

**NOTICE OF MEETING**  
**SHEBOYGAN COUNTY BOARD OF SUPERVISORS**

Sheboygan County Courthouse  
615 North 6<sup>th</sup> Street, 5<sup>th</sup> Floor  
Sheboygan WI

**TUESDAY, March 15, 2016 at 6:00 P.M.**

In compliance with Rule V under the Rules of Order of the Sheboygan County Board of Supervisors, as County Clerk of Sheboygan County, I herewith submit the following AGENDA.

**AGENDA**

**CALL TO ORDER – Chairperson Roger L. Te Stroete**

**CERTIFICATION OF COMPLIANCE WITH OPEN MEETING LAW**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**APPROVAL OF FEBRUARY 16, 2016 JOURNAL**

**CONSIDERATION OF APPOINTMENT BY COUNTY ADMINISTRATOR**

Eastern Shores Library System Board  
Eileen Hilke, 532 Sir Howard Circle, Kohler  
*(Representing – Member at Large)*

**PRESENTATIONS**

Thomas Eggebrecht, Scott Shackelford, Barry Neumann, and Barb Kultgen, Health and Human Services Department-Report on Sheboygan County Juvenile Justice Services

**PUBLIC ADDRESSES**

*As of the preparation of this Agenda no one has requested to speak. County Board rules allow interested persons to register to speak until 5:00 pm on the Monday before the County Board Meeting.*

**LETTERS, COMMUNICATIONS AND ANNOUNCEMENTS**

*Items introduced under this heading are either referred to a Committee for action, or received for information. No action is taken at this meeting.*

**COUNTY ADMINISTRATOR'S REPORT**

*The County Administrator's Report is a summary of County activities for the previous month and planned for upcoming months.*

<b>*POSTED*</b> <b>03.11.16</b> <b>3:00 PM</b>
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**CONSIDERATION OF COMMITTEE REPORTS - EXECUTIVE COMMITTEE**

- Resolution No. 31 (2015/16)**      Re: Merging Aging Unit Advisory Committee and Aging & Disability Resource Center (ADRC) Governing Committee  
**Committee Recommendation: Adopt**  
**Signed in Opposition: None**
- Resolution No. 34 (2015/16)**      Re: Approving Sale of .44-acre Parcel from Taylor Park Complex to Adjacent Property Owners  
**Committee Recommendation: Adopt**  
**Signed in Opposition: None**
- Ordinance No. 15 (2015/16)**      Re: Repealing and Re-creating Chapter 71 – Subdivision Ordinance  
**Committee Recommendation: Enact**  
**Signed in Opposition: None**

**CONSIDERATION OF COMMITTEE REPORTS - FINANCE COMMITTEE**

- Resolution No. 30 (2015/16)**      Re: Authorizing Funding for Final Phase of Health and Human Services Building Remodeling Project  
**Committee Recommendation: Adopt**  
**Signed in Opposition: None**
- Resolution No. 32 (2015/16)**      Re: Authorizing Expenditure of Not More than \$20,000 from the County Jail Fund  
**Committee Recommendation: Adopt**  
**Signed in Opposition: None**
- Resolution No. 33 (2015/16)**      Re: Approving Use of Fund Balance for Radio Replacement Program  
**Committee Recommendation: Adopt**  
**Signed in Opposition: None**

**RESOLUTIONS INTRODUCED**

*Items introduced under this heading are referred to a Committee for recommendation. No formal action is taken at this meeting unless noted.*

- Resolution No. 35 (2015/16)**      Re: Authorizing the Finance Committee and Finance Director to Balance Over Budget Departmental Accounts
- Resolution No. 36 (2015/16)**      Re: Authorizing Human Resources Committee to Enter Into Labor Contract with Sheboygan County Law Enforcement Employees' Association WPPA-LEER

**ORDINANCES INTRODUCED**

*Items introduced under this heading are referred to a Committee for recommendation. No formal action is taken at this meeting unless noted.*

**Ordinance No. 16 (2015/16)** Re: Authorizing and Implementing Agency Agreement with State Department of Agriculture to License and Regulate Various Commercial Activity under Chapter 17

**Ordinance No. 17 (2015/16)** Re: Adding Kohler Company Representative to Airport Advisory Committee

**ADJOURNMENT**

Respectfully submitted this 11th day of March, 2016.

  
\_\_\_\_\_  
JON DOLSON, COUNTY CLERK

\*\*\*\*\*

**NOTES:**

**Reminder:** Expense sheets for the period ending March 15, 2016 are due in the County Clerk's Office no later than **Tuesday, March 15, 2016.**

The Legislative Breakfast will be held on April 11, 2016 at 8:00 A.M. at the Fountain Park Family Restaurant.

The Legislative Breakfast is a monthly informational question and answer session between Sheboygan County's federal and state legislative delegation and Sheboygan County Supervisors and department heads. Because a majority of the Board or a Committee may attend, it is a meeting open to the public under the Open Meeting law even though there is no formal agenda, no action will be taken, and no minutes are being kept.

The Town's Association meeting will be held on April 15, 2016 at 7:30 P.M. at the Village of Adell. Location is still pending – please contact Bill Goehring closer to April 15<sup>th</sup> for the physical location.

Persons with disabilities needing assistance to attend or participate are asked to notify the County Clerk's Office at 920.459.3003 prior to the meeting so that accommodations may be arranged.

# JOURNAL OF THE MEETING OF THE SHEBOYGAN COUNTY BOARD OF SUPERVISORS

February 16, 2016

Pursuant to Wis. Stat. § 59.11, the February 16, 2016 session of the Sheboygan County Board was called to order by Chairperson Roger L. Te Stroete at 6:00 p.m. Chairperson Te Stroete noted that the notice of meeting was posted on February 12, 2016 at 2:30 p.m. in compliance with the open meeting law. The meeting opened with the Pledge of Allegiance by all present.

The roll call was taken and recorded with 23 Supervisors present; Absent: 2, Supervisors Ablor, and Ogea.

**Supervisor Winkel moved for approval of the January 19, 2016 Journal, which was distributed to all supervisors prior to the meeting.** The motion was seconded by Supervisor Glavan and carried on unanimous roll call vote of the board.

## PRESENTATION-NONE

### LETTERS AND COMMUNICATIONS

The Clerk presented a resolution from the Outagamie County Board of Supervisors opposing any legislation allowing a dairy farmer to sell raw milk. By Chairperson received for information.

### COUNTY ADMINISTRATOR'S REPORT

County Administrator Adam Payne gave a presentation on the 2015 State of the County reviewing the county's overall financial track record. Mr. Payne reported the state of the county is strong and that we have healthy fiscal reserves, an excellent bond rating, and hard-working, caring staff providing quality services. Mr. Payne also reviewed the top 10 list of 2015 accomplishments including the wellness initiative, planning for a drug treatment court, land purchase for a transportation complex, completion of Plastics Engineering Building at UW-Sheboygan, a five star quality rating for Rocky Knoll, fiber optic network partnership with the City of Sheboygan and School District, radio upgrade and combined dispatch project, new compensation system, and Amsterdam Dunes Wetland Mitigation Bank and Preservation Area. Mr. Payne also discussed upcoming fiscal challenges and the escalating cost of maintaining our transportation system. Mr. Payne, along with Chairperson Te Stroete and Vice Chairperson Wegner presented Julie Jeknewicz with a plaque for 35-1/2 years of dedicated service to Sheboygan County.

### COMMITTEE REPORTS

The Clerk read the report of the Executive Committee regarding **Resolution No. 28 (2015/16) Carryover of Unexpended 2015 Appropriations to 2016** recommending adoption.

**Supervisor Goehring moved to adopt the resolution.** The motion was seconded by Supervisor Glavan and carried on unanimous roll call vote of the board.

The Clerk read the report of the Executive Committee regarding **Resolution No. 29 (2015/16) Amending 2016 Budget Based on Health Insurance** recommending adoption.

**Supervisor Marthenze moved to adopt the resolution.** Supervisor Goehring seconded the motion which carried on unanimous roll call vote of the board.

The Clerk read the report of the Law Committee regarding **Ordinance No. 13 (2015/16) Establishing Speed Zone on County Road "KK" (Town of Wilson)** recommending enactment.

**Supervisor Winkel moved to enact the ordinance.** The motion was seconded by Supervisor Glavan and carried on roll call vote of the board of Ayes: 22; Noes: 1, Supervisor Bemis; Absent: 2, Supervisors Abler, and Ogea.

The Clerk read the report of the Law Committee regarding **Ordinance No. 14 (2015/16) Prohibiting Parking on Portion of County Road "O", City and Town of Sheboygan** recommending enactment.

**Supervisor Winkel moved to enact the ordinance.** Supervisor Koch seconded the motion which carried on unanimous roll call vote of the board.

(Vice-Chairperson Wegner presiding)

Pursuant to Rule IV of the Rules of Order, the following resolutions and ordinances were introduced by the Clerk and referred by the Vice-Chairperson as indicated:

**Resolution No. 30 (2015/16)** Re: Authorizing Funding for Final Phase of Health and Human Services Building Remodeling Project referred to the Finance Committee.

**Resolution No. 31 (2015/16)** Re: Merging Aging Unit Advisory Committee and Aging & Disability Resource Center (ADRC) Governing Committee referred to the Executive Committee.

**Resolution No. 32 (2015/16)** Re: Authorizing Expenditure of Not More than \$20,000 from the County Jail Fund referred to the Finance Committee.

**Resolution No. 33 (2015/16)** Re: Approving Use of Fund Balance for Radio Replacement Program referred to the Finance Committee.

**Resolution No. 34 (2015/16)** Re: Approving Sale of .44-acre Parcel from Taylor Park Complex to Adjacent Property Owners referred to the Executive Committee.

**Ordinance No. 15 (2015/16)** Re: Repealing and Re-creating Chapter 71 – Subdivision Ordinance referred to the Executive Committee.

#### **ADJOURNMENT**

**Supervisor Bemis moved to adjourn to 6:00 p.m. on Tuesday, March 15, 2016.** Supervisor Winkel seconded the motion which carried on unanimous roll call vote of the board. The meeting was adjourned at 6:44 p.m.



# SHEBOYGAN COUNTY

**Adam N. Payne**  
*County Administrator*

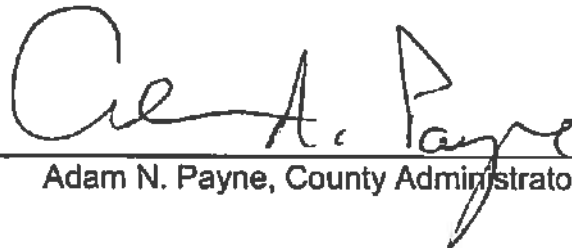
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TO THE HONORABLE MEMBERS OF THE SHEBOYGAN COUNTY BOARD:

I, Adam Payne, Sheboygan County Administrator, pursuant to Section 43.05 and Ordinance No. 6 (2006/07) of the Sheboygan County Code, having conferred with the County Board Chairperson and the appropriate standing Committee of the County Board, hereby submit for your confirmation the following appointment to the Eastern Shores Library System Board to serve the remainder of a three-year term expiring December, 2016:

**Eileen Hilke, 532 Sir Howard Circle, Kohler, WI 53044**  
*(Representing – Member at Large)*

Respectfully submitted this 15<sup>th</sup> day of March, 2016.

  
Adam N. Payne, County Administrator

November 19, 2015



Dear Adam Payne and County Board Members,

I am applying for the member-at-large position on the Eastern Shores Library System Board. I feel we have an excellent library system and I would like to contribute to the goals of the Board. I am a Professor Emerita from Lakeland College. I taught Children's Literature, Reading Techniques, Young Adult Literature, Social Studies and Language Arts Teaching Techniques during my 33 years at the College. Prior to this tenure, I was a first and second grade teacher at Sheboygan Falls.

Highlights from my resume include my educational background and how my professional experiences relate to your Board position opening. My Bachelor's Degree in Elementary Education is from the University of Wisconsin – Eau Claire, and my Master's Degree in Curriculum and Instruction is from Marquette University. I earned my Ph.D. in Urban Education from the University of Wisconsin – Milwaukee. I gained appreciation for other cultures through a Fulbright Fellowship to Yugoslavia, a Japan Foundation Fellowship, and a Phi Delta Kappa Scholarship to visit China.

Throughout the years I was President of two state organizations, and two local organizations in addition to serving on a variety of local boards. I am currently the Secretary of the Sheboygan Children's Book Festival and a volunteer at Bookworm Gardens.

I was Vice President of the Wisconsin Council for the Social Studies and co-editor of the state publication, *The Journal*. I was honored to be one of twelve educators nationally to serve on the committee to select award books for Notable Social Studies Trade Books for Young People.

I was President of Interlake Reading Council and served on the Wisconsin State Reading Association (WSRA) Board. While being active in the WSRA Children's Literature Committee I spoke at state conventions numerous times and wrote articles for ten years for the *WSRA Journal* about outstanding children's literature.

Thank you for your consideration of my application.

Respectfully,

A handwritten signature in black ink that reads "Eileen Hilke".

Eileen Hilke  
532 Sir Howard Circle  
Kohler, WI 53044

(920) 459-7163  
tehilke@charter.net

SHEBOYGAN COUNTY RESOLUTION NO. 31 (2015/16)

Re: Merging Aging Unit Advisory Committee and Aging & Disability Resource Center (ADRC) Governing Committee

WHEREAS, Wis. Stat. § 46.82(4) requires counties to establish commissions on aging to support the county's aging unit services, and

WHEREAS, in fulfillment of that requirement, Sheboygan County has established such a commission on aging which it has denominated as the "Aging Unit Advisory Committee," and

WHEREAS, Wis. Stat. § 46.283 allows counties to provide services to the elderly through an aging and disability resource center model which requires a governing board to oversee the resource center operations, and

WHEREAS, by the adoption of Resolution No. 30 (2004/05), the Sheboygan County Board approved the Aging & Disability Resource Center (ADRC) model and established such a resource center for Sheboygan County, together with an ADRC Governing Board, and

WHEREAS, the duties of the two entities overlap and create inefficiencies and potential confusion, and it is in the best interests of Sheboygan County that the ADRC Governing Board be designated as the Aging and Disability Advisory Committee under Wis. Stat. § 46.82(4) and that the current "Aging Unit Advisory Committee" be dissolved as a stand-alone entity.

NOW, THEREFORE, BE IT RESOLVED that the Sheboygan County Board of Supervisors hereby designates that the Sheboygan County ADRC Governing Board be designated as and serve as the Aging and Disability Advisory Committee as required under Wis. Stat. § 46.82(4) and that the current Aging Unit Advisory Committee is dissolved.


Respectfully submitted this 16th day of February, 2016.

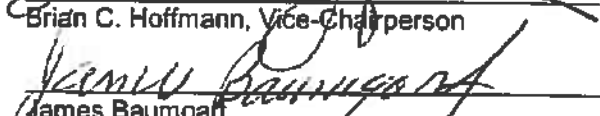
HEALTH & HUMAN SERVICES COMMITTEE\*


  
\_\_\_\_\_  
Vernon C. Koch, Chairperson

  
\_\_\_\_\_  
Jacob Van Dixhorn, Secretary

  
\_\_\_\_\_  
Henry Nelson

  
\_\_\_\_\_  
Brian C. Hoffmann, Vice-Chairperson

  
\_\_\_\_\_  
James Baumgart

  
\_\_\_\_\_  
Roger R. Otten

Opposed to Introduction:

\*County Board members signing only



**FISCAL NOTE**  
**February 2016**

**Resolution No. 31 (2015/16) RE: Merging Aging Unit Advisory Committee and Aging & Disability Resource Center (ADRC) Governing Committee**

**Ordinance No. 15 (2015/16) Re: Repealing and Re-creating Chapter 71 – Subdivision Ordinance**

**Funding:**

No additional funding is required.

Respectfully Submitted,



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Wendy A. Charon, Finance Director  
February 12, 2016

SHEBOYGAN COUNTY RESOLUTION NO. 34 (2015/16)

Re: Approving Sale of .44-acre Parcel from Taylor Park Complex to Adjacent Property Owners

WHEREAS, through the adoption of Resolution No. 45 (2009/10), April 13, 2010, the County Board approved the sale of certain property heretofore owned by Sheboygan County adjacent to the south and west of Taylor Park to third parties, and

WHEREAS, these third parties and assigns are in the process of developing the property that they purchased from Sheboygan County to include five 16-unit apartment buildings with a total expenditure in excess of \$5.3 Million, and

WHEREAS, the proposed development would become more viable if it had access to the property over a small portion of the County's Taylor Park complex comprised of approximately .44 acres in the area shown on the map, a copy of which is on file with the County Clerk, and

WHEREAS, the developers have made a request to the County at the January 19, 2016, Property Committee meeting to acquire this .44-acre parcel from the County, and

WHEREAS, the Property Committee has reviewed the proposal from the developer and has concluded that the conveyance of this portion of the Taylor Park complex to support the development would serve the public interest while at the same time would not adversely impact the integrity of the Taylor Park complex;

NOW, THEREFORE, BE IT RESOLVED that the County Administrator is authorized and directed to convey the above-described parcel to the developers upon such terms and conditions as the County Administrator determines are most advantageous to the County, but for consideration of value not less than \$11,500.00.

BE IT FURTHER RESOLVED that any proceeds from the conveyance shall be applied to the Building Services Department budget for use in improving Taylor Park.

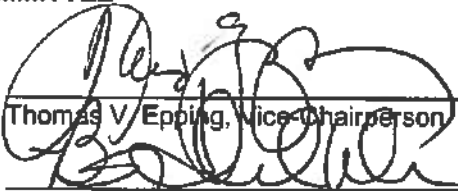
BE IT FURTHER RESOLVED that the County Board Chairperson and the County Clerk are directed to sign on behalf of Sheboygan County any documents necessary to complete the conveyance.

Respectfully submitted this 16th day of February, 2016.

PROPERTY COMMITTEE

  
James P. Giavan, Chairperson

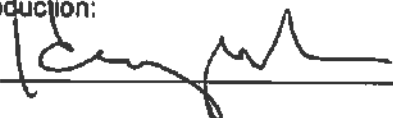
  
Robert Ziegelbauer

  
Thomas V. Epping, Vice Chairperson

  
Brian Hilbelink

Henry Nelson

Opposed to Introduction:





**FISCAL NOTE**  
**February 2016**


**Resolution No. 34 (2015/16) RE: Approving Sale of .44-acre Parcel from Taylor Park  
Complex to Adjacent Property Owners**

This resolution gives authorization to the County Administrator to proceed with the sale of the .44-acre parcel and sets an expectation of consideration of value not less than \$11,500.

**Funding:**

There is no funding required for this resolution.

