109 RESERVED FOR FUTURE USE

ARTICLE B: DESIGN STANDARDS

15.0110 STANDARDS OF DESIGN

The following requirements found in Section 14.0111 through 14.0119 are hereby adopted as the minimum standards of design of a subdivision, and of improvements required to be constructed or installed therein.

15.0111 MONUMENTS

The subdivision shall be monumented as required by Section 236.15 of the Wisconsin Statutes, which is hereby adopted by reference.

15.0112 SUBDIVISION TO COMPLY WITH ORDINANCES AND STATE RULES

A. City Ordinances

All applicable ordinances of the City of Marinette shall be complied with.

15.0113 MINIMUM DESIGN STANDARDS FOR STREETS

A. State Rules

All applicable rules of the State Board of Health, Department of Resource Development, and the State Highway Commission of the State of Wisconsin, pertaining to the development of lands, shall be complied with.

B. Streets

1. A public street or streets shall be provided to afford convenient access to all property within the subdivision. No private street or thoroughfare shall be permitted.
2. The proposed street system shall extend existing adjoining streets unless the extension thereof would not be practical.
3. Where, in the opinion of the Plan Commission, it is desirable to provide for street access to adjoining property, the proposed streets shall be extended by dedication to the boundary of such property.

C. Alleys

Alleys shall be continuous through block, and shall be provided at the rear of all lots or tracts intended for business, commercial or industrial use, and multiple family building use, but shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the Plan Commission of the need for alleys and approved by the Common Council.

D. Railroad Right-of-Way or Limited Access Highway

Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Plan Commission may require a street approximately parallel to and on each side of such right-of-way, and at a distance suitable for the appropriate use of such right-of-way, and at a distance suitable for the appropriate use of the intervening land as for park purpose in residential district or for commercial or industrial purposes in other districts.

E. Major Streets

Where a subdivision borders on or contains an existing or proposed major street, the Plan Commission may require marginal access streets be provided and that the back of lots abut the major streets and be provided with screen planting contained on a non-access reservation along the rear property line, that deep lots with rear service alleys be provided or that other provisions be made for the adequate protection of residential properties and the separation of through and local traffic.

F. Street Widths

The minimum width of right-of-way of a street, alley, or thoroughfare, measured between the lines of property abutting upon the right-of-way, shall not be less than the following:

1. Major Streets, being those to be used primarily for fast or heavy traffic, and shown on the Official Plan, through business or commercial areas, eighty to one hundred (80-100) feet as required.
2. Collector Streets - eighty (80) feet.
3. Residential Streets or Minor Streets - sixty-six (66) feet. Except Sixth Street from Cleveland Avenue to Edwin Street shall be fifty (50) feet.
4. Cul-de-sacs, which are permanent dead-end streets, not greater than six hundred (600) feet in length with permanent turn around having a diameter of not less than one hundred (100) feet - sixty-six (66) feet.
5. Alleys - twenty-four (24) feet.
 - (a) Dead-end alleys are prohibited except under very unusual circumstances, and crooked and "T" alleys shall be discouraged. Where dead-end alleys are unavoidable, they shall be provided with adequate turn around facilities at the dead end.
 - (b) In the case of the extension of an existing adjoining right-of-way having a width less than the minimum requirement, the Plan Commission may approve the extension thereof at the same width.
 - (c) The entire right-of-way shall be provided where any part of the subdivision is on both sides of the right-of-way.
 - (d) When the subdivision is located on only one side of an existing right-of-way, which is less than the required width, the subdivider shall dedicate additional right-of-way to meet the requirement, but not exceeding one-half (1/2) of the total required width.
 - (e) In cases where topography or other conditions make the dedication of a street or part thereof of the required minimum width impractical, the Plan Commission may modify the above requirements.

G. Street Grades

Grades of major streets shall not exceed five percent (5%). Grades of other streets shall not exceed seven percent (7%).

H. Curves in Streets

Curves in streets shall be permitted provided no curve shall be greater than that approved by City as reasonably safe for traffic at the particular location of the curve.

I. Intersections

1. Street jogs with center line offsets of less than one hundred twenty-five (125) feet shall not be permitted if the same can be reasonably avoided.
2. Streets shall intersect as near as possible at right angles.
3. Not more than two (2) streets shall intersect at one point unless approved by the Common Council.

J. Street Names

Proposed streets which are obviously in alignment or continuation of existing streets already named, shall bear the name of such existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, road, boulevard, drive, place, or court, or an abbreviation thereof.

