

## CHAPTER 9 SUBDIVISION REGULATIONS

### **Part 5: Required Improvements**

#### **Sec. 13-9-40 Improvements Required.**

**(a) General Requirement.**

- (1) In accordance with the authority granted by Sec. 236.13 of the Wis. Stats., the Common Council of the City of Onalaska hereby requires that, as a condition of Final Plat or Certified Survey Map approval, the subdivider agree to make and install all public improvements required by this Chapter or the subdivider shall provide the City with security to ensure that the subdivider will make the required improvements. As a further condition of approval, the Common Council hereby requires that the subdivider be responsible for the cost of any necessary alterations of any existing utilities, which, by virtue of the platting or Certified Survey Map, fall within the public right-of-way.
  - (2) As a condition for the acceptance of dedication of public rights-of-way, the City requires that the public ways have been previously provided with all necessary facilities constructed to City specifications, including, but not limited to, sewerage, storm drainage, water mains and services, grading and improvement of the streets and other public ways, sidewalks, street lighting, traffic control and such other facilities required by the Common Council or that a specific portion of the costs be paid in advance as provided in Sec. 66.54(3), Wis. Stats.:
    - a. The required public improvements shall be installed by the subdivider at his cost; or
    - b. The subdivider may petition the City for the installation of the required improvements by City contract. The petition must be received by the City prior to October 15 of the year preceding the required installation so that the petition may be considered for inclusion in the City budget. If the Common Council elects to install the petitioned improvements, it shall establish special assessments for the recovery of the costs. The special assessments due from the subdivider for the portion of the petitioned improvements necessary to serve the proposed land division shall be due to the City, together with interest, within six (6) months of the date of City acceptance of the improvements.
- (b) General Standards.** The following required improvements in this Chapter shall be installed in accordance with the engineering standards and specifications which have been adopted by the Common Council. