

CHAPTER 23

OFFICIAL MAP

23.01 INTENT

It is the intent of the Town Board of the Town of Freedom to establish an official map for the purpose of serving and promoting the public health, safety, convenience, economy, orderliness and general welfare of the Town; to further the orderly layout and use of land; to stabilize the location of real property boundary lines; to insure property legal descriptions and proper monumenting of land; to facilitate adequate provision for transportation, parks, playgrounds, storm water drainage, and waterways; and to facilitate the further subdivision of larger tracts into smaller parcels of land.

23.02 AUTHORITY

This Ordinance is enacted under the authority of Chapters 60, 62 and 236 of Wisconsin Statutes.

23.03 OFFICIAL MAP

The Official Map shall show the location and extend of all platted and existing streets, highways, parkways, parks and playgrounds, waterways and railroad rights-of-way within the corporate limits of the Town of Freedom as heretofore laid out, adopted and established by law, and shall be deemed conclusive in respect to location and width. There is hereby established as the Official Map of the Town of Freedom, the Map which accompanies and is made a part of this Ordinance bearing the date of April 10, 1995. This map is hereby designated as the "Official Map of the Town of Freedom", and all notations, references and other information shown thereon shall be as much a part of this Ordinance as though the matters and information thereon were fully described herein.

23.04 CHANGES AND ADDITIONS

(1) The Town Board may 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, parks, playgrounds, waterways or railroad rights-of-way.

(2) The Town Board shall refer any change or addition to the Official Map to the Town Planning Commission for review and recommendation thereon prior to adoption. The Planning Commission shall report their recommendation to the Town Board within sixty (60) days.

(3) 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 given as a Class 2 notice under Chapter 985.

(4) Changes and additions made by duly approved subdivision plats and Certified Survey Maps shall not require the public hearing if the change or addition do not affect any land outside the subdivision or certified survey map. Changes appearing on said sub-division plat and certified survey maps shall constitute a change in the official map, if they do not affect any land outside the subdivision or certified survey map.

23.05 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 shown on the Official Map. No permit for the erection of any building shall be issued unless a street or highway giving access to such proposed structure has been duly placed on this Map.

23.06 MUNICIPAL IMPROVEMENTS

No public sewer, water or other municipal street utility or improvement shall be constructed in any street or highway within the corporate limits of the Town of Freedom until such street or highway has been placed on the Official Map.

23.07 APPEALS

The Town Board shall have the power to review any administrative decision of the 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)(t)(g) of the Wis. Stats.

23.08 CERTIFIED COPY OF THE MAP

There shall be a certified copy of the Official Map described in Section 23.03. 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 this ordinance and shall show the date of adoption of this ordinance and shall be signed by the Town Chairman and countersigned 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 thereon bearing the number

and date of adoption of the amending ordinance. The certificate shall be signed by the Chairman and countersigned by the Clerk.

23.09 ORDINANCE TO BE FILED WITH REGISTER OF DEEDS

The Town Clerk shall be responsible immediately upon adoption of the Official Map or any amendments thereto for recording a true copy of the ordinance or amendment with the Register of Deeds for the County of Outagamie, Wisconsin.

23.10 ENFORCEMENT

It shall be the duty of the Town Building Inspector, Town Constable and Town Police Officer to enforce the provisions of this Ordinance.

23.11 PENALTIES

(1) Any person, firm or corporation who fails to comply with the provisions of this ordinance shall, upon conviction thereof, forfeit not more than TWO HUNDRED DOLLARS (\$200.00) and not less than FIFTY DOLLARS (\$50.00) 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.

(2) No damages shall be allowed for the taking by any governmental agency, for street or highway purposes, any building erect in violation of this Ordinance.

(3) Every calendar day of violation shall be deemed to be a separate offense.