15.0114 MINIMUM DESIGN STANDARDS FOR BLOCKS

- A. Blocks shall not be less than four hundred (400) feet nor more than one thousand, four hundred (1,400) feet in length, except as the Plan Commission considers necessary to secure efficient use of land or desired features of the street pattern.
- B. In blocks nine hundred (900) feet or more in length, the Plan Commission may require a public crosswalk for pedestrian travel, of not less than ten (10) feet in width, to extend entirely across the block at the location deemed necessary.
- C. Blocks shall be wide enough to allow two (2) tiers of lots, except where fronting on major streets or prevented by topographical conditions or size of the property, in which case the Plan Commission will approve a single tier of lots.

15.0115 MINIMUM DESIGN STANDARDS FOR LOTS

- A. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial curved street lines.
- B. Every lot shall front on a public street. Lots with access only to private drives or streets shall be permitted only with Plan Commission approval.

- C. Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from traffic arteries or to overcome specific disadvantage of topography and orientation.
- D. Residential lots served by a public sewerage system and public water supply system, shall not be less than sixty (60) feet in width, and not less than seven thousand, two hundred (7,200) square feet in area. Corner lots shall have a minimum frontage of seventy-five (75) feet.
- E. Residential lots not served by a public sewerage system and public water supply system shall not be less than ninety (90) feet in width nor less than one-quarter (1/4) acre in area; provided a greater area may be required for such lots if, in the opinion of the Wisconsin Department of Resource Development, there are factors of drainage, soil conditions, or other conditions which cause potential health problems. The Plan Commission may require that data from percolation and other tests be submitted as a basis for passing upon proposed subdivisions depended upon septic tanks as a means of sewerage disposal or private source of water supply.
- F. The size of lots or tracts laid out and intended for business or multiple family use shall be adequate to provide for off-street service and parking facilities required by the type of use and development contemplated. The size and width of lots shall in no case be less than the minimum requirements of the Zoning Ordinance of the City of Marinette.

15.0116 BUILDING SETBACK LINES

The minimum depth of building setback lines from the street need not be greater than the requirements fixed by the Zoning Ordinance of the City of Marinette, except on corner lots in a residence block there shall be a building setback line of at least twenty-five (25) feet from the street line on the side street.

15.0117 EASEMENTS

- A. Where no alleys are provided, there shall be dedicated easements of not less than six (6) feet in width for poles, wires, conduits, storm and sanitary sewer, gas, water or other utility pipes or lines, along the rear of each lot, and along the side lot lines where necessary. In the event of a single tier of lots then a minimum of ten (10) feet shall be dedicated. The easements shall be so laid out that a proper continuity may be had for such utilities from lot to lot and from block to block.
- B. Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the center line of such watercourse and of adequate width to provide for the maximum potential volume of flow and to provide for ingress and egress for purposes of maintenance. Wherever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks.

C. No buildings shall be constructed upon the easements.

15.0118 DEDICATION OF PUBLIC LANDS

Whenever a proposed subdivision has an area of six (6) acres or more (exclusive of public streets and thoroughfares), the subdivider may be required to dedicate a reasonable area therein for future school, park, playground, recreational, or other public purposes, such area so dedicated shall be in addition to all dedications for public streets and thoroughfares. In determining the area to be so dedicated as public grounds, the Plan Commission shall give due consideration to the present and anticipated density of population within such subdivision and to the present and future prospective public requirements for such public grounds, provided that no subdivider shall be required to dedicate as public grounds for the aforesaid purpose more than one (1) acre per fifteen (15) proposed dwelling units, exclusive of easements, public streets, and ways contained within such subdivision.

15.0119 PRESERVATION OF NATURAL FEATURES

In all subdivisions due regard shall be given to the preservation of natural features such as large trees, watercourses, historical, and similar community assets, which if preserved, will add attractiveness and value to the property.

15.0120 REQUIRED IMPROVEMENTS

The following requirements found in Sections 14.0122 through 14.0135 are hereby adopted as the minimum standards of design of a subdivision, and of improvements required to be constructed or installed therein.

15.0121 STORM DRAINS

The subdivider shall provide drainage for all surface water through and/or from the proposed area as shown on the plat, consisting of storm sewer mains, catchbasins, inlets and other appurtenances that will adequately drain the subdivision and protect roadway pavements, and will prevent the accumulation of storm water at any place under normal conditions. Minimum storm sewer main size shall be not less than twelve (12) inches; all of which shall be pursuant to plans and specifications which have been approved by the City Engineer of the City of Marinette.

