

1979 Assembly Bill 885

Date published: May 9, 1980

CHAPTER 248, Laws of 1979

AN ACT to repeal 236.20 (3) (d); to renumber and amend 236.20 (3) (e) and (f); to amend 66.945 (11), 70.27 (8), 236.02 (12), 236.10 (1) (b) 2 and (4), 236.11 (1), 236.12 (2) (a) and (b), (6) and (7), 236.13 (1) (c) and (2) (a), 236.15 (1) (a) and (c) to (h) and (2), 236.16 (3), 236.18 (3), 236.20 (2) (b), (c), (e), (i), (k) and (L) and (3) (a) to (c), 236.20 (4) (a) and (d), 236.21 (intro.) and (1) (b), 236.25 (2) (a) and (5), 236.293, 236.295 (1) (intro.), (a) and (b) and (2), 236.34 (1) (a) and (c) and (2), 236.45 (5) and 236.46 (title), (1), (2) (intro.) and (3); to repeal and recreate 236.20 (1) (a) to (c) and (2) (j); and to create 236.13 (6) of the statutes, relating to the subdivision of land and the preparation and recording of plats and certified survey maps.

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

SECTION 1. 66.945 (11) of the statutes is amended to read:

66.945 (11) MATTERS REFERRED TO REGIONAL PLANNING COMMISSION. The officer or public body of a local governmental unit within the region having final authority thereon ~~shall~~ may refer to the regional planning commission, for its consideration and report, the following matters: The location of or acquisition of land for any of the items or facilities which are included in the adopted regional master plan. Within 20 days after the matter is referred to the regional planning commission or such longer period as may be stipulated by the referring officer or public body, the commission shall report its recommendations to the referring officer or public body. The report and recommendations of the commission shall be advisory only. ~~Local units and state~~ State agencies may authorize the regional planning commission with the consent of the commission to act for such ~~unit or~~ agency in approving, examining or reviewing plats, ~~pursuant to ss. 236.10 (4) and under s. 236.12 (2) (a). Regional planning commissions authorized by a local unit on the effective date of this act (1979) to act for the local unit in approving plats may continue to so act until the commission withdraws its consent or the local unit its approval. A local unit may authorize a regional planning commission, with the consent of the commission, to conduct an advisory review of plats.~~

SECTION 1m. 70.27 (8) of the statutes is amended to read:

70.27 (8) PLAT FILED WITH GOVERNING BODY. Within 2 days after the assessor's plat is filed with the governing body, it shall be transmitted to the ~~head of the planning function of the~~ department of local affairs and development by the clerk of the governing body which ordered the plat. The ~~head of the planning function~~ department of local affairs and development shall review the plat within 30 days of its receipt. No such plat shall be ~~given final approval by the local governing body until the head of the planning function~~ department of local affairs and development has certified on the face of the original plat that it complies with the applicable provisions of ss. 236.15 and 236.20. After the plat has been so certified the clerk shall promptly publish a class 3 notice thereof, under ch. 985. The plat shall remain on file in the clerk's office for 30 days after the first publica-

tion. At any time within ~~such the~~ 30-day period any person or public body having an interest in any lands affected by the plat may bring a suit to have ~~such the~~ plat corrected. If no ~~such~~ suit is brought within ~~such time the~~ 30-day period, the plat may be approved by the governing body, and filed for record. If ~~such a~~ suit is brought, approval shall be withheld until the suit is decided. The plat shall then be revised in accordance with ~~such the~~ decision if necessary, and, without rereferral to the ~~head of the planning function of the~~ department of local affairs and development unless ~~such~~ rereferral is ordered by the court. The plat may then be approved by the governing body and filed for record. When so filed the plat shall carry on its face the certificate of the clerk that all provisions of this section have been complied with. When recorded after approval by the governing body, the plat shall have the same effect for all purposes as if it were a land division plat made by the owners in full compliance with ch. 236. Before January 1 of each year, the register of deeds shall notify the town clerks of the recording of any assessors' plats made or amended during the preceding year, affecting lands in their towns.