Respectfully Submitted,

  
\_\_\_\_\_  
Wendy A. Charmon, Finance Director  
February 12, 2016

1 SHEBOYGAN COUNTY ORDINANCE NO. 15 (2015/16)

2  
3 Re: Repealing and Re-creating Chapter 71 – Subdivision Ordinance

4  
5  
6 WHEREAS, Sheboygan County is required to revise certain portions of its Subdivision Ordinance  
7 to comply with statutory and administrative code requirements, and

8  
9 WHEREAS, the Planning and Conservation Department has been working with a "stakeholder"  
10 group to come into compliance with the statutory and administrative requirements while at the same time  
11 balancing private property rights against the public intent of promoting planned and orderly land use and  
12 development, and

13  
14 WHEREAS, the Planning, Resources, Agriculture, and Extension Committee, pursuant to Wis.  
15 Stat. §§ 236.45(4), held a public hearing regarding the proposed changes to the County Subdivision  
16 Ordinance on February 9, 2016;

17  
18 NOW, THEREFORE, the County Board of Supervisors of the County of Sheboygan does ordain  
19 as follows:

20  
21 Section 1. Repealing and Re-creating Chapter 71. Chapter 71 of the Sheboygan  
22 County Code of Ordinances is hereby repealed and re-created as follows:

23  
24 CHAPTER 71  
25 SUBDIVISION ORDINANCE

26  
27 71.01 AUTHORITY. This Ordinance is adopted under the authority granted by Wis. Stat. §§ 59.692,  
28 59.70, 66.0103, 236.45, 281.31, and 703.27 and amendments thereto; and, pursuant to this  
29 authority, the County Board of Supervisors of Sheboygan County does ordain as follows.

30  
31 71.02 TITLE. This Ordinance shall be entitled, SUBDIVISION ORDINANCE, SHEBOYGAN COUNTY,  
32 WISCONSIN (Chapter 71, Sheboygan County Code of Ordinances).

33  
34 71.03 PURPOSE. It is the purpose of this Ordinance to promote the following objectives:

- 35  
36 (1) to protect the public health, safety, convenience, and general welfare of Sheboygan  
37 County, Wisconsin;  
38 (2) to encourage planned and orderly land use and development;  
39 (3) to promote property values and the property tax base;  
40 (4) to permit the careful planning and efficient maintenance of highway systems;  
41 (5) to promote the provision of adequate transportation, water, sewerage, health, education,  
42 recreation, and other public facilities;  
43 (6) to recognize the needs of agriculture, forestry, industry, and commerce in future growth;  
44 (7) to encourage uses of land and other natural resources which are in accordance with their  
45 character and adaptability;  
46 (8) to preserve wetlands;  
47 (9) to conserve soil, water, and forest resources;  
48 (10) to reduce erosion damage and sedimentation of surface waters;  
49 (11) to provide for proper ingress and egress; and  
50 (12) to facilitate the implementation of the Sheboygan County Comprehensive Plan.

51  
52 71.04 SEVERABILITY AND NON-LIABILITY. If any section, provision, or portion of this Ordinance is  
53 adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this  
54 Ordinance shall not be affected thereby. The County does not guarantee, warrant, or represent

55 that only those areas designated as floodplains will be subject to period inundation, that those  
56 areas identified as erosion hazard areas will erode at a rate equal to or greater than present  
57 computations would predict, and that those soils determined to be unsuited for specific uses are  
58 the only unsuited soils within the County and thereby asserts that there is no liability on the part of  
59 the Board of Supervisors, its agencies, or employees for sanitation problems, structural damages,  
60 or other losses that may occur as a result of reliance upon and conformance with this Ordinance.  
61

62 71.05 REPEAL. All other Ordinances or parts of Ordinances of the County inconsistent or conflicting  
63 with this Ordinance, to the extent of inconsistency or conflict only, are hereby repealed.  
64

65 71.06 ABROGATION AND GREATER RESTRICTIONS. It is not intended by the Ordinance to repeal,  
66 abrogate, annul, impair, or interfere with any existing easement, covenants, deed restrictions,  
67 agreements, rules, regulations, or permits previously adopted or issued pursuant to law.  
68 However, where this Ordinance imposes greater restrictions, the provisions of this Ordinance  
69 shall govern.  
70

71 71.07 EFFECTIVE DATE. This Ordinance shall be effective after adoption by the County Board of  
72 Supervisors and publication and posting as required by law.  
73

74 71.08 JURISDICTION AND APPLICABILITY OF ORDINANCE.  
75

76 (1) UNINCORPORATED AREAS. Except as otherwise provided herein, the provisions of  
77 this Ordinance shall apply in all unincorporated areas of Sheboygan County, except that  
78 sales or exchange of parcels between owners of adjoining properties are exempt from  
79 this Ordinance, provided the following conditions apply and the provisions of Section  
80 71.09 are adhered to:  
81

82 (a) additional lots are not thereby created;  
83

84 (b) the parcels resulting are not reduced below the minimum sizes required by these  
85 regulations or applicable laws and ordinances; and  
86

87 (c) the deed or other instrument of conveyance shall include the following specific  
88 language immediately after the legal description, with appropriate choices made  
89 at each italicized reference:  
90

91 *Grantee(s), by recording this [Deed/document], agree(s) that the*  
92 *above-described premises shall merge with the property*  
93 *he/she/it/they own(s) adjacent to the above-described property*  
94 *and shall hereafter be considered as one. All future descriptions*  
95 *will describe the premises as one unit in order to comply with*  
96 *Section 71.08(1)(c) of the Sheboygan County Subdivision*  
97 *Ordinance.*  
98

99 (d) the italicized language in (c) above will not be considered non-compliant  
100 if the language cites a prior version of Section 71.08(1)(c)  
101

102 (2) INCORPORATED AREAS:  
103

104 (a) The provisions of this Ordinance shall apply in all incorporated areas which have,  
105 under Wis. Stat. § 66.0301, entered into an agreement with Sheboygan County  
106 for the cooperative exercise of the authority to approve plats of subdivisions.  
107

- 108 (b) Plans of subdivisions located in all other incorporated municipalities shall be
- 109 submitted to the Department as provided by Wis. Stat. § 236.12(2)(b) for the
- 110 purpose of determining whether the Department has any objection to the plat.
- 111 The basis for a departmental objection to said plat shall be if it conflicts with
- 112 parks, parkways, expressways, major highways, airports, drainage channels,
- 113 schools, or other planned public development. In the event of a departmental
- 114 objection, the procedure required under Wis. Stat. § 236.12(3) shall be followed.
- 115
- 116 (3) CERTIFIED SURVEY MAPS. Any land division that creates less than five (5) parcels of
- 117 land consisting of lots or outlots within a five- (5-) year period shall be accomplished
- 118 through a certified survey map pursuant to Wis. Stat. § 236.34 and Sections 71.15 and
- 119 71.18 of this Ordinance.
- 120
- 121 (4) STATE SUBDIVISION PLATS. Any land division that creates five (5) or more parcels of
- 122 land consisting of lots or outlots of one and one half (1-1/2) acres each or less in area
- 123 within five (5) years shall be accomplished through a state subdivision plat pursuant to
- 124 Wis. Stat. ch. 236 and Sections 71.15 and 71.17 of this Ordinance. This section applies
- 125 to the aforementioned creation of lots or outlot from the same parcel, whether platted or
- 126 unplatted. For purposes of determining when a State Subdivision Plat is required, all
- 127 contiguous land under the State ownership including the same form of ownership,
- 128 whether platted or unplatted, is considered to be one (1) parcel.
- 129
- 130 (5) COUNTY PLATS. Any land division that creates five (5) or more lots or outlots of which
- 131 no more than four (4) are one and one half (1-1/2) acres or less in area within five (5)
- 132 years shall be accomplished through a County Plat pursuant to Wis. Stat. ch. 236 and
- 133 Sections 71.15 and 71.19 of this Ordinance.
- 134
- 135 (6) REPLATS. The legal dividing of a large block, lot, or outlot within a recorded subdivision
- 136 plat which changes the exterior boundaries of said block, lot, or outlot, shall be
- 137 accomplished through a replat pursuant to Wis. Stat. ch. 236 and Sections 71.15 and
- 138 71.20 of this Ordinance.
- 139
- 140 (7) CONSERVATION SUBDIVISIONS. The legal dividing of a parcel or parcels by a
- 141 subdivider or subdivider's agent into a conservation subdivision as defined in Section
- 142 71.26 shall be accomplished through a conservation subdivision plat pursuant to Sections
- 143 71.15 and 71.21 of this Ordinance.
- 144
- 145 (8) EXCLUSIONS. This Ordinance does not apply to the following:
- 146
- 147 (a) Transfers of interest in land by will or pursuant to court order. Attorneys are
- 148 encouraged to confer with the Department before such transfers of interest to
- 149 avoid the creation of non-compliant lots.
- 150
- 151 (b) Leases for a term not to exceed ten (10) years, mortgages, or easements
- 152 involving five (5) parcels or less.
- 153
- 154 (c) A division of land resulting in parcels more than forty (40) acres in area, exclusive
- 155 of road right-of-way.
- 156
- 157 (d) Cemetery plats pursuant to Wis. Stat. § 157.07 and assessor's plats pursuant to
- 158 Wis. Stat. § 70.27.
- 159
- 160 (e) Condominium plats created under Wis. Stat. ch. 703.
- 161

- 162 (f) Any conveyance of land to a governmental agency, public entity, or public utility,  
163 and any land conveyance within a pre-planned business park, shall not be  
164 considered a division of land for purposes of computing the number of parcels  
165 but shall be accomplished by a certified survey map or subdivision plat as  
166 hereinafter defined.
- 167 (g) Transportation project plats.
- 168
- 169 (9) **NAVIGABLE WATERWAYS.** Parcels which are bisected by a navigable waterway, for  
170 the purposes and provisions of this Ordinance as they apply to subsequent land  
171 divisions, shall be considered one parcel. Those parcels bisected by an existing public  
172 road or railroad right-of-way shall be considered to be effectively divided into separate  
173 lots.
- 174
- 175 (10) **CONTIGUOUS PARCELS.** For the purposes of this Ordinance, parcels shall be  
176 considered one (1) if they meet all of the following standards, even if they were acquired  
177 at different times or from different persons, and even if they have separate tax  
178 identification numbers:
- 179
- 180 (a) the tracts of land are contiguous;
- 181
- 182 (b) the tracts of land are under the same ownership, including the same form of  
183 ownership; and
- 184
- 185 (c) the tracts of land are unplatted.
- 186
- 187 (11) **SHEBOYGAN COUNTY COORDINATE MONUMENTATION SYSTEM.** Any land  
188 division resulting in a subdivision or, where required, a certified survey map, shall utilize  
189 the Sheboygan County Coordinate Monumentation System.

190

191 **71.09 MERGERS.**

192

- 193 (1) **FORM REQUIRED.** Where a merger is sought for any lot combination within an  
194 unincorporated area within Sheboygan County, a Request to Merge form is required to  
195 be submitted to the Department. The form can be obtained from the Department, and will  
196 allow the County to perform a review so as to ensure the lots meet the requirements  
197 listed below. This document itself does not merge the lots for legal or tax purposes, but  
198 will verify that the lots have the ability to merged in compliance with the County  
199 requirements. The Department will transmit a copy of the form after it has completed its  
200 review, to the landowner or landowner's agent, and to the town in which the proposed lot  
201 combination is located.
- 202
- 203 (2) **REQUIREMENTS.** In order for lots to be merged, the following requirements must be  
204 met:
- 205
- 206 (a) the lots must be contiguous;
- 207
- 208 (b) the lots must be under the same ownership, including the same form of  
209 ownership;
- 210
- 211 (c) the lots must lie within the same tax district(s); and
- 212
- 213 (d). the instrument recorded with the Register of Deeds used to merge the lots must  
214 reference the parcel identification numbers for each lot.
- 215



- 216 71.10 COMPLIANCE WITH ORDINANCES, STATUTES, REGULATIONS, AND PLANS. Any person  
 217 dividing land which results in a subdivision shall prepare a plat of the subdivision, or any person  
 218 dividing land which results in a land division shall prepare a certified survey map, in accordance  
 219 with the requirements of this Ordinance and:  
 220
- 221 (1) the provisions of Wis. Stat. ch. 236;
  - 222
  - 223 (2) the rules of the Department of Professional Services, contained in Wis. Admin. Code Ch.  
 224 SPS 383 and SPS 385 for subdivisions not served by public sewer;
  - 225
  - 226 (3) the rules of the Division of Highways, Department of Transportation, contained in Wis.  
 227 Admin. Code Ch. TRANS 233 for subdivisions which abut a state highway or connecting  
 228 highway;
  - 229
  - 230 (4) the provisions of Chapter 26, Sheboygan County Code of Ordinances, regarding  
 231 driveways on County roads;
  - 232
  - 233 (5) the rules of the Department of Natural Resources contained in Wis. Admin. Code Chs.  
 234 NR 115 and NR 116 for Wisconsin Shoreland-Wetland Management and Floodplain  
 235 Management programs;
  - 236
  - 237 (6) all other applicable County Ordinances and regulations;
  - 238
  - 239 (7) local and County comprehensive plans or comprehensive plan components;
  - 240
  - 241 (8) the official map of any municipality or governmental unit having jurisdiction;
  - 242
  - 243 (9) the rules and by-laws of the Department of Safety and Professional Services; and
  - 244
  - 245 (10) the rules of the Department of Natural Resources contained in Wis. Admin. Code Ch. NR  
 246 216 regarding stormwater management and erosion control.
  - 247
- 248 71.11 VIOLATIONS. It shall be unlawful to divide, convey, record, or monument any land in violation of  
 249 this Ordinance or the Wisconsin Statutes. The County may institute appropriate action or  
 250 proceedings to enjoin violations of this Ordinance.  
 251
- 252 71.12 PENALTIES. Any person failing to comply with the provisions of this Ordinance shall, upon  
 253 conviction thereof, forfeit to Sheboygan County a penalty of not more than Five Hundred Dollars  
 254 (\$500.00), plus the cost of prosecution for each violation, and in default of payment of such  
 255 forfeiture and costs shall be imprisoned in the County jail until payment thereof but not exceeding  
 256 thirty (30) days. Each day a violation exists or continues shall constitute a separate offense.  
 257 Compliance therewith may also be enforced by injunctive order at the suit of the County.  
 258
- 259 71.13 VARIANCES AND APPEALS.  
 260
- 261 (1) Where the Committee finds that it would be inappropriate to apply literally these  
 262 regulations, it may waive or modify the regulations so that substantial justice may be  
 263 done and the public interest served, provided that such violation will not have the effect of  
 264 nullifying the intent and purpose of this Ordinance or be in conflict with State statutes and  
 265 administrative codes. Any person seeking a variance by the Committee under this  
 266 Section shall submit to the Department a non-refundable fee according to the fee  
 267 schedule on file in the Department for variance requests.  
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- (2) To grant a variance from this Ordinance, an applicant must convincingly demonstrate that:
    - (a) literal enforcement of the provisions of the Ordinance will result in unnecessary hardship on the applicant;
    - (b) the hardship is due to special conditions unique to the property; and
    - (c) it is not contrary to the public interest.
  - (3) In so acting, the Committee may require such conditions as will, in its judgment, secure substantially the objectives and standards of this Ordinance. A simple majority vote of the Committee shall be required to grant any modification or variance and such actions shall be entered in the minutes of the Committee setting forth the reasons for the request and the reasons in the judgment of the Committee which justify the variance.
  - (4) Any owner or owner's agent aggrieved by a modification, order, requirement, interpretation, or determination made by the Committee may appeal such decision within thirty (30) days to the Sheboygan County Board of Adjustments, pursuant to Chapter 76 of the Sheboygan County Code of Ordinances and Wis. Stat. § 59.694.
  - (5) Any owner or owner's agent aggrieved by an objection to a plat or a failure to approve a plat may appeal therefrom, as provided in Wis. Stat. § 236.13(5) within thirty (30) days of notification of the rejection of the plat.

294 71.14 DEPARTMENTAL REVIEW.  
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- (1) **CERTIFIED SURVEY MAPS.** The subdivider shall submit a fee to the Department according to the fee schedule on file in the Department for certified survey map review prior to receiving Department approval to assist in defraying the costs of necessary inspections and for review of the map.
  - (2) **PRELIMINARY PLATS.** The subdivider or subdivider's agent shall submit a fee to the Department according to the fee schedule on file in the Department for preliminary plat review prior to receiving Department approval thereof to assist in defraying the costs of necessary inspections and for the review of the preliminary plat, only while the Department acts in the capacity of "approving agency."
  - (3) **FINAL PLATS.** The subdivider or subdivider's agent shall submit a fee to the Department according to the fee schedule on file in the Department for final plat review prior to receiving Department approval thereof to assist in defraying the costs of necessary inspections and for the review of the final plat, only while the Department acts in the capacity of "approving agency."
  - (4) **COUNTY PLATS AND REPLATS.** The subdivider or subdivider's agent shall submit a fee to the Department according to the fee schedule on file in the Department for County plat review or replat review prior to receiving Department approval thereof to assist in defraying the costs of necessary inspections and for the review of the County plat or replat.
  - (5) **CONSERVATION SUBDIVISION PLATS.** The subdivider or subdivider's agent shall submit a fee to the Department according to the fee schedule on file in the Department for conservation subdivision plat review which shall be fifty percent (50%) of the cost of

322 the review fee for a final subdivision plat prior to receiving Department approval to assist  
323 in defraying the costs of necessary inspections and for review of the plat.  
324

325 71.15 REVIEW AND APPROVAL PROCEDURES.  
326

- 327 (1) PRE-APPLICATION. The Department recommends but does not require that prior to the  
328 submission of a preliminary plat or certified survey map, the subdivider consult informally  
329 with the professional staff of Department's Conservation Division, the town, and all  
330 affected utilities for assistance and advice regarding site suitability, such as potential  
331 soil erosion and sedimentation problems and general requirements. A sketch plan of the  
332 proposed subdivision or land division drawn on a topographic survey map should be  
333 submitted. The sketch plan should identify property boundaries, proposed roads, lots,  
334 and any proposed dedications; slopes exceeding fifteen percent (15%); general  
335 conditions, including wetlands, floodplains, erosion hazard areas, drainageways, rock  
336 outcroppings, and vegetation; proposed filling, grading, lagooning, or dredging; and a  
337 sketch of all contiguous property owned or controlled by the subdivider.  
338
- 339 (2) CERTIFIED SURVEY MAP PROCEDURE.  
340
- 341 (a) No person shall divide any land located within unincorporated areas of  
342 Sheboygan County which shall result in a land division as defined under Sections  
343 71.18(1) and 71.26 of this Ordinance or which divides a block, lot, or outlot within  
344 a recorded subdivision plat without changing the boundaries of said block, lot, or  
345 outlot without first filing for approval by the Department and subsequently  
346 recording with the Sheboygan County Register of Deeds a certified survey map  
347 which complies fully with Wis. Stat. § 236.34 and with all applicable requirements  
348 contained in this Ordinance.  
349
- 350 (b) Prior to the submittal of the final certified survey map with any required  
351 signatures, the subdivider or subdivider's agent is encouraged to submit an  
352 unsigned copy of the certified survey map either by hand-delivery, fax, or e-mail  
353 to the Department.  
354
- 355 (c) The final certified survey map, together with at least two (2) copies, shall be  
356 submitted to the Department by the subdivider or the subdivider's agent. The  
357 Department shall within thirty (30) working days from the date of filing of the map  
358 unless the time is extended by agreement with the subdivider, approve, approve  
359 conditionally, or reject the certified survey map based on a determination of  
360 conformance with the provisions of this Ordinance, the County Sanitary, County  
361 Shoreland, and County Floodplain Ordinances, and any other applicable local or  
362 State codes and statutes. If the map is rejected, the reasons shall be stated in  
363 written form and submitted to the subdivider or the subdivider's agent. If the map  
364 is approved, the Department shall so certify on the face of the original map and  
365 return the map to the subdivider or the subdivider's agent.  
366
- 367 (d) Whenever a certified survey map has been rejected by the applicable town board  
368 for failure to conform with any locally-adopted ordinance, such rejection,  
369 described in writing, shall be deemed to constitute an automatic rejection by the  
370 Department unless specifically ruled otherwise by agreement with the Town  
371 Board and the subdivider.  
372
- 373 (e) One (1) copy of all certified survey maps abutting or adjoining County roads shall  
374 be submitted by the Department to the County Surveyor/Highway Engineer for  
375 review and comment. Within five (5) working days, the County

376 Surveyor/Highway Engineer shall notify the Department of any recommendations  
377 or objections.

378  
379 (f) The certified survey map must be recorded with the Sheboygan County Register  
380 of Deeds within thirty-six (36) months of the first signature or twelve (12) months  
381 of the last signature for the required certificates.