15.0122 SANITARY SEWERS

- A. When located within the service area of a public sanitary sewerage system, the subdivider shall install adequate sanitary sewer facilities and these shall be constructed throughout the entire subdivision in such a manner as to serve all lots and tracts adequately with connection to such public system, pursuant to plans and specifications which have been approved by the City Engineer.
- B. Where lots cannot, economically or for other reasons, be connected with a public sewerage system, provisions must be made for sanitary sewerage facilities approved by the Wisconsin Department of Resource Development and Plan Commission of the City of Marinette.

15.0123 WATER SUPPLY

- A. When located within the service area of a public water supply system, the subdivider shall install an adequate water distribution system throughout the entire subdivision, in such manner as to serve adequately all lots and tracts with connection to such public system as directed by the City Engineer, together with shutoff valves and fire hydrants; fire hydrants shall be installed throughout entire water system, at intervals of not exceeding four hundred (400) feet. All fire hydrants shall be provided in accordance with Marinette Waterworks specifications.
- B. Where lots cannot, economically or for other reasons, be connected with a public water supply system, provision must be made for a water supply suitable for domestic use approved by the City of Marinette Health Department.

15.0124 HOUSE SERVICES

- A. House services shall be constructed to connect with the utility service mains constructed within any street or thoroughfare, to serve each adjoining lot, tract, or building site; such house services shall extend from the main to the property line, and at least four (4) feet beyond the outside lines of proposed alley pavement.
- B. All such house services connected with utility mains constructed within any street or thoroughfare, shall be located at the approximate center line of each lot, and no deviation shall be made from this requirement except upon prior approval by the Engineer of the City of Marinette.
- C. Upon completion of the construction in place of all such house service connections with utility mains, an accurate map or maps showing the exact location of all such mains, together with manholes, shutoff valves, and other similar facilities being a part thereof, by distances in feet from street lines, and of all such house service connections in distances in feet from the side lot lines, approved by the Engineer of the City of Marinette, shall be filed in the Office of the City Clerk and of the City Engineer.

15.0125 STREET PAVEMENT

- A. All streets within the subdivision shall be improved with a durable hard surface roadway. The pavement shall be equal to, or superior to, a pavement consisting of a base course of crushed stone or gravel of a total thickness of not less than eight (8) inches when thoroughly compacted. The materials used and the method of construction shall be in compliance with the specifications approved by the State Highway Commission of the State of Wisconsin for the type of pavement designated as Bituminous Concrete Pavement in said specifications, and shall be a minimum of three (3) inches in thickness.
- B. The minimum width of the paved roadway, face to face of curb shall be as follows:

1. On residential and minor streets, not less than thirty-six (36) feet;
 2. On major streets, not less than forty-four (44) feet;
 3. On streets through business areas, not less than fifty (50) feet.
- C. Before any paving work is commenced, all street grading shall be properly completed as shown on the Grading Plan submitted with Final Plat of subdivision.
- D. After grading of the streets is completed and approved, and before the base course of the roadway is laid, all of the underground work, such as sewer, water, gas mains, house service connections therewith, and any underground conduits for electric and telephone lines, shall be completely installed in place and approved.
- E. The surface course of the roadway pavement shall not be laid for a period of one (1) year or until the backfilling of all trenches dug for the installation of the aforementioned utility services have completely settled, or compacted, to the satisfaction of the Engineer of said City of Marinette.
- F. Before the surface course of the roadway pavement is laid, all depressions in the base course shall be properly filled and brought to the required grade so as to create a level surface.

15.0126 ALLEY PAVEMENT

All alleys shall be improved with a roadway consisting of not less than six (6) inches when thoroughly compacted of crushed stone or gravel, of the following widths:

- A. Through residence blocks, not less than eighteen (18) feet.
- B. Through business areas, not less than twenty (20) feet.

15.0127 CURB AND GUTTER

A suitable Portland Cement Concrete curb and gutter shall be constructed along the outside lines of all street pavements. The type of curb and gutter shall be subject to the approval of the Board of Public Works and City Engineer of said City of Marinette.

15.0128 SIDEWALKS

- A. If the property subdivided is located within the corporate limits of the City of Marinette, or immediately adjacent thereto, sidewalks may be required by the Plan Commission if in their opinion sidewalks are essential or advisable by reason of existing sidewalks on adjoining streets.
- B. Sidewalks, whether required or optional, shall be constructed in accordance with the specifications approved and used by the City of Marinette for sidewalk construction. The entire cost of such sidewalk installation, including all work at corners and intersections, shall be borne by the subdivider.

