

CHAPTER 26

OFFICIAL MAP

26.01

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(A) **Intent.** Pursuant to §60.10(2)(c) and §62.23(6), Wis. Stats., the Town of Somers is authorized to prepare and adopt an official map as defined in such section of the Wisconsin Statutes.

(B) **Authority.** The Town Plan Commission of the Town of Somers, by a majority vote of the entire Commission recorded in its official minutes, has adopted a resolution recommending to the Town Board the adoption of a document entitled "An Official Map for the Green Bay Road Corridor from CTH 'E' to CTH 'L'", an area located generally in the East One-half of Section 15, Town 2 North, Range 22 East located within the Town.

(C) The Town has held at least one public hearing on this ordinance, allowing the public to comment upon the proposed adoption.

(D) **Official Map.** The Town Board of the Town of Somers, does hereby enact this ordinance, formally adopting the document entitled "An Official Map for the Green Bay Road Corridor from CTH 'E' to CTH 'L'" a true and correct copy of which is attached hereto, marked Exhibit "A" and incorporated herein by reference, pursuant to §62.23(6) of the Wisconsin Statutes.

(E) **Changes and Additions.** The Town Board may change or add to the Official Map so as to establish the exterior lines of; widen; extend or close any platted, existing, proposed, or planned streets, highways, drainageways, parkways, and parks or playgrounds, except that drainageways shall not be included on the Official Map outside of the Town limits.

The Town Board shall refer any change or addition 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.

A public hearing of parties in interest and citizens before the Town Board shall be required before any changes or additions to the Official Map are effective. Notice of the public hearing shall be published as a Class II notice pursuant to Chapter 985 of the Wisconsin Statutes.

Changes and additions made by duly approved subdivision plans shall not require the public hearing if the changes or additions do not affect any land outside the area being platted.

(F) **Building Permits.** For the purpose of preserving the integrity of the Official Map, a building permit shall be required for any 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 in the bed of any existing or proposed street, highway, drainageway, or parkway shown on the Official Map. No permit for the erection of any building shall be issued unless a street, highway, or parkway giving access to such proposed structure has been duly placed on the Map.

The Building Inspector 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 with referenced to any street, highway, drainageway, or parkway shown on the Official Map.

(G) **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 the ordinance until such street, highway, or parkway is duly placed on the Official Map.

(H) **Appeals.** The Board of Zoning Appeals shall have the power to review any administrative decision of the town Building Inspector to deny a permit for the erection of a structure under this ordinance and to grant relief from the requirements of this ordinance under the provisions of Sections 62.23(6)(e), (f) and (g) of the Wisconsin Statutes.

(I) **Certified Copy of Map.** There shall be a certified copy of the Official Map described in Section (D) above. The certified copy shall be kept in the office of the Town Clerk/Treasurer 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 this ordinance and shall show the date of adoption of this ordinance and shall be signed by the Town Chairperson and countersigned by the Town Clerk/Treasurer. 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 Town Chairperson and by the Town Clerk/Treasurer.

(J) **Map to File With Register of Deeds.** The Town Clerk/Treasurer shall be responsible immediately upon adoption of the Official Map or any amendment thereto for recording a true copy of the Official Map, as amended, with the Register of Deeds for the County of Kenosha, Wisconsin.

(K) **Enforcement.** It shall be the duty of the Town Building Inspector.

(L) **Penalties.** Any person, firm, or corporation who fails to comply with the provisions of this ordinance shall, upon conviction thereof, forfeit not more than Town Hundred (\$200.00) Dollars and not less than Fifty (\$50.00) Dollars and cost of prosecution for each violation, and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until payment thereof but not exceeding thirty (30) days.

(M) **Severability and Conflict.** 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.

(N) **Effective Date.** This ordinance shall take effect upon passage by majority vote of the members elect of the Town Board of the Town of Somers and posting as is required by law.

