



State of Wisconsin  
1997 - 1998 LEGISLATURE

LRBs0616/1  
PJK:jlg:lp

**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1997 ASSEMBLY BILL 809**

March 18, 1998 - Offered by COMMITTEE ON RURAL AFFAIRS.

1     **AN ACT** *to renumber and amend* 236.13 (1) (c); *to amend* 236.11 (1) (b), 236.13  
2           (1) (intro.), 236.13 (1) (a), 236.13 (1) (b), 236.13 (1) (d) and 236.16 (2); and *to*  
3           **create** 236.13 (1) (c) 1., 236.13 (1) (c) 2., 236.13 (1) (c) 3., 236.13 (1) (cm) and  
4           236.13 (2) (e) of the statutes; **relating to:** requirements for plat approval.

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

5           **SECTION 1.** 236.11 (1) (b) of the statutes is amended to read:  
6           236.11 (1) (b) If the final plat conforms substantially to the preliminary plat  
7           as approved, including any conditions of that approval, and to local ~~plans~~ resolutions  
8           and ordinances adopted as authorized by law, it is entitled to approval. If the final  
9           plat is not submitted within 6 months of the last required approval of the preliminary  
10          plat, any approving authority may refuse to approve the final plat. The final plat  
11          may, if permitted by the approving authority, constitute only that portion of the  
12          approved preliminary plat which the subdivider proposes to record at that time.

1           **SECTION 2.** 236.13 (1) (intro.) of the statutes is amended to read:

2           236.13 (1) (intro.)    Approval of the preliminary or final plat shall be  
3           conditioned upon compliance with all of the following:

4           **SECTION 3.** 236.13 (1) (a) of the statutes is amended to read:

5           236.13 (1) (a) The provisions of this chapter;

6           **SECTION 4.** 236.13 (1) (b) of the statutes is amended to read:

7           236.13 (1) (b) Any municipal, town or county ordinance;

8           **SECTION 5.** 236.13 (1) (c) of the statutes is renumbered 236.13 (1) (c) (intro.) and  
9           amended to read:

10          236.13 (1) (c) (intro.) Any local master plan ~~which is consistent with any plan~~  
11          ~~adopted under s. 236.46 or official map adopted under s. 62.23;~~ that satisfies all of  
12          the following:

13          **SECTION 6.** 236.13 (1) (c) 1. of the statutes is created to read:

14          236.13 (1) (c) 1. Was adopted by the governing body of the municipality, town  
15          or county that directed the preparation of the local master plan.

16          **SECTION 7.** 236.13 (1) (c) 2. of the statutes is created to read:

17          236.13 (1) (c) 2. Is consistent with any plan adopted under s. 236.46 by the  
18          county board or with any official map adopted under s. 62.23.

19          **SECTION 8.** 236.13 (1) (c) 3. of the statutes is created to read:

20          236.13 (1) (c) 3. Is consistent with any zoning ordinance adopted under s. 59.69,  
21          60.61 or 62.23.

22          **SECTION 9.** 236.13 (1) (cm) of the statutes is created to read:

23          236.13 (1) (cm) Any plan adopted under s. 236.46 by the county board or any  
24          official map adopted under s. 62.23.

1           **SECTION 10.** 236.13 (1) (d) of the statutes, as affected by 1997 Wisconsin Act 27,  
2 is amended to read:

3           236.13 (1) (d) The rules of the department of commerce relating to lot size and  
4 lot elevation necessary for proper sanitary conditions in a subdivision not served by  
5 a public sewer, where provision for public sewer service has not been made;

6           **SECTION 11.** 236.13 (2) (e) of the statutes is created to read:

7           236.13 (2) (e) A county, town, city or village may not condition approval on  
8 compliance with a plan prepared by a regional planning commission unless the  
9 county, town, city or village has adopted the plan under s. 66.945 (12 ) (a).

10          **SECTION 12.** 236.16 (2) of the statutes is amended to read:

11          236.16 (2) MINIMUM STREET WIDTH. All streets shall be of the width specified on  
12 ~~the master plan or official map or of a width at least as great as that of the existing~~  
13 ~~streets if there is no master plan or official map~~ by local ordinance or, if no local  
14 ordinance specifies the street width, as specified on the official map, if any, but no full  
15 street shall be less than 60 feet wide unless otherwise permitted by local ordinance.  
16 Widths of town roads platted after January 1, 1966, shall, however, comply with  
17 minimum standards for town roads prescribed by s. 86.26. Streets or frontage roads  
18 auxiliary to and located on the side of a full street for service to the abutting property  
19 may not after January 1, 1966, be less than 49.5 feet wide.

20          **SECTION 13. Initial applicability.**

21          (1) APPROVAL OF PLATS. The treatment of sections 236.11 (1) (b) and 236.13 (1)  
22 (intro.), (a), (b), (cm) and (d) and (2) (e) of the statutes, the renumbering and  
23 amendment of section 236.13 (1) (c) of the statutes and the creation of section 236.13  
24 (1) (c) 1., 2. and 3. of the statutes first apply to plats submitted for preliminary or final  
25 approval on the effective date of this subsection.

