

ORDINANCE NO. 2010.04
**AN ORDINANCE TO REPEAL AND RECREATE CERTAIN PROVISIONS OF
TITLE 14 OF THE VILLAGE OF DANE CODE OF ORDINANCES
PERTAINING TO SUBDIVISION REGULATIONS**

The Village Board of the Village of Dane, Dane County, Wisconsin, does hereby ordain as follows:

1. Section 14-1-5(c)(2) is repealed and recreated to read as follows:
 - (2) Approval or conditional approval of a preliminary plat shall not constitute automatic approval of the final plat. If the final plat conforms substantially to the preliminary plat as approved, including any conditions of that approval, and to the local plans and ordinances adopted as authorized by law, it is entitled to approval. If the final plat is not submitted within thirty-six (36) months after the last required approval of the preliminary plat, any approving authority may refuse to approve the final plat or may extend the time for submission of the final plat. The final plat may, if permitted by the Village Board constitute only that portion of the approved preliminary plat that the subdivider proposes to record at that time. Conditional approval may be granted subject to satisfactory compliance with pertinent provisions of this Chapter and Chapter 236 of the Wisconsin Statutes.

2. Section 14-1-5(f)(2) is repealed and recreated to read as follows:
 - (2) If the final plat is not submitted within thirty-six (36) months of the last required approval of the preliminary plat, the Village Board may refuse to approve the final plat.

3. Section 14-1-5(f)(3) is repealed and recreated to read as follows:
 - (3) The Village Board shall, within sixty (60) days of the date of filing the original final plat with the Village Clerk-Treasurer, approve or reject such plat unless the time is extended by agreement with the subdivider. As part of the final plat approval process, a professional engineer, a planner or another person charged with the responsibility to review plats shall provide the Village Board with his or her conclusions as to whether the final plat conforms substantially to the preliminary plat and with his or her recommendation on approval of the final plat. The conclusions and recommendations shall be made part of the record of the proceeding at which the final plat is being considered and are not required to be submitted in writing.

4. Section 14-1-5(i) is repealed and recreated to read as follows:

- (i) **Recording of Plats or Certified Surveys.** Plats approved by the Village Board of the Village of Dane must be recorded together with the adopting resolution, with the Dane County Register of Deeds office within twelve (12) months after the date of last approval of the plat and within thirty-six (36) months after the first approval. Certified surveys approved by the Village Board of the Village of Dane must be recorded together with the adopting resolution with the Dane County Register of Deeds within thirty (30) days of the date of the last resolution of preliminary approval and not later than six (6) months following the date of the first resolution of approval. Land divisions shall not be recognized by the Village until recorded with the Register of Deeds. The volume, page, and document numbers of the recording shall be filed with the Village Clerk-Treasurer and Building Inspector prior to issuance of any permits. The subdivider shall file one (1) full size and one (1) reduced sized 8 ½" x 11" certified copy of the approved land division with the Village Clerk-Treasurer.

5. Section 14-1-15(a)(1) is repealed and recreated to read as follows:

- (1) The Village of Dane Board hereby requires that as a condition of final plat or certified survey approval, the subdivider agree to make and install all public improvements reasonably necessary or that the subdivider execute a surety bond or provide other security to ensure that he or she will make those improvements within a reasonable time. The subdivider may construct the project in such phases as the Village Board approves, which approval may not be unreasonably withheld. If the subdivider's project will be constructed in phases, the amount of any surety bond or other security required by the Village Board shall be limited to the phase of the project that is currently being constructed. The Village Board may not require that the subdivider provide any security for improvement sooner than is reasonably necessary before the commencement of the installation of the improvements.

6. **Severability of Provisions.** Should any section, sentence, phrase or other portion of this Ordinance be declared invalid, such portion shall be deemed as a separate and distinct provision and shall not affect the validity of the remaining portions of this Ordinance.

7. **Effective Date.** This Ordinance shall take effect and be enforced upon its passage and publication or posting as provided by law. Except as provided herein, all of

the terms and provisions of Title 14 of the Village of Dane Code of Ordinances shall remain in full force and effect.

VILLAGE OF DANE

By: Steve A Clemens
Steve Clemens, Village President

Attest: Becky Simpson
Becky Simpson,
Administrator/Clerk/Treasurer

Ayes: 5

Nays: 0

Ordinance Posted: December 9th, 2010

Ordinance Adopted: December 2, 2010