

Ordinance No. 2011-1

AN ORDINANCE TO REPEAL, AMEND, AND RECREATE SECTION 10.01.36 OF THE CODE OF ORDINANCES, THE TOWN OF LAVALLE, SAUK COUNTY, WISCONSIN

The Town Board of the Town of LaValle, Sauk County, Wisconsin does ordain as follows:

**Section 1.** Section 10.01.36 of the "Code of Ordinances, Town of LaValle, and Sauk County, Wisconsin" entitled "Certified Survey Map Procedure" shall be repealed, amended, and recreated to read as follow:

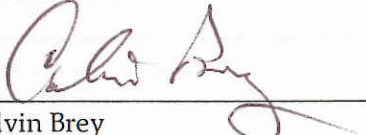
Sec. 10.01.36 Certified Survey Map Procedure

1. No person, firm or corporation shall divide any land located within the Town of La Valle which shall result in a land division, as defined by this chapter without first filing for review by the Plan Commission, approval by Town Board and subsequently recording with the Sauk County Register of Deeds a certified survey map which complies fully with Wis. Stat. § 236.34, and with all applicable requirements contained within this chapter.
2. Subdivider shall complete and submit an "Application for Approval of Certified Survey Map (CSM)" on form prescribed by Plan Commission. A certified survey map shall include all lots, parcels or building sites created by a land division less than 40 acres.
3. Twelve (12) copies of the Certified Survey Map and an electronic file (PDF) shall be supplied to the Town Clerk. The Plan Commission shall review and recommend to the Town Board: 1) approval, 2) conditional approval, or 3) reject the certified survey map, based on a determination of conformance with the provisions of this chapter. The Town Board shall review all comments made by the Plan Commission and approve, approve conditionally or rejection within sixty (60) days. Failure of the Town Board to comment shall be construed to indicate town approval.
4. The certified survey map shall be prepared by a registered land surveyor at a scale of not more than four hundred (400) feet to one (1) inch and shall include:
  - a. The name and address of the individual dividing the lands.
  - b. The date of the survey.
  - c. The area(s) of the parcel(s) being created in square feet and acres.
  - d. The locations of buildings, drives, streams, ponds, lakes, and other waterways, marshes, natural features, historical sites, flood plains, and other significant features within the parcel(s) being created with appropriate restrictions (may need separate recordable document).
  - e. The distance from existing structures to all existing and proposed lot lines.
  - f. A note stating: "All building construction on lots being created shall conform to highway setbacks, rear yard, and side yards as prescribed in the Sauk County Zoning Ordinance" or where applicable for Shoreline Zoning, "All building construction on lots being created shall conform to highway setbacks, shoreline setbacks, and side yards as prescribed in the Sauk County Shoreline Protection Ordinance."
  - g. A Right to Farm note stating ""Through Wis. Stat. 823.08, the Wisconsin Legislature has adopted a right to farm law. This statute limits the remedies of owners of later established residential property to seek changes to near-by pre-existing agricultural practices. Active agricultural operations are now taking place and are planned to continue in the vicinity of this Certified Survey Map. These active agricultural operations may produce noises, odors, dust, machinery traffic or other conditions during daytime and evening hours."

- h. Delineation of area(s) where building, clearing, grading, etc are restricted or proposed to be restricted to preserve vistas, protect forestlands, etc (typically require separate recordable document).
- i. The location of an existing on-site sewage disposal system and water supply wells..
- j. A statement on the face of the certified survey map that the parcel(s) created are considered unbuildable until a soil evaluation report as required by the Department of Commerce is filed in the Department. If the parcel has access to a public sanitary sewage system, the surveyor shall note on the face of the certified survey map that the parcel(s) are unbuildable unless a hookup is made to the public sanitary sewer.
- k. Proof of compliance with Trans 233 Wis. Adm. Code where applicable. Where access to lots from public highway is restricted due to vision clearance, grades, or other physical restrictions, show proposed access locations on CSM. Shown existing access restrictions to highways and provide:
  - i.) On State Highways – Wisconsin Department of Transportation's approval of access locations.
  - ii.) On County Highways - Sauk County Highway Department approval of access locations.

Section 2. This ordinance shall take effect upon passage and publication as required by law.

APPROVED:

  
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Calvin Brey  
Town Chairman

ATTESTED:

  
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Jean Judd  
Town Clerk

Adopted: Feb. 14, 2011

Published: \_\_\_\_\_

#### CERTIFICATION

I hereby certify that the above ordinance was duly adopted by the Town of LaValle, Sauk County, Wisconsin, by at least a majority vote of the members-elect of the Town Board on the 14 day of February, 2011, and approved by the Town Chairman on the 14 day of February, 2011.

  
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Jean Judd, Town Clerk