

ORDINANCE NO. 2010 - 6

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AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 46 OF THE HOWARD MUNICIPAL CODE RELATING TO SUBDIVISION AND PLATTING

THE VILLAGE BOARD OF THE VILLAGE OF HOWARD, BROWN COUNTY, WISCONSIN, HEREBY ORDAINS THAT THE MUNICIPAL CODE OF THE VILLAGE OF HOWARD BE AMENDED AS FOLLOWS (striketrough wording deleted, bold wording added):

SECTION 1. Section 46-33(4) is hereby amended as follows:

(4) Property lines at street intersections should shall be required to be rounded with a radius of 12 feet or a greater radius where the village board considers it necessary. Cutoffs or chords may be permitted in place of rounded corners.

SECTION 2. Section 46-33(5) is hereby amended as follows:

(5) A tangent of at least 100 feet along shall be introduced between reverse curves on major arterial and collector streets. Lesser distances may be considered on local streets.

SECTION 3. Section 46-35 is hereby amended as follows:

Sec. 46-35. Street Right-of-way width requirements.

SECTION 4. Section 46-36 is hereby amended as follows:

Stopping sight distance measured along the centerline shall be not less than specified as follows:

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Street Type	Minimum Sight Distance (in feet)	Desirable Sight Distance (in feet)	Maximum Design Speed (m.p.h.)	Suggested Posted Speed (m.p.h.)
Major (arterial) Arterial	400	<u>509</u>	45	40
Collector Collector	350 250	<u>415</u> <u>328</u>	40 35	35 30
Minor Minor	200 155	<u>255</u> <u>208</u>	30 25	25 20

*Note: Distances less than desirable will require written justification and Engineering Department approval. Longer than desirable sight distances may be necessary in complex dirving conditions.

SECTION 5. Section 46-37 is hereby amended as follows:

Sec. 46-37 ~~Minimum~~ **Radius** Requirements.

The ~~minimum~~ radius or curvature on the centerline shall be as specified ~~below~~ as follows:

Street Type	Minimum Radius (in feet)	<i>Desirable Radius* (in feet)</i>	<i>Maximum Design Speed (m.p.h.)</i>	<i>Suggested Posted Speed (m.p.h.)</i>
Major (arterial) Arterial	300 750	950	45	40
Collector	200 550	700	40	35
Collector	375	475	35	30
Minor	100 250	300	30	25
Minor	150	200	25	20
Minor	100	100	20	15

**Note: Use of radius less than desirable may require super elevation of roadway crown, will require written justification, an evaluation of impacts and Engineering Department approval.*

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SECTION 6. Section 46-44(b) is hereby amended as follows:

(b) Pedestrian crosswalks not less than 15 feet wide may be required by the village board through the ~~enter~~ **center** of blocks more than 900 feet along where deemed essential to provide circulation or access to schools, parks, playgrounds, shopping centers, transportation and other community facilities.

~~Deleted: SECTION 7. Section 46-169 is hereby amended as follows:¶
¶ Sec. 46-169. Required utility, street and other improvements. ¶
¶ Subdivisions lying in a sewer area will be required to have storm sewer, curb and gutter, sidewalks on both sides of the street, sanitary sewer main and water main on all streets; and sewer, water and storm sewer service laterals to all lots in the subdivision. The design, size, depth, location ~~and method of financing~~ of the required improvements **and method of financing** shall be determined by the village board. The village board may also require the provision of detention ponds and drainageways or easements of widths sufficient to accommodate anticipated storm sewer runoff and of a design permitting the unimpeded flow of natural water. In lieu of sidewalks on both sides of the street, an off-street trail may be constructed that would provide similar conveyance of pedestrians.¶~~

SECTION 7. Section 46-172(1) is hereby amended as follows:

(1) After submission of the preliminary plat, the subdivider must secure all properly notarized waivers of hearings as provided in Wis. Stats. § 66.0703, for the respective construction of sanitary sewer mains, water mains, sidewalks, curb and gutter, or any other public improvements as petitioned for. If the subdivider is unable to obtain all the required signatures on the waivers required in this subsection, he shall, in writing, request to the village board an opportunity for a public ~~meeting~~ **hearing** on this project. The village board will decide whether or not a **hearing** will be held on the project. All blank waiver forms shall be supplied by the village board for use by the subdivider.

