

ORDINANCE NO. 86

Amendment to Ordinance 8, as amended to date, and Ordinance 30 as amended to date.

The Board of Trustees of the Village of Oconomowoc Lake do ordain as follows:

Resolved, that Sections 5.05 through 5.12 of Ordinance 8 of the Village of Oconomowoc Lake be and hereby are repealed and amended or renumbered to read as follows:

5.05 CERTIFIED SURVEY MAP.

(1) Any division of land other than a subdivision as defined in Section 236.02 (8) Wisconsin Statutes which results in at least one (1) parcel of land twenty (20) acres or less in area shall be surveyed and a certified survey map prepared for the parcel of twenty (20) acres or less in area and recorded as provided in Section 236.34 Wisconsin Statutes.

(2) No building permit shall be issued for a building on any parcel of land containing twenty (20) acres or less unless the same is contained in a recorded plat or certified survey map prepared and approved as herein provided.

(3) All certified survey maps shall be submitted to the Plan Commission for its consideration. The subdivider shall be required to furnish all data and other information required by the Plan Commission and the Village Planner or Engineer at the subdivider's own cost and expense. The subdivider may be required to furnish a percolation test according to the procedure designated under the rules of the State Board of Health applicable to the property or properties. The Plan Commission shall reject the certified survey map, or refer the certified survey map with its recommendation to the Village Board of Trustees within forty-five (45) days after the first Plan Commission Meeting following its submission, unless the time is extended by the Village Board of Trustees.

The Village Board of Trustees shall approve or reject the certified survey map within forty-five (45) days of receipt from the Plan Commission, unless the same is extended by agreement with the subdivider. If the certified survey map is approved, a resolution to that effect shall be adopted by the Village Board of Trustees and certified by the Village Clerk on the certified survey map.

The Plan Commission and the Village Board of Trustees shall reject any certified survey map creating a lot that does not comply with the applicable zoning district requirements or is a prohibited division under section 5.08 herein.

(4) A filing fee to be established by the Board of Trustees shall be paid for each certified survey map filed hereunder. All such maps shall be filed in triplicate with the Village Clerk.

5.06 PRELIMINARY PLATS AND SURVEYS.

In all divisions of land, unless the Plan Commission or the Village Board shall otherwise provide, before submitting a final plat or certified survey map

for approval, the subdivider shall submit a preliminary plat or certified survey map for preliminary approval.

5.07 MINIMUM LOT WIDTH AND AREA.

In all divisions of land, each lot shall comply in all respects with the applicable zoning district requirements, including but not limited to, minimum width and area.

5.08 PROHIBITED DIVISIONS.

The following divisions of land are prohibited:

A. Any division of land made within any conservancy district heretofore established by any authority, state, county or municipal.

B. Any division of land made within one-half ($\frac{1}{2}$) mile of the outermost limits of any conservancy district heretofore established by any authority, state, county, or municipal, by any owner, by the agent of any owner, or by the grantee of any owner who has, within five (5) years prior thereto, altered or caused to be altered the topographical character of such conservancy district or any part of it in any way, as by filling, flooding, draining, grading, damming or the like, which alteration was made with the end in view of subdividing any of the area surrounding such conservancy district.

C. Any division of land made which is at variance in width, area or shape with the neighborhood, or

D. Any division of land, creating a lot of which elevation or configuration that damage could accrue to adjoining properties if construction were permitted, or

E. Any division of land, creating a lot that is not capable of reasonably meeting setback or offset requirements for the applicable district, or

F. Any division of land, creating a lot that does not provide usable land area of a sufficient amount or configuration to permit construction which meets applicable district requirements and is compatible with surrounding developments.

5.09 VARIANCES.

When, in the judgment of the Plan Commission and of the Village Board, it would be inappropriate to apply literally any provision of this ordinance, they may waive or vary such provision so that substantial justice may be done and the public interest secured.

5.10 PENALTIES AND REMEDIES.

Any person, firm, partnership, corporation or other entity who fails to comply with the provisions of this ordinance shall, upon conviction thereof, forfeit not less than \$25 nor more than \$200 and the costs of prosecution for each violation, and in default of payment of such forfeiture and costs shall be

Oconomowoc Lake, upon recommendation of the Plan Commission and following a public hearing held upon due public notice thereof, this 15th day of December 1980.

William F. Roberts
Village President

Countersigned:

Chris Miller
Village Clerk

(VILLAGE SEAL)

STATE OF WISCONSIN)
) SS
COUNTY OF WAUKESHA)

AFFIDAVIT OF POSTING
ORDINANCE

Ordinance #86- An Amendment to Ordinance 8, as amended to date, and Ordinance 30 as amended to date.

The undersigned, being first duly sworn, on oath deposes and states that on December 17th, 1980, at the direction of the Clerk of the Village of Oconomowoc Lake, he posted copies of the above ordinance in the following public places in said Village, to-wit:

(1) Opposite the entrance to the Oconomowoc Lake Club on the northern side of the road in front of the Club,

(2) At the entrance to the Village Hall on West Pabst Road,

(3) At the northeast corner of the junction of County Trunk Highway "P" (West Beach Road) and the private drive (South Beach Road) leading into the Borisch, Loeser, Morsell, et al properties.

Richard Beels

Subscribed and sworn to before me
this 17th day of December, 1980.

Aris Miller
Notary Public, Waukesha County, Wisconsin
My commission expires: 3/18/84