

CHAPTER 7

LAND DIVISIONS, SUBDIVISIONS AND SITE CONDOMINIUMS

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CHAPTER 7

LAND DIVISIONS, SUBDIVISIONS AND SITE CONDOMINIUMS

7.01 AUTHORITY, PURPOSE AND INTERPRETATION. The Town Board hereby declares that the regulations set forth in this chapter are adopted in accordance with the authority granted by §§60.10, 61.34 (1), 236.45 and 703.27, Wis. Stats., for the purposes listed in §§236.01 and 236.45, Wis. Stats. The provisions of this chapter shall be held to be minimum requirements adopted to promote the health, safety, morals, comfort, prosperity, aesthetics, convenience and general welfare of the Town. These regulations are designed to preserve the character of the Town and its environs; conserve the value of the land and improvements placed thereon; provide the most appropriate environment for human habitation; encourage commerce; protect farming and open spaces; lessen congestion in the highways and streets; foster the orderly layout and use of land; secure safety from fire, panic and other dangers; provide adequate light and air; discourage overcrowding of land; protect the Town's wetlands and other natural features; preserve woodlands, native plants and animals; facilitate adequate provision for transportation, potable water supply and other public necessities; and facilitate division of large tracts of land into appropriate smaller lots. Except when this chapter imposes stricter restrictions, this chapter shall not repeal, impair or modify any lawfully existing easements, covenants, private covenants or public laws or ordinances. The requirements of this chapter shall apply to site condominium plats.

7.02 DEFINITIONS. As used in this chapter, the following terms shall have the following meanings:

(1) Certified survey or certified survey map - a map of a land division, as defined herein. Certified survey maps shall be prepared in accordance with the applicable provisions of §236.34, Wis. Stats., and this chapter.

(2) Condominium – As used in this Ordinance, it shall mean minor site condominiums and major site condominiums, unless one is specifically stated or implied by context.

(3) Divider/subdivider - a person who divides or desires to divide a lot or parcel of land into camping sites, site condominium units, or a land division or subdivision for the eventual purpose of sale or building development. For the purposes of this chapter, members of a partnership, stockholders of a corporation or beneficiaries of a trust seeking to divide land shall be considered dividers/subdividers.

(4) Land division - a division of a lot or parcel of land other than a subdivision by the divider or divider's agent for the eventual purpose of sale, transfer of ownership or building development.

(5) Lot - a piece, parcel, plot or site condominium unit of land, separately described on the Town tax roll, intended for eventual development or other use or for transfer of ownership.

(6) Major site condominium – a site condominium resulting from the division of any lot out lot, tract or parcel of land by the divider or divider's agent for the eventual purpose of transfer of ownership, sale or building development where the act of division creates five (5) or more units where the units are less than five acres each in area or where a total of five (5) or more units of less than five (5) acres each in area are created within a five-year period.

(7) Master Development or Comprehensive Plan - the policy document prepared by the Town Plan Commission and adopted by the Town Board which serves as a guide for the future physical and economic development of the Town.

(8) Minor site condominium – a site condominium resulting from the division of any lot, out lot, tract or parcel of land by the divider or divider’s agent for the eventual purpose of transfer of ownership, sale or building development where the act of division creates four (4) or fewer units.

(9) Out lot - a piece, lot, parcel, plot or site condominium unit of land included in a land division, subdivision or site condominium plat which either does not meet the requirements of this municipal code or Chapter 236 of the Wisconsin Statutes for a building site or is intended for common use by owners of lots or units within the land division, subdivision or site condominium plat.

(10) Owner - the person, firm or corporation holding legal title to land as shown on the records of the Door County Register of Deeds, including the grantee under a land contract. For purposes of the requirements of this chapter all lands under option to or in which a person holds any interest and which are contiguous to the lands to be divided are to be considered owned by such person.

(11) Plat - the map, drawing or chart depicting a sub divider's plan of subdivision or site condominium. Plats shall be prepared in accordance with the applicable provisions of Chapter 236, Wis. Stats., and this chapter. Plat shall also include site condominium plats. Site condominium plats shall be created pursuant to and in accordance with the applicable provisions of Chapter 703, Wis. Stats., and this chapter.

(12) Replat - the redrawing or resurveying of lines in a recorded plat or certified survey map. A replat shall conform to this chapter.

