

8.03 STREET AND STORM SEWER CONSTRUCTION. The owner shall petition the Municipality for the installation of storm sewer, road base, curb and gutter and road surfacing, pursuant to the provisions of Section 66.60, Wisconsin Statutes, by special assessment. The petition shall include a waiver of public hearing as provided in Section 66.60(18), Wisconsin Statutes. The special assessments levied under this section shall be due and payable in one payment. No installment payments shall be allowed. The amount of said payment shall be included in the letter of credit for improvements required in this Ordinance.

8.04 RURAL STREET SECTIONS. When permanent rural street sections have been approved by the Plan Commission and Governing Body for land divisions outside the Municipality's limits, the owner shall finish grade all shoulders and road ditches, install all necessary culverts at intersections and, if required, surface ditch inverts to prevent erosion and sedimentation in accordance with plans and standard specifications approved by the Municipal Engineer and as set forth in this Ordinance.

8.05 SIDEWALKS. The Plan Commission and/or Governing Body may require the owner to construct a concrete sidewalk on both sides of all arterial and collector streets and may require the construction of sidewalks on one or both sides of all other streets. The Plan Commission and/or Governing Body may also require the owner to construct a concrete sidewalk on one side of all frontage streets and on both sides of all other through, and/or continuous streets within the subdivision. The Plan Commission and/or Governing Body may also require the owner to construct concrete sidewalks on one or both sides of all dead end or cul-de-sac streets which are in excess of 600 feet in length or which serve two-family or multiple-family developments. The construction of all sidewalks shall be in accordance with plans and standard specifications approved by the Municipal Engineer.

In addition, wider than standard sidewalks may be required by the Plan Commission and/or Governing Body in the vicinity of schools, commercial areas and other places of public assemblage, and the Plan Commission and/or Governing Body may require the construction of sidewalks in locations other than required under the preceding provisions of this code, if such walks are necessary in their opinion for safe and adequate pedestrian circulation.

8.06 PUBLIC SANITARY SEWERAGE. When public sanitary sewerage facilities are available to the division or development, the owner shall construct sanitary sewerage facilities in such a manner as to make adequate sanitary sewerage service available to each lot within the subdivision. In addition:

(A) The Plan Commission and/or Governing Body may require the installation of sewer laterals to the street lot line.

(B) The size, type and installation of all sanitary sewers and sanitary sewer laterals proposed to be constructed shall be in accordance with plans and standard specifications approved by the Municipal Engineer and the Master Sanitary Sewer Plan of the Municipality.

(C) The owner shall assume the cost of installing all sanitary sewers, sewer laterals and sewer appurtenances within the proposed division or development, except for the added cost of installing sewers greater than ten (10) inches in diameter which are necessary to serve tributary drainage areas lying outside the proposed division or development.

(D) Reserve Capacity for Sewage Treatment Dedication Fee. The owner of all subdivisions, Certified Survey maps and assessor's plats shall pay to the Municipality a fee of One Thousand (\$1,000.00) Dollars for each residential, commercial or industrial unit legally established by said division or development as and for a reserve capacity assessment for the proportionate share of the total cost of the sewer facilities' total reserve capacity available for new uses. In the case of multi-family units, the reserve capacity assessment will be based at the rate of 75 percent of the unit assessment established herein.

The dedication fee for reserve capacity will increase by eight (8) percent per year commencing with the adoption of this ordinance and yearly thereafter. The said eight (8) percent yearly increase is to compensate the Municipality for additional costs of handling administrative expenses and interest. Said increase of eight (8) percent will not be compounded, but is to be recalculated every year on the original assessment. The reserve capacity dedication fee established herein shall be paid before final approval of the plat. Said reserve capacity assessment, when paid, shall be placed by the Municipal Treasurer in a nonlapsing account to be applied against the expenses of the Municipality for the reserve capacity created.

