

**TOWN**  
**Of**  
**ST. CROIX FALLS**

Polk County, Wisconsin

**ORDINANCE No. 08-07**  
**OFFICIAL MAP FOR THE TOWN OF ST. CROIX FALLS**

The Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does hereby ordain as follows:

**SECTION 1.00 AUTHORITY**

This Ordinance is enacted under the authority granted by Sections 60.62, 61.35 and 62.23(6) of the Wisconsin State Statutes.

**SECTION 2.00 PURPOSE AND INTENT**

It is the intent of the Town Board to establish an Official Map to conserve and promote the public health, safety, convenience, economy, orderliness, and general welfare of the community; to further the orderly layout and use of land; to insure proper legal descriptions and proper monumenting of land; to facilitate adequate provision for transportation, parks, playgrounds, and storm water drainage; where such consolidation is appropriate, to facilitate consolidation of smaller parcels into larger tracts of land; and, where such subdivision is appropriate, to facilitate the further subdivision of larger tracts into smaller parcels of land.

**SECTION 3.00 JURISDICTION**

The jurisdictional area of this Ordinance shall include only that land within Sections 26, 27, 28, 33, 34, and 35, T34N, R18W in the territory of the Town of St. Croix Falls which lays within the extent of the adopted Official Map.

**SECTION 4.00 OFFICIAL MAP**

There is hereby established, as the Official Map of the Town of St. Croix Falls, the Map which accompanies and is made a part of this Ordinance bearing the date of December 17, 2008. This map is hereby designated as the "Official Map of the Town of St. Croix Falls," and all notations, references, and other information shown thereon shall be as much a part of the Ordinance as though the matters and information thereon were fully described herein. The Official Map shall show the location and extent of streets, highways, storm water facilities, parkways, parks and playgrounds, within the extent shown on the Official Map within Sections 26, 27, 28, 33, 34, and 35, T34N, R18W in the territory of the Town of St. Croix Falls as heretofore laid out, adopted and established by law. The Official Map is deemed to be final and conclusive with respect to the location and dimensions of streets, highways, storm water facilities, parkways, parks and playgrounds shown thereon.

**SECTION 5.00 CHANGES AND ADDITIONS**

- A. The Town Board, whenever and as often as it deems necessary for the public interest, may amend or change this Ordinance or may amend, change or add to the Official Map so as to establish the exterior lines of; widen; narrow; extend; or close any platted, existing, proposed, or planned streets, highways, storm water facilities, parkways, and parks or playgrounds.
- B. The Town Board shall refer any change or addition to this Ordinance or to the Official Map to the Town Plan Commission for review and report thereon prior to adoption. The Town Plan Commission shall report its recommendation to the Town Board within sixty (60) days. In the

event that the Town Plan Commission does not make its report within sixty (60) days of such referral, it forfeits the right to further suspend action.

- C. A public hearing before the Town Board of parties in interest and citizens shall be required before any changes or additions to this Ordinance or to the Official Map are effective. Notice of the public hearing shall be published as a Class 2 notice pursuant to Chapter 985 of the Wisconsin Statutes. The first insertion of such legal notice shall occur no less than fifteen (15) days prior to the public hearing. Notice of the time, place and purpose of such public hearing shall also be sent at least fifteen (15) days prior to such public hearing to the owners of record who are owners of property in whole or in part situated within one hundred and fifty (150) feet of the boundaries of the properties affected and whose post office address is known or can be ascertained with reasonable diligence.
- D. Changes and additions made to duly approved subdivisions plats or certified survey maps shall not require a public hearing if the changes or additions do not affect any land outside the area being platted or mapped.
- E. Changes and additions may be proposed by a landowner affected by the Official Map, or by their agent, which may be approved if deemed by the Plan Commission and Town Board to provide access to properties and traffic circulation equivalent or superior to the current Official Map. See Section 6.00, C.