(13) Site condominium - a condominium as provided in Chapter 703, Wis. Stats., whereby the type of “unit” is the first type described in §703.02(15), Wis. Stats. Such “unit” provides a unit owner with the right to occupy a specific land area, or site.

(14) Subdivision - any division of a lot, out lot, tract or parcel of land by the divider or divider's agent for the eventual purpose of transfer of ownership, sale or building development where the act of division creates:

(a) Five (5) or more lots less than five (5) acres each in area, or

(b) A total of five (5) or more lots of less than five (5) acres each in area within a five-year period.

(15) Town Engineer - a registered engineer selected or approved by the Town Board or Town Plan Commission to review a proposed land division, subdivision or site condominium plat or proposed improvements therein.

(16) Unit – the specific land area within which a unit owner has the right to occupy, but does not take title to, such specific land area.

(17) Unit owner – as defined in §703.02(17), Wis. Stats.

(18) Wetlands - an area where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions as determined by competent legal authority.

7.03 EXCEPTIONS. The provisions of this chapter shall not apply to:

- (1) Transfers of interests in land by will or pursuant to court order;
- (2) Leases for a term not to exceed ten (10) years;
- (3) Mortgages or easements;
- (4) The sale or exchange of land between owners of adjoining properties if the lots resulting are not reduced below the minimum size required by this chapter or other applicable laws or ordinances and otherwise meet the requirements of this chapter;
- (5) Cemetery plats; or
- (6) Assessor's plats, except as provided in Chapter 236, Wis. Stats.

7.04 GENERAL PROVISIONS

(1) When Compliance Required. Except as provided in section 7.03, no person shall divide, sell, transfer or lease any lot or parcel of land which results in a land division, subdivision plat or site condominium plat or replat as defined herein unless a certified survey map, subdivision or site condominium plat of the division is approved by the Town and recorded in the office of the Door County Register of Deeds in accordance with this chapter, the applicable provisions of the Door County Land Division Ordinance and Chapters 236 or 703 of the Wisconsin Statutes.

(2) Permits Not To Be Issued for Unapproved Lots. The Code Administrator shall not issue any Town building, driveway, road, sign or other Town permit for any lot or site condominium unit in the Town that was divided, subdivided, transferred or sold in violation of this chapter, nor for any lot or site condominium unit where the owner or sub divider is required to obtain approval under the terms of this chapter before such permit may be issued.

(3) Other Applicable Provisions. In addition to the applicable provisions of this chapter and Chapters 236 and 703, Wis. Stats., all land divisions, subdivision plats, site condominium plats and replats shall conform to the Town Master Development or Comprehensive Plan and applicable Town ordinances and to the applicable requirements of County, State and Federal laws and regulations. The divider shall be responsible for and show compliance with the applicable provisions of County, State and Federal laws and regulations. Approval by Town authorities under this chapter does not constitute approval under any other law or regulation of the Town, County, State or United States or any agency or department thereof.

(4) Administration. The Town Plan Commission shall recommend to the Town Board any revisions to this chapter; approval or disapproval of any certified survey map, subdivision or site condominium plat; approval or disapproval of variances or exceptions to the

requirements of this chapter; and approval or disapproval to vacate or alter any certified survey map, subdivision or site condominium plats. The Plan Commission shall have the following additional powers and duties:

- (a) To maintain the original of this chapter and any amendments thereto;
- (b) To recommend enforcement actions against persons violating any of the provisions of this chapter.

(5) Principles of Land Division.

(a) **Preservation of mature trees.** To the extent practicable the developer shall avoid cutting of more than 25% of the mature trees or their tops on the lands being divided.

(b) **Land Suitability.** No land shall be divided which the Plan Commission determines to be unsuitable for use by reason of flooding, inadequate drainage, existence of wetlands or adverse soil or rock formations, unfavorable topography, or any other feature likely to be harmful to the health, safety, or welfare of the future residents of the proposed subdivision or the community. Generally, land shall be judged suitable where 1 ½ acres of each parcel or lot is free of the above impediments to development.

7.05 PROCEDURES AND SUBMITTAL REQUIREMENTS.

(1) Pre-Application. It is recommended that prior to the filing of an application for the approval of a preliminary plat or certified survey map the divider shall consult with the Town Plan Commission to obtain their advice and assistance. This consultation is neither formal nor mandatory but is intended to inform the divider of the purpose and objectives of these regulations, the Town Plan and duly adopted plan implementation devices and to otherwise assist the divider in planning the development.

