

consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.

- (4) **Minor Streets.** Minor streets immediately adjacent and parallel to railroad rights-of-way shall be avoided, and location of minor streets immediately adjacent to arterial streets and highways and to railroad rights-of-way shall be avoided in residential areas.

### **Sec. 14-1-10 Design Standards — Block Design.**

- (a) **Length; Arrangement.** The lengths, widths and shapes of blocks shall be appropriate for the topography and the type of development contemplated, but block length in residential areas shall not generally be less than five hundred (500) feet or exceed one thousand five hundred (1,500) feet nor have less than sufficient width to provide for two (2) tiers of lots of appropriate depth between street lines. Blocks shall be so designated as to provide two (2) tiers of lots, unless it adjoins a railroad, major thoroughfare, river or park where it may have a single tier of lots.
- (b) **Pedestrian Pathways.** Pedestrian pathways, not less than ten (10) feet wide, may be required by the Village Board through the center of a block more than nine hundred (900) feet long, where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.

### **Sec. 14-1-11 Design Standards — Lots.**

- (a) Size, shape and orientation of lots shall be appropriate for the location of topography of the subdivision and for the type of development contemplated, provided that no lot shall be smaller in area than the minimum lot size for the appropriate zone as established by the Zoning Code.
- (b) Lot dimensions and setbacks shall conform to the requirements of the Zoning Code for the appropriate district in which the property is located.
- (c) Lots shall have a minimum average depth of one hundred (100) feet. Excessive depth in relation to width shall be avoided and a proportion of two (2) to one (2:1) shall be considered a desirable ratio under normal conditions. Depth and width of properties reserved or laid out for commercial or industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated, as required by the Zoning Code.
- (d) Residential lots fronting on major streets and highways shall be platted with extra depth or design or alleviate the effect of major street traffic on residential occupancy.
- (e) Corner lots for residential use shall have extra width of ten (10) feet to permit building setback from both streets, as required by the Zoning Code.

- (f) Every lot shall abut or face a public street. Lots outside the corporate limits may abut or face a private street, if permitted by the Village Board. Every lot shall front or abut for a distance of at least thirty (30) feet at the property line on a public street.
- (g) Side lot lines shall be at right angles to straight street lines or radial to curved street lines on which the lots face. Lot lines shall follow municipal boundary lines rather than cross them.
- (h) In case a tract is divided into parcels of more than one and one-half (1-1/2) acres in areas, such parcels shall be so arranged to permit redividing into parcels in accordance with this Chapter and with the Zoning Code.
- (i) Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.
- (j) In the subdividing of any land, regard shall be shown for all natural features, such as tree growth, water courses, historic spots or similar conditions which, if preserved, will add attractiveness and stability to the proposed development.
- (k) All remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, or a plan shown as to future use rather than allowed to remain as unusable parcels.
- (l) In the case where a proposed plat is adjacent to a limited access highway, other major highway or thoroughfare, there shall be no direct vehicular access from individual lots to such streets and roads. In the platting of small tracts of land fronting on limited access highways or thoroughfares where there is no other alternative, a temporary entrance may be granted; as neighboring land becomes subdivided and more preferable access arrangements become possible, such temporary access permits shall become void.
- (m) Lands lying between the meander line, established in accordance with Sec. 236.20(2)(g), Wis. Stats., and the water's edge, and any otherwise unplatted lands which lie between a proposed subdivision and the water's edge shall be included as parts of lots, outlots, or public dedications in any plat abutting a lake or stream. This requirement applies not only to lands proposed to be subdivided but also to all lands under option to the subdivider or in which he/she holds any interest and which are contiguous to the lands proposed to be subdivided and which abut a lake or stream as provided in Sec. 236.16(4), Wis. Stats.

## Sec. 14-1-12 Drainage System.

- (a) **Drainage System Required.** A drainage system shall be designed and constructed by the subdivider to provide for the proper drainage of the surface water of the subdivision and the drainage area of which it is a part. A final plat shall not be approved until the subdivider shall submit plans, profiles and specifications as specified in this Section, which have been prepared by a registered professional engineer and approved by the Village Engineer.