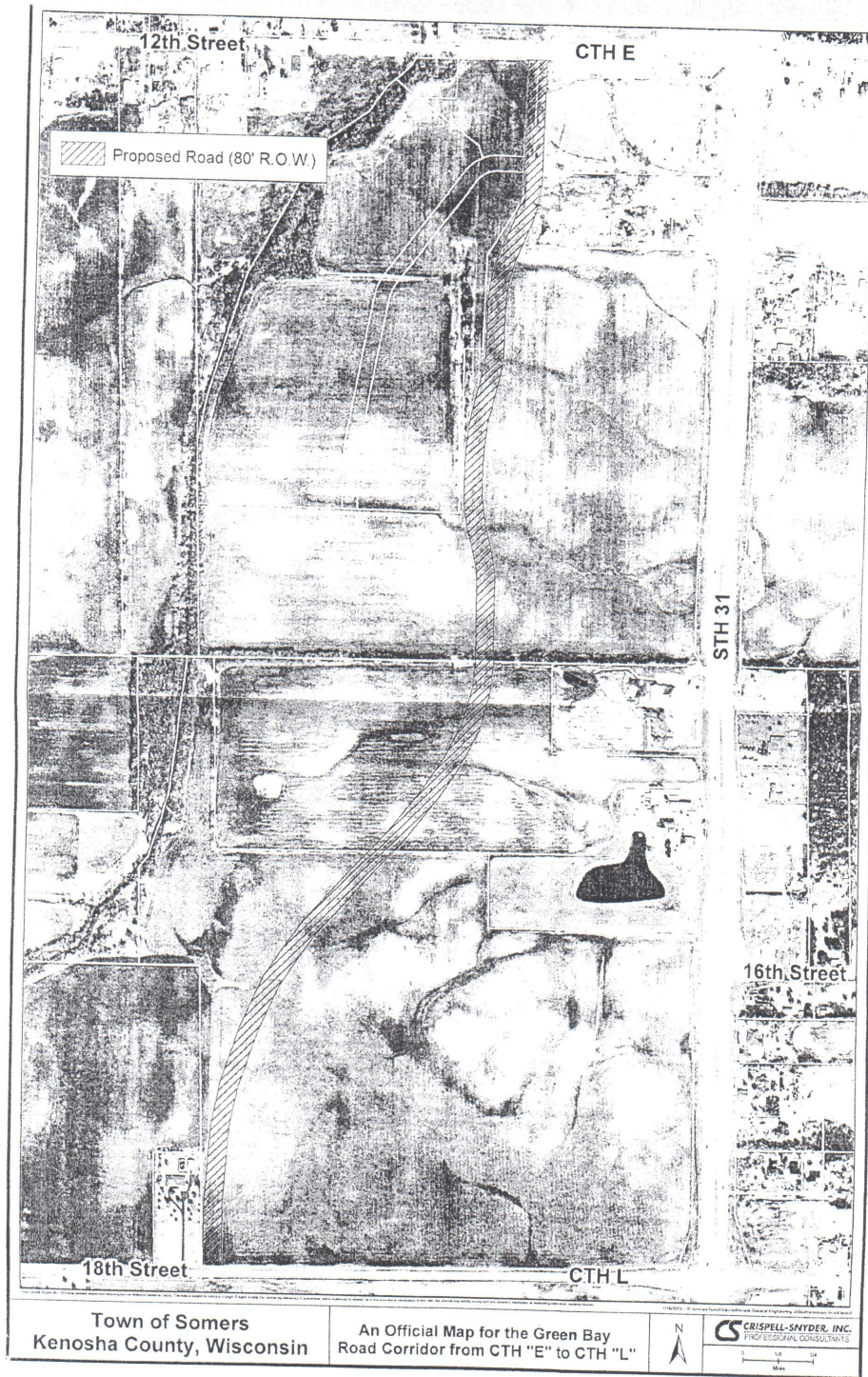


Exhibit "A"