

No. 317, S.]

[Published July 12, 1929.]

CHAPTER 278.

AN ACT to amend subsection (2) of section 236.01, the introductory paragraph, paragraph (f) of subsection (1) and the introductory paragraph of subsection (2) of section 236.02, subsection (1) of section 236.07, subsection (1) of section 236.09 and section 236.10; and to create subsections (6) and (7) of section 236.01 of the statutes, relating to plats, and providing a penalty.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Subsection (2) of section 236.01, the introductory paragraph, paragraph (f) of subsection (1) and the introductory paragraph of subsection (2) of section 236.02, subsection (1) of section 236.07, subsection (1) of section 236.09, and section 236.10 of the statutes are amended to read: (236.01) (2) The external boundaries of such tract of land so surveyed or platted shall be marked and established in the field by monuments of natural stone, or other durable material except wood, not less than * * * *thirty* inches in length, nor less than five inches in diameter *or along the shortest diagonal*, marked on the top with a * * * cross * * *, placed at all the corners of such external boundaries *except where such corners are less than one hundred feet apart*. Provided, however, that when such corners fall within the area of any street, the monuments shall be placed in the street line of such street.

(236.02) (Introductory paragraph) All * * * *plats* shall be * * * *made to* a scale of not less than * * * one inch *to one hundred feet, drawn one on a sheet*, on * * * *adequate* muslin backed paper *with waterproof ink, and shall be submitted for approval and then left for record. All written or printed matter shall appear on the face of the plat.* * * * The following requirements shall be fully complied with to entitle a * * * *plat* made under the provisions of section 236.01 to be recorded:

(1) (f) The name given to the tract of land so divided and mapped, and * * * *to each street thereon, shall be printed in prominent letters on each plat and, immediately thereunder, its location by quarter section, township and range. The name given to the tract of land so divided and mapped, and the name*

of such plat shall not be a duplicate of the name of any plat theretofore recorded in the same county.

(2) (Introductory paragraph) On the face * * * of every such map offered for record shall appear and be written the certificate of the surveyor who surveyed and mapped the land, which certificate shall be sworn to before a notary public or other officer authorized to administer oaths, and shall contain :

(236.07) (1) The owner of any lands lying outside the corporate limits of any city in the state of the second, third or fourth class, or of any village, except such lands lying within counties having a population of two hundred and fifty thousand or more, and situated within three miles of such limits, *in the case of cities of the second or third class and within one and one-half miles of such limits in the case of cities of the fourth class*, desiring to divide the same into lots or blocks by the platting thereof, shall, in the platting of such lands, cause the streets and alleys shown on the map thereof to be laid out and platted to the satisfaction of the common council of such cities or the board of such village and of the town board of the town in which such land is situated and shall submit such map thereof, and if it shall be approved, he shall cause it to be recorded within thirty days of the date of the last approval together with the evidence of approval of the common council or village board and town board, which shall be a copy of the ordinance or resolution adopted by such common council or village board and town board certified to by the city or village clerk or town clerk, as the case may be, and affixed to such map.

(236.09) (1) The owner of any lands lying outside the corporate limits of any city or village in this state desiring to divide the same into lots or blocks by the platting thereof, shall, in the platting of such lands, cause the highways to any lake or stream shown on the map thereof, to be laid out and extended to low-water mark of such lake or stream, at intervals, *wherever practicable unless the topography and ground conditions prevent*, of not more than one-half mile, as measured along the shore, *such highways to be not less than thirty feet in width*, which platting shall be to the satisfaction and approval of the town board or boards of the town or towns in which such lands are situated, and also of the state board of health; but approval by the state board of health shall not be necessary for the platting of land lying within one and one-half miles of the corporate limits of any

city of the first class, or within three miles of the corporate limits of any city of the second or third class, nor for any plats in counties governed by the provisions of section 236.03, or which have a county park commission. Such map or plat shall show the exterior boundaries, courses and distances of boundary lines of all lots shown thereon, with the number of each lot and of the block in which the same is located, together with a certificate of the engineer or surveyor by whom the same was prepared, certifying to the correctness of the same, and that it complies with the requirements of this section. Such map or plat shall further contain the acknowledgment of the owner or owners of the lands platted, made before an officer authorized to take acknowledgments under the laws of Wisconsin to the effect that such owner or owners caused such plat to be made. If such plat shall be approved by the town board or boards of such town or towns, such owner or owners, shall file a true copy thereof with the clerk of each town in which the said lands are situated, and shall thereafter and within thirty days after the date of * * * the last approval, cause such map and plat, together with a certified copy of each resolution approving the same, to be * * * left for record in the office of the register of deeds of the county in which such lands are located.

236.10 The register of deeds shall record any * * * plat made, certified, approved and presented as prescribed in this chapter, on good quality muslin backed drawing paper, with waterproof ink, into bound volumes and properly indexed, except that no * * * plat of any addition to an existing plat shall be recorded unless the streets and alleys shown thereon shall practically conform in width and direction to those of the existing plat. All written or printed matter * * * shall * * * form a part of the * * * document, and the whole record shall be made in such manner that it will be a facsimile of the original * * *, except that he may reduce the scale of any plat if he deems it necessary in making the record.

SECTION 2. Two new subsections are added to section 236.01 of the statutes to read: (236.01) (6) The plat shall show generally the boundaries of the property to be platted, its position in the quarter section or government subdivision of the section, its location on lake or stream together with a small scale drawing of the lake or the portion of the stream where the plat is situated, the existing buildings, water courses and other features per-

taining to the subdivision showing general elevations, high and low areas based on adjacent water levels, also indicating the high and low-water level of the lake or stream.

(7) Any owner or surveyor who fails to place monuments as prescribed in this section or any person who wilfully disturbs or removes any such monument without permission from the governing body of the town, city or village or who fails to report such disturbance or removal to such governing body or who fails to replace properly the monuments so disturbed or removed when so ordered by such governing body, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding two hundred and fifty dollars or by imprisonment in the county jail for not more than one year.

SECTION 3. This act shall take effect upon passage and publication.

Approved July 10, 1929.

No. 442, S.]

[Published July 12, 1929.

CHAPTER 279.

AN ACT to amend subsections (1) and (2) of section 59.97, relating to zoning by county boards.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Subsections (1) and (2) of section 59.97 of the statutes are amended to read: (59.97) (1) The county board of any county may by ordinance regulate and restrict the location of trades and industries, and the location of buildings designed for specified uses, and establish districts of such number, shape and area, and may also establish set-back building lines, outside the limits of incorporated villages and cities, as such county board may deem best suited to carry out the purposes of this section. For each such district, regulations may be imposed designating the trades or industries that shall be included or subjected to special regulations and designating the uses for which buildings may not be erected or altered; provided, however, that the said county board shall before it adopts such ordinance or ordinances, submit the same to the town board or town boards of the town or towns in which may be situated any lands affected by such ordinance, and thereupon obtain the approval of said