382  
383 (g) All certificates required by Wis. Stat. §§ 236.10 and 236.21(2) must be affixed on  
384 the document. The Department shall not approve such land divisions until  
385 approval of the applicable governmental entity(ies) has been obtained.

386  
387 1. Language for the owner's certificate shall take the exact form of that  
388 language expressed in Wis. Stat. § 236.21(2)(a), except the term  
389 "dedicated" shall be removed when the certified survey map includes no  
390 public dedications. The owner's certificate shall still be included as part  
391 of the certified survey map and signed in accordance with Wis. Stat. ch.  
392 236, regardless of whether or not a dedication is taking place.

393  
394 2. When a dedication is taking place, including the granting of an easement  
395 or easements for any purpose, the surveyor's certificate and Town  
396 certificate must include the term "dedicated."

397  
398 3. A mortgagee's certificate is required when a dedication, including the  
399 granting of an easement or easements for any purpose, is taking place  
400 and the property is secured by a mortgage.

401  
402 (3) PRELIMINARY PLAT PROCEDURE.

403  
404 (a) Prior to submitting a final plat for approval, the subdivider shall prepare and  
405 submit a preliminary plat for Department, applicable town board, and applicable  
406 city or village having extraterritorial jurisdiction approval. It shall be clearly  
407 marked "preliminary plat" and shall be in sufficient detail to determine whether  
408 the final plat will meet layout requirements. An electronic copy or four (4) copies  
409 of the plat capable of legible reproduction, one (1) copy of all on-site soil test  
410 data, and all other plans and specifications required in this Ordinance must be  
411 submitted, to the Department. The Department shall, within two (2) days,  
412 transmit one (1) copy of the plat to the Department's Conservation Division for its  
413 review and recommendations pursuant to Section 71.17(1) of this Ordinance.  
414 The Department shall transmit one (1) copy of all plats abutting or adjoining  
415 County roads to the County Surveyor/Highway Engineer for review and  
416 recommendations.

417  
418 (b) Also, the subdivider or subdivider's agent shall prepare and submit an electronic  
419 copy or a copy of the preliminary plat that is capable of legible reproduction to the  
420 Wisconsin Department of Administration for redistribution of two (2) copies each  
421 to those State "plat objecting authorities" pursuant to Wis. Stat. §§ 236.11 and  
422 236.12. After reviewing and coordinating the objecting authority's reviews,  
423 Department of Administration certifies 'no objection' on the document.

424  
425 (c) Those agencies classified as "approving authorities" shall, within ninety (90) days  
426 of the date of filing the plat, take action to approve, approve conditionally, or  
427 reject the preliminary plat and shall state in writing any conditions of approval or  
428 reasons for rejection unless the time is extended by agreement with the  
429 subdivider based on its determination of conformance with the provisions of this

430 and other relevant local ordinances. Failure of the approving authorities or their  
431 agents to act within ninety (90) days of the date of filing or agreed extension  
432 thereof constitutes an approval of the preliminary plat by that authority. It is the  
433 responsibility of the subdivider to consult with the town and the applicable city or  
434 village regarding requirements for submission of the preliminary plat. "Approving  
435 authorities" for preliminary plats are as follows:

- 436 1. the Department;
- 437 2. the Town Board of the municipality in which the proposed subdivision is  
438 located;
- 439 3. the applicable adjoining cities or villages holding extraterritorial  
440 jurisdiction over the area in which the proposed subdivision is located.

441

442 (d) Those agencies classified as "objecting authorities" shall within twenty (20) days  
443 of the date of receiving their copies of the preliminary plat notify the subdivider  
444 and all agencies having the authority to object of any objections. If there are no  
445 objections, they shall so certify on the face of the copy of the plat and shall return  
446 it to the Wisconsin Department of Administration. If an "objecting authority" fails  
447 to act within twenty (20) days, it shall be deemed to have no objection to the plat.  
448 "Objecting authorities" for preliminary plats are as follows:

- 449 1. Wisconsin Department of Administration;
- 450 2. Wisconsin Department of Transportation;

451

452 (e) Additionally, the Department of Administration may transmit electronic or copies  
453 capable of legible reproduction of the preliminary plat to any or all of the following  
454 "advisory authorities." All recommendations of "advisory authorities" shall be  
455 communicated in a like manner as "objecting authorities" within twenty (20) days  
456 from the date the preliminary plat is filed. "Advisory authorities" are as follows:

- 457 1. Wisconsin Department of Natural Resources;
- 458 2. affected public or private utilities.

459

460 (f) Approval or conditional approval of a preliminary plat shall not constitute  
461 automatic approval of the final plat except that if the final plat is submitted within  
462 thirty-six (36) months of the last required approval of the preliminary plat and  
463 conforms substantially to the preliminary plat as approved including any  
464 conditions of that approval and to any local plans and ordinances adopted as  
465 authorized by law as indicated in Wis. Stat. § 236.11(1)(b), the final plat is  
466 entitled to approval.

467

468 (g) The Department reserves the right to require all subdivision plats as defined in  
469 this Ordinance to undergo the review process set forth in this Section regardless  
470 of statutory exemption.

471

472 (h) Plats that are not being processed under Wis. Stat. § 236.12(2) may be reviewed  
473 under this Ordinance on the basis of any material that is capable of clearly legible  
474 reproduction or of an electronic version. Electronic versions of plats may only be  
475 submitted for review purposes and cannot be used for the recording of the plat.

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(4) FINAL PLAT PROCEDURE.

- (a) A final plat prepared by a land surveyor registered in the State of Wisconsin is required for all subdivisions. It shall comply in all respects with this Ordinance and the standards and specifications of Wis. Stat. § 236.20, and that Section is hereby adopted by reference.
- (b) The subdivider shall prepare a final plat in accordance with this Ordinance and applicable state statutes and administrative codes for transmittal to the Department within thirty-six (36) months of preliminary plat approval unless the time limitations be specifically waived by the Department. If the final plat is not submitted within thirty-six (36) months of the last required approval of the preliminary plat, any "approving authority" may refuse to approve the final plat. The final plat may, if permitted by the approving authorities, constitute only that portion of the approved preliminary plat which the subdivider proposes to record at that time.
- (c) An electronic copy or four (4) copies of the plat must be submitted to the Department for review. Electronic versions are suitable only for review and not for recording with the Register of Deeds. The Department shall, within sixty (60) days from the date received, approve or reject such plat unless the time is extended by agreement with the subdivider. If the plat is rejected, the reasons shall be submitted in written form to the Wisconsin Department of Administration and the subdivider. Failure of the Department to act within sixty (60) days, the time having not been extended and no unsatisfied objections having been filed, the plat shall be deemed approved, and, upon demand, a certificate to that effect shall be made on the face of the plat by the authority which has failed to act.
- (d) Also, the subdivider shall also prepare and submit an electronic copy or hard copies of the final plat to the Wisconsin Department of Administration for redistribution of two (2) copies each to those State "approving authorities" and "objecting authorities" pursuant to Wis. Stat. §§ 236.10, 236.11, and 236.12. The Wisconsin Department of Administration and all other applicable "objecting authorities" shall, within twenty (20) days of the date of receiving their copies of the final plat, notify the subdivider or subdivider's agent and all agencies having authority to object of any objections based upon failure of the final plat to comply with the statutes or rules that its examination under Wis. Stat. § 236.12(2) is authorized to cover. If there are no objections, they shall so certify on the face of the copy of the plat and return that copy to the Department of Administration. If any agency fails to act within twenty (20) days from the date of receipt of copies of the plat, and the Wisconsin Department of Administration fails to act within thirty (30) days from the date on which it received the copy of the final plat, it shall be deemed to have no objections to the plat and, upon demand, the Wisconsin Department of Administration shall so certify on the face of the final plat.
- (e) All certificates must be present as defined in Wis. Stat. § 236.10. The Department shall not approve the final plat until approval of the applicable governmental entity(ies) and owners has been obtained.

(5) COUNTY PLAT PROCEDURE. Any division of a parcel or parcels into five (5) or more lots within a five- (5-) year period of which at least one (1) lot is over one and one-half (1-1/2) acres in area requires a County plat to be submitted by a Wisconsin Professional Land Surveyor. The County plat shall be prepared in accordance with Wis. Stat.

538 § 236.15 relating to monumentation, Wis. Stat. § 236.16 relating to lake and stream shore  
539 plats, Wis. Stat. § 236.20 relating to mapping and engineering information, and Wis. Stat.  
540 § 236.21 relating to required certificates. The County plat shall follow the procedures in  
541 Sections 71.15 and 71.16 of this Ordinance. The Department shall, within sixty (60) days  
542 from the date received, approve or reject such County plat unless the time is extended by  
543 agreement with the subdivider.  
544

545 (6) **REPLAT PROCEDURE.** When a replat of a recorded subdivision or part thereof is  
546 proposed so the boundaries are to be changed or areas to be dedicated to the public are  
547 to be altered, the subdivider or subdivider's agent shall initiate court action in which the  
548 subdivision is located to vacate the original plat or the specific part thereof. The replat  
549 shall be prepared and submitted as provided in Sections 71.16 and 71.20 of this  
550 Ordinance. Both the title of the replat and the title of the original plat shall appear in the  
551 surveyor's certification. The Department shall, within sixty (60) days from the date  
552 received, approve or reject such replat unless the time is extended by agreement with the  
553 subdivider.  
554

555 (7) **CONSERVATION SUBDIVISION PROCEDURE.** Whenever a land division which meets  
556 the parameters of a conservation subdivision as defined in Section 71.26 of this  
557 Ordinance is proposed, a conservation subdivision plat shall be prepared and submitted  
558 as provided in Sections 71.15 and 71.16 of this Ordinance. If the plat does not meet the  
559 requirements of a subdivision as defined in Wis. Stat. § 236.02(12), no state level review  
560 is required. The Department shall, within sixty (60) days from the date received, approve  
561 or reject such conservation subdivision plat unless the time is extended by agreement  
562 with the subdivider.  
563

#### 564 71.16 LAND DIVISIONS.

565 (1) **IMPROVEMENTS.** Prior to the approval of final plats or certified survey maps, the  
566 subdivider or the subdivider's agent shall furnish and install any of the following  
567 improvements in accordance with the standards and specifications hereinafter identified  
568 as being required by the Department, the town board, and any municipality having  
569 extraterritorial plat approval jurisdiction. The required improvements are to be furnished  
570 and installed at the sole expense of the subdivider.  
571

572 In lieu of causing the immediate construction of the required improvements, the  
573 subdivider shall enter into a contract requiring the filing of a performance bond or letter of  
574 credit with Sheboygan County, the town board, or municipality agreeing and ensuring that  
575 the subdivider will cause construction of the required improvements within a time period  
576 specified. The penal amount of the bond or value of other acceptable surety shall equal  
577 at least one hundred ten percent (110%) but not more than one hundred twenty percent  
578 (120%) of the estimated costs of the improvements.  
579

580 (a) **Survey Monuments.** The subdivider shall install survey monuments placed in  
581 accordance with the requirements of Wis. Stat. § 236.15. Pursuant to Wis. Stat.  
582 § 236.15(1)(h), the governing body of the city, village, or town which is required  
583 to approve the subdivision under Wis. Stat. § 236.10 may waive the placing of  
584 monuments for a reasonable time on condition that the subdivider executes a  
585 surety bond to ensure that the subdivider will place the monuments within the  
586 time required. When monuments fall within a street on a plat or certified survey  
587 map, the monument shall be placed in the sideline of the street (at the  
588 right-of-way).  
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590 (b) **Private Sewage Disposal Facilities.**  
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1. When public sewer facilities, in the opinion of the Department and the local municipality, are neither presently available nor likely to become available within a reasonable time period, private on-site sewage disposal systems may be constructed to serve the individual lots in the subdivision.

However, cluster or other common sewage collection and disposal systems may be designed by the subdivider and may be installed with the express consent of the Department and the state agencies having jurisdiction.

All private sewage disposal systems and site suitabilities therefor shall conform to the requirements of Wis. Admin. Code Ch. SPS 383 and SPS 385 and to the requirements of the Sheboygan County Sanitary Ordinance; each document is hereby adopted by reference and incorporated herein as though fully set out.

2. In order to determine whether the proposed lots are conducive to a private on-site wastewater treatment system (POWTS), a soil test performed by a registered soil tester must be completed and submitted to the Department prior to any plat or certified survey map approval. In lieu of this requirement, if the lots being created are not intended to become building sites, the subdivider may have a covenant placed on the plat or certified survey map stating the following:

*No soil tests have been conducted on Lot [insert lot number]. Pursuant to Section 71.16(1)(b)2 of the Sheboygan County Subdivision Ordinance, the lot(s) created herein are not intended to become building sites. No on-site sewage disposal system shall be installed on said Lot without the express consent of the Sheboygan County Planning and Conservation Department.*

- (2) **RESTRICTIONS FOR PUBLIC BENEFIT.** Any restrictions placed on platted land by covenant, grant of easement, or in any other manner which were required by the Department, town board, or public utility, or which name Sheboygan County, the town, or public utility as grantee, promise, or beneficiary, vest in Sheboygan County, the town, or public utility the right to enforce the restriction at law or in equity against anyone who has or acquires an interest in land subject to the restriction. Such restrictions shall include obligations to pay maintenance assessments for commonly-held open space property, shore protection works, erosion control measures, and other improvements. The restriction may be released or waived in writing by Sheboygan County, the town, or the public utility having the right of enforcement.

- (3) **LANDS BETWEEN MEANDER LINES AND WATER'S EDGE.** The lands lying between the meander line established in accordance with Wis. Stat. § 236.20(2)(g) and the water's edge and any otherwise unplattable lands which lie between a proposed land division and the water's edge shall be included as part of lots, outlots, or public dedications in any plat or certified survey map abutting a lake or stream. This requirement applies not only to lands proposed to be divided but also to all lands under option to the subdivider or in which he holds any interest and which are contiguous to the lands proposed to be subdivided and which abut a lake or stream. Any final plat or certified survey map which



645 includes lots or outlots that extend to the water's edge must include the following  
646 statement:

647 *Any land below the ordinary high water mark of a lake or a*  
648 *navigable stream is subject to the public trust in navigable waters*  
649 *that is established under article IX, section 1 of the State*  
650 *constitution.*

651  
652  
653 (4) LAND SUITABILITY.

654  
655 (a) No land shall be divided or subdivided for use which is determined to be  
656 unsuitable by the Department because of flooding or potential flooding, wetlands,  
657 soil or rock limitations, inadequate drainage, severe erosion potential,  
658 unfavorable topography, inadequate water supply or sewage disposal  
659 capabilities, incompatible surrounding land use, or any other condition likely to be  
660 harmful to the health, safety, or welfare of the future residents or users of the  
661 area, or likely to be harmful to the community or the County.

662  
663 (b) Except as provided herein, the Department shall determine such unsuitability at  
664 the time the preliminary plat or certified survey map is considered for approval.  
665 The subdivider shall furnish such maps and data as may be necessary to make a  
666 determination of land suitability. In addition to the data required to be submitted  
667 with the preliminary plat or certified survey map, the subdivider may be required  
668 to submit some or all of the following additional information for development  
669 located in an area where flooding or potential flooding may be a hazard:

670  
671 1. Two (2) copies of an aerial photograph or two (2) maps prepared by a  
672 professional land surveyor or professional engineer which accurately  
673 locate the proposed development with respect to floodplain zoning  
674 district limits if present, channel or stream fill limits and elevations, and  
675 floodproofing measures taken or proposed to be taken.

676  
677 2. If the floodplain is studied, it should be located and shown; if it is a Zone  
678 A, a qualified engineer must determine the floodplain elevation,  
679 floodway/floodfringe, boundary, and/or the impact on the floodplain that  
680 would result from any of the proposed development.

681  
682 (5) UTILITY EASEMENTS.

683  
684 (a) Perpetual, unobstructed easements centered on rear lot lines of subdivisions and  
685 land divisions shall be provided for utilities (private and municipal) where  
686 necessary; such easements shall be at least twelve (12) feet wide and shall be  
687 designated as "Utility Easement" on the plat or certified survey map. Proper  
688 coordination shall be established between the subdivider and the applicable  
689 utility companies for the establishment of utility easements along adjoining  
690 properties.

691  
692 (b) Where topographical or other conditions are such as to make impractical the  
693 inclusion of utilities within the rear lot line, perpetual, unobstructed easements at  
694 least twelve (12) feet wide shall be provided alongside lot lines and shall be  
695 designated as "Utility Easement" on the plat or certified survey map.