(b) **Drainage System Plans.**

- (1) The subdivider shall submit to the Village Engineer and Village Board a report on the ability of existing watercourse channels, storm sewers, culverts and other improvements pertaining to drainage or flood control within the subdivision to handle the additional runoff which would be generated by the development of the land within the subdivision. Additional information shall be submitted to adequately indicate that provision has been made for disposal of surface water without any damage to the developed or undeveloped land downstream or below the proposed subdivision. The report shall also include:
  - a. Estimates of the quantity of storm water entering the subdivision naturally from areas outside the subdivision.
  - b. Quantities of flow at each inlet or culvert.
  - c. Location, sizes and grades of required culverts, storm drainage sewers and other required appurtenances.
- (2) A grading plan for the streets, blocks and lots shall be submitted by the subdivider for the area within the subdivision.
- (3) The design criteria for storm drainage systems shall be based upon information provided by the Village Engineer.
- (4) Material and construction specifications for all drainage projects (i.e., pipe, culverts, seed, sod, etc.) shall be in compliance with specifications provided by the Village Board or Village Engineer.

(c) **Grading.** The subdivider shall grade each subdivision in order to establish street, block and lot grades in proper relation to each other and to topography as follows:

- (1) The subdivider shall grade the full width of the right-of-way of all proposed streets in accordance with the approved plans.
- (2) Block grading shall be completed by one (1) or more of the following methods:
  - a. A ridge may be constructed along the rear lot lines which provides for drainage onto the streets.
  - b. Parts of all lots may be graded to provide for drainage to the street or to a ditch along the rear lot line.
  - c. Draining across rear or side lot lines may be permitted provided that drainage onto adjoining properties is skillfully controlled.

(d) **Drainage System Requirements.** The subdivider shall install all the storm drainage facilities indicated on the plans required in Subsection (a) of this Section.

- (1) **Street Drainage.** All streets shall be provided with an adequate storm drainage system. The street storm system shall serve as the primary drainage system and shall be designed to carry street, adjacent land and building storm water drainage. No storm water shall be permitted to be run into the sanitary sewer system within the proposed subdivision.
- (2) **Off-Street Drainage.** The design of the off-street drainage system shall include the watershed affecting the subdivision and shall be extended to a watercourse or ditch

adequate to receive the storm drainage. When the drainage system is outside of the street right-of-way, the subdivider shall make provisions for dedicating an easement of the Village to provide for the future maintenance of said system. Easements shall be a minimum of twenty (20) feet, but the Village may require larger easements if more area is needed due to topography, size of watercourse, etc.

- (e) **Protection of Drainage Systems.** The subdivider shall adequately protect all ditches to the satisfaction of the Village Engineer. Ditches and open channels shall be seeded, sodded or paved depending upon grades and soil types. (Generally ditches or channels with grades up to one percent [1%] shall be seeded; those with grades up to four percent [4%] shall be sodded and those with grades over four percent [4%] shall be paved.)
- (f) **Drainage Easements.** Where a land division is traversed by a watercourse, drainageway, channel or stream:
  - (1) There shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse and such further width or construction, or both, as will be adequate for the purpose and as may be necessary to comply with this Section; or
  - (2) The watercourse, drainageway, channel or stream may be relocated in such a manner that the maintenance of adequate drainage will be assured and the same provided with a storm water easement or drainage right-of-way conforming to the lines of the relocated watercourse, and such further width or construction, or both, as will be adequate for the purpose and may be necessary to comply with this Section; or
  - (3) Wherever possible, drainage shall be maintained in an easement by an open channel with landscaped banks and adequate width for maximum potential volume flow. In all cases, such easements shall be of a minimum width established at the high water mark or, in the absence of such specification, not less than thirty (30) feet.
- (g) **Dedication of Drainageways.** Whenever a parcel is to be subdivided or consolidated and embraces any part of a drainageway identified on a Village Comprehensive Storm Water Management Plan, master plan and/or official map or any portion thereof, such part of said existing or proposed public drainageway shall be platted and dedicated by the subdivider as an easement or right-of-way in the location and at the size indicated along with all other streets and public ways in the land division. Whenever any parcel is to be subdivided or consolidated and is part of a drainage district established under the authority of Chapter 88, Wis. Stats., the subdivider shall petition the Circuit Court to transfer the jurisdiction of that portion of the drainage district being subdivided or consolidated to the Village in accordance with Chapter 88.83, Wis. Stats.
- (h) **Dedication/Preservation of Storm Water Management Facilities.** The subdivider shall dedicate sufficient land area for the storage of storm water to meet the needs to be created by the proposed land development and in accordance with the standards for on-site detention and as determined by the Village Engineer. Whenever a proposed storm water management facility (e.g., detention or retention basin) shown on the Comprehensive Storm