SECTION 2. 236.02 (12) of the statutes is amended to read:

236.02 (12) "~~Head of the planning function:~~" "Department" means the ~~head of the planning function of the~~ department of local affairs and development.

SECTION 3. 236.10 (1) (b) 2 and (4) of the statutes are amended to read:

236.10 (1) (b) 2. The governing body of the municipality if, by July 1, 1958, or thereafter it adopts a subdivision ordinance or an official map under s. 62.23; and

(4) Any municipality, town, ~~or county or regional planning commission~~ may ~~pursuant to~~ under s. 66.30 agree with any other municipality, town, ~~or county or regional planning commission~~ for the ~~co-operative~~ cooperative exercise of the authority to approve or review plats. A municipality, town or county may, under s. 66.30, agree to have a regional planning commission review plats and submit an advisory recommendation with respect to their approval. A municipality, town or county may agree with a regional planning commission for the cooperative exercise of the authority to approve or review plats only as provided under s. 66.945 (11).

SECTION 4. 236.11 (1) of the statutes is amended to read:

236.11 (1) (a) Before submitting a final plat for approval, the subdivider may submit, or the approving authority may require that ~~he the~~ subdivider submit, a preliminary plat. It shall be clearly marked "preliminary plat" and shall be in sufficient detail to determine whether the final plat will meet layout requirements. Within ~~40~~ 90 days the approving authority, or its agent authorized to approve preliminary plats, shall take action to approve, approve conditionally, or reject ~~such the~~ preliminary plat and shall state in writing any conditions of approval or reasons for rejection, unless the time is extended by agreement with the subdivider. Failure of the approving authority or its agent to act within ~~such 40 the~~ 90 days, or extension thereof, ~~shall constitute~~ constitutes an approval of the preliminary plat.

(b) If the final plat conforms substantially to ~~the layout shown in the~~ preliminary plat as approved, including any conditions of that approval, and to local plans and ordinances adopted as authorized by law, it shall be ~~is~~ entitled to approval ~~with respect to such layout.~~ If the final plat is not submitted within 6 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 authority, constitute only that portion of the approved preliminary plat which the subdivider proposes to record at that time.

* [236.15] (2) ACCURACY OF SURVEY. The survey shall be performed by a ~~registered~~ land surveyor registered in this state and if the error in the latitude and departure closure

*The text displayed in 1979 enrolled Assembly Bill 885 as "236.11 (2)" should properly have been shown as "236.15 (2)".

of the survey or any part thereof is greater than the ratio of one in 3,000, the plat may be rejected.

SECTION 5. 236.12 (2) (a) and (b), (6) and (7) of the statutes are amended to read:

236.12 (2) (a) Two copies for each of the state agencies required to review the plat to the ~~head of the planning function who~~ department which shall examine the plat for compliance with ss. 236.15, 236.16, 236.20 and 236.21 (1) and (2). If the subdivision abuts or adjoins a state trunk highway or connecting highway, the ~~head of the planning function department~~ shall transmit 2 copies to the department of transportation so that agency may determine whether it has any objection to the plat on the basis of its rules as provided in s. 236.13. If the subdivision is not served by a public sewer and provision for such service has not been made, the ~~head of the planning function department~~ shall transmit 2 copies to the department of health and social services so that agency may determine whether it has any objection to the plat on the basis of its rules as provided in s. 236.13. In lieu of this procedure the agencies may designate local officials to act as their agents in examining the plats for compliance with the statutes or their rules by filing a written delegation of authority with the approving body.

(b) Four copies to the county planning agency, if ~~such~~ the agency employs on a full-time basis a professional engineer, a planner, or other person charged with the duty of administering planning legislation and adopts a policy requiring submission so that body may determine if it has any objection to the plat on the basis of conflict with park, parkway, expressway, major highways, airports, drainage channels, schools, or other planned public developments; ~~or where no~~. If no county planning agency exists, then two copies to the county park commission, if the subdivision abuts a county park or parkway so that body may determine if it has any objection to the plat on the basis of conflict with the park or parkway development;.