(2) Preliminary Plats and Certified Survey Map Requirements.

(a) **Preliminary maps and plats.** The divider or divider's agent shall submit to the Plan Commission and to those agencies having the authority to object to plats or certified surveys under §236.10 or Chapter 703, Wis. Stats., a preliminary certified survey map, subdivision or site condominium plat based upon an accurate exterior boundary survey as provided in Chapter 236 or §703.11(2)(b), Wis. Stats., by a registered land surveyor. Such certified survey maps, subdivision and site condominium plats shall be submitted to the Plan Commission not less than thirty (30) days before the meeting at which they are to be considered. The plat or map shall be drawn at the scale of one (1) inch equals one hundred (100) feet and contours shall be shown at two (2) foot vertical intervals. The drawing shall show:

1. Location, tax parcel number or numbers and legal description of proposed land division, subdivision or site condominium plat.
2. Property lines, actual dimensions, area in acres and identifying numbers for all lots and other sites.

3. Rights-of-way lines, dimensions and names of roads and other rights-of-way within or adjacent to the proposed land division, subdivision or site condominium plat.
4. Locations, dimensions and purposes of all easements, including any existing or proposed easements of access, on or affecting the property.
5. Purpose for which all sites other than sites for development are dedicated or reserved.
6. Name, if any, of proposed land division, subdivision or site condominium plat and number of proposed lots, out lots, parcels or units.
7. Names and addresses of owners of record of adjoining lots or parcels.
8. Location of existing or proposed public or common facilities, if any, such as public or private roads, water supply, sewage disposal, and storm water drainage and electric, gas and telephone services.
9. Size, in acres, of all proposed lots, out lots, parcels or sites.
10. Required minimum building setback lines on all lots or other sites.
11. Current zoning, if any, of land being divided.
12. A small-scale map showing the location of the land division, subdivision or site condominium plat in relation to section and quarter-section corners and Town, County or State road and highway intersections.
13. Names, addresses and phone numbers of owner, responsible agent, surveyor and engineer.
14. Title, graphic scale, north arrow and date.
15. Preliminary storm and surface water drainage plan.
16. Delineation of all wetlands and escarpments platted or mapped land.
17. Existing structures.

(b) **Additional submittals required.** In addition to the survey described in paragraph (a) above, certified survey maps and preliminary subdivision or site condominium plats shall include:

1. An accompanying letter indicating when any improvements or facilities to be installed by the divider or divider's agent will be provided, including any grading, tree planting or other landscaping; roads; sidewalks; driveways; or storm water, drinking water and sewage disposal facilities.
2. Any proposed restrictive covenants for the land involved.

3. If the lots or sites in the land division, subdivision or site condominium plat are to be accessed by private road, the divider shall submit a proposed covenant in recordable form creating a homeowners' association or other entity having the obligation to maintain the private road and associated improvements.
4. Written approval of the size and location of all easements for gas, electricity, telephone and cable television service to the land division, subdivision or site condominium plat, signed by the utility or firm providing such service in the area of the plat, shall be provided as applicable.

(c) **Review by Engineer/Planning Consultant.** The Plan Commission may request the divider to provide a written report from a registered engineer, land planning consultant or any Door County department head as to their reaction to the proposed certified survey map or subdivision or site condominium plat.

(d) **Review by Fire Department.** Upon filing of the proposed certified survey map, subdivision or site condominium plat, the Clerk-Treasurer shall transmit a copy thereof to the Chief of the Joint Town/Village Fire Department, who shall review it regarding availability of an adequate water supply and access for fire and emergency vehicles and other matters relating to fire safety. S/he shall submit a report as to his/her recommendations to the Plan Commission within fourteen (14) days from the date of transmission.

(3) Approval of Certified Survey Map, Preliminary Subdivision or Site Condominium Plat: Time and Effect. After review of the certified survey map or preliminary subdivision or site condominium plat and the conclusion of any negotiations with the divider on advisable changes and the kind and extent of public or common improvements which will be required, the Town Board shall reject, approve or approve conditionally the preliminary plat or certified survey map within ninety (90) days. Approval of the certified survey map, preliminary subdivision or site condominium plat shall entitle the divider to final approval of the layout shown by said map or plat, provided the final map or plat conforms to such layout and all conditions of preliminary approval have been met.