Water Management Plan, master plan and/or official map is located, in whole or in part, within the proposed land division, ground areas for providing the required storage capacity in such proposed public facility shall be dedicated to the public to the requirements of the master plan and/or official map. Storage areas necessary to serve areas outside the land division shall be held in reserve for a period of five (5) years from the date of final plat approval for future dedication to the Village or other appropriate agency.

- (i) **Storm Drainage Facilities.** The subdivider, at his/her cost, shall install all drainage facilities identified in the Erosion Control Plan or determined by the Village Engineer as being necessary for the management of all lands and roadways within the development. In addition, drainage capacity through the development from other areas shall be provided in accordance with a Comprehensive Surface Water Management Study, if applicable. All required storm drainage facilities shall be constructed and operational prior to acceptance of any dedications and/or public improvements served by the storm drainage facilities.
- (j) **Minor Drainage System.** The subdivider shall install all minor drainage system components necessary to reduce inconvenience and damages from frequent storms. Minor drainage components shall include all inlets, piping, gutters, channels, ditching, pumping and other facilities designed to accommodate the post-development runoff resulting from a five (5) year, twenty-four (24) hour rainfall [ten (10) year, twenty-four (24) hour rainfall for commercial zoning district] event as determined in the most current edition of the Soils Conservation Service Technical Release 55 (TR 55). Temporary accumulations of storm runoff from ponding or flowing water, in or near minor system components, shall be permitted providing such accumulations do not allow the water to flow across the crown of the street from one (1) side to the other. For arterial streets and streets located in commercial districts, ponding within normal traffic lanes [ten (10) feet on each side of the centerline of the street] is prohibited. In drainageways and drainageway easements, accumulations of water shall not inundate beyond the limits of the drainageway or drainageway easement. Cross-street drainage channels (valley gutters) shall not be permitted except on cul-de-sac or permanent dead-end streets serving less than ten (10) dwelling units and where the minimum grade in the valley gutter and street gutter between the valley gutter and the next downstream drainage inlet is not less than one percent (1.00%).
- (k) **Major Drainage System.** The subdivider shall install all major drainage system components necessary to reduce inconvenience and damages from infrequent storms. Major system components shall include large channels and drainageways, streets, easements and other paths and shall be capable of accommodating post-development runoff in excess of that accommodated by minor system components resulting from twenty-four (24) hour rainfall events for storms with return frequencies greater than two (2) years up to and including the one hundred (100) year return event (as identified in TR 55). Runoff resulting from a one hundred (100) year, twenty-four (24) hour rainfall event shall be contained within the street right-of-way.

(l) **Drainage Piping Systems.**

- (1) Unless otherwise approved by the Village Engineer, all drainage piping of twelve (12) inches diameter and greater in street rights-of-way shall be constructed of Class Three (3) reinforced concrete pipe. Piping materials outside of rights-of-way shall be subject to approval of the Village Engineer. All storm sewer outlets shall be equipped with steel bar or iron pipe debris gates.
- (2) Agricultural drain tiles which are disturbed during construction shall be restored, reconnected or connected to public storm drainage facilities.

(m) **Open Channel Systems.**

- (1) Where open channels are utilized in either the minor or major drainage system, they shall be designed so as to minimize maintenance requirements and maximize safety. Drainage easements (in lieu of dedications) shall be utilized to accommodate open channels provided adequate access by the Village for maintenance of drainage capacity. Side slopes shall not exceed a four-to-one (4:1) slope. Drainageways where subject to high ground water, continuous flows, or other conditions as determined by the Village Engineer that would hamper maintenance operations due to consistently wet conditions, shall have a paved concrete invert of not less than eight (8) feet wide and side slopes to a point one (1) foot above the channel invert.
- (2) In areas where invert paving is not required, the drainageway bottom shall be grass. If the drainageway has a bare soil bottom or the natural grasses in the drainageway are disturbed due to development operations, the drainageway bottom shall be sodded and securely staked to one (1) foot above the elevation of inundation resulting from a predevelopment five (5) year, twenty-four (24) hour storm event. Other disturbed areas shall be seeded and prepared in accordance with the Village's Erosion Control requirements. Velocities for grass-lined channels shall not exceed those presented in the Village's Surface Water Management Study, if one is adopted.

