

ARTICLE III. GENERAL PROVISIONS

Sec. 3.1. General Provisions.

(a) No person shall divide any land located within the jurisdictional limits of this Ordinance which results in a subdivision, land division or a replat; no such subdivision, land division or replat shall be entitled to record; and no street shall be laid out or improvements made to land without compliance with all requirements of this Ordinance and the following:

- (1) The provisions of Wis. Stats. §236 and Wis. Stats. §80.08 or as amended from time to time.
- (2) The rules of the State Department of Transportation contained in Wis. Administrative Code Trans. 233, which about a state trunk highway or connecting street.
- (3) The rules of the Department of Commerce relating to subdivisions not served by public sewer.
- (4) The rules of the Wisconsin Department of Natural Resources contained in Wis. Administrative Code for Floodplain Management Programs, Wisconsin's Shoreland-Wetland Management and the Village of Kronenwetter Zoning Code.
- (5) All applicable local and county ordinances and regulations and applicable ordinances of any city or village whose extraterritorial jurisdiction extends into the Village.
- (6) The Village of Kronenwetter Comprehensive Plan and plan components.
- (7) All applicable rules contained in the Wisconsin Administrative Code not listed in this Ordinance.

(b) Jurisdiction of this Ordinance shall include all lands within the Village of Kronenwetter. The provisions of this Ordinance, as they apply to divisions of tracts of land into less than four (4) 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 ten years, mortgages or easements; and

(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 article or other applicable laws or ordinances.

(c) Any division of land other than a subdivision as defined in this Ordinance shall be surveyed and a Certified Survey Map prepared as provided in accordance with this Ordinance.

(b) The Village shall not issue any building permit authorizing the building on or improvement of any parcel of land not on record as of the effective date of the ordinance from which this Ordinance is derived until the provisions and requirements of this Ordinance have been met.

Sec. 3.2. Land Suitability.

(a) No land shall be divided for any use, which is held unsuitable for such use by the Village Board, upon the recommendation of the Plan Commission, for reason of flooding, inadequate drainage, adverse soil or rock formation, unfavorable topography or any other feature likely to be harmful to the health, safety or welfare of the future residents of the proposed subdivision or the community. The Village Board, in applying the provisions of this Ordinance, shall in writing recite the particular facts upon which the Board bases its conclusion that the land is not suitable for residential or commercial use and afford the subdivider an opportunity to present evidence regarding such unsuitability if so desired. Thereafter the Village Board may affirm, modify or withdraw its determination of unsuitability.

(b) Except as provided herein, the Plan Commission shall make a general determination regarding land suitability at the time of pre-application conferences. The subdivider shall furnish such maps, data and information as may be necessary to make a determination of land suitability. In addition to the data and information required to be submitted with the Preliminary Plat or Certified Survey Map, the subdivider may be required to submit some or all of the following additional information for development located in an area where flooding

or potential flooding may be a hazard:

- (1) A map prepared by a registered land surveyor or engineer which accurately locates the proposed development with respect to floodplain limits, if present, channel or stream fill limits and elevations and flood-proofing measures proposed to be taken.
 - (2) Such other data as may be required by the Village or County.
- (c) When a proposed land division is located in an area where flooding or potential flooding may be a hazard, the Plan Commission may transmit the subdivision to Marathon County Zoning and request technical assistance in determining whether the land is suitable or unsuitable for the use proposed.
 - (d) Where a proposed land division is located wholly or partly in an area where flooding or potential flooding may be a hazard, the applicable county ordinances shall apply.
 - (e) The subdivider may, as part of the pre-application procedure, request a determination of land suitability providing that the subdivider shall submit all necessary maps, data and information for such a determination to be made.
 - (f) The subdivider shall make reasonable efforts to protect and retain existing trees, shrubbery, vines and grasses not actually lying in public roadways, utilities, drainage ways, building foundation sites, driveways and on-site soil absorption areas. Such trees should be protected and preserved during construction in accordance with sound conservation practices.
 - (g) Suitability of land for private sewerage systems shall be determine in accordance with Wisconsin Department of Commerce and Marathon County requirements.