Approval by the Town Board of a preliminary certified survey map or minor site condominium shall be sufficient to allow the divider to record the final certified survey map or site condominium plat without further review by the Plan Commission or Town Board provided all conditions of such approval are met prior to recording as attested by signature of the Town Clerk-Treasurer. The Clerk-Treasurer shall only sign the certified survey map or minor site condominium plat if the Town Code Administrator has certified in writing that all such conditions have been met. Final minor site condominium plats shall be prepared as provided in §703.11(2)(d), Wis. Stats., include a unit identification system as provided in §703.11(3), Wis. Stats., provide all the certificates required by §703.11(4), Wis. Stats., and include a copy of the final condominium declaration.

(4) Final Subdivision or Major Site Condominium Plat Approval.

(a) **Time for Submission.** Final subdivision or major site condominium plats shall be submitted to the Town within six (6) months of preliminary approval unless this requirement is waived in writing by the Town Board. If the final plat is submitted in that timeframe and conforms substantially to the preliminary plat as approved,

including meeting any conditions of that approval, it is entitled to approval. If the final plat is not submitted in that timeframe, the Town Board may refuse to approve it if it no longer complies with any official plans or ordinances in place. The final plat may, if permitted by the Town Board, constitute only that portion of the approved preliminary plat which the divider proposes to record at that time.

(b) **Requirements.** The final plat shall conform to the preliminary plat as approved and to the requirements of all applicable Town, County and State ordinances and laws and shall be submitted for certification of those agencies having the authority to object to the plat as provided by § 236.12(2), Wis. Stats. The final plat shall be accompanied by detailed construction plans showing prior approval by the Town Board of any improvements installed or to be installed in the plat by the sub divider. Final major site condominium plats shall be prepared as provided in §703.11(2)(d), Wis. Stats., include a unit identification system as provided in §703.11(3), Wis. Stats., provide all the certificates required by §703.11(4), Wis. Stats., and include a copy of the final condominium declaration.

(c) **Final Review.** The final plat shall be presented to the Town Clerk-Treasurer at least 15 days before the Plan Commission meeting at which it is to be considered. The final plat shall be accepted or rejected by the Town Board within sixty (60) days of this submission, unless the time is extended by an agreement with the sub divider. If the Town Board determines to approve the plat, the Clerk-Treasurer shall give written notice of such determination within 10 days to the clerk of any municipality whose boundaries are within 1,000 feet of any portion of the proposed plat but failure to give such notice shall not invalidate any such plat. If a plat is rejected, reasons for rejection shall be stated in the minutes of the Town Board meeting and in a written statement to the sub divider. If the original of the final plat has been filed with another approving authority, the sub divider may file a true copy of such plat in lieu of the original. However, before approval of the Town may be inscribed on the original of the final plat, the surveyor or sub divider shall certify the respects in which the original of the final plat differs from the true copy and all modifications must first be approved.

(5) **Conflicting Provisions.** Where more than one governing body or agency has authority to approve or object to a certified survey map, subdivision or site condominium plat and the requirements of such bodies or agencies conflict, the most restrictive requirements shall govern.

(6) **Recording of Final Certified Survey Map, Subdivision or Site Condominium Plat.** Within 30 calendar days of the date of the last approval of the final certified survey map, subdivision or site condominium plat, the map or plat shall be filed for recording with the Register of Deeds of Door County in accordance with §216.25 or §703.07, Wis. Stats. Failure to record the certified survey map, subdivision or site condominium plat within 30 calendar days shall nullify the Town's approval of the final map or plat. The certified survey map, subdivision or site condominium plat shall not be entitled to be recorded unless all conditions attached to the Town Board's approval have been met, all required fees have been paid, there is attached to the original to be recorded a certificate of the Town Clerk-Treasurer stating that there are no unpaid taxes or unpaid special assessments on any of the lands included in the map or plat and the map or plat is signed on its face by the Town Clerk-Treasurer certifying that the Town Board has approved the certified survey map, subdivision or site condominium plat in accordance with this chapter.

(7) **Filing with Town.** The sub divider shall file with the Town Clerk-Treasurer a true copy of the original final certified survey map, subdivision or site condominium plat as recorded with the Register of Deeds of Door County.

7.06 DESIGN STANDARDS. Generally, design standards shall assure that the layout of the land division or plat harmonizes with existing plans affecting the development and its surrounding area and that the plat or land division is in conformity with the Town Master Development or Comprehensive Plan.

(1) **Roads.** All public and private roads and driveways proposed or constructed as part of any certified survey map, subdivision or site condominium plat shall comply with Chapter 4 of this code.