(n) **Standards for On-Site Detention Storage.** When the subdivider employs on-site detention to control erosion and sedimentation, reduce the post-development peak runoff rate or temporarily store storm water runoff due to inadequate downstream drainage facilities. The detention (storage) facilities shall be subject to regulation in accordance with the following standards:

- (1) Where on-site detention is temporarily employed for erosion and sedimentation control, the detention facilities shall safety contain the predevelopment runoff from a five (5) year storm event of twenty-four (24) hour duration.
- (2) Where on-site detention is permanently employed to reduce the post-development peak runoff, the detention facility shall safety contain the post-development runoff from a twenty-five (25) year storm event of twenty-four (24) hour duration within the limits of the facility.
- (3) Post-development peak runoff rates shall be limited to pre-development levels, up to and including twenty-five (25) year return period storms.

- (4) All detention facilities shall safely contain or pass the runoff from any storm of any duration which exceeds the maximum storm required to be contained up to the one hundred (100) year storm event of twenty-four (24) hour duration.
- (5) All permanent detention facilities shall safely contain the runoff from the one hundred (100) year storm event of twenty-four (24) hour duration on both public and, if necessary, private properties without inundating any building at the ground elevation, the travel lanes of any arterial street, the center ten (10) feet of any collector street or the top of the curb on any local street.
- (6) Determination of on-site detention volumes shall be computed by procedures established by the United States Soil Conservation Service in the most current edition of its technical publication entitled "Urban Hydrology for Small Watersheds, TR-55," and as accepted and approved by the Village Engineer.
- (7) The storage of storm water runoff shall not encroach on any public park (except parks designed with detention facilities) or any private lands outside the land division unless an easement providing for such storage has been approved and recorded for said lands.
- (8) All detention facilities shall be designed with the safety of the general public and any considerations for ease of maintenance as top priorities.
- (9) Any wet detention facilities shall include riprap to not less than two (2) feet above the normal pool elevation for protection from wave action.
- (10) The sides of all detention facilities shall have a maximum slope ratio of four to one (4:1) (horizontal to vertical), with flatter slopes being required where determined practical by the Village Engineer.
- (11) The Village Board, upon recommendation by the Village Engineer, may require the installation of fencing or other such security measures in detention facilities with excessively long down times or permanent water features, or other features requiring additional security for safety reasons.
- (12) The maximum depth of a detention pond shall be two (2) feet and shall be protected, if required by the Village, by fencing according to specifications by the Village Engineer.

### **Sec. 14-1-13 Extra-Size or Off-Site Improvements.**

- (a) **Design Capacity.** All improvements shall be installed to satisfy the service requirements for the service or drainage area in which the subdivision is located and the improvements shall be of sufficient capacity to handle the expected development of the overall service or drainage area involved.
- (b) **Extra-Size Improvements.** Where improvements in excess of the size needed to serve just the proposed subdivision are required, the subdivider shall pay for the total cost of improvements he/she is required to install to serve his/her subdivision. The additional costs

which result from the extra-size improvement shall be paid for by the subdivider. Thus, when conditions within the whole drainage area will require an eighteen (18) inch sanitary sewer, for example, and a twelve (12) inch sewer will adequately serve the subdivision involved, the subdivider shall construct the eighteen (18) inch utility.

- (c) **Off-Site Extensions.** When streets or utilities are not available at the boundary of the proposed subdivision, the Village, or its duly authorized representative, shall require, as a prerequisite to approval of a final plat, assurances that such improvement extensions shall be provided as follows:
- (1) Extensions of utilities onto the property involved shall be adequate to serve the total development requirements of the service or drainage area. Utilities leaving the property shall be constructed in such a manner as to make their extension practical for servicing the adjacent areas of the service or drainage area.
  - (2) If the Village, or its duly authorized representative, find that extensions across undeveloped areas would not be warranted as a special assessment to the intervening properties or as a governmental expense until some future time, the developer shall be required, if he/she wishes to proceed with the development, to obtain necessary easements or rights-of-way and construct and pay for such extensions. Such improvements shall be available for connections by subdividers of adjoining land and the subdivider may contract with adjacent property owners and/or subdividers of adjacent land for reimbursement of the oversize and/or off-site improvements constructed.
- (d) Where sanitary sewer lift stations and force mains are required to lift sewage to the gravity system, the subdivider shall have plans, profiles and specifications prepared for the installation of such facilities. The installation, inspection, supervision and engineering fees for lift stations and/or force mains shall be paid for by the subdivider unless otherwise determined and agreed upon the Village Board.