Sec. 3.3. Organization.

- (a) The following offices of the Village are concerned with the administration of this Ordinance.
 - (1) *The Village Board.* The Village Board is vested with the following responsibilities in regard to subdivision control:

- a. Approval or disapproval of all Preliminary Plats, Final Plats and Certified Survey Maps referred to it by the Plan Commission.
 - b. Amend the regulations of this Ordinance when found necessary and desirable, as hereinafter provided.
 - c. Institute appropriate proceedings to enforce the provisions of this Ordinance.
- (2) *The Village Plan Commission.* The Plan Commission shall administer the provisions of this Ordinance and in addition thereto, and in furtherance of said authority, shall:
 - a. Maintain permanent and current records of this Ordinance, including amendments thereto.
 - b. Receive and file all Preliminary Plats, Final Plats and Certified Survey Maps.
 - c. Forward copies of the Preliminary Plat, Final Plat and Certified Survey Maps to other appropriate offices and agencies for their written recommendations and reports.
 - d. Forward copies of the Preliminary Plat and Final Plat, with recommendations, to the Village Board.
 - e. Make all other determinations required by the regulations herein.

Sec. 3.4. Fee Schedule

- (a) **General.** All persons, firms or corporations performing work which requires the review of plans, public hearing(s) or the issuance of permit(s) shall pay a fee and professional fees for such work to the Village Clerk to assist in defraying the cost of administration, investigation, advertising and processing of applications, permits and variances.

There may be additional fees for outside consultants (such as planning, engineering,

inspection, legal, and etc.). These fees will be billed at actual cost approximately 30 days after completion of services.

- (b) **Effective Date.** All fees shall be effective upon adoption by the Village Board. The Village Board adopted the following Fee Schedule on the 8th day of March 2004.
- (c) **Fee Schedule.** The following fees shall apply to all projects within the Village:

Conditional Use Permit, Variances and Zoning Fees

Board of Adjustment Variance, Appeal or Rehearing	\$300.00
Conditional Use Permit Applications – New	\$300.00
Conditional Use Permit Applications – Renewal	\$150.00
Rezoning	\$250.00

Platting

Certified Survey Maps (CSM)	\$100.00 + \$10.00 per lot
Concept Plan	\$200.00 + \$10.00 per lot
Preliminary Plats	\$200.00 + \$100 per lot
Final Plats	\$200.00 + \$10.00 per lot

Erosion Control/Storm Water Review Fees

Commercial/Industrial or Multi-family Site Plans	\$200.00
Plats and CSM's	\$200.00

Site Plan Fees

Minor Site Plan Amendment	\$150.00
Site Plans less than 5,000 square feet of building area	\$500.00
Site Plans greater than 5,000 square feet of building area	\$1,000.00

Platting & Site Plan Review Fees

- This review fee is established to help defray the cost of reviewing and inspecting site plans, subdivisions and Certified Survey Maps occurring in the Village of Kronenwetter. All of these fees are cumulative. The developer or subdivider shall pay fees as herein established to the Village Clerk.

Planning, Engineering and Inspection Review Fees. The Village shall be assisted

by planning consultants, engineers and inspectors on all site plans, plats and CSM's submitted for review. The actual cost of the planning consultants, engineers and inspectors fees for reviewing and inspecting, site plans, plats, CSM's and any related supporting documentation, shall be paid by the developer prior to site plan, final plat or CSM approval by the Village Board. Prior to the consultant beginning work, the developer must execute a contract with the Village Board for payment of the services.

Legal Fees. In the event the Village Attorney is required to prepare contracts, developer agreements, and/or related documents between the developer and the Village, the actual cost of the Village Attorney's fees in the preparation and review of documents shall be paid by the developer prior to approval of the site plan, final plat or CSM by the Village Board.

Park Dedication Fees. Per subdivision regulations.

Failure to Obtain Permits. The Village shall charge a double fee if work is started before a permit is applied for and issued. Such double fee shall not release the applicant from full compliance with Village ordinances nor from prosecution for violation of Village ordinances.