(6) In lieu of the procedure under subs. (2) to (5), the subdivider or ~~his~~ the subdivider's agent may submit the original plat to the ~~head of the planning function who~~ department which shall forward 2 copies to each of the agencies authorized by sub. (2) to object. The ~~head of the planning function department~~ shall have the required number of copies made at the subdivider's expense. Within 20 days of the date of receiving the copies of the plat any agency having authority to object under sub. (2) shall notify the subdivider, and all agencies having the authority to object, of any objection based upon failure of the plat to comply with the statutes or rules which its examination under sub. (2) is authorized to cover, or, if there is no objection, it shall so certify on the face of a copy of the plat and return that copy to the ~~head of the planning function department~~. After each agency and the ~~head of the planning function department~~ have certified that they have no objection or that their objections have been satisfied, the ~~head of the planning function department~~ shall so certify on the face of the plat. If an agency fails to act within 20 days from the date of the receipt of copies of the plat, and the ~~head of the planning function department~~ fails to act within 30 days of receipt of the original plat it shall be deemed that there are no objections to the plat and, upon demand, it shall be so certified on the face of the plat by the ~~head of the planning function department~~.

(7) The ~~head of the planning function department~~ and the state agencies referred to in s. 236.13 (1) may charge reasonable service fees for all or part of the costs of activities and services provided by the ~~head of the planning function department~~ under this section and s. 70.27. A schedule of such fees shall be established by rule by each such agency.

SECTION 6. 236.13 (1) (c) and (2) (a) of the statutes are amended to read:

236.13 (1) (c) Any local master plan which is consistent with any plan adopted under s. 236.46 or official map adopted under s. 62.23;

(2) (a) As a further condition of approval, the governing body of the town or municipality within which the subdivision lies may require that the subdivider make and install any public improvements reasonably necessary or that ~~he~~ the subdivider execute a surety bond or provide other security to insure ensure that he or she will make those improvements within a reasonable time.

SECTION 7. 236.13 (6) of the statutes is created to read:

236.13 (6) An outlot may not be used as a building site unless it is in compliance with restrictions imposed by or under this section with respect to building sites. An outlot may be conveyed regardless of whether it may be used as a building site.

SECTION 8. 236.15 (1) (a) and (c) to (h) and (2) of the statutes are amended to read:

236.15 (1) (a) The external boundaries of a subdivision shall be monumented in the field by monuments of ~~stone or concrete~~ containing a ferrous rod one-fourth inch in diameter or greater imbedded its full length, not less than 30 inches in length, not less than 4 inches square or 5 inches in diameter, and marked on the top with a cross, brass plug, iron rod, or other durable material securely embedded; or by iron rods or pipes at least 30 inches long and 2 inches in diameter weighing not less than 3.65 pounds per lineal foot. Solid round or square iron bars of equal or greater length or weight per foot may be used in lieu of pipes wherever pipes are specified in this section. These monuments shall be placed ~~not more than 1,400 feet apart in any straight line and~~ at all corners, at each end of all curves, at the point where a curve changes its radius, at all angle points in any line and at all angle points along the meander line, said points to be not less than 20 feet back from the ordinary high water mark of the lake or from the bank of the stream, except that when such corners or points fall within a street, or proposed future street, the monuments shall be placed in the side line of the street.

(c) All lot, outlot, park and public access corners and the corners of land dedicated to the public shall be monumented in the field by iron pipes at least 24 inches long and one inch in diameter, weighing not less than 1.13 pounds per lineal foot, or by round or square iron bars at least 24 inches long and weighing not less than 1.13 pounds per lineal foot.

(d) The lines of lots, outlots, parks and public access and land dedicated to the public that extend to lakes or streams shall be monumented in the field by iron pipes at least ~~30~~ 24 inches long and one inch in diameter weighing not less than 1.13 pounds per lineal foot, or by round or square iron bars at least ~~30~~ 24 inches long and weighing not less than 1.13 pounds per lineal foot. These monuments shall be placed at the point of intersection of the lake or stream lot line with a meander line established not less than 20 feet back from the ordinary high water mark of the lake or from the bank of the stream.