15.0129 STREET LIGHTING

Street lighting shall be provided throughout the subdivision by the subdivider, and shall be installed subject to the approval of the Common Council of the City of Marinette.

15.0130 STREET SIGNS

An appropriate street sign shall be erected at each street intersection by the subdivider within the subdivision. The type of sign and the location thereof shall be subject to the approval and direction of the Superintendent of Public Works of the City of Marinette.

15.0131 TREES

If any trees are proposed by the subdivider to be planted on any part of the subdivision devoted to public use, the species of trees and the location thereof shall be subject to the approval and direction of the Director of Parks and Recreation of the City of Marinette.

15.0132 LOT GRADING

Lots within the block or area to be developed shall be graded prior to proceeding with home construction and the issuing of permits in accordance with an approved grading plan submitted by the subdivider and approved by the City Engineer and Plan Commission. Due consideration shall be given by the subdivider in providing proper drainage of the lots either by swales and/or storm sewer drainage. No deviation of this grading plan in elevation from that approved shall be allowed except by permission of the City Engineer and Plan Commission.

15.0133 INSPECTION OF REQUIRED IMPROVEMENTS

All public improvements to be made under the provisions of this ordinance shall be inspected during the course of construction by the City Engineer of the City of Marinette, or other competent persons appointed by the Common Council. The compensation for such inspection and other costs incurred in connection with such inspection shall be paid by the subdivider to the City of Marinette. The final completion of all such improvements shall be subject to the approval thereof by the City Engineer and the Board of Public Works of the City of Marinette.

15.0134 SECURITY GUARANTEEING PERFORMANCE

Prior to final approval of a subdivision plat, a certified check, cash deposit, or other satisfactory security guaranteeing the performance of the work required to be done by the subdivider under the provisions above, shall be deposited with the City Clerk. The amount to be deposited shall be in accordance with the estimated construction costs as determined by the City Engineer. The actual cost of all improvements required shall be paid by the subdivider, including the additional charge for engineering inspection and administrative fees.

15.0135 VARIANCE IN DESIGN STANDARDS OR REQUIRED IMPROVEMENTS

Where the subdivider can show that a provision of the standards or design or required improvements as set forth in Sections 14-1-10 through 14-1-35 would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site or surrounding condition, and in the opinion of the Plan Commission subject to approval of the Common Council, a departure may be made without destroying the intent of such provisions, the Plan Commission may approve a variance. Any variance approved shall be stated in writing the minutes of the Plan Commission with the reasoning set forth upon which the variance was considered justified.

15.0136 RESERVED FOR FUTURE USE

15.0137 RESERVED FOR FUTURE USE

15.0138 RESERVED FOR FUTURE USE

15.0139 RESERVED FOR FUTURE USE

ARTICLE C: SUBMISSION AND APPROVAL OF SUBDIVISIONS

15.0140 SUITABILITY OF LAND FOR SUBDIVIDING

- A. Lands subject to flooding, and land deemed to be topographically unsuitable should not be subdivided for residential purposes, nor for such other uses as may increase danger to health, life, or property, or aggravate erosion or flood hazard.
- B. The Plan Commission shall not approve the subdivision of land if upon adequate investigation conducted by the Plan Commission and the opinion of the Engineer of said City, it has been determined by the Plan Commission that in the best interest of the public the site is not suitable for subdivision and development of the kind proposed.

15.0141 ACCEPTANCE OF STREETS AND OTHER IMPROVEMENTS BY THE CITY

- A. If any plan of subdivision contains public streets or thoroughfares which are therein dedicated as such, whether located within the corporate limits of the City of Marinette or outside thereof, or contains existing streets outside of said corporate limits, the approval of the plat by the Common Council, or the subsequent annexation of the property to the City of Marinette shall not constitute an acceptance by the City of such streets or thoroughfares nor of the improvements constructed or installed thereon or therein, irrespective of any act or acts by any officer, agent, or employee of the City of Marinette with respect to such streets or improvements. The acceptance of such streets or thoroughfares shall be made only by the adoption of a resolution by the Common Council after there has been filed with the City Clerk a certificate by the Engineer of said City of Marinette certifying that all improvements required to be constructed or installed in or upon such streets or thoroughfares in connection with the approval of the plat of subdivision by the Common Council of the City of Marinette have been fully completed and the construction or installation thereof has been approved by him.
- B. No permanent connection shall be made or maintained with the sanitary or storm sewer or water supply systems of the City to serve property within the subdivision until the certificate by the Engineer of the City of Marinette as hereinabove provided has been filed, and not until any money owing to the City of Marinette for permit fees for the connections with said systems or any of them have been paid.