8.07 STORM WATER DRAINAGE FACILITIES. The owner shall construct storm water drainage facilities, adequate to serve the division or development which may include curbs and gutters, catch basins and inlets, storm sewers, road ditches, open channels, water retention structures and settling basins. All such facilities shall be of adequate size and grade to hydraulically accommodate the maximum potential volumes of flow and shall be so designed as to prevent and control soil erosion and sedimentation and to present no hazards to life or property. In addition:

(A) Drainage facilities shall, if required, include water retention structures and settling basins so as to prevent erosion and sedimentation where such facilities discharge into streams or lakes. The design criteria, the size, type, grades and installation of all storm water drains and sewers and other cross-section, invert and erosion control paving check dams, flumes or other energy dissipating structures and seeding and/or sodding of open channels and unpaved road ditches proposed to be constructed shall be in accordance with the plans and standard specifications approved by the Municipal Engineer and the Master Storm Water Drainage Plan of the Municipality. The design storm intervals shall be as set by separate resolution of the Governing Body.

(B) The owner shall assume the cost of installing all storm sewers within the proposed division or development, except for the added cost of installing storm sewers greater than those which are necessary to serve tributary drainage areas lying outside the proposed division or development.

8.08 WATER SUPPLY FACILITIES. When public water supply and distribution facilities are available or when it is proposed to establish a private water supply and distribution system to serve two (2) or more lots, the owners shall cause such water supply and distribution facilities to be installed in such a manner as to make adequate water service available to each lot. The owner shall make provision for adequate private water systems as required by the Municipality in accordance with the standards of the Wisconsin Department of Industry, Labor and Human Relations. In addition:

(A) The Plan Commission and/or Governing Body may require the installation of water laterals to the street lot line.

(B) The size, type and installation of all public water mains proposed to be constructed shall be in accordance with plans and standard specifications approved by the Municipal Engineer and the Master Water System Plan of the Municipality.

(C) The owner shall assume the cost of installing all water mains, water laterals and appurtenances within the proposed division or development, except for the added cost of installing water mains greater than six (6) inches in diameter in areas zoned single family or two-family residential and greater than eight (8) inches in diameter in areas zoned multiple-family residential, business or industrial.

(D) Reserve Capacity for Water Distribution. A reserve capacity fee for water distribution shall be collected as required by the Municipal Code.

8.09 OTHER UTILITIES. The owner shall cause appropriate utilities such as gas, electrical power, cable television and telephone facilities to be installed in such a manner as to make adequate service available to each lot. No such electrical, cable television or telephone service shall be located on overhead poles unless approved by the Plan Commission and Governing Body. In addition, plans indicating the proposed location of all gas, electrical power and telephone distribution and transmission lines required to service the plat shall be approved by the Municipal Engineer.

8.10 STREET LAMPS. The Plan Commission and/or Governing Body shall require the owner to pay for the installation of street lamps, if they are required, along all streets proposed to be dedicated of a design compatible with the neighborhood and type of development proposed. Such lamps shall be placed at each street intersection and at such interior block spacing as may be required by the Plan Commission and/or Governing Body.

8.11 STREET SIGNS. The owner shall pay the cost of the acquisition and installation of street signs of a design as approved by the Municipal Engineer at the intersections of all streets proposed to be dedicated and other necessary locations.

8.12 STREET TREES. In all urban subdivisions, the owner shall plant at least one (1) tree of an approved species each 60 feet of frontage on all streets proposed to be dedicated. The tree shall be at least six (6) feet in height and one and one-half (1-1/2) inches in diameter at breast height (dbh). Tree planting shall be completed in accordance with plans and specifications approved by and at such time as directed by the Governing Body. The placement and selection of street trees, however, should not hamper or interfere with solar access to natural light and air for nearby lots. Such tree planting may be deferred until after construction of the building on each parcel or lot.