696  
697 (c) The use or purpose and grantee of the utility easements should be indicated.  
698

699 (6) ROAD DISCONTINUANCES. If any portion of a platted right-of-way is to be vacated or  
700 discontinued for the purposes of dividing the land contained within the right-of-way, the  
701 resolution number with which the town board has discontinued the right-of-way must  
702 appear on the face of the plat or certified survey map. Road discontinuances and  
703 vacations must be notarized and recorded with the Sheboygan County Register of Deeds  
704 prior to approval of the plat or certified survey map.  
705

706 71.17 STATE SUBDIVISIONS.  
707

708 (1) PRELIMINARY PLAT. A preliminary plat shall be prepared for all subdivisions and shall  
709 be based upon a survey by a Wisconsin professional land surveyor. The plat shall be  
710 submitted at a scale of not more than 100 feet to 1 inch, shall conform to any standards  
711 and specifications set forth in Wis. Stat. ch. 236, and shall utilize the Sheboygan County  
712 Coordinate Monumentation System.  
713

714 (a) It shall show correctly on its face the following information:  
715

- 716 1. Title of the proposed subdivision.
- 717 2. Location of the proposed subdivision by government lot, quarter section,  
718 section, township, range, and county.
- 719 3. Date, scale, and north point.
- 720 4. Name and address of the owner, subdivider, and land surveyor preparing  
721 the plat.
- 722 5. Entire area contiguous to the proposed plat owned or controlled by the  
723 subdivider even though only a portion of said area is proposed for  
724 immediate development. The Department may waive this requirement  
725 where it is unnecessary to fulfill the purposes and intent of this  
726 Ordinance and undue hardship would result from strict application  
727 thereof.
- 728 6. Exact length and bearing of the exterior boundaries of the proposed  
729 subdivision referenced to a corner established in the Sheboygan County  
730 Coordinate Monumentation System, and the total acreage encompassed  
731 thereby.
- 732 7. Location and names of any adjacent subdivisions, parks, and cemeteries  
733 and owners of record of abutting unplatted lands.
- 734 8. Location, right-of-way width, and names of any existing or proposed  
735 streets, alleys, or other public ways, easements, railroad rights-of-way,  
736 and utility rights-of-way, and all section or quarter section lines within the  
737 exterior boundaries of the plat or immediately adjacent thereto.
- 738 9. Location of existing property lines, structures, drives, streams, and  
739 watercourses, lakes, wetlands, rock outcrops, wooded areas, and other  
740 similar significant features within the parcel being subdivided.
- 741 10. Ordinary high water mark and floodplain elevations of adjoining lakes,  
742 ponds, streams, and flowages. An ordinary high water mark shown on a  
743 plat may be determined by the Wisconsin Department of Natural  
744 Resources.
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- 753 Resources or may be shown as 'approximate' on the plat. If the ordinary  
754 high water mark is approximated, the location shall be a point on the  
755 bank to which the presence and action of the water is so continuous as  
756 to leave a distinct mark. Such approximate ordinary high water marks  
757 must be labeled "for reference only."  
758  
759 11. Type, width, and elevation of any existing street pavements within the  
760 exterior boundaries of the plat or immediately adjacent thereto with any  
761 legally established centerline elevations.  
762  
763 12. Contours within the exterior boundaries of the plat and extending to the  
764 centerline of adjacent public streets at vertical intervals of not more than  
765 two (2) feet.  
766  
767 13. Location and approximate dimensions of any sites to be dedicated or  
768 reserved for parks, open space, drainage ways, trails, schools, or other  
769 public uses. All land that is dedicated to the public on a plat, including  
770 roads, must clearly be marked "Dedicated to the Public."  
771  
772 14. Approximate dimensions of all lots, and proposed lot and block numbers.  
773  
774 15. Existing and proposed land use and zoning included within and  
775 immediately adjacent to the proposed subdivision.  
776  
777 16. Soil test reports identifying the location of a treatment-type septic system  
778 for each identified lot within the plat, conducted in accordance with Wis.  
779 Admin. Code Ch. SPS 385.  
780  
781 17. Floodplain, shoreland, wetland, and erosion hazard boundaries pursuant  
782 to the County Shoreland and Floodplain Ordinances and any proposed  
783 lake and stream access.  
784  
785 18. Surface drainage pattern mapping and indication of direction and  
786 established peak volume of soil drainage pattern.  
787  
788 19. Plans for all soil conservation and erosion control measures such as  
789 gutters, ditches, catch basins, storm sewers, culverts, open channels,  
790 sediment traps or basins, terraces, water diversions, and similar  
791 practices, keyed to locations on the preliminary plat, if required by the  
792 Department.  
793  
794 20. All existing buildings and structures.  
795  
796 21. Where the Department finds that it requires additional information  
797 relative to a particular problem presented by a proposed development to  
798 review the preliminary plat, it shall have the authority to request such  
799 information from the subdivider.  
800  
801 (b) The requirements set forth in Section 71.16 herein shall be followed in addition to  
802 those requirements set forth in this Section.  
803  
804 (c) In subdivisions along the Lake Michigan shoreline, erosion hazard setback lines  
805 shall be determined for all erodible bluffs, ravines, dunes, and beaches. In  
806 applying these provisions, the Department may require the subdivider to submit a

807 report prepared by a registered professional engineer stating that the site is or can  
808 be made suitable for the proposed development. Factors to be described and  
809 analyzed include:

- 810
- 811 1. projected wave-induced erosion based upon recession rates and wave  
812 energy calculations;
  - 813
  - 814 2. geologic conditions including the soils and stratigraphy of the site and an  
815 analysis of the stability of the materials present;
  - 816
  - 817 3. ground and surface water conditions and variations including changes  
818 that will be caused by the proposed development;
  - 819
  - 820 4. plans and specifications for bluff and shoreline stabilization measures  
821 and for measures to protect against wave erosion, the estimated life of  
822 such measures, their costs and maintenance required, and the effect on  
823 nearby properties and the shoreland and lake environment
  - 824
  - 825 5. methods to be used to control surface erosion and stormwater runoff  
826 during and after construction;
  - 827
  - 828 6. the elevation of the one hundred- (100-) year flood and wave run-up  
829 where the site is subject to flooding; and
  - 830
  - 831 7. other pertinent data to determine the site suitability of the proposed use  
832 and location.

833  
834 (d) Drainage Easements.

- 835
- 836 1. Where a subdivision is traversed by a stream, channel, watercourse, or  
837 drainageway there shall be provided a stormwater drainage easement or  
838 right-of-way conforming substantially to the lines of such watercourse  
839 and of such width and/or construction as will be adequate for the  
840 purpose. The location, width, alignment, and improvement of such  
841 drainageway or easement shall be consistent with the stormwater  
842 management and erosion control plans required in Section 71.17(1)(m)  
843 of this Ordinance. Wherever possible, it is desirable that parallel streets  
844 or parkways be employed in connection therewith and that stormwater  
845 drainage be maintained by open (seeded or sodded) waterways of  
846 adequate size and grade to hydraulically accommodate maximum  
847 potential volumes of flow, subject to review and approval by the  
848 Department.
  - 849
  - 850 2. Whenever topography or other conditions are such as to make  
851 impractical the inclusion of drainage facilities within road rights-of-way,  
852 then perpetual, unobstructed easements at least fifteen (15) feet wide or  
853 as expressly recommended by the Department for such drainage  
854 facilities shall be provided across property outside the road lines and with  
855 satisfactory access to the road. Such drainage easements shall be so  
856 designated on the final plat followed by reference to the permitted use or  
857 uses or any prohibitions expressly required by the Department.  
858 Drainage easements shall be carried from the road to a natural  
859 watercourse or to other drainage facilities. When a proposed drainage

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system will carry water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plat.

(e) **Street Sections.** When permanent street sections have been approved by the unit of government having jurisdiction, the subdivider shall finish and grade all shoulders and ditches and install all necessary culverts and other storm and surface water drainage structures or systems to effect positive drainage away from buildings and service facilities and to prevent erosion and sedimentation in accordance with plans and standard specifications approved by the Department and the town board. The arrangements, character, extent, width, grade, and location of all streets shall conform to all applicable plans, official maps, or highway width maps adopted by the applicable local unit(s) of government and the County and shall be related to and complementary with existing and planned streets, topographic conditions, existing natural features, prospective utilities, public convenience and safety, and proposed land uses to be served by such streets. The right-of-way width and building setback requirements of all limited access expressways, highways, and county road routes shall be determined by the Department upon the recommendation of the Wisconsin Department of Transportation or the Sheboygan County Transportation Department, whichever is appropriate. All town roads shall comply with the minimum design standards of Wis. Stat. § 82.50.

(f) **Grading and Surfacing.** The subdivider shall grade the right-of-way of all streets proposed to be dedicated in accordance with plans and standard specifications approved by the Sheboygan County Transportation Department and the town board. After the installation of all utility and stormwater drainage improvements, the subdivider shall surface all roadways and streets proposed to be dedicated in accordance with plans, standard specifications, and scheduling approved by the Sheboygan County Transportation Department and the town board.

(g) **Dedication of Lands.** Whenever a parcel of land to be divided as a subdivision contains all, or in part, a street, highway, drainageway, other public way, or public access to navigable lakes or streams which has been designated in a comprehensive plan as defined in this Ordinance, or an official map adopted under Wis. Stat. § 62.23, such public way or access shall be made a part of the plat and dedicated by the subdivider in the location and dimensions indicated unless otherwise provided herein. Whenever the public way being dedicated for right-of-way purposes is classified as a County Road as defined in Chapter 26 of this Code, the following language shall be placed on the map:

*As owner, the road dedication herein is to be held in trust by the town, it being expressly intended that this restriction shall constitute a restriction for the benefit of the public according to Wis. Stat. § 236.293 and shall be enforceable by the Sheboygan County Transportation Department.*

(h) **Reservation of Lands.** Whenever a parcel of land to be divided as a subdivision contains all, or in part, a site for a park or open space use, or a school or other public site which has been designated in a comprehensive plan as defined in this Ordinance or an official map adopted under Wis. Stat. § 62.23, such area shall be made a part of the plat. The subdivider shall reserve such proposed public lands for a period not to exceed three (3) years unless extended by mutual agreement for acquisition by the public agency having jurisdiction.

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- (i) Floodplains and Wetlands. Whenever a tract of land to be subdivided includes any part of identified floodplains or wetlands as defined in Chapter 72 of this Code, such floodplains and wetlands shall be identified on and be made a part of the plat. Floodplains and wetlands included within a subdivision plat shall be included within lots or outlots or reserved for acquisition or, if approved by the Department, shall be reserved in perpetuity for the recreational use of the future residents of the land to be divided.
  - (j) Lake and Stream Access. All subdivisions abutting a navigable lake or stream shall, pursuant to provisions of Wis. Stat. § 236.16(3) and this Ordinance, provide public access of at least sixty- (60-) feet wide to the water's edge, such public access being connected to existing public roads at not more than one-half (1/2) mile intervals as measured along the lake or stream shore except when greater intervals and wider access is agreed to by the Department of Natural Resources, the Department of Administration, and the Department and excluding shore areas where adequate accessible public parks or open space, streets, or roads on either side of a stream are provided. This requirement does not require any local unit of government to improve land provided for public access.
  - (k) Public Sewage Disposal Facilities. When public sewer facilities are available, the subdivider shall make adequate sanitary sewerage service available to each lot within the subdivision. The subdivider shall assume the cost of installing all sanitary sewers, sewer laterals, and sewer appurtenances within the proposed subdivision unless the town in which the proposed subdivision lies has an agreement with the subdivider stating otherwise. Such construction may include, where necessary, sanitary pumping stations, sanitary pressure mains, and sanitary interceptor mains, the cost of which shall be prorated on the basis of percent of service area within the subdivision. Where a town sanitary district has been created pursuant to Wis. Stat. §§ 60.71 or 60.72 for the purpose of providing and constructing sanitary sewers, plans and standard specifications shall be subject to review and approval by the governing authority.
  - (l) Water Supply Facilities. When public water supply and distribution facilities, in the opinion of the Department and the local municipality, are available to the subdivision, the subdivider shall cause such facilities to be installed in such a manner as to make adequate water service available to each lot within the subdivision. The size, type, and installation of all public water supply facilities proposed to be constructed shall be in accordance with plans and standard specifications approved by the local municipality. The subdivider shall assume the cost of installing all water mains, water laterals, and water system appurtenances within the proposed subdivision, unless the town in which the proposed subdivision lies has an agreement with the subdivider stating otherwise. When a town sanitary district has been created pursuant to Wis. Stat. §§ 60.71 or 60.72 for the purpose of providing and constructing a system of water works, all plans and standard specifications shall be subject to approval by the town sanitary district commission. In the absence of public water supply and distribution facilities, private wells and water supply systems may be constructed to service the individual lots in the subdivision. All such private wells and water supply systems shall conform to the requirements of Wis. Admin. Code Chs. NR 812, SPS 382, and SPS 383, which are hereby adopted by reference and incorporated herein as though fully set out.
  - (m) Stormwater Management and Erosion Control Facilities. The subdivider shall construct stormwater management and erosion control facilities which are

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adequate to serve the subdivision and which do not adversely affect adjacent lands outside of the subdivision as established in Section 71.17(1)(m). The Department shall require the subdivider to provide stormwater management and erosion control plans at the time the preliminary plat is submitted to the Department. In subdivisions or land divisions along the Lake Michigan shoreline, the Department may require the subdivider to install shoreline protection measures such as seawalls, bulkheads, revetments, groins, breakwaters, subsurface dewatering, and other bluff stabilization measures. Plans required under this Section shall be submitted to the Department which shall transmit them, where appropriate, to the Department, Department of Natural Resources, and/or Corps of Engineers for review and comment. Specifications and guidelines contained in Chapter 75, Erosion Control and Stormwater Management Ordinance, shall provide the primary framework for any design plans required under this Section. The Department may allow stormwater runoff that would be discharged in volumes or at rates in excess of those otherwise allowed by Chapter 75 to be discharged into drainage facilities off the development site if all the following conditions are met:

1. it is not practicable to completely manage runoff on the site in a manner set forth in this Ordinance;
2. the off-site drainage facilities and channels leading to them are designed, constructed, and maintained in accordance with the requirements of this Ordinance;
3. where oversized drainage facilities are deemed necessary by the Department, town, or town sanitary district to serve tributary drainage areas lying outside of the subdivision, the costs of these facilities shall be prorated on the basis of percent of service area lying within the subdivision; and
4. adverse environmental impacts on and off the site of development will be minimized.

(n) Other Utilities. All new electric distribution lines except those of fifteen thousand (15,000) volts or more, telephone lines from which individual lots are served, fiber optics, and cable lines within all newly-platted subdivisions and land divisions shall be installed underground unless the Department determines that the location, topography, soil, stands of trees, or other physical barriers would make underground installation unreasonable or impractical or that the lots to be served by said facilities would be best served directly from existing overhead facilities. Associated equipment and facilities which are appurtenant to underground electric and communications systems, including but not limited to, substations, pad-mounted transformers, switches, and above-ground pedestal-mounted terminal boxes may be located above ground.

(l) As a further condition of approval, the Department may require the subdivider to install any public improvements reasonably necessary or that the subdivider executes a performance bond or letter of credit to ensure that he or she will make those improvements within a reasonable time. The amount of security shall not be more than one hundred twenty percent (120%) of the estimated total cost of the improvements and it may not be required for more than fourteen (14) months after the improvements are 'substantially completed.' Thereafter, any withheld

1021 security may not be more than the cost to finish the uncompleted improvements  
1022 plus ten percent (10%) of the total cost of the already completed improvements.  
1023

1024 (2) FINAL PLAT. A final plat prepared by a Wisconsin professional land surveyor is required  
1025 for all subdivisions. It shall comply in all respects with this Ordinance and the standards  
1026 and specifications of Wis. Stat. § 236.20 and that Section is hereby adopted by  
1027 reference. The final plat shall have one- (1-) inch margins on all sides. Where the  
1028 Department finds that it requires additional information or plat data relative to a particular  
1029 problem presented by a proposed development to review the final plat, it shall have the  
1030 authority to request such information from the subdivider.  
1031

1032 71.18 CERTIFIED SURVEY MAPS.  
1033

1034 (1) A certified survey map prepared by a Wisconsin professional land surveyor is required for  
1035 all land divisions where the act of division creates:  
1036

1037 (a) less than five (5) lots or outlots of forty (40) acres each or less in area, or  
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1039 (b) less than five (5) lots or outlots of forty (40) acres each or less in area by  
1040 successive divisions from the same parcel within a period of five (5) years.  
1041

1042 All area calculations are to be exclusive of any dedications, right-of-way easements, or  
1043 reservations. Every certified survey map shall comply in all respects with this Ordinance  
1044 and the standards and specifications of Wis. Stat. § 236.34, and that Section is hereby  
1045 adopted by reference.  
1046

1047 (2) Soil and site evaluations conducted in accordance with Wis. Admin. Code Ch. SPS 385  
1048 and the County Sanitary Ordinance are required if the lots being created will be served by  
1049 on-site private sewage disposal systems, except that such tests may be waived by the  
1050 Department if:  
1051

1052 (a) the lots being created are already served by an acceptable on-site sewage  
1053 disposal system, off-site common sewage disposal system, or municipal  
1054 sewerage system. To verify that the system is acceptable, an inspection  
1055 completed by a licensed pumper or plumber must have been performed within  
1056 twelve (12) months prior to approval of the certified survey map to the  
1057 Department and the report detailing the inspection must have been submitted to  
1058 the Department. If the existing system is determined to be failing, steps must be  
1059 taken with the Department to ensure funds are available for replacement of the  
1060 system; or  
1061

1062 (b) the lots being created are intended for uses other than residential and for which  
1063 acceptable sewage disposal facilities plan have been filed with the Department;  
1064 or  
1065

1066 (c) the lots are being created for land conveyance purposes only. In this instance,  
1067 upon the certified survey map, the subdivider shall have prominently placed a  
1068 restrictive covenant prescribed by the Department and consisting of the following  
1069 language:  
1070

*No soil tests have been conducted on Lot [fill in lot numbers].  
Pursuant to Section 71.16(1)(b)2 of the Sheboygan County  
Subdivision Ordinance. This lot creation is for conveyance  
purposes only. No on-site sewage disposal system shall be*



installed on said lot(s) without the express consent of the Sheboygan County Planning and Conservation Department.

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- (3) The map shall be prepared in accordance with Wis. Stat. §§ 236.20(2)(a), (b), (c), (e), (f), (g), (h), (i), (j), (k), and (l) and (3)(b), (d), and (e) at a scale of not more than 500 feet to 1 inch. The map, with minimally two (2) copies for filing with the Department, shall be prepared on durable white media that is 8-1/2" wide x 14" long. An area 3" x 3" in size must be left blank on the first page or the last page to be used for recording information when the document is recorded with the Register of Deeds. It shall include on its face in addition to the information required by Wis. Stat. § 236.34 the following:
- (a) name of the owner;
  - (b) date of survey;
  - (c) graphic scale;
  - (d) all existing buildings and other developed features on the parcel;
  - (e) locations, rights-of-way, easements, and names of adjoining streets, highways, railroads, utilities, parks, cemeteries, subdivisions, as well as navigable ponds, streams, lakes, flowages, and all wetlands as mapped on the most current version of the Wisconsin Wetland Inventory Map or as determined in the field by a qualified wetland delineator where such delineation report has received concurrence by the Wisconsin Department of Natural Resources when or where required;
  - (f) size of the lots being created in square feet and acres;
  - (g) any applicable use or access restrictions and covenants;
  - (h) all floodplain, shoreland, wetland, or erosion hazard boundaries lying at a vertical distance of two (2) feet above the elevation of the one hundred- (100-) year recurrence interval flood;
  - (i) distances and bearings referenced to a line and a corner of the Sheboygan County Coordinate Monumentation System;
  - (j) surveyor's certification of compliance with all provisions of this Ordinance and other applicable laws;
  - (k) owner's and mortgagee's certification prepared in accordance with Wis. Stat. § 236.21(2). When no streets or public ways are being dedicated, the owner's certificate is still required, with only the language regarding the dedication as stated in Wis. Stat. § 236.21(2) omitted. Owner's and mortgagee's certificates are required when easements, for any purpose, are being granted; and
  - (l) where the Department finds that it requires additional information relative to a particular problem presented by a proposed development to review the certified survey map, it shall have the authority to request such information from the subdivider.