(2) **Lots and site condominium units.**

(a) **Layout and access.** Where possible, lot and site condominium unit lines shall be at right angles to straight road lines or radial to curved road lines. Lots or site condominium units with frontage on two parallel roads shall be avoided except where one road is an arterial feeder or highway with no direct access to or from the lot or parcel. All lots or site condominium units created by a land division or plat shall front for a distance of 20 feet on a public or private road and have a driveway entering directly from that road.

(b) **Natural features.** Due regard shall be shown for all natural features, including mature trees and native vegetation, which, if preserved, will add attractiveness and stability to the proposed development.

(c) **Lot remnants or out lots.** All out lots must be numbered separately on the certified survey map or plat. A lot remnant or out lot which may not be used as a building site due to the minimum lot size restrictions imposed by Chapter 236 of the Wisconsin Statutes or the provisions of this Code must be added to adjacent or surrounding lots or units rather than be allowed to remain as an unusable out lot or unit unless the divider can show plans for the future use of such remnant and the Town Board finds that such future use is likely to occur. All non-buildable out lots or units must be labeled as such on the map or plat. Any out lot may be conveyed whether or not it may be used as a building site.

(d) **Municipal boundary lines.** Lot or site condominium unit lines shall follow, rather than cross, municipal boundary lines whenever practical.

(e) **Size and dimensions.** In order to prevent overcrowding of land and undue concentrations of population and to lessen congestion in the Town, lots and site condominium units shall:

1. Meet the requirements of H85 of the Wisconsin Administrative Code.
2. Comply with requirements regarding lot size and width and allow for setbacks and other relevant requirements of Chapter 3 of this Code.
3. Meet the applicable provisions of §80.08 and Chapter 236 of the Wisconsin Statutes.

(3) Drainage. Drainage ways or easements shall be required where the land division or plat includes a segment or segments of watercourses, drainage way channels or streams. Adequate facilities shall be provided within other land divisions and plats as necessary to provide surface water drainage within the land division or plat and to protect public roads, adjacent lands and lands within the land division or plat from the 100-year flood. Rock holes and sinkholes shall not be used as drainage facilities.

7.07 IMPROVEMENTS. Before the Town Board will give final approval to any certified survey map, subdivision or site condominium plat, the Board may require that any or all of the improvements listed below be either constructed and in place or assured of completion. Unless otherwise stated, any required improvements shall conform to engineering standards and specifications as required by the Town Board. Such improvements shall be made in sequence as determined by the Town Board.

(1) Monuments.

(2) Roads or driveways. Road and driveway improvements shall be constructed and completed per the requirements of Chapter 4 of this Code.

(3) Road lamps.

(4) Road name and traffic signs.

(5) Surface water drainage facilities and any drainage ways or drainage easements. Plans for storm water and erosion control required by the Town Board, if any, shall be prepared by a registered engineer, and, if required by the Plan Commission, reviewed and approved by the Door County Soil and Water Conservation Department.

(6) Gas, electrical power, telephone and cable TV facilities. No such electric, telephone or cable TV service shall be located on overhead poles unless allowed by the Town Board due to exceptional topography or other physical barrier. Plans indicating the proposed location of any gas, electrical, power, telephone and cable TV distribution and transmission lines required to serve the plat shall be filed with and approved by the Town Board. Once installation of such facilities has begun, updated "as-built" plans shall be submitted to the town on an annual basis.

7.08 FEES AND FINANCING.

(1) Divider to Pay Town Costs. The sub divider shall pay all administrative costs and any engineering, inspection, consulting and legal fees incurred by the Town for services performed by or on behalf of the Town in conjunction with the inspection and review of any preliminary plat, certified survey map, final subdivision or site condominium plat or survey or contract; the drafting of documents; and such inspections as the Town Board deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications and ordinances of the Town or any other governmental authority. Consulting, engineering, inspection and legal fees shall be the actual costs to the Town on the basis of submitted invoices plus twice (two times) the actual payroll costs for time spent by any employees of the Town. Such fees may be billed monthly or upon completion of the project, as determined by the Town Board. Administrative costs shall

include costs of publication of required public notices and costs of special meetings held at the request of the divider as from time to time established by the Town Board.