15.0142 PROCEDURE FOR APPROVAL OF SUBDIVISION

The steps and proceedings hereinafter set forth are hereby adopted as the procedure to be followed for the approval of a subdivision of lands.

- A. Preliminary Plat and Plan
When any owner of land lying within the corporate limits of the City of Marinette or within the area of jurisdiction of the Marinette Plan

Commission desires to subdivide such lands, the owner shall submit to the Plan Commission a preliminary plat, with such copies as shall be required, to the City Clerk who shall forward copies thereof to the State Director of Regional Planning as required by Section 236.12 of the Wisconsin Statutes. The preliminary plat shall be drawn to a scale of not less than one hundred (100) feet to the inch with supporting sheets which shall constitute a part thereof, showing the proposed plan of subdivision. Such plat shall show, and give the following information insofar as possible.

1. Date, scale, and north point;
2. The boundaries of the proposed subdivision and the distances between corners; the total acreage contained therein;
3. The name of the proposed subdivision; the name and address of the owner; and the name and address of the engineer who prepared the plat;
4. The location of existing corporate boundary lines at or near the proposed subdivision;
5. The character of the lands immediately adjoining the proposed subdivision, showing the subdivision thereof if subdivided, and the location and dimensions of public streets, alleys, public utility easements, street pavements, sanitary sewer mains, storm water mains, water supply mains, if any, adjoining the proposed subdivision;
6. The then zoning classification, under the City of Marinette;
7. The location within the proposed subdivision, of any existing public streets, alleys, public utility easements, street pavements, sanitary sewer mains, storm sewer mains, water supply mains, watercourses, bridges, culverts, and similar facilities; the location of existing buildings, if any;
8. The names, location, widths and other dimensions of proposed streets, alleys, easements, parks, playgrounds and other open spaces proposed to be dedicated for public use;
9. The blocks and lots into which the project is proposed to be subdivided, with the dimensions and building setback line shown thereof;
10. Contours at vertical intervals of not more than two (2) feet, except when specifically not required by the Plan Commission;
11. The water elevation of adjoining lakes or streams at the date of the survey and the approximate low and high water elevations of such lakes or streams shall be referred to some permanent established datum plane;

12. A general description of the type, kind, character and extent or required improvements proposed to be constructed or installed.
13. Summary of all restrictions or covenants intended to be imposed by the final plat or by deeds of conveyance as to the use of all property within the subdivision, including area of buildings for residence use, if any.
14. Such other information or data that the Plan Commission may require for the full and complete consideration of the proposed plan of subdivision.

B. Plan Commission Action on Preliminary Plat

1. The Plan Commission shall, after receiving the preliminary plat, consider the proposed plan of subdivision as represented by such plat, and shall thereupon approve or disapprove the same. If the proposed plan of subdivision is not satisfactory as presented, the Plan Commission may permit the subdivider to make the changes and additions required by the Plan Commission to meet the requirements of this ordinance.
2. The Plan Commission shall render a decision on the preliminary plat within forty-five (45) days of submission of the documents.

C. Disapproval of Preliminary Plat

If the proposed plan of subdivision as shown by said preliminary plat is finally disapproved, the original plat shall be returned by the Plan Commission to the subdivider, with a written statement of the reasons for or such disapproval.

D. Approval of Preliminary Plat

1. If the proposed plan of subdivision as shown by said preliminary plat is finally approved, the original plat and one (1) print or copy of the plat shall be endorsed by the Plan Commission as follows:

The proposed plan of subdivision as shown on this plat and accompanying documents, has received tentative approval by the Plan Commission of the City of Marinette, and said Plan Commission is now ready to receive the Final Plat for consideration.

Dated: _____

Plan Commission

By: _____

Chairman

2. The original of the preliminary plat, so endorsed, shall remain on file with the Plan Commission, and the copy of the plat so endorsed shall be returned to the subdivider.

