

ORDINANCE NO. 2006-38

An Ordinance Stating the Purpose of Chapter 14

The Common Council of the City of Cedarburg, Wisconsin, hereby ordains as follows:

SECTION 1. Section 14-1-1 of the City of Cedarburg Municipal Code is hereby amended to read as follows:

“SEC. 14-1-1 INTRODUCTION AND PURPOSE.

- (a) **Introduction.** In accordance with the authority granted by Sec. 236.45 of the Wisconsin Statutes and for the purposes listed in Sections 236.01 and 236.45 of the Wisconsin Statutes, the Common Council of the City of Cedarburg, Wisconsin, does hereby ordain as follows:
- (1) The provisions of this Chapter shall be held to be minimum requirements adopted to promote the health, safety, morals, comfort, prosperity and welfare of the City of Cedarburg.
 - (2) This Chapter shall not repeal, impair or modify private covenants or public ordinances, except that it shall apply whenever it imposes stricter restrictions on land use.
- (b) **Purpose.** This Chapter applies to subdivisions, land divisions and also to condominiums because the impact of density of development and the need for planning is the same regardless of the method of ownership. The purpose of this Chapter is to regulate and control the division of land or creation of a condominium that results in the division of land within the corporate limits of the City of Cedarburg, Wisconsin, and within the extraterritorial plat approval jurisdiction of the City in order to promote the public health, safety, convenience and general welfare of the community. The regulations are designed to lessen congestion in the highways and streets; to foster the orderly layout and use of land; to secure safety from fire, panic and other dangers; to provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems; to discourage overcrowding of the land; to protect the community's agriculture base; to facilitate adequate provision for housing, transportation, public water and sewerage, schools, parks, playgrounds and other public necessities; to secure safety from flooding, water pollution, disease and other hazards; to prevent flood damage to persons and properties and minimize expenditures for flood relief and flood control projects; to prevent and control erosion, sedimentation and other pollution of surface and subsurface waters; to preserve natural vegetation and cover and promote the natural beauty of the community; to restrict building sites in areas covered by poor soils or in other areas poorly suited for development; to facilitate the further division of larger tracts into smaller parcels of land; to ensure adequate legal description and proper survey monumentation of subdivided land; to provide for the administration and enforcement of this Chapter; to provide penalties for its violation; to implement those municipal, county, watershed or regional comprehensive plans or their components adopted by the City and, in general, to facilitate enforcement of City development standards as set forth in the adopted regional, county and local comprehensive plans, neighborhood plans, adopted

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plan components, City Zoning Ordinance, and City Building Code of the City of Cedarburg, Wisconsin; and to facilitate the further division of large tracts of land into smaller parcels. The regulations are made with the reasonable consideration of, but not limited to, the present character of the City and its environs, with the objectives of conserving the value of the land and improvements placed thereon, providing the most appropriate environment for human habitation, encouraging commerce and industry, protecting farming and open spaces, and providing for the most appropriate use of land in the City of Cedarburg.”

SECTION 2. This ordinance shall take effect upon publication as provided by law.

Passed and adopted this 11th day of December 2006.

Gregory P. Myers, Mayor

Attest:

Sandra M. Ingram, City Clerk

Approved as to form:

Kaye K. Vance, City Attorney