- 1127 (4) A certified survey map can be used to dedicate land to the public and grant easements  
 1128 when it includes signed owner's and mortgagee's certificates and has been approved by  
 1129 the local unit of government in which the certified survey map is located.  
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- 1131 (5) The requirements set forth in Section 71.16 of this Ordinance.  
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- 1133 71.19 COUNTY PLATS.  
 1134
- 1135 (1) Pursuant to Wis. Stat. § 236.45(2), a County plat prepared by a Wisconsin professional  
 1136 land surveyor is required for all land divisions meeting the threshold of a County plat as  
 1137 defined in Section 71.26 of this Ordinance. It shall comply in all respects with Sections  
 1138 71.16 and 71.18 of this Ordinance and the following:  
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- 1140 (a) Wis. Stat. § 236.15 regarding monumentation;  
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- 1142 (b) Wis. Stat. § 236.16(3) regarding public access to navigable waters; and  
 1143
- 1144 (c) Wis. Stat. 236.20 regarding final plats.  
 1145
- 1146 (2) The plat must have a name unique within Sheboygan County.  
 1147
- 1148 (3) The recordable plat must be on 22" x 30" durable white media with a nonfading black  
 1149 image. An electronic version may be submitted to the Department for review purposes  
 1150 only.  
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- 1152 (4) State level review is not required for County plats.  
 1153
- 1154 71.20 REPLATS. A subdivider or subdivider's agent performing a replat as defined in Wis. Stat.  
 1155 § 236.02(11) must comply with the platting requirements of Wis. Stat. Ch. 236 relating to new  
 1156 subdivision plats and Sections 71.16 and 71.17 of this Ordinance relating to state subdivision  
 1157 plats.  
 1158
- 1159 71.21 CONSERVATION SUBDIVISIONS. A subdivider or subdivider's agent performing a conservation  
 1160 subdivision plat as defined in Section 71.24 of this Ordinance must comply with the platting  
 1161 requirements of Wis. Stat. ch 236 relating to new subdivision plats and Sections 71.16 and 71.17  
 1162 of this Ordinance relating to state subdivision plats.  
 1163
- 1164 71.22 DESIGN STANDARDS.  
 1165
- 1166 (1) APPLICABILITY. The requirements in this Section shall be followed by the subdivider or  
 1167 subdivider's agent whenever a land division as defined in Section 71.26 of this Ordinance  
 1168 takes place.  
 1169
- 1170 (2) ROAD FRONTAGE.  
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- 1172 (a) Each lot within the subdivision or land division shall have a minimum of sixty-six  
 1173 (66) feet of frontage on a public street. The minimum width shall extend to the  
 1174 rear property line. Wetlands or other encumbrances at the road are to be  
 1175 excluded in calculating the frontage width. Where the Committee, pursuant to  
 1176 Section 71.13 "Variances and Appeals," approves access to any lot by a private  
 1177 road, lane, or drive, the said way shall have a minimum cleared right-of-way  
 1178 access of fifty (50) feet and shall be continuous to a public street or acceptable  
 1179 private street. Further, upon approval thereof, the seller or land divider shall  
 1180 place an affidavit on the face of the certified survey map or plat stating:

*The land divider and future assignees who acquire ownership of this (these) land parcel(s) hold Sheboygan County and the town harmless from problems of access to and from the public road and the building site(s).*

- (b) Resultant lots created by subdivision or land division on private drives platted before the most recent adoption of this Ordinance are exempt from the requirement set forth in Section 71.22(2).
- (c) Cul-de-sac lots shall provide a minimum of forty (40) feet of frontage on a public street.

**(3) MINIMUM LOT AREAS AND WIDTHS.**

- (a) Residential lots for single-family residences, where served by public sewer, shall conform to the most restrictive provisions of local zoning, building, or subdivision ordinances or the County Shoreland and Floodplain Ordinances. Where such ordinances do not apply, such lots shall have a minimum average lot width not less than fifty (50) feet wide nor less than six thousand (6,000) square feet in area.
- (b) Residential lots for single-family residences not served by public sewer shall have adequate area of suitable soil to allow for the installation of a private on-site wastewater treatment system that is sized appropriately for the proposed use in compliance with Wis. Admin. Code Ch. SPS 383 and the County Sanitary Ordinance.
- (c) Any portion of a lot having a width of less than thirty (30) feet shall not be considered in determining the minimum lot area. Any easement or combination of adjacent easements which is greater than twenty (20) feet wide shall not be considered in determining minimum lot area, and the minimum lot area shall not be divided by any easement, unless approved in writing by the Department and, when applicable, the Department of Safety and Professional Services.
- (d) A minimum lot width of one hundred (100) feet and lot area of twenty thousand (20,000) square feet is required by this Ordinance for unsewered lots with private water supplies to provide adequate room for the necessary separation distances from on-site sewage disposal systems in accordance with Wis. Admin. Code Ch. SPS 383 and the County Sanitary Ordinance.

**71.23 DESIGN GUIDELINES.** The following standards should be used when the local municipality having authority has not adopted an ordinance which includes relevant design guidelines.

**(1) STREETS.**

- (a) Proposed streets shall be extended to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions.
- (b) The number of streets converging at one (1) intersection should be reduced to a minimum, preferably not more than two (2).
- (c) The number of intersections along arterial streets should be held to a minimum.

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- (d) Street jogs with centerline offsets of less than one hundred fifty (150) feet should be avoided.
  - (e) Where possible, lot lines should be perpendicular to the street line and to the tangent at the lot corner of curved streets.
  - (f) A tangent at least one hundred (100) feet long should be introduced between reverse curves on arterial and collector streets.
  - (g) Streets should be laid out so as to intersect as nearly as possible at right angles and no street should intersect any other street at less than seventy-five (75) degrees.
  - (h) All street rights-of-way shall be of the width specified by comprehensive plans, comprehensive plan components, or official maps, if any, of the County, town, or municipality having extraterritorial jurisdiction.
  - (i) The minimum right-of-way width should be as specified below:
    - 1. Local Roads: 66 feet
    - 2. Collectors: 80 feet
    - 3. Arterials: 120 feet
  - (j) The use of cul-de-sacs should be limited to portions of developments which, due to unusual topographical, environmental, or other particular conditions, may better be served by cul-de-sacs than by continuous streets.
  - (k) Cul-de-sac streets designed as permanent installations should not exceed one thousand (1,000) feet in length. All permanent cul-de-sac streets should terminate in a circular turnaround having a minimum radius for the outside curve of sixty (60) feet with a forty-five- (45-) foot minimum pavement radius.
  - (l) Dead-end streets other than cul-de-sacs should only be permitted if it appears on the official municipal street map. When so authorized, a suitable turnaround should be provided, and appropriate arrangements shall be made for those parts of temporary turnarounds outside the right-of-way to revert to the abutting property owners when the street is extended.
  - (m) In commercial and industrial districts, alleys, or other definite and assured provisions should be made for off-street loading and service access consistent with and adequate for the uses proposed. The right-of-way width of alleys should not be less than twenty-four (24) feet.
  - (n) Street names.
    - 1. The Department may disapprove the name of any new street which has already been used elsewhere in the County or, because of similarity, may cause confusion.
    - 2. Any street which is the reasonable continuation of the existing street shall bear the same name. If the topography or other features of a reasonably permanent nature are such as to render the continuation of

1289 the actual roadway not reasonably possible and where such  
1290 nomenclature is apt to produce confusion, the street shall not carry the  
1291 same name as the street to which it may be geometrically aligned.  
1292

1293 (o) The subdivider should incorporate a bicycle and pedestrian transportation  
1294 network into the subdivision and may defer to the Department for best practices  
1295 and tools for doing so.  
1296

1297 (p) An easement fifteen (15) feet in width should be provided to facilitate bicycle and  
1298 pedestrian connections to possible future subdivisions.  
1299

1300 (2) BLOCKS.

1301  
1302 (a) The length, width, and shape of blocks should be suited to the planned use of the  
1303 land, zoning requirements, needs for convenient access, control, and safety of  
1304 street traffic, and the limitations and opportunities of topography.  
1305

1306 (b) Blocks should have sufficient width to provide for two (2) tiers of lots of  
1307 appropriate depth except where otherwise required to separate residential  
1308 development from traffic, public parks, railroad rights-of-way, bulkhead lines,  
1309 shorelines of waterways, corporate boundaries, or except as may be necessary  
1310 due to extreme topography.  
1311

1312 (3) LOTS.

1313 (a) The size, shape, and orientation of lots should be appropriate for the location of  
1314 the subdivision and for the type of development and use contemplated.  
1315

1316 (b) Side lot lines should generally be at right angles to straight street lines or radial to  
1317 curved street lines on which the lots face. Lot lines should follow municipal  
1318 boundaries rather than cross them.  
1319

1320 (c) Double frontage and reverse frontage lots are discouraged except where  
1321 necessary to provide separation of residential development from traffic or to  
1322 overcome specific disadvantages of topography and orientation.  
1323  
1324

1325 71.24 CONSERVATION SUBDIVISIONS. It is the intent of this Section to permit the use of  
1326 non-traditional residential subdivision design that would cluster the residential parcels and  
1327 preserve open space and agricultural land by the use of restrictive covenants, deed restrictions,  
1328 or other binding criteria. In doing so, the overall density is maintained without sprawling the home  
1329 sites over a large area.  
1330

1331 (1) APPLICABILITY. Conservation subdivisions shall be allowed on all residential zoned  
1332 lands with the approval of the town in which the proposed subdivision lies and the  
1333 Department.  
1334

1335 (2) ADMINISTRATION. For all design standards and plat requirements not identified in this  
1336 section, those requirements set forth in all other relevant Sections of this Ordinance and  
1337 the applicable State statutes, State administrative code, and local zoning and land use  
1338 ordinances shall be adhered to. The Department may waive certain requirements as  
1339 designated in other Sections of this Ordinance upon written request of the subdivider or  
1340 subdivider's agent, provided the requirements are not otherwise statutorily mandated.  
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1342 (3) DESIGN STANDARDS.

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- (a) Open Space. Permanent open space shall be designated as part of the development. The minimum required open space is fifty percent (50%) of the gross acreage.
    - 1. The uses within the open space shall be accessible to all residents of the development. These uses may also be available to the general public provided the proper approvals are received. The required open space shall be undivided and restricted in perpetuity from future development.
    - 2. Shared open space shall be accessible either by direct frontage or access easement to all lots within the development.
    - 3. Road rights-of-way shall not be counted towards the minimum open space.
    - 4. No more than fifty percent (50%) of the required open space may consist of water bodies, ponds, floodplain, or wetlands.
    - 5. Open space shall be contiguous.
  - (b) Roads. Road right-of-way widths may be reduced to the minimum applicable width required by Wis. Stat. Ch. 82.
    - 1. The developed area shall have sidewalks on at least one side of the road for all roadways.
    - 2. Bicycle lanes or equivalent should be installed on both sides of the street for collector roadways.
  - (c) Lots.
    - 1. The minimum lot size for unsewered lots is six thousand (6,000) square feet with a minimum average width of fifty (50) feet. The minimum lot size for lots served by municipal sewer service is four thousand five hundred (4,500) square feet with a minimum average width of fifty (50) feet unless more restrictive requirements set forth in the County Shoreland Ordinance, Sanitary Ordinance, or Floodplain Ordinance apply.
    - 2. All lots must have at least fifty (50) feet of frontage on a public road.
    - 3. Blocks should maintain a length of three hundred (300) to six hundred (600) feet.
- (4) RESIDENTIAL CLUSTER SITING STANDARDS.
- (a) All residential lots and dwellings shall be grouped into residential clusters. Each residential cluster shall contain no more than twenty (20) dwelling units and no less than five (5) dwelling units.
  - (b) Residential clusters shall be located to minimize negative impacts on the natural, scenic, and cultural resources of the site and conflicts between incompatible uses. The subdivision should be designed around existing hedgerows and

- 1397 treelines between fields or meadows and should minimize impacts on large  
1398 woodlands. Scenic views and vistas should be left unblocked for uninterrupted  
1399 panoramas, particularly as seen from public thoroughfares. Siting construction  
1400 on prominent hilltops should be avoided by taking advantage of lower  
1401 topographic features. Sites of historic, archaeological, or cultural value should be  
1402 preserved. Design should protect rural roadside character and improve public  
1403 safety. Common areas and streets should be landscaped with native species  
1404 shade trees, shrubs, or plants with high wildlife conservation value.  
1405  
1406 (c) A thirty- (30-) foot native vegetative buffer shall be maintained around open water  
1407 areas unless a specific common beach or grassed area is identified.  
1408  
1409 (5) OWNERSHIP AND MAINTENANCE OF OPEN SPACE AND COMMON FACILITIES.  
1410  
1411 (a) The designated common open space and common facilities may be owned and  
1412 managed by one or a combination of the following:  
1413  
1414 1. A homeowners' association. Membership in the association is  
1415 mandatory for all purchasers of homes in the development and their  
1416 successors.  
1417  
1418 2. A condominium association. Membership in the association is  
1419 mandatory for all purchasers of homes in the development and their  
1420 successors.  
1421  
1422 3. A non-profit conservation association.  
1423  
1424 4. An individual. An individual may hold fee title to the land while a  
1425 non-profit conservation organization or other qualified organization holds  
1426 a conservation easement prescribing the acceptable uses for the  
1427 common open space.  
1428  
1429 5. Restrictive covenant. The location, size, use, and provisions for control  
1430 of the shared open space shall be described in a restrictive covenant.  
1431 The restrictive covenant shall run with the land, be permanent, and  
1432 become part of the deed to each lot within the development.  
1433  
1434 6. The County or town may accept a fee title dedication or the dedication of  
1435 a conservation easement to the common open space. The County or  
1436 town may accept the common open space provided the County or town  
1437 agrees to and has access to maintain the common open space.  
1438  
1439 (b) Maintenance Plan. Every conservation subdivision must include a plan that  
1440 provides evidence of a means to properly manage the common open space in  
1441 perpetuity and evidence of the long-term means to properly manage and  
1442 maintain all common facilities, including any stormwater facilities. The plan shall  
1443 be approved by the County prior to final plat approval.  
1444  
1445 (6) FEES. The review fees charged shall be fifty percent (50%) of the fee for final plat review  
1446 according to the fee schedule on file in the Planning and Conservation Department.  
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1448 (7) REVIEW AND APPROVAL PROCEDURES.  
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- (a) **Timeframe.** The Department shall have sixty (60) days to approve, approve conditionally, or reject the conservation subdivision plat.
  - (b) **Open Space.** Conservation easements, deed restrictions, or restrictive covenants, as required by the Department for the establishment of the permanent open space shall be submitted with the final conservation subdivision plat and shall be filed for recording with the final conservation subdivision plat.
  - (c) **Ownership.** The legal instruments clarifying the ownership of the open space shall be submitted with the final conservation subdivision plat and shall be filed for recording with the final conservation subdivision plat.

1462 **71.25 PLANS, MAINTENANCE, AND INSPECTION.**

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- (1) **PLANS.** The following plans and accompanying construction specifications may be required by the Department:
    - (a) **Street plans and profiles** showing existing and proposed grades, elevations, and cross-sections of required improvements.
    - (b) **Stormwater management and erosion control plans** showing those structures required to slow or control the rate of runoff water and those grading, excavating, and site management practices that will prevent erosion and sedimentation.
    - (c) **Sanitary sewer plans and profiles** showing the locations, grades, elevations, sizes, and materials of required facilities.
    - (d) **Water main plans and profiles** showing the location, sizes, elevations, and materials of required facilities.
    - (e) **Planting plans** showing the locations, age, caliper, species, and time of planting of any required grasses, shrubs, and other vegetation.
    - (f) **Additional special plans or information** as required.
  - (2) **MAINTENANCE.** The installed system(s) required by this Ordinance shall be maintained by the owner except that the County or town may accept certain systems for County or town maintenance. The selection of critical areas and/or structures to be maintained by the County or town shall be expressly approved by the governing body thereof. All areas and/or structures to be maintained by the County or town must be dedicated to the County or town by plat or separate instrument and accepted by the governing body therefor. The County shall take corrective action should the owner fail to properly maintain the system(s). In the event of such failure, the Department shall give such owner written notice of the nature of the existing defects and the corrective action necessary. Should the owner fail, within thirty (30) days from the date of the notice, to commence corrective action to the satisfaction of the Department, the County may complete or cause the corrective action to be completed, the cost of which shall become a lien on the real property of the owner until paid.
  - (3) **INSPECTION.** The subdivider shall notify the approving authorities having jurisdiction to provide for adequate inspection to review and approve all completed work prior to release of any sureties and to ensure compliance with the enacted requirements. The Department shall have access to premises and structures during reasonable hours to make those inspections as deemed necessary to ensure compliance with this Ordinance.



1504 If the Department is refused entry after presentation of proper identification, it may  
1505 procure a special inspection warrant in accordance with Wis. Stat. ch. 968, except in  
1506 cases of emergency.  
1507

1508 71.26 **DEFINITIONS.** For the purposes of this Ordinance, the following definitions shall be used.  
1509 Words used in the present tense include the future; the singular number includes the plural  
1510 number; and the plural number includes the singular number. The word "shall" is mandatory and  
1511 not directory.  
1512

1513 **ACCESS.** A way or means of approach, by easement, permit, license, or other lawful or  
1514 ownership rights for the use of land, to provide vehicular or pedestrian traffic physical ingress to  
1515 and egress from a property.  
1516

1517 **BLOCK.** A tract of land bounded by streets or by a combination of one (1) or more streets and  
1518 public parks, cemeteries, railroad rights-of-way, bulkhead lines, or shorelines of waterways, or  
1519 corporate boundary lines.  
1520

1521 **BUILDING.** Any structure having a roof supported by columns or walls.  
1522

1523 **CERTIFIED SURVEY MAP.** A map of a land division prepared in accordance with Wis. Stat.  
1524 § 236.34 and in full compliance with the applicable provisions of this Ordinance where the act of  
1525 division results in less than five (5) lots of forty (40) acres each or less in area by one (1) division  
1526 or successive divisions from the same parcel within a period of five (5) years. All area  
1527 calculations are to be exclusive of any dedications, right-of-way easements, or reservations.  
1528

1529 **COMMITTEE.** The County Board Committee which oversees the Planning and Conservation  
1530 Department created by the County Board of Supervisors pursuant to Wis. Stat. § 59.97.  
1531

1532 **COMMON OPEN SPACE.** A parcel or parcels of land or an area of water or a combination of  
1533 land and water within the site designated for a conservation subdivision and designed and  
1534 intended for the use or enjoyment of residents of the conservation subdivision. Common open  
1535 space may contain such complementary structures and improvements as are necessary and  
1536 appropriate for the benefit and enjoyment of residents of the conservation subdivision.  
1537

1538 **COMMON OWNERSHIP.** Ownership of land by the same person or persons. (For example, a  
1539 parcel owned by John Smith is considered to be in common ownership with a parcel owned by  
1540 John & Mary Smith, husband and wife. A parcel owned by John Smith is not considered to be in  
1541 common ownership with a corporate, LLC, partnership, estate, or trust in which John Smith has  
1542 an interest.)  
1543

1544 **COMPREHENSIVE PLAN.** A plan, also called a master plan or elements thereof, for guiding and  
1545 shaping the growth or development of Sheboygan County or of a community or area in  
1546 Sheboygan County which has been adopted by Sheboygan County or a governmental unit of  
1547 Sheboygan County and whose preparation is authorized by the Wisconsin Statutes.  
1548

1549 **CONDOMINIUM.** A form of real property ownership under which a declaration of condominium  
1550 has been recorded pursuant to Wis. Stat. Ch. 703.  
1551

1552 **CONSERVATION SUBDIVISION.** A form of residential development that concentrates buildings  
1553 or lots on a part of the site to allow the remaining land to be used for common open space,  
1554 recreation, and preservation of environmentally sensitive features.  
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1556 **CONTIGUOUS.** A parcel not being divided by a public road or railroad. Parcels are not  
1557 contiguous if they meet only at a single point.