## **Sec. 14-1-14 Non-Residential Subdivisions.**

- (a) **General.**
- (1) If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision with respect to such land shall make such provisions as the Village may require.
  - (2) A non-residential subdivision shall also be subject to all the requirements of site plan approval set forth in the Zoning Code. A non-residential subdivision shall be subject to all the requirements of these regulations, as well as such additional standards required by the Village and shall conform to the proposed land use standards established by the Comprehensive Plan, Official Map and Zoning Ordinance.
- (b) **Standards.** In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the

satisfaction of the Village that the street, parcel and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

- (1) Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
- (2) Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
- (3) Special requirements may be imposed by the Village with respect to street, curb, gutter and sidewalk design and construction.
- (4) Special requirements may be imposed by the Village with respect to the installation of public utilities, including water, sewer and storm water drainage.
- (5) Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for permanently landscaped buffer strips when necessary.
- (6) Streets carrying non-residential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

## **Sec. 14-1-15 Requirements and Design Standards for Public Improvements.**

### **(a) General Requirement.**

- (1) In accordance with the authority granted by Sec. 236.13, Wis. Stats., the Village of Merrilan hereby requires that, as a condition of Final Plat or certified survey approval, the subdivider agree to make and install all public improvements required by this Chapter and that the subdivider shall provide the Village with security to ensure that the subdivider will make the required improvements. As a further condition of approval, the Village Board hereby requires that the subdivider be responsible for the cost of any necessary alterations of any existing utilities which, by virtue of the platting or certified survey map, fall within the public right-of-way.
- (2) As a condition for the acceptance of dedication of public rights-of-way, the Village requires that the public ways have been previously provided with all necessary facilities constructed to Village specifications, including, but not limited to, sewerage, storm drainage, water mains and services, grading and improvement of the streets and other public ways, sidewalks, street signing, street lighting and such other facilities required by the Village Board.
- (3) The following required improvements shall be installed in accordance with the standards of this Chapter and any additional engineering standards and specifications which have been adopted by the Village Board and filed with the Village Clerk-