(f) Any durable metal, ~~stone~~ or concrete monuments may be used in lieu of the iron pipes listed in pars. (c) and (d) provided that they are uniform within the platted area and have ~~been approved by the head of the planning function in the department of local affairs and development~~ a permanent magnet embedded near the top or bottom or both.

(g) In cases where strict compliance with this subsection would be unduly difficult or would not provide adequate monuments, ~~the head of the planning function in the department of local affairs and development~~ may make other reasonable requirements.

(h) The governing body of the ~~municipality city, village or town or county~~ which is required to approve the subdivision under s. 236.10 may waive the placing of monuments under pars. (b), (c) and (d) for a reasonable time on condition that the subdivider executes a surety bond to ~~insure~~ ensure that he or she will place the monuments within the time required.

*236.15 (2) — See page 1338.

*The text displayed in 1979 enrolled Assembly Bill 885 as "236.11 (2)" should properly have been shown as "236.15 (2)".

SECTION 9. 236.16 (3) of the statutes is amended to read:

236.16 (3) LAKE AND STREAM SHORE PLATS. All subdivisions abutting on a navigable lake or stream shall provide public access at least 60 feet wide providing access to the low watermark so that there will be public access, which is connected to existing public roads, at not more than one-half mile intervals as measured along the lake or stream shore except where greater intervals and wider access is agreed upon by the department of natural resources and the ~~head of the planning function~~ department, and excluding shore areas where public parks or open-space streets or roads on either side of a stream are provided. No public access established under this chapter may be vacated except by circuit court action. This subsection does not require any local unit of government to improve land provided for public access.

SECTION 10. 236.18 (3) of the statutes is amended to read:

236.18 (3) The plane ~~eo-ordinates~~ coordinates of a point on the earth's surface, to be used in expressing the position or location of such point in the appropriate zone of this system, shall consist of 2 distances, expressed in feet or meters and decimals of a foot or meter. One of these distances, to be known as the "~~x-eo-ordinate~~ x-coordinate," shall give the position in an east-and-west direction; the other, to be known as the "~~y-eo-ordinate~~ y-coordinate," shall give the position in a north-and-south direction. These ~~eo-ordinates~~ coordinates shall be made to depend upon and conform to the ~~eo-ordinates~~ coordinates, on the Wisconsin ~~eo-ordinate~~ coordinate system, of the triangulation and traverse stations of the United States coast and geodetic survey national oceanic and atmospheric administration within this state as those ~~eo-ordinates~~ coordinates have been determined by the said survey that administration.

SECTION 11. 236.20 (1) (a) to (c) of the statutes are repealed and recreated to read:

236.20 (1) (a) With a binding margin 1 1/2 inches wide on the left side, and a one-inch margin on all other sides. A graphic scale of not more than 100 feet to one inch shall be shown on each sheet showing layout features. When more than one sheet is used for any plat, each sheet shall be numbered consecutively and shall contain a notation giving the total number of sheets in the plat and showing the relation of that sheet to the other sheets and each sheet shall bear the subdivision and county name.

(b) For processing under s. 236.12 (6) the original shall be on muslin-backed white paper 22 inches wide by 30 inches long prepared with nonfading black image. These sheets may be provided by the county through the register of deeds on such terms as the county board determines.

(c) For processing under s. 236.12 (2), the original copy of the final plat may be of any size and on any material that is capable of clearly legible reproduction.

SECTION 12. 236.20 (2) (b), (c), (e) and (i) of the statutes are amended to read:

236.20 (2) (b) All monuments erected, corners and other points established in the field in their proper places. The material of which the monuments, corners or other points are made shall be noted at the representation thereof or by legend, except lot, outlot and meander corners need not be shown. The legend for metal monuments shall indicate the kind of metal, the diameter, length and weight per lineal foot of the monuments.