E. Submission of Final Plat

1. After approval by the Plan Commission of the preliminary plat, the subdivider shall, within six (6) months thereafter, submit to the City Clerk a final plat of the subdivision, in final form for recording, which shall be in strict accordance with the preliminary plat as approved by the Plan Commission, together with such copies as shall be required.
2. The City Clerk shall forward the plat to the Plan Commission and shall forward copies of the plat to the Director of Regional Planning as required by Section 236.12 of the Wisconsin Statutes. Provided, if desired by the subdivider, the final plat may constitute only that portion of the approved preliminary plat which he proposed to record and develop at the time, and provided further, that such portion conforms in all respects to all matters and things included in the preliminary plat and plan insofar as they appertain to the portion of the entire subdivision which is desired to be developed at that time.
3. However, if approval of the preliminary plat must be obtained from another approving authority subsequent to approval by the Plan Commission, the final plat shall be submitted within six (6) months of such approval.
4. Said final plat shall be drawn in black ink on tracing cloth to a scale of not less than one hundred (100) feet to one (1) inch. It shall specifically show the following:
 - (a) Date, scale, and north arrow.
 - (b) The name or names of the owners of the property.
 - (c) The name of the registered land surveyor who prepared the plat and the date thereof.
 - (d) The legal description of the property subdivided.
 - (e) Boundary of the plat, based on accurate traverse, with angular and linear dimensions.
 - (f) Location of all permanent monuments.
 - (g) All other measurements, dimensions, data, and certificates as required by Section 236 of the Wisconsin Statutes.
 - (h) On any such plat showing a tract or tracts dedicated for park, playground, or similar public use, if such tract or tracts are not located within the corporate limits of the City of Marinette, the certificate of dedication shall provide that the future official act of annexation of such tract or tracts to the City of Marinette, shall constitute a transfer of the title to such tract or tracts to the City of Marinette, for such public use.

F. Supporting Documents With Final Plat

The following supporting documents and data, in quadruplicate, shall be submitted to the Plan Commission with said final plat:

1. Grading plan and profiles showing the existing center line elevations of all streets and alleys in the subdivision and the center line elevations of pavements to be constructed. Elevations shall be referred to some permanent bench mark. Profiles shall be drawn to a horizontal scale of fifty (50) feet to one (1) inch and vertical scale of five (5) feet to one (1) inch;
2. A detailed statement by the subdivider setting forth the nature, kind, character, and extent of all the improvements that will be constructed in the subdivision, together with complete plans, profiles, and specifications clearly describing the same, with agreement to construct the same in accordance therewith, at his own expense, with the time limit fixed by the Plan Commission and Common Council.
3. A statement by a competent registered engineer giving an estimate of the total cost of the construction or installation of all such improvements, including the cost of engineering and inspection.
4. A certificate by the Engineer of the City of Marinette, certifying that the improvements described in the subdivider's statement and as shown by the plans, profiles and specifications, meet the minimum requirements of this ordinance, and that the estimate of cost of construction and installation in his opinion is substantially correct.
5. A duly executed completion bond by the subdivider, with corporate surety, to be approved by the Common Council, and filed with the City Clerk of the City of Marinette, in an amount equal to the estimate of the costs of construction of all said improvements, certified by the City Attorney of said City of Marinette, as good, valid and enforceable by the City of Marinette, securing the satisfactory completion of all said improvements in accordance with the description, plans, profiles and specifications submitted by the subdivider and approved by the Plan Commission.

G. Approval of Final Plat by Plan Commission

1. When the Plan Commission has approved the final plat, the following shall be written or stamped upon such plat and the two (2) prints or copies thereof:

Approved by the Plan Commission of the City of Marinette, this day _____ of _____ A.D.

Chairman

2. The Plan Commission shall refer final plat to the Common Council of the City of Marinette within thirty (30) days of its submission, unless the time is extended by the Council, together with a letter of recommendation calling the Council's attention to all variances (if any) approved by the Plan Commission and setting forth its reason for approving such variances, and together with the originals and one (1) copy of all supporting documents presented to the Plan Commission. One (1) approved print or copy of the final plat and one (1) copy of all supporting documents submitted therewith, shall remain on file with the Plan Commission.

H. Approval of Final Plat by Common Council

1. (1)When and if the Common Council is satisfied with the final plat and with all improvements, conditions, and documents pertaining to the subdivision, the Council shall by resolution approve the said plat and authorize and direct the Mayor and Clerk to sign the plat for and in the name of the City of Marinette and attach thereto the Corporate Seal.
2. (2)The Council shall approve or reject the final plat within sixty (60) days of its submission, unless the time is extended by agreement with the subdivider. Reasons for rejection shall be stated in the minutes of the Council meeting, a copy thereof or a written statement of the reasons supplied the subdivider.