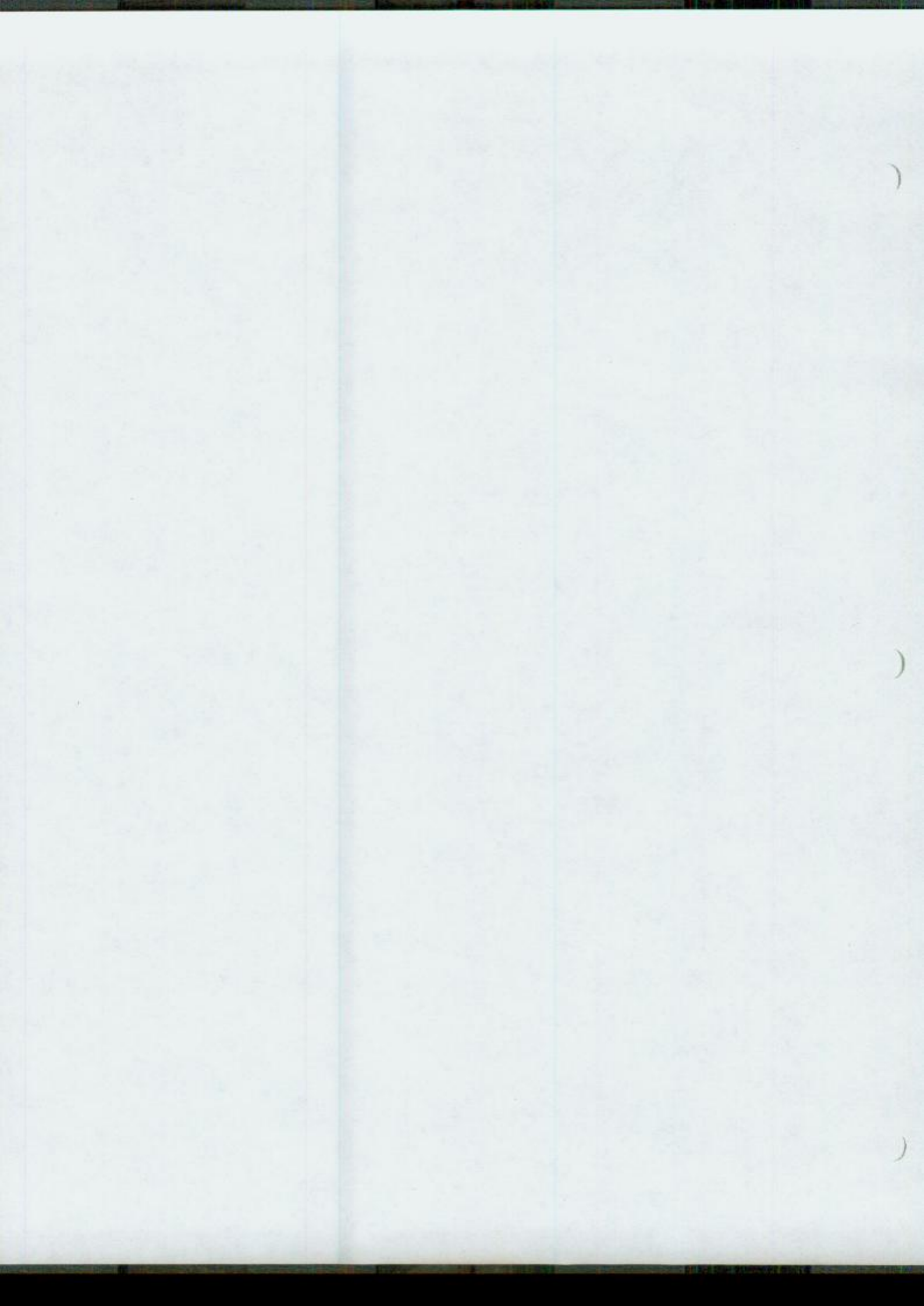
Treasurer. Where standards and specifications have not been adopted, the improvements shall be made in accordance with good engineering practices.

**(b) Subdivided Agreement; Security for Improvements.**

- (1) Prior to the final approval and recording of any Certified Survey Map, Subdivision Final Plat, or Condominium requiring improvements located within the jurisdictional limits of this Chapter, and prior to the installation of any required improvements, and as a condition of said approval, the Subdivision, Condominium or Certified Survey Map Developer (as applicable), may enter into a contract ("Subdivider's Agreement") with the Village of Merrilan agreeing to furnish, construct, and install the subdivider's share of required improvements at the sole cost of the Subdivision, Condominium or Certified Survey Map Developer (as applicable) within eighteen (18) months from the date of the recording of the Final Plat or Certified Survey Map and shall file with said contract a bond, irrevocable letter of credit, or certified check in the amount equal to one hundred and twenty-five percent (125%) of the Village Engineer's estimate of the subdivider's share of infrastructure costs. Such security amount determination shall be made by the Village Board after review and recommendation of the Village Engineer; security phasing, pursuant to Subsection (c) below, shall be utilized if the project is to be completed pursuant to an approved phasing plan.
- (2) The purpose of the guarantee is to ensure that such subdivider's share of required improvements will be completed by the Subdivision, Certified Survey Map or Condominium Developer (as applicable), or the Developer's subcontractor or agent, and serves as a further guarantee that all obligations to subcontractors for work on the development are satisfied. Such improvements shall be completed by the Developer of the Subdivision, Certified Survey Map or Condominium project, or by his/her subcontractor, as set forth in the Subdivider's Agreement.
- (3) The contract form shall be approved by the Village Attorney and provided by the Village and may provide for a phasing of public improvements construction, providing such phasing is approved by the Village Board. The Village reserves the right to control the phasing through limits and sequencing so as to provide for continuity of streets, sewers, water mains, and other necessary public improvements within and between the phases.
- (4) The Village may allow for the reduction of the bond, irrevocable letter of credit, or certified check as work is completed on the project or phases of the project.
- (5) In addition, the following requirements shall apply:
  - a. Contracts and contract specifications for the construction of street and utility improvements on dedicated street rights-of-way, as well as the contractors and subcontractors providing such work, shall be subject to the inspection of construction by the Village of Merrilan or its agent, and approval of the Village Board or its representatives.

