

CHAPTER 21

OFFICIAL MAP ESTABLISHED

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OFFICIAL MAP ESTABLISHED 21.0

21.01 INTENT.

It is the intent of the Village Board to establish an Official Map for the purpose of conserving and promoting the public health, safety, convenience, economy, orderliness and general welfare of the community; to further the orderly layout in the use of land; to stabilize the location of real property boundary lines; to insure proper legal description and proper monumenting of land; to facilitate adequate provision for transportation, parks, playgrounds and storm water drainage; and to facilitate the further subdivision of larger tracts into smaller parcels of land.

(1) **OFFICIAL MAP ADOPTED.** The Official Map of the Village is dated November 17, 1988, and is hereby adopted by reference. The Official Map shall be kept in the office of the Village Clerk-Treasurer.

21.02 AUTHORITY

This Ordinance is enacted under the authority granted by Sec. 62.23(6), AND 61.35, Wisconsin Statutes.

21.03 DEFINITIONS

(1) "Parkway" for the purpose of this section shall include any rights-of-way for vehicular or pedestrian traffic, or both, with full or partial control of access and usually located within a park or a ribbon of park-like development. Said parkway may include land area which is required for storm water drainage purposes where the drainage improvement is to include park-like treatment and where pedestrian or vehicular travel may be permitted.

(2) "Plan Committee". The Plan Committee as referred to herein is the Plan Committee established by s. 1.03(2) of these Ordinances.

21.04 DESCRIPTION OF AREA SUBJECT TO ORDINANCE

The Official Map is hereby established for that part of the Village of West Baraboo lying within the corporate limits of said Village.

The Official Map, together with all information shown thereon, shall be as much a part of this Ordinance as if fully set forth and described herein. The Official Map shall show the location and width of all platted and existing streets, highways, parkways, parks, playgrounds, railroad rights-of-way, public transit facilities, and waterways as

heretofore laid out, adopted and established by law, and shall also show the exterior lines, widening or extending of any existing, proposed or planned streets, highways, parkways, parks, playgrounds, railroad rights-of-way, public transit facilities, and waterways. The Official Map is deemed to be conclusive with respect to the location and width of streets, highways, railroad rights-of-way, public transit facilities, waterways and parkways, and the location and extent of parks and playgrounds shown thereon.

21.05 EXTRATERRITORIAL AREAS

As set forth in Sec. 62.23(6)(d) Wis. Stats., the street, highway or parkway systems, parks, playgrounds, railroad rights-of-way, public transit facilities, as shown on the official map may be shown as extending beyond the boundaries of the Village of West Baraboo in extraterritorial areas.

21.06 AMENDMENTS

(1) The Village Board, whenever and as often as it deems necessary for the public health, safety, convenience or general welfare may amend the Official Map of the Village so as to establish the exterior liens of planned new streets, highways, parkways, parks, playgrounds, railroad rights-of-way, public transit facilities, and waterways; or to widen, narrow, extend or close existing streets, highways, parkways, parks, railroad rights-of-way, public transit facilities, waterways or playgrounds. Such amendments, when adopted, shall become a part of the Official Map and shall be deemed to be conclusive with respect to location and width of the streets, highways, railroad rights-of-way, public transit facilities, waterways, and parkways and the location and extend of parks and playgrounds shown thereon.

(2) The Village Board shall refer any proposed amendment to the Official Map to the Village Plan Committee for review and report thereon prior to adoption. The Village Plan Committee must report its recommendation to the Village Board within sixty (60) days. In the event that the Village Plan Committee shall not make its report within sixty (60) days of such reference, it shall forfeit the right to further suspend action.

(3) A public hearing before the Village Board of parties in interest and citizens shall be required before any amendment to the Official Map is effective. Notice of said hearing shall be published as a Class 2 notice under Chapter 985, Wisconsin Statutes.

(4) The locating, widening or closing or the approval of the locating, widening or closing of streets, highways, parkways, parks, playgrounds, railroad rights-of-way, public transit facilities, and waterways by the Village under provision of law other than this Ordinance, shall be deemed to be an amendment to the Official Map and shall be subject to the provisions of this Ordinance, except that changes or additions made by a subdivision plat approved by the Village under Chapter 236 shall not require the public

hearing specified in Subsection (C) if the changes or addition do not affect any land outside the plat area.