8.13 SEDIMENT CONTROL. The owner shall plant those grasses, trees and vines, a species and size specified by the Plan Commission or Governing Body, necessary to prevent soil erosion and sedimentation. In addition:

(A) The Plan Commission or Governing Body may require the owner to provide or install certain protection and rehabilitation measures, such as fencing, sloping, seeding, riprap, revetments, jetties, clearing, dredging, snagging, drop structures, brush mats, willow poles and grade stabilization structures.

(B) Tree cutting and shrubbery clearing shall not exceed 30 percent of the lot or tract and shall be conducted as to prevent erosion and sedimentation; preserve and improve scenic

qualities; and, during foliation, substantially screen any development from stream or lake users.

(C) Paths and trails in wooded and wetland areas shall not exceed ten (10) feet in width unless otherwise approved by the Plan Commission or Governing Body, and shall be so designed and constructed as to result in the least removal and disruption of trees and shrubs and the minimum impairment of natural beauty.

(D) Earth moving, such as grading, topsoil removal, mineral extraction, stream course changing, road cutting, waterway construction or enlargement, removal of stream or lake bed materials, excavation, channel clearing, ditching, drain tile laying, dredging and lagooning shall be so conducted as to prevent erosion and sedimentation and to least disturb the natural fauna, flora, watercourse, water regimen and topography. (See Sections 9.04 and 9.05 of this Ordinance.) No topsoil may be removed from the site without permission of the Plan Commission.

(E) Review of the conduct of such cutting, clearing and moving may be requested by the County Soil and Water Conservation District Supervisors, the State District Fish and Game managers and the State District Forester by the Municipal Engineer, Plan Commission or Governing Body, as they deem appropriate.

#### SECTION 9.00 CONSTRUCTION.

9.01 COMMENCEMENT. No construction or installation of improvements shall commence in a proposed division or development until the Preliminary Plat or Certified Survey Map has been approved and the Municipal Engineer has given written authorization. All fees shall be required as specified in Section 10.00 of this Ordinance and a Letter of Credit or cash deposit will be required along with all additional fees at Final Plat approval.

9.02 BUILDING PERMITS. No building, zoning or sanitary permits shall be issued for erection of a structure on any lot not of record until all the requirements of this Ordinance have been met unless otherwise provided for in the Developer's Agreement.

9.03 PLANS. The following plans and accompanying construction specifications may be required by the Municipal Engineer before authorization of construction or installation of improvements:

(A) Grading plans for the entire division or development and such areas surrounding the division or development showing

existing and proposed grades at no less than a two-foot interval contour.

(B) Street plans and profiles showing existing and proposed grades, elevations and cross-sections of required improvements.

(C) Sanitary sewer plans and profiles showing the locations, grades, sizes, elevations and materials of required facilities, when located within the existing or proposed sanitary sewer service area.

(D) Storm sewer plans and profiles showing the locations, grades, sizes, cross-sections, elevations and materials of required facilities.

(E) Water main plans and profiles showing the locations, sizes, elevations and materials of required facilities, when located within the existing or proposed sanitary sewer service area.

(F) Erosion and sedimentation control plans showing those structures required to retard the rate of runoff water and those grading and excavating practices that will prevent erosion and sedimentation, the time span that soil will be exposed, plans to protect existing vegetation (fences, tree wells, etc.) shall be prepared and such plans shall generally follow the guidelines and standards set forth in any and all ordinances, rules, regulations and publications adopted by separate resolution by the Governing Body.

(G) Planting plans showing the locations, age, caliber and species of any required grasses, vines, shrubs and trees.

(H) Plans for curbs, sidewalks, gutters and street sewers, if required by the Plan Commission and/or Governing Body.

(I) Additional special plans or information as required.

9.04 EROSION CONTROL. The owner shall cause all grading, excavations, open cuts, side slopes and other land surface disturbances to be so mulched, seeded, sodded or otherwise protected that erosion, siltation, sedimentation and washing are prevented, in accordance with the plans and specifications approved by the Municipal Engineer. In addition:

(A) Sod shall be laid in strips at those intervals necessary to prevent erosion and at right angles to the direction of drainage.