I. Recording of Final Plat

The said City Clerk shall retain such final plat so approved, and upon payment by the subdivider to the Clerk of the estimated costs of recording, he shall record the plat in the Office of the Register of Deeds of Marinette County, Wisconsin. The supporting documents transmitted with said final plat to the Common Council shall be filed in the Office of the City Clerk. Said final plat, after recording, shall remain on file in the office of the City Clerk. The print or copy of the final plat, with copy of the approval thereof by the Common Council, and one (1) copy of all supporting documents, shall be delivered to the subdivider.

15.0143 COMMON COUNCIL APPROVAL OF SUBDIVISION OF SMALL TRACTS

A. Certified Survey

When there is presented to the Common Council for approval a plat of subdivision or re-subdivision of a small tract of land or outlot, if the Council, after consideration thereof and recommendation thereon by the Plan Commission, is of the opinion that the intent and purpose of the provisions of this ordinance are not violated by such plat, the subdivider may then subdivide by use of a Certified Survey Map. Pursuant to Wis.

Stats. Sec. 236.45(2)(am), this ordinance, insofar as it may apply to divisions of less than 5 parcels, shall not apply to:

1. Transfers of interests in land by will or pursuant to court order;
2. Leases for a term not to exceed 10 years, mortgages or easements.
3. The sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by this chapter or other applicable laws or ordinances; or
4. Such other divisions exempted by this ordinances.
(Ord. 2016-2349 adopted 4-6-16)

B. Map

The subdivider shall file five (5) copies of a certified survey map, complying in all respects with the requirements of Section 236.34 of the Wisconsin Statutes, with the Plan Commission, which shall within forty-five (45) days approve or reject the map. The subdivider shall be notified in writing of any conditions of approval or reasons for rejection.

C. Requirements

The map shall show correctly on its face, in addition to the information required by Section 236.34 of the Wisconsin Statutes, the following:

1. All existing buildings, watercourses, drainage ditches, and other features pertinent to proper subdivisions.
2. All lands reserved for future acquisition.
3. A clear and concise description of the land surveyed.

D. Certificates

1. The map shall include the affidavit of the surveyor who surveyed and mapped the parcel and, furthermore, included in the affidavit the statement of the registered surveyor to the effect that he has fully complied with the requirements of this section.
2. The certificate of approval shall be typed or reproduced legibly with India ink on the face of the map.
3. The subdivider shall file with the Register of Deeds the certified map.

15.0144 BUILDINGS WITHIN PROPOSED MAJOR STREET EXTENSIONS

After the effective date of this ordinance, no permanent building or structure shall be erected within the extended street lines of the proposed extensions of major streets as shown on the Master Plan of the City of Marinette.

- 15.0145 RESERVED FOR FUTURE USE**
- 15.0146 RESERVED FOR FUTURE USE**
- 15.0147 RESERVED FOR FUTURE USE**
- 15.0148 RESERVED FOR FUTURE USE**
- 15.0149 RESERVED FOR FUTURE USE**

ARTICLE D: FEES, COST OF IMPROVEMENTS, AND ENFORCEMENT

15.0150 FEES

A. General

The subdivider shall pay the City all fees as hereinafter required and at the times specified.

B. Preliminary Plat Review Fee

The subdivider shall pay a fee amounting to Fifteen Dollars (\$15.00) plus One Dollar (\$1.00) for each lot or parcel within the preliminary plat to the City Treasurer at the time of first application for approval of any preliminary plats to assist in defraying the cost of review.

C. Reapplication Fee

A reapplication fee amounting to Five Dollars (\$5.00) shall be paid to the City Treasurer at the time of reapplication for approval of any preliminary plat which has previously been reviewed.

D. Improvement Review Fee

The subdivider shall pay a fee equal to one percent (1%) of the cost of the required public improvements as estimated by the City Engineer at the time of the submission of improvement plans and specifications to partially cover the cost to the City of checking and reviewing such plans and specifications.

E. Recomputed Fee

Fee may be recomputed, upon demand of the subdivider or City Engineer, after completion of improvement construction in accordance with the actual cost of such improvements and the difference, if any, shall be paid by or remitted to the subdivider. Evidence of cost shall be in such detail and form as required by the City Engineer.

F. Inspection Fee

The subdivider shall pay a fee equal to the actual cost to the City for such inspection as the City Engineer deems necessary to assure that the construction of the required improvements in compliance with the plans, specifications, and ordinances of the City or any other governmental authority.

