

No. 584, A.]

[Published July 25, 1951.

CHAPTER 526.

AN ACT to amend 236.143 (1), (2) and (3) and to create 236.143 (4) of the statutes, relating to subdivision control.

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

SECTION 1. 236.143 (1), (2) and (3) of the statutes are amended to read:

236.143 SUBDIVISION CONTROL. (1) The purpose of this section is to promote the public health, safety and the general welfare of the community and the regulations authorized to be made are designed to lessen congestion in the streets and highways and further the orderly layout and use of land; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate adequate provision for transportation, water, sewerage, schools, parks, playgrounds and other public requirements; to facilitate the further resubdivision of larger tracts into smaller parcels of land. *The words "municipality" and "municipal" when used in this section mean counties, cities, villages and towns and the governing bodies*

thereof respectively. The regulations provided for by this section shall be made with reasonable consideration, among other things, of the character of the * * * municipality with a view of conserving the value of buildings placed upon land, providing the best possible environment for human habitation, and for encouraging the most appropriate use of land throughout the * * * municipality.

(2) The * * * municipal governing body may by ordinance regulate, restrict, and in specific areas prohibit the division or subdivision of land within said * * * municipality, provided however, that a county ordinance under this subsection shall not be effective in an incorporated city or village, nor in the areas outside of cities or villages wherein the approval of plats by city councils or village boards is required as provided by 236.06 (1) (b), (c), (d) or (e). This section, and any ordinance, resolution or regulation hereafter enacted or adopted pursuant thereto, shall be liberally construed in favor of the * * * municipality and as minimum requirements adopted for the purposes stated in subsection (1). It shall not be deemed a limitation or repeal of any power elsewhere granted or appearing in chapter 236 relating to the platting of lands except where the regulations adopted pursuant to authority contained in this section are more restrictive than such other provisions of chapter 236.

(3) The * * * planning * * * agency of such * * * municipality shall prepare a draft of suitable rules, regulations or ordinances, hold public hearings on such tentative draft, and thereafter submit a final draft thereof to the * * * municipal governing body which shall proceed to consider the draft and which may adopt rules, regulations or ordinances with respect thereto, provided that the county board shall, before it adopts such ordinances, rules or regulations, applicable in towns submit the same to the town board of the town in which any lands which may be affected by any ordinance are situated and thereupon obtain the approval of the town board of such ordinance, rule or regulation so far as the same affects the land in such town, which ordinance may thereafter be adopted by the county board and be in effect in the town or towns whose town boards shall have given their approval thereto. At any time * * * after adoption the * * * municipal governing body may amend such rules, regulations or ordinances after submitting the proposed amendments to the * * * planning * * * agency for its recommendation and report thereon and in the case of amendments by the county board after the proposed ordinance, rule or regulation embodying such amendment shall have been submitted to the town board of the town in which lands to be affected thereby are located and the approval thereof by the town board obtained. * * * Before adopting any original or amendatory ordinance, rule or regulation, the * * * municipal governing body or its planning agency shall hold a public hearing. Notice of the public hearing shall be given by publication in such manner as the * * * municipal governing body shall determine.

SECTION 2. 236.143 (4) of the statutes is created to read:

236.143 (4) Any owner or subdividee of any land offered for sale under section 236.143 shall, subject to the approval of the municipal governing body, first grade, surface and surface drain all proposed streets within such area.

Approved July 5, 1951.