(c) The exact length and bearing of the exterior boundaries, the boundary lines of all blocks, public grounds, streets and alleys, and all lot lines, except that when the lines in any tier of lots are parallel it shall be sufficient to mark the bearings of the outer lines on one tier thereof. ~~Easements shall be shown by center line and width when lines are parallel to a boundary, otherwise boundary bearings and distances shall be shown. Parallel easement lines shall be shown by centerline distance, bearing and width when easements are not parallel to a boundary or lot line. Where easement lines are parallel to boundary or lot lines, the boundary or lot line distances and bearings are controlling.~~ Where the exte-

rior boundary lines show bearings or lengths which vary from those recorded in abutting plats or certified surveys there shall be the following note placed along such lines, "recorded as (show recorded bearing or length or both)".

(e) All lots and outlots in each block consecutively numbered.

(i) A north point properly located thereon identified as referenced to a magnetic, true or other identifiable ~~meridian~~ direction and related to either the nearest exterior line, east-west quarter line, or north-south quarter line of a section in which the subdivision is situated.

SECTION 13. 236.20 (2) (j) of the statutes is repealed and recreated to read:

236.20 (2) (j) The area in square feet of each lot and outlot.

SECTION 14. 236.20 (2) (k) and (L) and (3) (a) to (c) of the statutes are amended to read:

236.20 (2) (k) When a street is on a circular curve, the main chords of the right-of-way lines shall be drawn as dotted or dashed lines in their proper places; and either on them, or in an adjoining table, shall be noted their bearings and lengths, the radius of the circle of which the curve is a part, the central angle subtended and the tangent bearing at either the point of curve or point of tangency. The lot lines may be shown in the same manner or by bearings and distances. All curved lines shall show, either on the lines or in an adjoining table, the radius of the circle, the central angle subtended, the chord bearing, the chord length and the arc length for each segment. The tangent bearing shall be shown for each end of the main chord for all circular lines. When a circular curve of 30-foot radius or less is used to round off the intersection between 2 straight lines, it shall be tangent to both straight lines; ~~it shall be.~~ It is sufficient to show on the plat the radius of the curve and the tangent distances from the points of curvature to the point of intersection of the straight lines.

(L) When strict compliance with a provision of this section will entail undue or unnecessary difficulty or tend to render the plat or certified survey map more difficult to read, and when the information on the plat or certified survey map is sufficient for the exact retracement of the measurements and bearings or other necessary dimensions, ~~the head of the planning function in the department of local affairs and development or, in 1st class cities of the 1st class,~~ the city engineer may waive such strict compliance.

(3) (a) The location of the subdivision by government lot, recorded private claim, quarter-quarter section, section, township, range and county noted immediately under the name given the subdivision;

(b) The exact location of the subdivision indicated by distances and bearings with reference to the nearest exterior line, north-south quarter line or east-west quarter line of a section in which the subdivision is situated and a corner or corners established in the U.S. public land survey that establishes one end of this line. A description of the material of which the corner marker is composed shall be shown.

(c) A small drawing of the section or governmental subdivision of the section in which the subdivision lies with the location of the subdivision indicated thereon. ~~This or, if approved by the department,~~ a location sketch showing the relationship of the subdivision to existing streets. The drawing or sketch shall be oriented on the sheet in the same direction as the main drawing.

SECTION 15. 236.20 (3) (d) of the statutes is repealed.

SECTION 16. 236.20 (3) (e) and (f) of the statutes is renumbered 236.20 (3) (d) and (e) and amended to read:

236.20 (3) (d) The names of adjoining streets, state highways and subdivisions shown in their proper location underscored by a dotted or dashed line.

(e) Abutting street and state highway lines of adjoining plats shown in their proper location by dotted or dashed lines. The width of these streets and highways shall be given also.

SECTION 17. 236.20 (4) (a) and (d) of the statutes are amended to read:

236.20 (4) (a) The name of each road or street in the plat shall be printed ~~thereon in prominent letters~~ on the plat.

(d) Each lot within the plat must have access to a public ~~or private~~ street unless otherwise provided by local ordinance.