#### **SECTION 6.00 BUILDING PERMITS**

- A. For the purpose of preserving the integrity of the Official Map, within the territory covered by the Official Map, a building permit shall be required for any building or structure, or part thereof, that shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered. No permit shall hereafter be issued for any building, or structure requiring a permit, in the bed of any existing or proposed street, highway, storm water facility, parkway, park or playground shown on the Official Map.
- B. The Zoning Administrator may require each applicant for a building permit to submit a plan, prepared and certified by a registered land surveyor, showing accurately the location of any proposed building or structure with reference to any street, highway, storm water facility, parkway, park or playground shown on the Official Map.
- C. At the time when a building permit is requested, a landowner affected by the Official Map, or their agent, may propose changes to streets or highways on the Official Map which meet the needs of the landowner. The applicant shall submit a plan, prepared and certified by a registered land surveyor, showing accurately the location of any proposed building or structure with reference to any street or highway shown on the Official Map, and any streets or highways proposed to deviate from the streets or highways shown on the Official Map. The Plan Commission may recommend approval of the proposal, and the Town Board may approve the proposal by amending the Official Map, only if it can be demonstrated and documented in meeting and/or public hearing minutes that the proposal provides access to properties and traffic circulation equivalent or superior to the existing Official Map, and such approved proposal is reflected in a developers agreement and any necessary plat or certified survey map.

#### **SECTION 7.00 MUNICIPAL IMPROVEMENTS**

No public sewer or other municipal street utility or improvement shall be constructed in any street, highway, or parkway within the jurisdictional area of this Ordinance until such street, highway, or parkway is duly placed on the Official Map.

#### **SECTION 8.00 APPEALS**

The Town of St. Croix Falls Board of Appeals shall have the power to review any administrative decision of the Town Zoning Administrator to deny a permit for the erection of a building or structure under this Ordinance and to grant relief from the requirements of this Ordinance under the provisions of Sections 62.26 (6) (e) and (g) of the Wisconsin Statutes.

#### **SECTION 9.00 ADMINISTRATIVE PROCEDURES**

The Town Board shall adopt, and from time to time may amend, rules of procedure for the administration of this Ordinance.

**SECTION 10.00 CERTIFIED COPY OF MAP**

There shall be a certified copy of the Official Map described in Section 4.00. The certified copy shall be kept in the office of the Town 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 and accompanying the Ordinance and shall show the date of adoption of this Ordinance and shall be signed by the Chairperson and counter signed by the Town Clerk. Thereafter no change or addition to such 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 and date of adoption of the amending ordinance. The certificate shall be signed by the Chairperson and countersigned by the Town Clerk.

**SECTION 11.00 MAP TO BE FILED WITH REGISTER OF DEEDS**

The Town Clerk shall be responsible immediately upon adoption of the Official Map or any amendment thereto for recording a certificate showing that the Town has established an Official Map, as adopted or amended, with the Register of Deeds of the County of Polk, Wisconsin.

**SECTION 12.00 ENFORCEMENT**

It shall be the duty of the Town Building Inspector, Town Zoning Administrator and the Town Board to enforce the provisions of this Ordinance.

**SECTION 13.00 PENALTIES**

- A. Any person, firm, or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit the amount and in the manner designated by the Town of St. Croix Falls Penalty Ordinance.
- B. No damages shall be allowed for the taking by any governmental agency, for street, highway, or park purposes, any building erected in violation of this Ordinance.

**SECTION 14.00 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. All other ordinances or parts of ordinances of the Town inconsistent with this Ordinance to the extent of the inconsistency only are hereby repealed.

**SECTION 15.00 EFFECTIVE DATE**

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

Date of Adoption: December 17, 2008

Date of Posting: January 16, 2009

Date of Publication: January 21, 2009

Effective Date: January 16, 2009

/s/ William Hughes, Chairman

Attest:

/s/ Janet Krueger, Town Clerk