

ORDINANCE NO. 814

ORDINANCE TO REPEAL AND RECREATE SECTION 1-13 OF THE MUNICIPAL CODE

RELATING TO THE OFFICIAL MAP FOR THE CITY OF FORT ATKINSON

The City Council of the City of Fort Atkinson, Wisconsin, does ordain as follows:

WHEREAS, the City Council of the City of Fort Atkinson, after recommendation by the City Plan Commission has hereto adopted on March 19, 2019 and subsequently amended on February 1, 2022, a Comprehensive Plan as part of the Master Plan of the City; and

WHEREAS, the City Council as previously established an Official Map for the purpose of serving and promoting the public health, safety, convenience, economy, orderliness, and general welfare of the community; 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, and stormwater drainage; and to facilitate the further subdivision of larger tracts into smaller parcels of land under the authority granted by Section 62.23(6) of the Wisconsin Statutes; and

WHEREAS, the City Council of the City of Fort Atkinson has determined that it is necessary for the proper physical development of the City to amend the Official Map and repeal and reenact Section 1-13 of the Municipal Code to align with the current Comprehensive Plan for the City of Fort Atkinson; and

WHEREAS, a public hearing was held before the City Council of the City of Fort Atkinson, on the 1st day of February, 2022, on the question of amendment to the Official Map and Section 1-13 of the Municipal Code.

NOW, THEREFORE, the City Council of the City of Fort Atkinson, Jefferson County, Wisconsin, do hereby ordain as follows:

That Section 1-13 of the Municipal Code be, and the same is hereby repealed and reenacted to read as follows:

City of Fort Atkinson Municipal Code Chapter 1 – General Provisions Section 1-13. – Official Map.

- (a) *Intent. It is the intent of the Common Council to repeal and re-establish an official map for the purpose of serving and promoting the public health, safety, convenience economy, orderliness and general welfare to the community; to further the orderly layout and use of land; to stabilize the location of real property boundary lines; to facilitate adequate provision for transportation, parks, playgrounds, and stormwater drainage; and to facilitate the further Subdivision on larger tracts into smaller parcels of land.*
- (b) *Authority. This ordinance is enacted under the authority granted by Section(s) 62.23(6) of the Wisconsin Statutes.*
- (c) *Official Map. The Official Map shall show the location and extent of all platted and existing streets, highways, parkways, parks, and playgrounds within the corporate and extraterritorial limits of the City of Fort Atkinson as heretofore, platted, laid out, adopted, and established by law. There is hereby established, as the Official Map of the City of Fort Atkinson, the map which accompanies and*

is made a part of this Ordinance bearing the date of February 1, 2021. This map is hereby designated as the "Official Map of the City of Fort Atkinson" 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.

(d) Changes and additions.

- 1) The Common Council may change or add to the Official Map as to establish the exterior lines, or widen, narrow, extend, or close any platted, existing, proposed, or planned streets, highways, parkways, parks, or playgrounds.
- 2) The Common Council shall refer any change or addition to the Official Map to the City Plan Commission for review and report their recommendation to the Common Council within sixty (60) days of referral.
- 3) A public hearing of parties in interest and citizens before the Common Council shall be required before any changes or additions to the Official Map are effective. At least fifteen (15) days notice of said hearing shall be required by publication.
- 4) Changes and additions made by duly approved subdivision plats shall not require the public hearing if the changes or additions do not affect any land outside the area being platted.

(e) Building permits.

- 1) 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 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, 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 this map.
- 2) The City 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 reference to any street, highway or parkway shown on the Official Map.

(f) Municipal Improvements. No public sewer or other municipal street utility or improvement shall be constructed in any street, highway, or parkway within the corporate limits of the City of Fort Atkinson until such street, highway, or parkway is duly placed on the Official Map or is otherwise approved through a plat of subdivision approved by the City.

(g) Appeals. The Board of Zoning Appeals shall have the power to review any administrative decision of the City Building Inspector to deny a permit for the creation of a structure under this ordinance and to grant relief from the requirements of this ordinance under the provision of Section 62.23(6)(d), (f), and (g) of the Wisconsin Statutes.

(h) Certification of Map. There shall be a certified copy of the Official Map that shall be kept in the office of the City Clerk and shall be available for the 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 president and counter-signed by the City Clerk. Thereafter, no change or addition to such Official Map shall become effective until it shall have been indicated by the appropriate convention of the aforesaid certified copy of the Official Map and a certificate placed

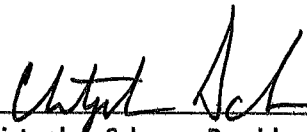
thereon or attached thereto, bearing the number and date of adoption of the amending ordinance.
The certificate shall be signed by the City Council President and countersigned by the City Clerk.

- (i) Recording of map. The City Clerk shall be responsible immediately upon adoption of the Official Map or any amendment thereto for recording a true copy of the amended Official Map with the Jefferson County Register of Deeds.
- (j) Enforcement. It shall be the duty of the City Building Inspector to enforce the provisions of this Ordinance.
- (k) Penalties. Any person who violates, disobeys, neglects, omits or refuses to comply with or who resists the enforcement of any provisions of this section shall be subject to section 1-10.

This ordinance shall be effective the day following its publication, subsequent to its adoption.

Adopted this 17th day of February, 2022.

CITY OF FORT ATKINSON



Christopher Scherer, President

ATTEST:



Michelle Ebbert, City Clerk/Treasurer/Finance Director