SECTION 18. 236.21 (intro.) and (1) (b) of the statutes are amended to read:

236.21 Certificates to accompany plat. (intro.) To entitle a final plat to be recorded, the following certificates lettered or printed legibly with a black durable ~~ink~~ image or typed legibly with black ribbon shall appear on it:

(1) (b) A clear and concise description of the land surveyed, divided and mapped by government lot, recorded private claim, quarter-quarter section, section, township, range and county; and by metes and bounds commencing with ~~some corner marked and the corner~~ established by the U.S. public land survey that defines one end of either the nearest exterior line, north-south quarter line or east-west quarter line of a section in which the subdivision is situated; or if ~~such~~ the land is located in a recorded subdivision or recorded addition thereto, then by the number or other description of the lot, block or subdivision thereof, which has previously been tied to a corner marked and established by the U.S. public land survey.

SECTION 19. 236.25 (2) (a) and (5) of the statutes are amended to read:

236.25 (2) (a) It is drawn on muslin-backed white paper 22 inches wide by 30 inches long and bears a department certification of no objection or it is reproduced with photographic silver haloid image on double matt polyester film of not less than 4 mil thickness, 22 inches wide by 30 inches long. Seals or signatures reproduced on images complying with this paragraph shall be given the force and effect of original signatures and seals;

(5) The register of deeds may furnish certified ~~photostatic~~ copies or other accurate reproductions of any plat on record in his or her office to surveyors, engineers or other interested parties at cost.

SECTION 20. 236.293 of the statutes is amended to read:

236.293 Restrictions for public benefit. Any restriction placed on platted land by covenant, grant of easement or in any other manner, which was required by a public body or which names a public body or public utility as grantee, promisee or beneficiary, ~~shall vest vests in such~~ the public body or public utility the right to enforce the restriction at law or in equity against anyone who has or acquires an interest in the land subject to the restriction. ~~Such~~ The restriction may be released or waived in writing by the public body or public utility having the right of enforcement.

SECTION 21. 236.295 (1) (intro.), (a) and (b) and (2) of the statutes are amended to read:

236.295 (1) (intro.) Correction instruments may be recorded in the office of the register of deeds in the county in which the plat or certified survey map is recorded and may include:

(a) Affidavits to correct distances, angles, directions, bearings, chords, block or lot numbers, street names or other details shown on a recorded plat or certified survey map; and

(b) Ratifications of a recorded plat or certified survey map signed and acknowledged in accordance with s. 706.07.

(2) Each affidavit in sub. (1) (a) correcting a plat shall be approved prior to recording by the governing body of the municipality or town in which the subdivision is located. The register of deeds shall note on the plat or certified survey map a reference to the page and volume in which the affidavit or instrument is recorded. The record of such the affidavit or instrument, or a certified copy thereof, shall be of the record, is prima facie evidence of the facts stated therein in the affidavit or instrument.

SECTION 22. 236.34 (1) (a) and (c) and (2) of the statutes are amended to read:

236.34 (1) (a) The survey shall be performed and the map prepared by a ~~registered~~ land surveyor registered in this state.

(c) The map shall be prepared in accordance with s. 236.20 (2) (a), (b), (c), (e), (f), (g), (i), (j) ~~and, (k) and (L)~~ on a scale of not more than 500 feet to the inch. The map shall be prepared on durable white paper 8 1/2 inches wide by 14 inches long. All lines shall be made with nonfading black ink on a scale of not more than 500 feet to an inch with nonfading black image or reproduced with photographic silver haloid image on double matt polyester film or not less than 4 mil thickness which is 8 1/2 inches wide by 14 inches long. Seals or signatures reproduced on images complying with this paragraph shall be given the force and effect of original signatures and seals.

(2) RECORDING. Certified survey maps prepared in accordance with sub. (1) shall be numbered consecutively by the register of deeds and shall be recorded in a bound volume to be kept in the register of deeds' office, known as the "Certified Survey Maps of County". In lieu of the above procedure, the map may be prepared on tracing cloth or paper, and a true scale photostat copy thereof may be recorded.