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**COUNTY PLAT.** A map of a land division prepared in the same manner as required in Wis. Stat. ch. 236, except that all reviews are completed at the local level in accordance with the terms of this Chapter where:

- (1) the act of division creates five (5) or more lots, of which at least one (1) lot is one and one half (1-1/2) acres or more in area, or
- (2) five (5) or more lots, of which at least one (1) lot is one and one half (1-1/2) acres or more in area are created by successive divisions from the same parcel within a period of five (5) years

All area calculations are to be exclusive of any dedications, right-of-way easements, or reservations.

**COUNTY ROAD.** All county roads, highways, and bridges located within the unincorporated areas of the County of Sheboygan and over which this County has jurisdiction. This includes all lands within the right-of-way, whether paved or unpaved.

**DEPARTMENT.** The Sheboygan County Planning and Conservation Department employing a full-time professional planner and his or her duly appointed professional staff charged with the duties of administering this Ordinance and other zoning and planning legislation.

**EASEMENT.** A non-possessory interest in land owned by another to use the land for a specific purpose or purposes.

**EXTRATERRITORIAL PLAT APPROVAL JURISDICTION.** The unincorporated area within three (3) miles of the corporate limits of a first-, second-, or third-class city, or within one and one-half (1-1/2) miles of a fourth-class city or village if such cities or villages have enacted a subdivision control ordinance or official map and have not opted out of extraterritorial plat jurisdiction.

**FLOODPLAIN.** Land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe and may include other designated floodplain areas for regulatory purposes.

**LAND DIVISION.** The process of creating one (1) or more lots of forty (40) acres each or less in area exclusive of road right-of-way from one (1) or more existing parcels. All area calculations are to be exclusive of any dedications, right-of-way easements, or reservations.

**LOT.** An area of land having frontage of a public street or private street existing before the adoption of the current version of this Ordinance and sufficient in size to meet width, frontage, area, and yard requirements set forth in this Chapter.

**MINIMUM AVERAGE LOT WIDTH.** The sum of the length of the front and rear lot line divided by two (2). In the case of irregularly-shaped lots having four (4) or more sides, "average lot width" is the sum of the length of two (2) lines, drawn perpendicular to one (1) side line at the widest and narrowest portions of the lot, divided by two (2).

**OFFICIAL MAP.** A map indicating the location, width, extent of the existing and proposed streets, highways, parkways, parks, and playgrounds adopted by the municipalities in Sheboygan County in accordance with Wis. Stat. § 62.23(6).

1611 **OUTLOT.** A parcel of land other than a lot or block so designated on a plat or certified survey  
1612 map but not presently deemed either of standard lot size or suitability. An outlot may not be used  
1613 as a building site unless it comes into compliance with the restrictions that resulted in its  
1614 assuming an outlot status. An outlot may be either redivided into lots or combined with one (1) or  
1615 more other adjacent outlots or lots in adjacent subdivisions or land divisions in the future for the  
1616 purpose of potentially creating buildable lots. An outlot may be conveyed regardless of whether it  
1617 may be used as a building site. Outlots are considered synonymous with lots for the purposes of  
1618 computing the maximum number of lots that may be permitted on a certified survey map or  
1619 County plat.

1620  
1621 **PARCEL.** All contiguous, unplatted land under a common ownership.  
1622

1623 **PERSON.** An individual, group of individuals, partnership, firm, corporation, association, state,  
1624 county, city, village, township, sanitary district, or other governmental corporation.  
1625

1626 **PLAT.** A map of a subdivision, including state subdivision plats, County plats, replats, and  
1627 conservation subdivision plats.  
1628

1629 **PRELIMINARY PLAT.** A map showing the salient features of a proposed subdivision submitted  
1630 to an approving authority for purposes or preliminary consideration.  
1631

1632 **REGIONAL FLOOD.** A flood determined to be representative of large floods known to have  
1633 occurred in Wisconsin. A regional flood is a flood with a one percent (1%) chance of being  
1634 equaled or exceeded in any given year.  
1635

1636 **REPLAT.** The process of changing or the map or plat which changes the boundaries of a  
1637 recorded subdivision plat or part thereof. The legal dividing of a large block, lot, or outlot within a  
1638 recorded subdivision plat without changing the exterior boundaries of said block, lot, or outlot is  
1639 not a replat.  
1640

1641 **SHEBOYGAN COUNTY COORDINATE MONUMENTATION SYSTEM.** The Sheboygan County  
1642 Coordinate Grid, monumented by the Sheboygan County Geodetic Matrix of 1992 with  
1643 subsequent revisions and additions by the Sheboygan County Surveyor, having the following  
1644 parameters:  
1645

1646 Projection .....transverse mercator  
1647 Units .....U.S. survey feet  
1648 Central Meridian (CM).....87°33'00"  
1649 Scale factor at CM.....1.000000000  
1650 Latitude of grid origin.....43°16'00"  
1651 False easting .....262000.00 survey feet (79857.760 meters)  
1652 False northing.....0.00 survey feet (0.00 meters)  
1653 Design elevation.....182.88 meters (see below)  
1654 Geoidal separation .....-34.02 meters  
1655 Vertical datum .....NGVD 1929  
1656 Spheroid .....modified GRS 80  
1657 Semi-major axis.....6378285.48 meters  
1658 Semi-minor axis.....6356900.7941403 meters  
1659 Flattening inverse .....298.26416538669  
1660

1661 **SHORELANDS.** Those lands established to be within the jurisdiction of the Shoreland and  
1662 Floodplain Ordinances for Sheboygan County as follows:  
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- (1) lands within one thousand (1,000) feet of the ordinary high water mark of navigable lakes, ponds, and flowages.
  - (2) lands within three hundred (300) feet of the ordinary high water mark of navigable rivers, streams, and intermittent streams or to the landward side of the floodplain if that distance is greater.
  - (3) the shorelands of all lakes, ponds, flowages, marshes, wetlands, rivers, streams, and creeks as shown on the "Shoreland Zoning Map, Sheboygan County, Wisconsin."

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**SOIL TESTS.** Soil borings or soil and site evaluations conducted as provided by the Sanitary Ordinance for Sheboygan County, and Wis. Admin. Code Ch. SPS 385.

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**STREETS.** A dedicated and accepted public right-of-way for vehicular or pedestrian and vehicular traffic. Also known as a "public road" or "public access."

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- (1) Arterial Streets. Roadways which provide for rapid movement of concentrated volumes of traffic over relatively long distances between activity areas (i.e., freeways, expressways). Arterials connect collector roadways.
  - (2) Collector Streets. Roadways which provide for moderate-speed movements within large areas. The primary function is to carry traffic from local roads to arterials. Collectors provide for movement both within and between developed areas.
  - (3) Local Streets. Roadways designed for low speeds and volumes which provide access from low-traffic-generating areas to collector and arterial streets. Used primarily for access to abutting properties.
  - (4) Private Roads. Local roadways which have not been dedicated to and accepted by the municipality in which they are located but which provides adequate access for emergency vehicles.
  - (5) Marginal Access Streets (Frontage Streets). Minor streets auxiliary to and located on the side of an arterial street for control of access and for service to the abutting development.
  - (6) Alleys. Public or private rights-of-way which provide secondary access to lots, blocks, or parcels of land.
  - (7) Cul-de-sacs. Streets closed at one (1) end with a turnaround provided.
  - (8) Dead-ends. Streets closed at one (1) end without a turnaround.

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**SUBDIVIDER.** Any person or person's agent dividing or proposing to divide land resulting in a subdivision, land division, or replat.

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**SUBDIVISION.** A division of a parcel of land by the owner thereof or the owner's agent for the purpose of transfer of ownership or building development where the act of division creates:

- 1712  
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- (1) five (5) or more lots of one and one-half (1-1/2) acres each or less in area; or
  - (2) five (5) or more lots of one and one-half (1-1/2) acres each or less in area by successive divisions from the same parcel within a period of five (5) years.

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All area calculations are to be exclusive of any dedications, right-of-way easements, or reservations.

**SURETY BOND.** A bond guaranteeing performance of a contract or obligation through forfeiture of the bond if said contract or obligation is unfulfilled by the subdivider.

**UNNECESSARY HARDSHIP.** That circumstance where special conditions which were not self-created affect a particular property and make strict conformity with restrictions set forth in this Ordinance unnecessarily burdensome or unreasonable in light of the purpose of this Ordinance.

**UTILITY EASEMENT.** An easement to place, replace, maintain, or remove utility facilities.

**WETLANDS.** Those areas where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions.

**ZONE A.** Those areas shown on the Official Floodplain Zoning Map which would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles depending on the availability of data for a given area.

Section 2. **Effective Date.** The herein Ordinance shall take effect upon enactment.

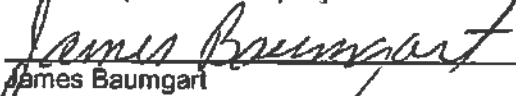
Respectfully submitted this 16th day of February, 2016.

**PLANNING, RESOURCES, AGRICULTURE, AND EXTENSION COMMITTEE\***

\_\_\_\_\_  
Keith Abler, Chairperson

  
\_\_\_\_\_  
Fran Damp, Vice-Chairperson

\_\_\_\_\_  
Libby Ogea, Secretary

  
\_\_\_\_\_  
James Baumgart

  
\_\_\_\_\_  
Edward J. Procek

Opposed to Introduction:

\_\_\_\_\_

\_\_\_\_\_

\*County Board members signing only

Countersigned by:

\_\_\_\_\_  
Roger Te Stroete, Chairperson



# **Sheboygan County**

## **Planning & Conservation Department**

Administration Building

508 New York Avenue

Sheboygan, WI 53081-4126

P: (920) 459-3060

P: (920) 459-1370

F: (920) 459-1371

E: [plancon@sheboygancounty.com](mailto:plancon@sheboygancounty.com)

Director

Aaron C. Brault

## **Memo**

**TO: Planning, Resources, Agriculture, and Extension Committee Members**

**FROM: Emily Stewart** 

**DATE: December 21, 2015**

**RE: Subdivision Ordinance Update**

In the spring of 2014, the Department initiated the process of updating the Sheboygan County Subdivision Ordinance, which governs land divisions in all unincorporated areas of the County and was last re-written in 1998. Area professionals with experience in land division were invited to join a stakeholders' group, which included surveyors, real estate attorneys, and members of local government, among others. Once a committee was formed, meetings were held between April and December of 2014.

At these meetings, staff presented its recommended updates. Sometimes, these were a result of legislative changes and had to be incorporated into the new Ordinance, but they were typically ideas that County staff, State of Wisconsin staff, or others have had to streamline the Ordinance. The group was then asked for its thoughts on each subsection; generally, they came to a consensus as to whether certain changes should be made or omitted from the Ordinance update.

Once these changes were incorporated into a draft update, the stakeholders' group held a final meeting, at which the new version was discussed before it was sent to corporation counsel for review. In December of 2015, the legal review was completed, and the Department is presenting to you its updated Subdivision Ordinance. A summary list of the more major changes is enclosed as well.

Since the updated Subdivision Ordinance is a reflection of the experience provided by the stakeholders' group, the Department would like to thank its members:

- Kevin Struck – UW-Extension Sheboygan County
- Ed Harvey – Sheboygan County Transportation Department
- John DuMez – Compsite Surveying & Mapping
- William Freel – Miller Engineers & Scientists
- Matt Kapellen – Pleasant View Realty
- Ted Scharl – Droppers & Scharl Realty
- Rick Hillmann – Continental Surveying Services
- Attorney Ed Ritger – Ritger Law Office
- Attorney Richard Wirtz – Andrews & Wirtz Law Office LLC
- Attorney Michael Bauer – Hopp Neumann Humke LLP
- Gary Hesselink – Town of Lima
- Bob Werner – Werner Homes
- Dirk Zylman – Town of Mosel
- Dennis Van Sluys – D&H Land Surveys LLC

## Summary of Subdivision Ordinance Updates

*A working version of the Subdivision Ordinance with changes highlighted in red can be found on the Planning & Conservation Department's page of the Sheboygan County website (please note that the numbering convention is different than the bullet points in this list).*

- **Sec. 71.08(3) – (7).** New subsections for Certified Survey Maps (CSM) and each type of plat were created. Definitions taken from the state, sample ordinances, or other counties' ordinances because some are new definitions.
- **Sec. 71.08(9).** Per WI Supreme Court case FAS, LLC v. Town of Bass Lake and WI Act 358, navigable waterways no longer divide parcels.
- **Sec. 71.08(10).** This new language defines contiguity and provides clarification to determine when a CSM is needed, which is important since the Ordinance views 'parcels' differently than lots for taxing purposes.
- **Sec. 71.09.** A section discussing mergers was added, stating the prerequisites for lots to be merged. The referenced Request to Merge form would provide clarity and allow staff to ensure the lots can be merged before an incorrect document is already recorded.
- **The requirement for the Stewardship fee has been removed.** Per 2005 WI Act 477, counties are no longer permitted to collect impact fees.
- **Sec. 71.15(2).** This requires the signature of the owner(s) on all CSMs. Currently, owners' certificates are not statutorily required.
- **Sec. 71.15(5) and (7).** This specifically identifies the processes for County Plats and Conservation Subdivisions. The section on County Plats is particularly important since they are a combination of County, Town, and certain State requirements (such as public access). Conservation Subdivisions are given a shorter review time for County, but the County cannot reduce review times for State.
- **Sec. 71.16(6).** Requires information regarding the discontinuance or vacation of a roadway to be placed on the CSM or plat.
- **Sec. 71.22 and 71.23.** Per State statutes, the County cannot require certain improvements, such as the length of blocks. The old Ordinance attempted to do this. The new version identifies two sections – one that describes design standards that the County does have jurisdiction over, such as survey monumentation, and one that describes design guidelines, which the County does not have jurisdiction over. Discussing design guidelines was still considered important since sometimes, towns may not have any design requirements, so this offers a set of 'best practices' for the developer to follow.
- **Sec. 71.22(2).** The requirement that new lots have 66' of frontage on a public roadway was maintained, but new lots on existing private drives have been grandfathered.
- **Sec. 71.24.** This section on Conservation Subdivisions encourages a different form of development (one in which land is preserved, open space is accessible to residents and the public, and lots are smaller). Shorter review times and lower review fees by the County are offered as incentives.

**FISCAL NOTE**  
**February 2016**

**Resolution No. 31 (2015/16) RE: Merging Aging Unit Advisory Committee and Aging & Disability Resource Center (ADRC) Governing Committee**

**Ordinance No. 15 (2015/16) Re: Repealing and Re-creating Chapter 71 – Subdivision Ordinance**

**Funding:**

No additional funding is required.

Respectfully Submitted,



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Wendy A. Charnon, Finance Director  
February 12, 2016



1                   SHEBOYGAN COUNTY   RESOLUTION NO. 30 (2015/16)

2  
3           Re:    **Authorizing Funding for Final Phase of Health and Human Services**  
4               **Building Remodeling Project**

5  
6  
7           **WHEREAS**, the 2012 Health and Human Services Building remodeling plans called for a  
8 three-phase approach to include a new lobby, a new billing office, and the establishment of new  
9 administrative offices, and

10  
11           **WHEREAS**, the first two phases of that remodeling have since been completed, while  
12 the establishment and remodeling of administrative offices to house the Director and Manager  
13 of Business and Administrative Support Services remains as an uncompleted phase, and

14  
15           **WHEREAS**, the establishment of centrally-located administrative offices will improve  
16 workflow efficiencies as well as promote accessibility to administrative operations for  
17 Department staff and the public alike, and

18  
19           **WHEREAS**, an estimate of expenses to complete the necessary remodeling as  
20 prepared by Bray Associates Architects totals \$118,070, and

21  
22           **WHEREAS**, through prudent fiscal and program management, the Department is  
23 projecting approximately \$1.8 Million in positive variance for the Health and Human Services  
24 Fund related to its 2015 budget year, and

25  
26           **WHEREAS**, under the Finance Committee's Fund Balance Policy as adopted on  
27 December 10, 2014, of the approximately \$1.8 Million in year-end Fund Balance in the Health  
28 and Human Services Fund, only \$500,000 will remain assigned to the Fund after the year-end  
29 books are closed, and the balance will be transferred to the General Fund, and

30  
31           **WHEREAS**, the best interests of the County be would be served if an additional  
32 \$118,070 would be held in the Health and Human Services Fund to be used by the Health and  
33 Human Services Department to complete the administrative office phase of the project rather  
34 than being transferred to the General Fund;

35  
36           **NOW, THEREFORE, BE IT RESOLVED** that the Finance Director is instructed to assign  
37 to the Health and Human Services Fund the sum of \$618,070, rather than \$500,000 as would  
38 otherwise be the case under the Fund Balance Policy when the books are closed for 2015.  
39


40  
41                                   (The rest of this page intentionally left blank.)

42 **BE IT FURTHER RESOLVED** that the Health and Human Services Department is  
43 authorized and directed to spend \$118,070 from its Health and Human Services Fund to pay for  
44 and complete the administrative office phase in the Health and Human Services Building  
45 remodeling project.  
46

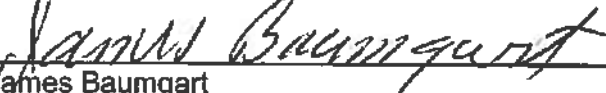
47  
48 Respectfully submitted this 16th day of February, 2016.  
49


50  
51 **HEALTH & HUMAN SERVICES COMMITTEE\***

52   
53 \_\_\_\_\_  
54 Vernon C. Koch, Chairperson

55   
56 \_\_\_\_\_  
57 Brian C. Hoffmann, Vice-Chairperson

58   
59 \_\_\_\_\_  
60 Jacob Van Dixhorn, Secretary

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62 \_\_\_\_\_  
63 James Baumgart

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65 \_\_\_\_\_  
66 Henry Nelson

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68 \_\_\_\_\_  
69 Roger R. Otten

70  
71  
72 Opposed to Introduction:  
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75 \_\_\_\_\_  
76 \_\_\_\_\_  
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78 \*County Board members signing only  
79

**FISCAL NOTE**  
**February 2016**

**Resolution No. 30 (2015/16) RE: Authorizing Funding for Final Phase of Health and Human Services Building Remodeling Project**

This resolution is requesting use of fund balance to complete the third and last phase of the remodeling project approved through the Five Year Capital Plan in 2014.

**Funding:**

As of the preliminary close for Fiscal Year 2015, Health & Human Services is representing a positive net change to fund balance that is more than adequate to support the request of retaining \$118,070 to use toward the completion of the remodeling.

