



2003 ASSEMBLY BILL 990

March 11, 2004 – Introduced by Representative BERCEAU. Referred to Committee on Urban and Local Affairs.

1 **AN ACT** *to amend* 236.45 (3) of the statutes; **relating to:** requiring subdividers
2 to comply with municipal extraterritorial public improvement requirements.

Analysis by the Legislative Reference Bureau

Under current law, a developer who wishes to subdivide an extraterritorial plat (the unincorporated area within three miles of the corporate limits of a first, second, or third class city, or within one and a half miles of a fourth class city or village) must obtain the approval of the town board and of the governing body of the municipality (an incorporated city or village) by the body's adoption of a subdivision ordinance or an official map.

This bill permits such a subdivision ordinance to require a subdivider to make and install reasonably necessary public improvements; execute a surety bond or provide other security to ensure that the subdivider makes the improvements within a reasonable time; or pay a reasonable fee in lieu of installing the improvements.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 236.45 (3) of the statutes is amended to read:
4 236.45 (3) AREAS IN WHICH SUBDIVISION ORDINANCES APPLY. An ordinance adopted
5 hereunder by a municipality may regulate the division or subdivision of land within

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1 the extraterritorial plat approval jurisdiction of the municipality as well as land
2 within the corporate limits of the municipality if it has the right to approve or object
3 to plats within that area under s. 236.10 (1) (b) 2. and (2). The ordinance may require
4 the subdivider to make and install reasonably necessary public improvements;
5 execute a surety bond or provide other security to ensure that the subdivider makes
6 the improvements within a reasonable time; or pay a reasonable fee in lieu of
7 installing the improvements.

8

(END)