(B) Temporary vegetation and mulching shall be used to protect critical areas, and permanent vegetation shall be installed as soon as practical.

(C) Construction at any given time shall be confined to the smallest practical area and for the shortest practical period of time.

(D) Sediment basins shall be installed and maintained at all drainageways to trap, remove and prevent sediment and debris from being washed outside the area being developed.

(E) Construction practices shall follow the guidelines outlined in any and all ordinances, rules, regulations and publications adopted by separate resolution by the Governing Body.

9.05 EXISTING FLORA. The owner shall make every effort to protect and retain all existing trees, shrubbery, vines and grasses not actually lying in public roadways, drainageways, building foundation sites, private driveways, soil absorption waste disposal areas, paths and trails. Such flora are to be protected and preserved during construction in accordance with sound conservation practices, including the preservation of trees by well islands or retaining walls whenever abutting grades are altered. The Plan Commission and/or Governing Body may require mapping, as it deems necessary, of the existing flora.

9.06 INSPECTION. The owner, prior to commencing any work within the division or development, shall make arrangements with the Municipal Engineer to provide for adequate inspection. The Municipal Engineer shall inspect and approve all completed work prior to approval of the Final Plat or release of the sureties.

9.07 INSTALLATION OF IMPROVEMENTS. All improvements in divisions or developments shall be installed by the owner according to the following procedure:

(A) The owner shall cause all construction plans, specifications and cost estimates to be prepared. The plans shall be prepared by a professional engineer registered in Wisconsin.

(B) The Municipal Engineer shall review or have reviewed the construction plans, specifications and cost estimates for conformance with the requirements of the Municipality, and shall approve, reject or conditionally approve in writing the proposed construction plans, specifications and cost estimates for conformance with the requirements of the Municipality.

(C) The owner shall supply the Municipality with cash, or an irrevocable letter of credit approved by the Municipal Attorney and the Governing Body in the amount of estimated cost of improvements and other fees as approved by the Municipal Engineer. The Municipal Engineer may from time to time raise the amount of the estimated costs of said improvements. Within thirty (30) days of written notice of said change, the owner shall increase the financial security by that amount or any other amount acceptable to the Governing Body. Reduction of the financial security for any purpose shall be made only after written approval of the Municipal Engineer and the Governing Body. As the required improvements are installed and accepted, the Governing Body may authorize reduction of the financial security in the amount deemed appropriate. No surety bonds will be accepted as financial security.

(D) The owner shall supply the Municipality with a list of contractors from whom the owner proposes to solicit proposals for the installation of the improvements. The list shall include prequalification statements from each proposed contractor. The Governing Body shall have the right to review said information and discuss it with the owner.

(E) The owner shall enter into a contract with those contractors it may wish after submitting the information required in paragraph (D) above in a form satisfactory to the Municipal Engineer and after discussion of said information with the Governing Body.

(F) After completion of all public improvements and prior to final acceptance of said improvements, the owner shall make or cause to be made a map showing the actual location of all valves, manholes, stubs, catch basins, sanitary sewer mains, storm sewer mains, water mains and such other facilities as the Municipal Engineer shall require. This map shall be prepared in black ink on reproducible drafting film .007 inch thick and shall bear the signature and seal of a professional engineer registered in Wisconsin. In addition to the above described map, the owner shall provide the Municipality with "valve cards" showing the locations of water main valves and hydrants and as-built working drawings of sewage lift stations, water pump house facilities and such other facilities as the Municipal Engineer may require. Manufacturers guarantees on equipment shall be furnished where in force. The presentation of the map, other as-built drawings, operating and maintenance manuals, and manufacturers guarantees shall be a condition of final acceptance of the improvements and release of the final payment.

9.08 STREET AND STORM SEWER INSTALLATION. Streets and storm sewers may be installed by special assessment as provided in Section 8.03 of this Ordinance.