Respectfully Submitted,



---

Wendy A. Charnon, Finance Director  
February 12, 2016

1 SHEBOYGAN COUNTY RESOLUTION NO. 32 (2015/16)

2  
3 Re: Authorizing Expenditure of Not More Than \$20,000.00 From the County  
4 Jail Fund  
5  
6

7 WHEREAS, Wis. Stat. § 302.46 provides for the imposition of a jail surcharge in certain  
8 circumstances when a court imposes a fine or forfeiture for violation of statute law or municipal or  
9 county ordinances, and  
10

11 WHEREAS, the proceeds of the jail surcharge are to be placed in a separate correctional  
12 county jail fund pursuant to Wis. Stat. § 59.25(3)(g), and  
13

14 WHEREAS, as of December 2015, the balance in the County Jail Fund was \$198,468, and  
15 the use of these funds is limited by Wis. Stat. § 302.46 to "construction, remodeling, repair, or  
16 improvement of county jails," and  
17

18 WHEREAS, to maintain and improve jail operations and infrastructure, commissary service  
19 kiosk data cabling expenditures not to exceed \$20,000.00 should be made out of the County Jail  
20 Fund:  
21

22 NOW, THEREFORE, BE IT RESOLVED that, pursuant to Wis. Stat. §§ 59.25(3)(b) and (g),  
23 expenditure of not to exceed \$20,000.00 is hereby authorized for the specific item described above,  
24 and the Finance Department is directed to transfer such amounts to the 2016 Capital Outlay or  
25 Supply Budget.  
26

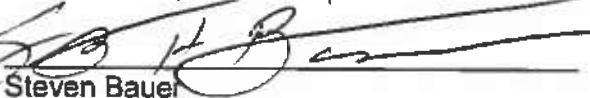
27  
28 Respectfully submitted this 16th day of February, 2016.  
29  
30

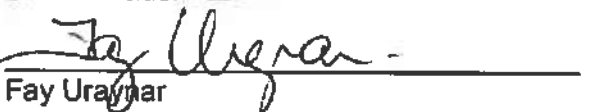
31 LAW COMMITTEE

32  
33  
34  
35   
Thomas V. Epping, Chairperson

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37   
Mark S. Winkel, Secretary

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41   
Vernon Koch, Vice-Chairperson

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43   
Steven Bauer

44  
45   
Fay Uraynar

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Opposed to Introduction:  
  
\_\_\_\_\_

**FISCAL NOTE**  
**February 2016**

**Resolution No. 32 (2015/16) RE: Authorizing Expenditures of Not More Than  
\$20,000.00 From the County Jail Fund**

This resolution is requesting approval to utilize no more than \$20,000 of the County Jail Fund on kiosk data cabling for improved operation.

**Funding:**

Preliminary balance of the County Jail Fund at 12/31/15 is \$195,105. Of this balance, \$74,000 was approved for use in the 2016 budget, \$50,000 for inmate health care and \$24,000 for 3 clothes dryers.

A remaining balance of \$121,105 is available to support this resolution.

Respectfully Submitted,



---

Wendy A. Charon, Finance Director  
February 12, 2016

1                   SHEBOYGAN COUNTY   RESOLUTION NO. 33 (2015/16)

2  
3       Re:    **Approving Use of Fund Balance for Radio Replacement Program**

4  
5  
6       **WHEREAS**, through the adoption of Resolution No. 29 (2013/14), the County Board  
7 approved a program to underwrite part of the cost of new radios to local governments as a  
8 component of the emergency radio replacement project, and

9  
10       **WHEREAS**, it was contemplated that the system infrastructure component of the  
11 emergency radio system replacement would be paid for through bonding, but there was never a  
12 determination as to the funding source for the underwriting component,



13  
14       **WHEREAS**, up to the present, the focus has been on the system infrastructure  
15 component and the new radios, while ordered, have not yet been paid for, and

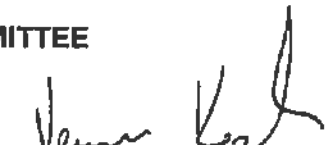
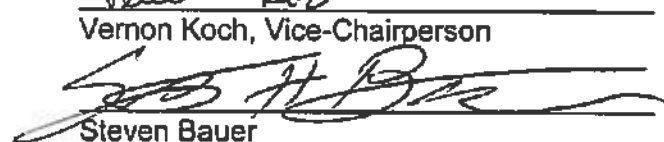
16  
17       **WHEREAS**, in order to implement the radio replacement portion of the project, including  
18 the underwriting component provided for in Resolution No. 29 (2013/14), the Sheriff's  
19 Department is requesting that the sum of \$1,809,558 from the Undesignated Fund Balance be  
20 used for this purpose;

21  
22       **NOW, THEREFORE, BE IT RESOLVED** that the Finance Director is authorized and  
23 directed to track and assign the sum of \$1,810,000 from the Undesignated Fund Balance to the  
24 Sheriff in order to fulfill the financial requirements of the radio replacement portion of the project.

25  
26  
27       Respectfully submitted this 16th day of February, 2016.

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30                                   **LAW COMMITTEE**

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35       \_\_\_\_\_  
36       Thomas V. Epping, Chairperson  
37         
38       \_\_\_\_\_  
39       Mark S. Winkel, Secretary

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42         
43       \_\_\_\_\_  
44       Vernon Koch, Vice-Chairperson  
45         
46       \_\_\_\_\_  
47       Steven Bauer

48                                   \_\_\_\_\_  
49                                   Fay Uraynar

Opposed to Introduction:

\_\_\_\_\_

**FISCAL NOTE**  
**February 2016**

**Resolution No. 33 (2015/16) RE: Approving Use of Fund Balance for Radio Replacement Program**

This resolution is establishing the funding for approved Resolution No 29 (2013/14) – Underwriting Part of the Cost of New Radios to Local Governments as Part of the Emergency Radio System Replacement Project. This resolution directs the provisions of the County's funding to be 70% of the cost for new replacement subscriber radios for law enforcement, fire and EMS personnel and 100% for the volunteer fire departments and volunteer EMS personnel. This resolution also provides an option for local governments to repay the 30% cost of the radios over a 5 year period with an interest rate equal to Sheboygan County's last borrowing rate.

**Funding:**

The funding for the subscriber radios was not part of the Five Year Capital Plan, and thus not part of the bonded funds. Implementation of the Radio project is scheduled to be fully functional by June 2016. In order to realize this implementation, the funding support for the radios would require use of undesignated fund balance from the General Fund. Use of \$1,810,000 of undesignated fund balance will not bring the balance of undesignated fund balance below the minimum threshold established by the Fund Balance Policy.

Respectfully Submitted,



---

Wendy A. Charnon, Finance Director  
February 12, 2016

1 SHEBOYGAN COUNTY RESOLUTION NO. 35 (2015/16)

2  
3 Re: **Authorizing the Finance Committee and Finance Director to Balance**  
4 **Over Budget Departmental Accounts**  
5

6  
7 **WHEREAS**, it is anticipated that there may be certain departmental expense accounts  
8 which will be over budget for 2015 due to unexpected or unusual expenses, and there may be  
9 other expense or revenue accounts which are under/over budget, and  
10

11 **WHEREAS**, while the exact amount of the variances cannot be determined until the  
12 books for 2015 have been closed, the approximate amount for each Department is attached to  
13 this Resolution and represent, in total for all funds, the net amount of \$3,834,189;  
14

15 **NOW, THEREFORE, BE IT RESOLVED** that negative variances in the departmental  
16 appropriation units, "Salaries and Benefits," "Operating Expenses," "Interdepartmental  
17 Charges," and "Capital Outlay" are hereby authorized.  
18

19 **BE IT FURTHER RESOLVED** that after the books are closed for 2015 the Finance  
20 Committee and Finance Director report to this County Board any significant differences from the  
21 variances reported here.  
22

23  
24 Respectfully submitted this 15th day of March, 2016.

25  
26  
27 **FINANCE COMMITTEE**  
28

29  
30  
31 \_\_\_\_\_  
32 Greg Weggeman, Chairperson

33  
34 \_\_\_\_\_  
35 George Marthenze, Vice-Chairperson

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37 \_\_\_\_\_  
38 Thomas Wegner, Secretary

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40 \_\_\_\_\_  
41 Alan Bosman

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43 \_\_\_\_\_  
44 William C. Goehring

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49  
Opposed to Introduction:  
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**Budget Comparisons - 2015  
Appropriation Units**

Fund	Dept	Department	Revenue		Variances	Wages & Benefits		Variance	Operating Expenses		Variance	Interdepartmental		Variance	Operational	Capital Outlay	Variance	
			Budget	Actual		Budget	Actual		Budget	Actual		Budget	Actual					Budget
100	181	General Fund																
100	181	Treasurer	604,025	761,642	177,617	307,000	377,361	20,410	65,072	130,253	60,011	150,400	124,000	31,700	170,091	-	7,513	(7,513)
100	182	RCO	634,000	555,830	(78,170)	371,626	371,626	1,037	85,007	48,652	7,275	137,882	137,878	(4)	30,047	-	-	-
100	183	Finance	1,204,535	1,217,408	(77,127)	802,770	802,770	55,754	90,757	49,191	20,500	211,000	208,447	9,500	5,702	-	-	-
100	184	UW Shrubogren	143,040	143,040	-	-	-	-	110,529	110,503	(26)	20,270	20,194	74	(8,940)	-	-	-
100	185	Medical Examiner	164,003	180,016	3,002	90,200	99,510	7,776	48,335	43,203	3,132	25,803	25,779	(24)	13,810	-	-	-
100	186	County Board	210,711	210,711	-	130,940	130,940	2,165	45,112	43,070	1,233	26,312	26,195	147	5,635	-	-	-
100	187	Co Airport	862,000	550,737	(18,043)	220,002	200,040	12,143	250,432	221,184	26,230	112,544	98,000	13,000	50,074	-	-	-
100	190	County Comm	341,700	342,078	313	240,200	240,200	9,871	49,315	45,000	3,338	48,200	48,200	(10)	13,101	-	-	-
100	191	County Comm	2,000,210	2,000,102	(20,808)	1,200,410	1,199,240	74,000	378,790	415,650	(40,000)	400,335	426,175	(19,840)	44,033	-	-	-
100	192	DA	943,154	910,187	(26,023)	673,010	668,378	5,300	48,007	51,140	(2,291)	225,000	224,943	63	29,095	-	-	-
100	194	UW Extension	488,377	519,034	23,057	129,488	142,220	(12,732)	203,508	244,203	38,333	75,007	70,000	5,000	40,400	-	-	-
100	195	Co Planning	2,504,100	2,783,207	160,007	843,000	829,757	13,233	1,400,790	1,516,192	(106,434)	304,441	344,333	40,100	133,814	49,000	127,804	(77,804)
100	196	Sherriff	18,002,213	18,115,584	63,371	12,100,707	12,113,630	76,000	2,440,815	2,440,200	(615)	3,077,051	2,994,795	82,000	240,042	300,035	415,002	(15,007)
100	197	County Clerk	365,277	403,023	7,746	190,002	195,175	1,077	134,100	135,044	(1,481)	64,000	64,000	241	6,100	-	-	-
100	198	Bldg Services	3,201,202	3,272,447	11,155	1,480,597	1,492,004	66,500	1,481,024	1,213,420	(267,395)	800,512	480,340	12,100	377,270	87,000	5,176	80,024
100	199	Human Resources	812,451	810,251	(2,200)	300,000	300,000	-	187,025	180,407	(6,618)	103,180	80,000	23,120	44,454	-	-	-
100	199	Veterans' Serv	200,716	213,318	3,000	155,721	161,021	(6,100)	1,910,000	2,054,007	(1,043,074)	1,016	1,007	(81)	217,177	-	-	-
100	1974	Nondepart	4,000,414	5,051,340	1,200,002	-	-	-	30,332	5,110	54,224	23,823	10,300	4,531	(2,900)	-	-	-
100	1079	Veterans' Comm	44,003	44,003	-	4,307	4,307	-	7,487	6,731	756	32,485	32,485	-	788	-	-	-
100	1082	Dep Counsel	322,701	319,573	(6,128)	67,027	62,075	5,062	211,305	212,730	(1,394)	23,823	10,300	4,531	(2,900)	-	-	-
100	1002	County Admin	221,413	221,444	31	163,017	163,044	172	7,487	6,731	756	32,485	32,485	(172)	788	-	-	-
<b>Total - General Fund</b>			<b>37,633,818</b>	<b>39,368,489</b>	<b>1,732,883</b>	<b>20,076,444</b>	<b>19,719,224</b>	<b>385,220</b>	<b>9,103,481</b>	<b>9,943,067</b>	<b>(839,230)</b>	<b>8,674,290</b>	<b>8,440,128</b>	<b>164,161</b>	<b>1,433,236</b>	<b>676,835</b>	<b>568,784</b>	<b>(11,072)</b>
200	200	Community Programs	15,070,021	15,007,839	(62,182)	3,248,340	3,190,050	60,200	10,130,120	9,503,050	627,170	1,742,516	1,711,024	30,891	4,234,302	-	-	-
200	218	H&H Admin	3,000	3,000	-	1,313,057	1,300,000	12,000	208,475	232,300	(22,825)	(1,510,000)	(1,529,000)	18,500	8,000	-	-	-
200	220	Office on Aging	1,200,500	1,314,000	31,372	340,000	340,000	(25,000)	722,117	715,111	7,006	240,241	210,000	29,977	41,323	-	-	-
200	230	Public Health	3,292,078	3,103,736	(188,342)	2,004,725	1,877,520	187,105	142,016	142,048	200	1,004,517	983,274	81,200	110,416	-	-	-
200	250	Social Services	8,000,000	9,040,000	1,111,000	3,310,700	3,300,307	110,400	3,948,700	3,951,502	280,004	1,720,224	1,878,001	43,000	530,700	-	-	-
200	260	Economic Support	3,070,046	3,703,308	116,452	2,187,453	2,072,702	113,751	337,219	400,130	(130,915)	1,161,530	1,167,300	65,000	93,822	-	-	-
<b>Total - Special Revenues</b>			<b>32,235,637</b>	<b>32,825,917</b>	<b>590,280</b>	<b>12,441,040</b>	<b>11,993,099</b>	<b>487,971</b>	<b>11,458,805</b>	<b>11,613,297</b>	<b>154,308</b>	<b>4,420,786</b>	<b>4,220,711</b>	<b>197,977</b>	<b>2,166,710</b>	<b>-</b>	<b>-</b>	<b>-</b>



**FISCAL NOTE**  
**March 2016**

**Resolution No. 35 (2015/16) Re: Authorizing the Finance Committee and Finance Director to Balance Over Budget Departmental Accounts**

This resolution outlines the preliminary financial results of 2015, by appropriation unit as required under Chapter 5 of the Sheboygan County Code of Ordinances.

Summary of the results are:

- Revenues overall positive variance to budget of \$3,568,915
- Expenditures overall positive variance to budget of \$1,469,477
- Total Operational change is a positive \$5,038,392
- After carry forward, overall positive change of \$3,834,189

These are preliminary figures and may change during the external auditing process. Any significant changes not outlined in this resolution will be brought back to the Finance Committee and County Board.

**Funding:**

No additional funding is required.

Respectfully Submitted,



Wendy A. Charmon, Finance Director  
March 11, 2016

1 SHEBOYGAN COUNTY RESOLUTION NO. 36 (2015/16)

2  
3 Re: **Authorizing Human Resources Committee to Enter Into Labor**  
4 **Contract with Sheboygan County Law Enforcement Employees'**  
5 **Association WPPA-LEER**  
6

7  
8 **WHEREAS**, a tentative two-year agreement from January 1, 2016, through December  
9 31, 2017, has been reached by the Human Resources Committee with regard to a new labor  
10 contract for employees represented by the Sheboygan County Law Enforcement Employees'  
11 Association WPPA-LEER in accordance for an across-the-board base pay increase of two  
12 percent (2%) effective January 1, 2016 and two percent (2%) effective January 1, 2017;

13  
14 **NOW, THEREFORE, BE IT RESOLVED** that by the adoption of this Resolution, the  
15 tentative agreement is hereby ratified, and the Human Resources Committee is hereby directed  
16 and authorized to execute on behalf of Sheboygan County a new labor contract as approved  
17 with the Sheboygan County Law Enforcement Employees' Association WPPA-LEER.  
18

19  
20 Respectfully submitted this 15th day of March, 2016.  
21

22 **HUMAN RESOURCES COMMITTEE**

23  
24  
25  
26  
27 \_\_\_\_\_  
28 Fran Damp, Chairperson

\_\_\_\_\_

29  
30 \_\_\_\_\_  
31 Edward J. Procek, Secretary

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33 \_\_\_\_\_  
34 Greg Weggeman

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Opposed to Introduction:

\_\_\_\_\_

**FISCAL NOTE**  
**March 2016**

**Resolution No. 36 (2015/16) -- Re: Authorizing Human Resources Committee to Enter Into Labor Contract with Sheboygan County Law Enforcement Employees' Association WPPA-LEER**

**Funding:**

The agreement calls for a 2% wage increase to base wages in two consecutive years to be effective on January 1 of 2016 and 2017. In year one, 2016, the increase to base personnel expenses will be approximately \$76,166. In year two, 2017, the increase to personnel expenses will be approximately \$89,537. Total increase over current base personnel costs for the two year agreement is approximately \$165,704.

These approximations do not account for possible overtime that may be incurred.

Respectfully submitted,



Wendy A. Charbon  
March 11, 2016



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establishing ~~permit~~license fees, issuing ~~permits~~licenses, and making investigations or inspections of retail food establishments, hotels, motels, restaurants, tourist rooming houses, bed and breakfast establishments, campgrounds and camping resorts, recreational and educational camps, public swimming pools, and establishments possessing Class B and Class C alcoholic beverage licenses, and in making investigations and inspections of food vending machines, their operators and vending machine commissaries.

17.02 APPLICABILITY. The provisions of this Ordinance shall apply to the owner, operator or agent thereof of any retail food establishment, hotel, motel, tourist rooming house, restaurant, bed and breakfast establishment, campground and camping resort, recreational and educational camp, public swimming pool, establishments possessing Class B or Class C alcoholic beverage licenses, vending machine commissary or vending machines in Sheboygan County.

17.03 DEFINITIONS.

(a) All definitions as set forth in Wis. Stats. chs. 97, 125, 251, and 254; and Wisconsin Administrative Code Chapters HFS 172, 175, 178, 182, 185, 186, 187, and 198; and Comm 90ATCP 72, 73, 75, 76, 78, and 79 and such other provisions adopted in conformity therewith, are incorporated in this Ordinance by reference and they shall be construed, read, and interpreted as fully set forth herein until amended and then shall apply as amended.

~~(b) "Duplicate Permit Fee" shall mean a fee for the replacement of an original permit.~~

~~(c)~~ **(e2)** "Health and Human Services" or "Department" shall mean the Sheboygan County Health and Human Services Department, Division of Public Health.

~~(d) "Inspection Fee" shall mean a fee for on-site visits, limited to two (2) in a twelve-month period of time or within the license year, to determine that establishments identified in the Ordinance are compliant with the statutes and administrative codes that govern their operation.~~

~~(e) "Late Fee" shall mean a fee for failure to pay established fees by June 30 or the due date.~~

~~(f) "Limited Food Service" shall mean the serving of food which is prepared and packaged off the premises with preparation on the premises limited to heating and serving with single-service articles, e.g., hermetically wrapped sandwiches or frozen pizza.~~ (g) "Local Agent" shall mean the Sheboygan County Health and Human Services Department, Division of Public Health.

