

CHAPTER 9 SUBDIVISION REGULATIONS

Part 1: Adoption; Introduction

Sec. 13-9-1 Introduction and Purpose.

(a) **Introduction.** In accordance with the authority granted by Sec. 236.45 of the Wis. Stats. and for the purposes listed in Sec. 236.01 and 236.45 of the Wis. Stats., the Common Council of the City of Onalaska, 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 general welfare of the City of Onalaska.
- (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.** The purpose of this Chapter is 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 transportation, public water and sewerage, schools, parks, playgrounds and other public necessities; 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 Onalaska.

State Law Reference: Chapter 236, Wis. Stats.

Sec. 13-9-2 Abrogation and Greater Restrictions.

It is not intended by this Chapter to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, agreements, rules, regulations or permits previously adopted or issued pursuant to law. However, where this Chapter imposes greater restrictions, the provisions of this Chapter shall govern.

Sec. 13-9-3 Interpretation.

In their interpretation and application, the provisions of this Chapter shall be held to be minimum requirements and shall be liberally construed in favor of the City of Onalaska and shall not be deemed a limitation or repeal of any other power granted by the Wis. Stats.

**Subdivision Regulations – Adoption, Introduction
13-9-4**

Sec. 13-9-4 Severability.

If any provision of this Chapter is invalid or unconstitutional, or if the application of this Chapter to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Chapter which can be given effect without the invalid or unconstitutional provision or application.

Sec. 13-9-5 Repeal.

All other Ordinances or parts of Ordinances of the City inconsistent or conflicting with this Chapter, to the extent of the inconsistency only, are hereby repealed.

Sec. 13-9-6 Title.

This Chapter shall be known as, referred to, or cited as the "City of Onalaska Subdivision Chapter" or "City of Onalaska Land Division and Subdivision Chapter."

Sec. 13-9-7 Payment of Taxes and Fees Prior to Issuance/Grant of Licenses, Permits, Approvals and Other Applications.

No licenses, permits, approvals and other applications required to be given or granted under Title 14 of the City of Onalaska Code of Ordinances shall be granted or given by the City of Onalaska until the City Treasurer certifies that all real estate taxes, personal property taxes, special assessments and other fees or charges then due and owing to the City of Onalaska by the applicant or which relate to the property for which the license, permit, approval or application is requested, have been paid in full.

Sec. 13-9-8 through Sec. 13-9-9

Reserved for Future Use.