G. Final Plat Review Fee

The subdivider shall pay a fee amounting to Seven and 50/100 Dollars (\$7.50), plus Fifty Cents (\$0.50) for each lot or parcel within the final plat to the City Treasurer at the time of first application for approval of said plat to assist in defraying the cost of review.

H. Final Reapplication Fee

A reapplication fee amounting to Five Dollars (\$5.00) shall be paid to the City Treasurer at the time of a reapplication for approval of any final plat which has previously been reviewed.

I. Public Site Fee

If the subdivider has elected not to dedicate public lands within his plat as provided in Section 14.0118, a fee for the acquisition of public sites to serve the future inhabitants of the proposed subdivision shall be paid to the City Treasurer at the time of first application for approval of a final plat of said subdivision in the amount of One Hundred Dollars (\$100.00) for each dwelling unit within the plat allowed by the Zoning Ordinance.

J. Public Site Fees

Public site fees shall be placed in a separate service district fund by the City Treasurer to be used only for the acquisition of park and school sites which will serve the proposed subdivision. Said fund shall be established on the basis of the service area of existing or proposed school and park facilities.

K. Administrative Fee

The subdivider shall pay a fee equal to the cost of any legal, administrative, or fiscal work which may be undertaken by the City in connection with the plat.

L. Legal Work

Legal work shall include the drafting of contracts between the City and the subdivider.

M. Certified Survey Map Fee

Repealed. See MMC Section 9.1302 Schedule A.

15.0151 COST OF IMPROVEMENTS

The improvements for the construction of utilities and street construction subdivisions shall be as follows:

A. Streets

Gravel streets to be placed by the subdivider. The subdivider shall pay the total cost for the placement of bituminous concrete surface with Portland cement concrete curb and gutter.

B. Street Signs

The City of Marinette shall supply and place necessary street signs at City expense.

C. Sanitary Sewer

The subdivider shall pay the total cost of the placement of sanitary sewer up to an eight (8) inch line. If sizes larger than eight (8) inches are requested by the City, the City will pay the difference in cost between the larger size and an eight (8) inch line.

D. Storm Sewer

The subdivider shall pay the total cost of the placement of storm sewer.

E. Water Main

The subdivider shall pay the total cost of water main improvements including pipe sizes up to and including a six (6) inch main. If sizes larger than six (6) inches are requested by the City, the City will pay the difference in cost between a larger line and a six (6) inch line.

F. Street Lights and URD Service

All new subdivisions shall be supplied with URD service and street lights, with placement to be at the expense of the subdivider. The Plan Commission may, at their discretion, waive the requirement, dependent upon adjacent usage.

G. Method of Payment-Subdivisions

The subdivider is allowed three (3) years in which to complete payment of construction charges, with eight percent (8%) interest on the unpaid balance within that time.

15.0152 CHANGES AND AMENDMENTS OF REGULATIONS

The Plan Commission shall from time to time prepare and recommend in writing to the Common Council such changes or additions to the provisions and regulations herein contained for subdivision control, as the Plan Commission may deem necessary or advisable. Such changes or additions shall become effective after their adoption by the Common Council of the City of Marinette by its passage of an amendment to this ordinance.

15.0153 DIVISION OF LANDS WITHOUT PLATTING UNLAWFUL

From and after the effective date of this ordinance, no lot or tract of land located within the City of Marinette, Wisconsin, or within the area of jurisdiction of the Marinette Plan Commission, and which contains an area of more than one-half (1/2) acre, shall be divided or re-divided in any manner into two (2) or more lesser tracts for building site purposes, without subdividing or re-subdividing and platting such tract in the manner provided by the Statutes of the State of Wisconsin.

15.0154 ENFORCEMENT OF CHAPTER

The Council of the City of Marinette by resolution, shall appoint the enforcing officer of this ordinance, and it shall be his duty to enforce the provisions hereof. The enforcing officer may call upon any department or official of the City of Marinette to furnish him with such information and assistance as he may deem necessary for the observance or enforcement of this ordinance, and it shall be the duty of such department or officer to furnish such information and assistance whenever required.

15.0155 INTERPRETATION

In their interpretation and application, the provisions of this Chapter shall be held to be minimum requirements and shall be liberally construed in favor of the City,

and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

15.0156 PENALTY

Any person or corporation who shall violate any of the provisions of this Chapter shall be subject to punishment by a fine of not less than Twenty-five Dollars (\$25.00) nor more than One Thousand Dollars (\$1,000.00) for each violation; and each day that such violation continues after such fine has been assessed shall constitute a separate offense.