- b. Governmental units to which these bond and contract provisions apply may file, in lieu of said contract and bond/security, a letter from officers authorized to act on their behalf agreeing to comply with the provisions of this Section, subject to the approval of the Village Attorney.
- (6) The Subdivision, Condominium or Certified Survey Map Developer (as applicable) shall agree in the development contract to pay the developer's share of all street and sidewalk assessments, specifically all area charges for sanitary sewer mains and all water main assessments, including where the land division abuts existing streets which are not improved within the Village standard street improvements (including, but not limited to curb and gutter, local storm sewer, sidewalks and bituminous pavement).
- (c) **Phasing.**
- (1) Pursuant to Sec. 236.13(2)(a), Wis. Stats., if the project is approved to be constructed in phases, which approval shall not be unreasonably withheld, the security required to be deposited shall be limited to the phase of the project currently being constructed. The agreement shall provide a reasonable time by which such security shall be provided, which shall be no sooner than is reasonably necessary before the commencement of the installation of the improvements. The Subdivision, Condominium or Certified Survey Map Developer (as applicable) may elect, with the approval of the Village, to install the subdivider's share of improvements in construction phases provided that:
    - a. The phases are specified in the contract for land division improvements;
    - b. The Subdivision, Condominium or Certified Survey Map Developer (as applicable) submits surety in an amount equal to one hundred and twenty-five percent (125%) of the estimated costs of improvements required for the installation and construction schedules for that phase. Improvements constructed during that phase shall not be accepted nor shall any building permit be issued for construction within the completed area of that phase of the land division unless required infrastructure for that phase has been properly installed pursuant to this Chapter.
    - c. The Subdivision, Condominium or Certified Survey Map Developer (as applicable) records deed restrictions approved by the Village Attorney which specify that the lots which are included in future construction phases of the land division will not be transferred or sold unless the Village's approval is obtained;
    - d. The Subdivision, Condominium or Certified Survey Map Developer (as applicable) minimizes grading and other disturbances to lands included in future construction phases in order to prevent erosion; and
    - e. Erosion control plans and measures submitted and approved herein shall address the individual phases of construction.

- (2) The time limit for completion of a phased improvement program shall take into account the needs and desires of the Village and adjacent property owners for street and other improvements to serve lands adjacent to and within the land division.
- (3) As work progresses on installation of improvements constructed as part of the contract, the Village Engineer, upon written request from the Subdivision, Condominium or Certified Survey Map Developer (as applicable) from time to time, is authorized to recommend to the Village Clerk-Treasurer a reduction in the amount of surety as hereinafter provided. When portions of construction (water, sanitary sewer, street, sidewalk, greenway or other improvements) are completed by the Subdivision, Condominium or Certified Survey Map Developer (as applicable) and determined acceptable by the Village Engineer, the Village Clerk-Treasurer is authorized, upon submission of lien waivers by the Subdivision, Condominium or Certified Survey Map Developer (as applicable) and contractors, to reduce the amount of surety. The amount of surety may be reduced at the time all underground utilities are installed and tested. The amount of surety remaining shall be equal to one hundred and twenty-five percent (125%) of the estimate of the Village Engineer of costs of work remaining to be completed and accepted and to insure performance of the one (1) year guarantee against defects in workmanship and materials on work accepted. When the work on the major components of construction has been substantially completed, except for work which cannot be completed because of weather conditions or other reasons which, in the judgment of the Village Engineer are valid for noncompletion, the Village Clerk-Treasurer, in his/her sole discretion, is authorized to accept a reduction in the amount of surety to an amount in the estimate of the Village Engineer, sufficient to cover the subdivider's share of work remaining to be completed, including performance of the one (1) year guarantee period against defects in workmanship and materials. As a further guarantee that all obligations under contract for work on the development are satisfied, the contractor and subcontractors who are to be engaged in the construction of utilities or street improvements on the street right-of-way to be dedicated shall be approved for such work by the Village Engineer prior to commencing construction. The Village Board at its option, may extend the security or additional periods not to exceed one (1) year each.