~~(g)~~ **(g3)** "Mobile Restaurant" shall mean a restaurant operating from a movable vehicle, pushcart, trailer, or boat which periodically or continuously changes location and wherein meals or lunches are prepared or served or sold to the general public, excepting those vehicles used in delivery of pre-ordered meals or lunches prepared in a licensed restaurant.

~~(h) "Operator" shall mean the owner or person responsible to the owner for the operations of the hotel, motel, bed and breakfast establishment, food service establishment or beverage establishment, vending machine commissary and/or vending~~

107 machine, campground, camping resort, recreational/educational camps, or public  
108 swimming pools.

109 ~~\_\_\_\_\_ (i) "Potentially Hazardous Food"~~

110 ~~\_\_\_\_\_ (1) Shall mean a FOOD that is natural or synthetic and that requires~~  
111 ~~temperature control because it is in a form capable of supporting:~~

112 ~~\_\_\_\_\_ A. The rapid and progressive growth of infectious or~~  
113 ~~toxigenic microorganisms;~~

114 ~~\_\_\_\_\_ B. The growth and toxin production of Clostridium~~  
115 ~~botulinum; or~~

116 ~~\_\_\_\_\_ C. In raw shell eggs, the growth of Salmonella enteritidis.~~

117 ~~\_\_\_\_\_ (2) Includes an animal FOOD (a FOOD of animal origin) that is raw~~  
118 ~~or heat treated; a FOOD of plant origin that is heat treated or consists of raw~~  
119 ~~seed sprouts; cut melons; and garlic and oil mixtures that are not acidified or~~  
120 ~~otherwise modified at a FOOD PROCESSING PLANT in a way that results in~~  
121 ~~mixtures that do not support growth as specified under Subparagraph (a) of this~~  
122 ~~definition.~~

123 ~~\_\_\_\_\_ (3) Does not include:~~

124 ~~\_\_\_\_\_ A. An air-cooled hard-boiled egg with shell intact;~~

125 ~~\_\_\_\_\_ B. A FOOD with an a/w value of 0.85 or less;~~

126 ~~\_\_\_\_\_ C. A FOOD with a pH level of 4.6 or below when measured~~  
127 ~~at 24C (75F);~~

128 ~~\_\_\_\_\_ D. A FOOD in an unopened HERMETICALLY SEALED~~  
129 ~~CONTAINER that is commercially processed to achieve and maintain~~  
130 ~~commercial sterility under conditions of non-refrigerated storage and~~  
131 ~~distribution;~~

132 ~~\_\_\_\_\_ E. A FOOD for which laboratory evidence demonstrates~~  
133 ~~that the rapid and progressive growth of infectious or toxigenic~~  
134 ~~microorganisms or growth of S. enteritidis in eggs or C. botulinum cannot~~  
135 ~~occur, such as a FOOD that has an a/w and a pH that are above the~~  
136 ~~levels specified under Subparagraphs (c) (2) and (3) of this definition and~~  
137 ~~that may contain a preservative, other barrier to growth of~~  
138 ~~microorganisms, or a combination of barriers that inhibit the growth of~~  
139 ~~microorganisms.~~

140 ~~\_\_\_\_\_ F. A FOOD that may contain an infectious or toxigenic~~  
141 ~~microorganism or chemical or physical contaminant at a level sufficient to~~  
142 ~~cause illness, but that does not support the growth of microorganisms as~~  
143 ~~specified under Subparagraph (a) of this definition.~~

144 ~~\_\_\_\_\_ (j) "Pre-Inspection Fee" shall mean a fee for consultative services offered~~  
145 ~~within a six (6-) month period from the date of permit application to persons intending to~~  
146 ~~operate a new hotel, tourist rooming house, bed and breakfast establishment, restaurant,~~  
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~~vending machine commissary, or to a person intending to be the new operator of an hotel, tourist rooming house, bed and breakfast establishment, restaurant and vending machine commissary.~~

~~———— (k) ——— "Re-Inspection Fee" shall mean a fee for the third (3rd) and subsequent inspections needed to address compliance issues with the statutes and administrative codes that govern their operation.~~

~~———— (l) ——— "Restaurant" shall mean any building, room, or place where meals are prepared, served, or sold to transients or the general public, and all places used in connection with the building, room, or place and includes any public or private school lunchroom for which food service is provided by contract. "Restaurant" does not include:~~

~~———— (1) ——— Taverns that serve free lunches consisting of popcorn, cheese, crackers, pretzels, cold sausage, cured fish, or bread and butter;~~

~~———— (2) ——— Churches, religious, fraternal, youth, or patriotic organization, service clubs, and civic organizations which occasionally prepare, serve, or sell meals to the general public;~~

~~———— (3) ——— Any food service provided solely for needy persons;~~

~~———— (4) ——— Bed and breakfast establishments; or~~

~~———— (5) ——— A private individual selling food from a movable or temporary stand at a public farm sale.~~

~~———— (m) ——— "Temporary Restaurant" shall mean a restaurant that operates at a fixed location in conjunction with a single event such as a fair, carnival, circus, public exhibition, anniversary sale, or occasional sales promotion.~~

~~———— (n) ——— "Vending Machine" shall mean any self-service device offered for public use which, upon insertion of a coin or token, or by other means, dispenses unit servings of food or beverage either in bulk or in package, without the necessity of replenishing the device between each vending operation. "Vending machine" does not include a device which dispenses only bottled, pre-packaged, or canned soft drinks, a one-cent vending device, a vending machine dispensing only candy, gum, nuts, nut meats, cookies, or crackers, or a vending machine dispensing only pre-packaged, grade A, pasteurized milk or milk products.~~

~~———— (o) ——— "Vending Machine Commissary" shall mean any building, room, or place in the state at which feeds, containers, transport equipment, or supplies for vending machines are kept, handled, prepared, or stored by a vending machine operator, except a place at which the operator is licensed to manufacture, distribute, or sell food products under Wis. Stat. ch. 97.~~

17.04 ENFORCEMENT. The provisions of this Ordinance shall be administered by or under the direction of the Division of Public Health of the ~~Health and Human Services~~ Department by its duly authorized representatives who shall have the right to enter, at reasonable hours, upon premises affected by this regulation to inspect the premises, secure samples or specimens, examine and copy relevant documents and records, or obtain photographic or other evidence needed to enforce this Ordinance.

17.05 LICENSE AND PERMIT.

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(a1) No person shall operate retail food establishments, hotels, motels, restaurants, tourist rooming houses, bed and breakfast establishments, campgrounds and camping resorts, recreational and educational camps, public swimming pools and establishments possessing Class B and Class C alcohol beverage licenses and inspections of food vending machines, their operators and vending machine commissaries without first obtaining a non-prorated permitlicense from the ~~Health and Human Services~~ Department. Such permitslicenses shall expire on June 30 of each year following their issuance except that permitslicenses initially issued during the period beginning on April 1 and ending June 30 shall expire June 30 of the following year. The issuance of a permitlicense may be conditioned upon the Permitteelicensee correcting a violation of this Ordinance within a specified period of time. If the condition is not met within the specified period of time, the permitlicense shall be voided. The permitlicense shall not be transferable to a location other than the one for which it was issued, nor shall a permitlicense be transferred from one operator to another subject to the express exception of:

(1a) As to location, temporary permitslicenses may be transferred;

(2b) As to operator, a permitlicense of a food establishment operator may be transferred to an individual who is an immediate family member of the operator if the operator is transferring operation of the establishment or vending machine to that immediate family member. A parent, child, step-child, grandchild, sibling, or step-sibling shall be considered an immediate family member for purposes of this Ordinance.

(b2) Operators or permiteeslicensees of temporary restaurants whom the ~~Health and Human Services~~ Department has found to be uncooperative or habitual violators of this Ordinance may be denied a permitlicense to operate. Temporary permitslicenses may be transferred to a premises other than that for which it was issued, provided that the approval of the new premises is secured from the ~~Health and Human Services~~ Department prior to operating at the new premises.

(e3) No permitslicenses shall be granted to any person under this Ordinance without a pre-inspectionpre-licensing inspection by the ~~Health and Human Services~~ Department of the premises for which the permitlicense shall be granted.

(d4) No permitlicense shall be issued until all application fees have been paid.

17.06 APPLICATION. Application for permitslicenses shall be made in writing to the ~~Health and Human Services~~ Department on forms developed and provided by the ~~Health and Human Services~~ Department stating the name and address of the proposed applicant and operator, and the address and location of the proposed establishment, together with any such other information as may be required. The ~~Health and Human Services~~ Department shall either approve the application or deny the permitlicense within thirty (30) days after receipt of a complete application.

17.07 FEES. Fees for the issuance of permitslicenses, the making of investigations, inspections, providing education, training, and technical assistance to all establishments covered pursuant to this Ordinance, plus the costs required to be paid to the state for each permitlicense issued, are established by and may be amended upon the approval of the Sheboygan County Health and Human Services BoardCommittee. In addition, separate pre-inspectionpre-licensing fees are hereby established with regard to new establishments or existing establishments which have been transferred to a new

- 269 operator. The fee schedule for a license shall be on file with the ~~Sheboygan County~~  
270 ~~Health and Human Services Department, Division of Public Health.~~
- 271
- 272 17.08 PERMITLICENSE PUBLIC DISPLAY. Every establishment required to obtain a  
273 permitlicense pursuant to this Ordinance shall display said permitlicense at all times in a  
274 conspicuous public place.
- 275
- 276 17.09 PERMITLICENSE SUSPENSION AND REVOCATION. Any permitlicense issued by the  
277 ~~Health and Human Services~~ Department pursuant to this Ordinance may be temporarily  
278 suspended and the premises ordered closed by the Department for a violation of any  
279 provision of this Ordinance or rules adopted by reference by this Ordinance if the  
280 Department determines that an immediate danger to health exists or as may otherwise  
281 be allowed by law, including failure to pay any fees required hereunder. The Department  
282 may establish such protocols as it deems appropriate to allow license holders  
283 opportunities to correct in lieu of suspension and closure. Such permitlicenses may be  
284 permanently revoked after repeated violations.
- 285
- 286 17.10 REGULATIONS, RULES, AND LAWS ADOPTED BY REFERENCE. The applicable  
287 laws, rules, and regulations as set forth in Wis. Stats. chs. 97, 125, 251, and 254;  
288 Wisconsin Administrative Code Chapters; and HFS 172, 175, 178, 192, 195, 196, 197,  
289 and 198; and Comm 90ATCP 72, 73, 77, 76, 78, and 79 and such other provisions  
290 adopted in conformity therewith are incorporated in this regulation by reference and they  
291 shall be construed, read, and interpreted as fully set forth herein until amended and then  
292 shall apply as amended. The expressed provisions of this Ordinance shall control where  
293 more restrictive.
- 294
- 295 17.11 VIOLATION/PENALTIES. Any person who violates or refuses to comply with any  
296 provisions of this Ordinance shall be subject to a forfeiture of Two Hundred Fifty Dollars  
297 (\$250.00) for each offense and/or revocation or amendment of their applicable  
298 permitlicense. Each day a violation exists or continues shall be considered a separate  
299 offense. Where appropriate, injunctive relief may be sought by the ~~Health and Human~~  
300 ~~Services~~ Department against continuing violations. In the alternative, the ~~Health and~~  
301 ~~Human Services~~ Department may pursue enforcement of such Section of these  
302 regulations as are prosecutable. Representatives of the Department charged with the  
303 administration and enforcement of this Ordinance are authorized to issue citations  
304 pursuant to Chapter 90 of this Code with respect to Ordinances which are directly related  
305 to their official responsibilities.
- 306
- 307 17.12 CONSTRUCTION OR ALTERATION OF FOOD ESTABLISHMENTS: PLAN  
308 EXAMINATION. No person shall erect, construct, enlarge, or alter a food establishment  
309 without first submitting to the ~~Sheboygan County Health and Human Services~~  
310 ~~Department~~ Division of Public Health ("Division of Public Health") plans (drawings) which  
311 clearly show and describe the amount and character of the work proposed and without  
312 first receiving approval of submitted plans. Such plans shall include floor plans,  
313 equipment plans, and specifications; wall, floor, and ceiling finishes; and plans and  
314 specifications for food service kitchen ventilation. Submitted plans shall give all  
315 information necessary to show compliance with applicable health codes. At the option of  
316 the ~~Division of Public Health~~ Department, plans need not be submitted to execute minor  
317 alterations to a food establishment. Approved plans shall not be changed or modified  
318 unless approval of such changes or modifications shall first be obtained from the ~~Division~~  
319 ~~of Public Health~~ Department. Plan examination fees shall be paid pursuant to Section  
320 17.07 of this Code.
- 321

322 17.13 CONSTRUCTION OR ALTERATION OF FOOD ESTABLISHMENTS: SITE  
323 EVALUATION. A site evaluation by the ~~Division of Public Health~~Department is required  
324 when any food establishment begins operation in a location where the immediate  
325 predecessor was not a food operation. Site evaluation by the ~~Division of Public~~  
326 ~~Health~~Department is not required for any food operation that has a change in operator or  
327 that is remodeled or altered. Such a food operator may voluntarily request site evaluation  
328 by the ~~Division of Public Health~~Department which shall provide such evaluation whenever  
329 a request is made. Any food operation which voluntarily requests a food evaluation shall  
330 pay a site evaluation fee. Site evaluation fees shall be paid as required by Section 17.07.  
331

332 Section 2. **Authorization to Execute Agreement.** The County Administrator or  
333 designee is authorized and directed to enter into an agreement with the Wisconsin  
334 Department of Agriculture, Trade and Consumer Protection ("the DATCP") to have the  
335 Sheboygan County Health and Human Services Department, Division of Public Health, act  
336 as the DATCP's agent to administer its licensing programs pursuant to Wis. Stat. § 97.41  
337 and such other applicable statutes effective July 1, 2016.  
338

339 Section 3. **Effective Date.** Section 1 of this Ordinance shall take effect on July  
340 1, 2016. Section 2 of this Ordinance shall take effect upon enactment.  
341

342  
343 Respectfully submitted this 15th day of March, 2016.  
344

345  
346 **HEALTH & HUMAN SERVICES COMMITTEE\***  
347

348  
349  
350 \_\_\_\_\_  
351 Vernon C. Koch, Chairperson

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351 Brian C. Hoffmann, Vice-Chairperson

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353 \_\_\_\_\_  
354 Jacob Van Dixhorn, Secretary

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353 \_\_\_\_\_  
354 James Baumgart

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356 \_\_\_\_\_  
357 Henry Nelson

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357 Roger R. Otten

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359 Opposed to Introduction:  
360

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362 \_\_\_\_\_  
363 \*County Board members signing only  
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366 Countersigned by:  
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369 \_\_\_\_\_  
370 Roger Te Stroete, Chairperson  
371

**FISCAL NOTE**  
**March 2016**

**Ordinance No. 16 (2015/16) Re: Authorizing and Implementing Agency Agreement with State Department of Agriculture to License and Regulate Various Commercial Activity under Chapter 17.**

With the enactment of 2015 Wisconsin Act 55, in order to continue with the County's current public health licensing, inspection, and regulation activities, the County must agree to also do the licensing, inspection and regulation for retail food establishments which previously had been done by the State.

When the State of Wisconsin did the licensing and inspections for retail food establishments, approximately 58% of the cost of the program came from the sale of licenses and approximately 42% came from the General Program Revenues of the Department of Agriculture.

**Funding:**

The additional facilities anticipated with the Retail Food Services are approximately 332, which includes approximately 150 temporary establishments selling at local fairs or other local events.

With the requirement that the County provide the services for the retail food establishments, the County will have to establish license fees that will be higher than previously set by the State or use property tax proceeds to pay for the services or both.

With the proposed fee structure approved by the Health and Human Services Committee, approximately \$88,000 of fee revenue would be available to offset inspection expenses. This change with 2015 Wisconsin Act 55 was anticipated and necessary staffing is represented in the Health and Human Services 2016 budget.

Respectfully Submitted,



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Wendy A. Charon, Finance Director  
March 11, 2016

1                   SHEBOYGAN COUNTY   ORDINANCE NO. 17 (2015/16)

2  
3           Re:   **Adding Kohler Company Representative to Airport Advisory**  
4               **Committee**

5  
6  
7           **WHEREAS**, the Airport Advisory Committee serves as a resource to the Transportation  
8 Committee to provide public input on Airport operational matters, and

9  
10          **WHEREAS**, Kohler Company has become the largest user of the Airport as it expands  
11 its aeronautical activities, and

12  
13          **WHEREAS**, it would be beneficial to have a representative of Kohler Company on the  
14 Airport Advisory Committee;

15  
16          **NOW, THEREFORE**, the County Board of Supervisors of the County of Sheboygan  
17 does ordain as follows:

18  
19               Section 1.    **Adding Kohler Company Representative to Airport Advisory**  
20 **Committee**. Section 65.03 of the Sheboygan County Code of Ordinances is hereby  
21 amended as follows (additions indicated by redlining; deletions by strikeouts; only those  
22 sections affected appear):

23  
24                   65.03   MEMBERSHIP. The Committee shall consist of ten (10)  
25 members which members shall represent the following:

26                   (a)   Two (2) members from the County Board  
27 Transportation Committee;

28                   (b)   One (1) member from the Town Board of the Town  
29 of Sheboygan Falls;

30                   (c)   One (1) member representing the corporate  
31 business community who owns a hangar at the Airport;

32                   (d)   One (1) member representing the private hangar  
33 owners;

34                   (e)   One (1) member who is an aircraft owner who rents  
35 hangar or tie down space at the Airport;

36                   (f)   One (1) member who represents the Sheboygan  
37 Area Chamber of Commerce;

38                   (g)   One (1) member representing the Fixed Base  
39 Operator; and

40                   (h)   One (1) member representing Lakeland College;  
41 and

42                   (i)   One (1) member representing the largest private  
43 user of Airport Services as determined by the Airport  
44 Superintendent.

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46           In addition to the above, a representative from the Airport  
47 Department shall serve on the Committee as a resource person but shall  
48 not have any voting rights.  
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Section 2. Effective Date. The herein Ordinance shall take effect upon enactment.

Respectfully submitted this 15th day of March, 2016.

**TRANSPORTATION COMMITTEE**

\_\_\_\_\_  
Richard C. Bemis, Chairperson

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Mark S. Winkel, Vice-Chairperson

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Charles W. Conrardy, Secretary

\_\_\_\_\_  
James P. Glavan

\_\_\_\_\_  
Jacob Van Dixhorn

Opposed to Introduction:  
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\_\_\_\_\_

Countersigned by:

\_\_\_\_\_  
Roger Te Stroete, Chairperson

**FISCAL NOTE**  
**March 2016**

**Ordinance No. 17 (2015/16) Re: Adding Kohler Company Representative to Airport Advisory Committee**

**Funding:**

No additional funding is required.

Respectfully Submitted,



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Wendy A. Charmon, Finance Director  
March 11, 2016