(2) Security for Improvements. Before recording a certified survey map, subdivision or site condominium plat for a development that includes required improvements, the divider shall enter into a contract with the Town agreeing to meet all conditions of Town approval and applicable requirements of Town ordinances for said improvements. The divider or divider's agent shall furnish security for completion of required improvements in a form approved by the Town Attorney and in an amount approved by the Town Board, but not less than 125% of the estimated cost of completion of such improvements. When a letter of credit is posted as security, the Town must be the beneficiary. When the security is in the form of a certified check, the check must be immediately payable to the Town. Joint bank deposits or C.D.s will not be accepted as security. The security deposit shall guarantee that all required improvements will be made and installed by the sub divider or its contractors no later than 18 months from the date the certified survey map, subdivision or site condominium plat is recorded. Extensions of this deadline may be approved at the discretion of the Town Board.

(3) Release of Security. The security furnished by the divider shall remain in full force for a period of two (2) years after the completion of the installation of the required improvements and acceptance by the Town Board unless partially released as hereinafter provided.

(a) The security shall be held to guarantee the work performed pursuant to private contracts against defects in workmanship and materials. If any defect appears during the period of the guarantee, the divider or its contractor shall, at its expense, install replacements or perform acceptable repairs. In the event that the divider fails to install the replacement or perform the repairs the Town may do so and deduct the cost thereof from the security deposit. Unless defects have appeared and have not been repaired, the Town will release the security to the divider upon expiration of the two-year guarantee period.

(b) The Town may from time to time, but no more often than monthly during the course of construction, partially release the security when:

1. The reduced security will be sufficient to guarantee the work performed pursuant to private contract against defects in material and workmanship or will be at least twenty five percent (25%) of the total cost of improvements, whichever is greater;
2. Affidavits or lien waivers, in an amount acceptable to the Town Board and approved as to form by the Town attorney, evidencing full payment for the required improvements which have been completed, are submitted with the request for a partial security release; and
3. An application for partial security release has been filed with the Town Clerk-Treasurer before the 10th day of the month.

7.09 VARIANCES AND EXCEPTIONS. Variances or exceptions to any of the provisions of this chapter may be granted by the Town Board in accordance with Section 15.05 of this Code. Where the Plan Commission finds that extraordinary hardships or particular difficulties may result from

strict compliance with these regulations, it may recommend to the Town Board variances or exceptions to the regulations so that substantial justice may be done and the public interest secured, provided that such variance or exception shall not have the effect of nullifying the intent and purpose of this chapter. The Plan Commission's recommendation shall be in writing and contain findings, based upon evidence presented to it in each specific case, that:

- (1) **Safety.** The granting of the variance will not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the neighborhood in which the property is located;
- (2) **Uniqueness.** The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property; and
- (3) **Hardship.** Because of the particular physical surroundings, the shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

7.10 ENFORCEMENT, PENALTIES AND REMEDIES.

- (1) **Violations.** No person shall build upon, divide, convey, record or monument any land in violation of this ordinance, and no person, partnership, corporation or legal entity of any sort shall be issued a building permit by the Town authorizing the building on, or improvement of, any lots or units in any land division, subdivision or site condominium plat or replat within the jurisdiction of this ordinance not of record as of the effective date of this ordinance until the provisions and requirements of this ordinance have been fully met. The Town may institute appropriate action including but not limited to issuance of citations by authorized Town officials or proceedings to enjoin violations of this ordinance or the applicable Wisconsin Statutes.
- (2) **Code Administrator to Enforce.** The Code Administrator shall have primary responsibility for enforcing this chapter. Where reasonably necessary to determine compliance with the provisions of this chapter or any other provision of this Code relating to buildings and development, the Code Administrator shall be granted access to private property and where the owner denies access, shall be entitled to seek an inspection warrant pursuant to the provision of §§ 66.022 and 66.023, Wis. Stats.
- (3) **Penalties and Remedies for Violations.** Any person who fails to comply with the provisions of this chapter shall, upon conviction thereof, forfeit no less than Five Hundred Dollars (\$500.00) nor no more than One Thousand Dollars (\$1,000.00) and the costs of prosecution and applicable assessments, fees, court costs and surcharges for each violation. Those in default of payment of such forfeiture costs shall be imprisoned in the County jail until payment thereof, but not exceeding thirty (30) days. Each day a violation exists or continues after due written notice by the Code Administrator shall constitute a separate offense. In addition, the remedies provided by §§ 236.30 and 236.31 of the Wisconsin Statutes shall be available to the Town.