(d) **Procedure.**

(1) **Construction Plans and Specifications.** Construction plans for the required improvements conforming in all respects with the standards of the Village Engineer and the ordinances of the Village shall be prepared at the subdivider's expense by professional engineer who is registered in the State of Wisconsin, and said plans shall contain his/her seal. Such plans, together with the quantities of construction items, shall be submitted to the Village Engineer for his/her approval and for his/her estimate of the total cost of the required improvements; upon approval they shall become a part of the contract required. Simultaneously with the filing of the preliminary plat with the Village Clerk-Treasurer or as soon thereafter as practicable, copies of the construction plans and specifications shall be furnished for the following public improvements:

- a. **Street Plans and Profiles** showing existing and proposed grades, elevations and cross section of required improvements.
- b. **Sanitary Sewer** plans and profiles showing the locations, grades, sizes, elevations and materials of required facilities.
- c. **Storm Sewer and Open Channel** plans and profiles showing the locations, grades, sizes, cross sections, elevations and materials of required facilities.
- d. **Water Main** plans and profiles showing the locations, sizes, elevations and materials of required facilities.
- e. **Erosion and Sedimentation Control** plans showing those structures required to retard the rate of runoff water and those grading and excavating practices that will prevent erosion and sedimentation.
- f. **Planting Plans** showing the locations, age, caliper, species and time of planting of any required grasses, vines, shrubs and trees.
- g. **Additional** special plans or information as required by Village officials.

(2) **Action by the Village Engineer.** The Village Engineer shall review or cause to be reviewed the plans and specifications for conformance with the requirements of this Code of Ordinances and other pertinent Village design standards recommended by the Village Engineer and approved by the Village Board. If he/she rejects the plans and specifications, he/she shall notify the owner, who shall modify the plans or specifications or both accordingly. When the plans and specifications are corrected, the Village Engineer shall approve the plans and specifications for transmittal to the Village Board. The Village Board shall approve the plans and specifications before the improvements are installed.

(3) **Construction and Inspection.**

- a. Prior to starting any of the work covered by the plans approved above, written authorization to start the work shall be obtained from the Village Engineer upon receipt of all necessary permits and in accordance with the construction methods of this Chapter.
- b. Construction of all improvements required by this Chapter shall be completed within two (2) years from the date of approval of the preliminary plat by the Village Board, unless good cause can be shown for the Village Board to grant an extension.
- c. During the course of construction, the Village Engineer shall make such inspections as he/she deems necessary to insure compliance with the plans and specifications as approved. The owner shall pay the actual cost incurred by the Village for such inspections. This fee shall be the actual cost to the Village of inspectors, engineers and other parties necessary to insure satisfactory work.

(4) **"As-Built" Plans.** After completion of all public improvements and prior to final acceptance of said improvements, the subdivider shall make or cause to be made a map showing the actual location of all valves, manholes, stubs, sewers and water mains and such other facilities as the Village Engineer shall require. This map shall be in black pencil on tracing paper and shall bear the signature and seal of a professional engineer registered in Wisconsin. The presentation of the map shall be a condition of final acceptance of the improvements and release of the surety bond assuring their completion.

(e) **Street, Alley and Sidewalk Improvements.** The developer shall construct streets and sidewalks as outlines on the approved plans based on the requirements of this Code of Ordinances:

- (1) **Grading.** With the submittal of the final plat, the subdivider shall furnish drawings which indicate the existing and proposed grades of streets and alleys shown on the plat. Proposed grades will be reviewed by the Village Engineer for conformance with Village standards and good engineering practice. Street grades require the approval of the Village Board after receipt of the Village Engineer's recommendations. After approval of the street grades, the subdivider shall grade the full width of the right-of-way of the streets and alleys proposed to be dedicated, including the vision clearance triangle on corner lots. In cases where an existing street right-of-way is made a part of the plat or abuts the plat, the subdivider shall grade that portion of the right-of-way between the existing pavement and the property line. The bed for the roadways in the street rights-of-way shall be graded to subgrade elevation. The Village Engineer shall approve all grading within rights-of-way and said grading shall extend for a sufficient distance beyond the right-of-way to insure that the established grade will be preserved. Where electric and other communications or utilities facilities are to be installed underground, the utility easements shall be graded to within six (6) inches of the final grade by the subdivider, prior to the installation of such facilities; earth fill piles or mounds of dirt or construction materials shall not be stored on such easement areas.