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~~Deleted: meeting~~
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SECTION 8. Section 46-172(2) is hereby amended as follows:

(2) If the subdivider is unable to obtain all the signatures for the waivers in subsection (1) of this section and/or the project is rejected by the village board after a public ~~meeting~~ **hearing**, the subdivider may still promote the project by executing special written agreements with

those individuals who did **not** sign the waiver. The agreement would stipulate that the subdivider would conditionally assume the financial responsibilities of those respective uninterested parties.

SECTION 9. Section 46-172(3) is hereby amended as follows:

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(3) After approval of the preliminary plat by the village board, the subdivider shall provide a fee of \$2,000.00 for the preliminary review **and a construction cost estimate** of the public improvements necessary to construct the subdivision ~~by the village engineer for design.~~

SECTION 10. Section 46-172(5) is hereby amended as follows:

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(5) The subdivider shall secure and furnish proof of an escrow account or letter of credit for the amount of the total ~~sewer and water~~ assessment levied against his properties abutting the improvements, the amount to also cover any assessments to properties covered under special agreements as provided in subsection (2) of this section. The account shall be so arranged and a special agreement executed between the subdivider, the bank and the village to allow the latter to withdraw monthly amounts from the account sufficient to cover monthly construction costs to the contractor under contract with the village for ~~sewer and water main~~ construction. The amounts of monthly withdrawals, as determined by the village, shall be billed to the subdivider and shall be due within ten days of the date of billing.

SECTION 11. Section 46-172(7) is hereby amended as follows:

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~~(7) The subdivider shall also be responsible for all the rough grading of streets to the subgrade and for all the necessary clearing and grubbing on all the streets in the proposed subdivision. The street grades shall be determined by the village engineer, and all necessary cut sheets and staking out work for the street grading shall be furnished by the village engineer. The subdivider shall employ the grading contractor and ensure adequate work progression to meet the requirements of section 46-173. The subdivider shall also be responsible for the disposal of excess materials from street excavating and/or the furnishing, hauling and placing of borrow materials for street grading. All topsoil shall be stripped from the street area and stockpiled to be made readily available by the village engineer for final finish grading of streets, ditches and drainageways for seeding and fertilizing in the prevention of soil erosion. This work shall conform to the specifications established by the village engineer.~~

SECTION 12. Section 46-173(a) is hereby amended as follows:

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(a) To provide adequate time for all parties involved in the investigation, design, supervision, construction and administration of public improvement project, the following deadlines are required of the subdivider for public works construction in a given construction year:

Preliminary plat submittal	September 1
Final plat monumented per section 46-168	November 15
Final plat submittal	January 1
Final plat recorded per section 46-141(d)	March 1

General duties outlined in section 46-172(2) completion date	May 1
Street grading outlined in section 46-172(6) completion date	June 15

| **SECTION 13.** Section 46-175(7) is hereby amended to read as follows: Deleted: 14

(7) Design and installation of all municipal owned utilities and or maintained improvements.

| **SECTION 14.** Section 46-175(8) is hereby amended to read as follows: Deleted: 15

~~(8) Provide street grades and staking-out work in connection with the rough grading of streets.~~

| **SECTION 15.** Section 46-175(9) is hereby amended to read as follows: Deleted: 16

(9) ~~Where applicable, provide base course and curb and gutter and~~ All costs for this work will be assessed to abutting properties.

Deleted: final finish grading of ditches and drainageways to include the placing, seeding and fertilizing of salvaged topsoil.

| **SECTION 16.** All ordinances or parts of ordinances, in conflict herewith are hereby repealed. Deleted: 17

| **SECTION 17.** This ordinance shall take effect upon its adoption and publication. Deleted: 18

| Approved this 22nd day of March, 2010. Deleted: Approved this 25th day of January, 2010
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BURT R. McINTYRE, Village President

JOSHUA A. SMITH, Administrator/Clerk

| Date of publication: 3/26/2010 Deleted: 1
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