21.07 BUILDING PERMITS

(1) No permit shall hereafter be issued for any building in the bed of any street, highway, railroad rights-of-way, public transit facilities, waterways or parkway shown or laid out on such map except as provided in this section.

(2) Any person desiring to construct or enlarge a building in the bed of a street, highway, railroad rights-of-way, public transit facilities, waterways or parkway so shown as extended may apply to the authorized official of the Village for a building permit. Unless such application is made and the permit granted or not denied within thirty (30) days, such person shall not be entitled to compensation for damage to such building in the course of construction of the street, highway, railroad rights-of-way, public transit facilities, waterways, or parkway shown on the Official Map.

(3) The applicant for such a permit shall submit to the Village Building Inspector with his application, an accurate plot plan certified by a qualified surveyor showing the location of the proposed building with reference to any street, highway, railroad rights-of-way, public transit facilities, waterways, parkway or park or playground shown on the Official Map.

(4) No permit for the erection of any building shall be issued unless the street, highway, railroad rights-of-way, public transit facilities, waterways, or parkway giving access to such proposed structure has been duly placed on the Official Map. For purposes of this section, a street, highway, railroad rights-of-way, public transit facilities, waterways or parkway shall be considered duly placed on the Official Map at the time that the governing body accepts such street, highway, railroad rights-of-way, public transit facilities, waterways or parkway.

21.08 MUNICIPAL IMPROVEMENTS

No public sewer or other municipal street utility or improvement shall be constructed in any street, highway or parkway until such street, highway, railroad rights-of-way, public transit facilities, waterways or parkway is duly placed on the Official Map. For purposes of this section, a street, highway, railroad rights-of-way, public transit facilities, waterways, or parkway shall be considered duly placed on the Official Map at the time that the governing body accepts such street, highway, railroad rights-of-way, public transit facilities, waterways or parkway.

21.09 APPEALS

(1) The Zoning Board of Appeals of the Village of West Baraboo shall have the power to review any administrative decision of the Village Building Inspector denying a permit for the erection of a structure under this Ordinance and to give relief by granting variances and exceptions to the requirements of this Ordinance in the manner provided for under Sec. 62.23(6)(e) through (h), Wisconsin Statutes.

21.10 CERTIFIED COPY OF MAP

(1) A certified copy of the Official Map shall be kept in the office of the Village Clerk and shall be available for inspection by any interested person during regular office hours. The certified copy shall bear on its face a certification that it is a true copy of the Official Map described in the Ordinance and shall show the date of adoption of this Ordinance and shall be signed by the Village President and countersigned by the Village Clerk. Thereafter no change to or addition of a proposed street, proposed highway, proposed parkway, proposed railroad rights-of-way, proposed public transit facilities, proposed waterways, proposed park or proposed playground on the Official Map shall become effective until it shall have been indicated by the appropriate convention on the aforesaid certified copy of the Official Map and a certificate placed thereon or attached thereto bearing the number or date of adoption of the amendment. The certificate shall be signed by the Village President and countersigned by the Village Clerk. For purposes of this section, plats, certified survey maps, and property transactions complying with applicable laws or ordinances do not require certification when being placed on the Official Map.

21.11 FILING WITH REGISTER OF DEEDS

Upon adoption of the Official Map, it shall be the duty of the Village Clerk to immediately file with the Sauk County Register of Deeds a certificate showing that the Village has established such Official Map.

21.12 EFFECT OF PLACEMENT UPON THE OFFICIAL MAP

The placing of any street, highway, parkway, park or playground line or lines upon the Official Map shall not in and of itself constitute or be deemed to constitute the opening or establishing of any street, parkway, railroad rights-of-way, public transit facilities, waterways, park or playground or the taking or acceptance of any land for such purposes.

21.13 ENFORCEMENT

It shall be the duty of the Village Building Inspector to enforce the provisions of this Ordinance.

21.14 PENALTIES

Any person, firm or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit not more than Two-thousand Dollars (\$2,000.00) and not less than Fifty Dollars (\$50.00) and cost of prosecution for each violation.

21.15 SEVERABILITY

If any section or part of this Ordinance is adjudged unconstitutional or invalid by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

21.16 EFFECTIVE DATE

This Ordinance shall be effective after adoption by the Village Board and publication or posting as provided by law.