SECTION 23. 236.45 (5) of the statutes is amended to read:

236.45 (5) REGULATION OF FEDERAL SURPLUS LAND. With respect to any surplus lands in excess of 500 acres in area, except the Bong air base in Kenosha county, sold in this state by the federal government for private development, the department of ~~local affairs and development~~ may, in accordance with the procedure specified in ch. 227, regulate the subdivision or other division of such federal surplus land in any of the ways and with the same powers authorized hereunder for municipalities, towns or counties. Before promulgating such rules, the department shall first receive the recommendations of ~~the planning division and~~ of any committee appointed for that purpose by the governor.

SECTION 24. 236.46 (title), (1), (2) (intro.) and (3) of the statutes are amended to read:

236.46 (title) County plans. (1) (a) The county planning agency may prepare ~~regional~~ plans, in such units as it may determine, for the future platting of lands within the county, but without the limits of any municipality, or for the future location of streets or highways or parkways, and the extension or widening of existing streets and highways. Before completion of these plans, the county planning agency shall fix the time and place it will hear all persons who desire to be heard upon such the proposed plans, and shall give notice of that hearing as required below for the passage of the ordinance by the county board. After these hearings the county planning agency shall certify the plans to the county board, who may, after having submitted the same to the town boards of the several towns in which the lands are located and obtained the approval of the town boards, adopt by ordinance the proposed regional plans for future platting or for street or highway or parkway location in towns which may have approved the same, and upon approval of said those towns may amend the ordinance. Before the ordinance or any amendments thereto to the ordinance are adopted by the county board, notice shall be given by publication of a class 2 notice, under ch. 985, of a hearing at which all persons interested shall be given an opportunity to be heard at a time and place to be specified in the notice. The ordinance with any amendments as may be made shall govern the platting of all lands within the area to which it applies.

(b) In counties having a population of less than 500,000 any ~~regional~~ plan adopted ~~hereunder shall~~ under this section does not apply in the extraterritorial plat approval jurisdiction of any municipality unless that municipality by ordinance approves the same. This approval may be rescinded by ordinance.

(2) (intro.) ~~Such regional plans~~ A plan adopted under this section may be any of the following:

(3) Such system of arterial thoroughfares and such system of minor streets within such system of arterial thoroughfares and such platting of lots within any such system of minor streets may be adopted by the same proceeding. For the purpose of this section a parkway may be considered either an arterial thoroughfare or a minor street if it performs the function of an arterial thoroughfare or minor street. A natural obstacle like a lake or river or an artificial obstacle like a railroad or town line may, where necessary, be the boundary of ~~any regional plans~~ a plan adopted under this section instead of a street or highway or parkway.

SECTION 25. Term changes. (1) Wherever in the following sections of the statutes the phrase "United States coast and geodetic survey" appears, the phrase "national oceanic and atmospheric administration" is substituted: 236.18 (intro.) and (5) (intro.) and (d).

(2) Wherever in section 236.16 (4) of the statutes the term "he" appears, the term "the subdivider" is substituted.

(3) Wherever in the following sections of the statutes the term "he" appears, the term "the surveyor" is substituted: 236.21 (1) (a) and (d) and 236.34 (1) (d).

(4) Wherever in the following section of the statutes the term "his" appears, the term "the owner's" is substituted: 236.02 (8) (intro.).

(5) Wherever in the following sections of the statutes the term "his" appears, the term "his or her" is substituted: 236.25 (4) and 236.30.

(6) Wherever in the following sections of the statutes the term "his" appears, the term "the subdivider's" is substituted: 236.12 (2) (intro.) and 236.31.

SECTION 26. Applicability. (1) This act, except for the treatment of sections 236.293 and 236.295 of the statutes and the creation of section 236.13 (6) of the statutes applies only to plats first submitted for approval to an approving authority under section 236.10 of the statutes or the department of local affairs and development on or after the effective date of this act and only to certified survey maps recorded on or after the effective date of this act.

(2) The creation of section 236.13 (6) of the statutes by this act applies on and after the effective date of this act to any outlot in existence on or after that date.

(3) The treatment of section 236.293 of the statutes by this act applies to any restriction placed on land regardless of when created.

(4) The treatment of section 236.295 of the statutes applies to certified survey maps regardless of when recorded.

SECTION 27. Effective date. This act takes effect on the first day of the 6th month commencing after its publication.
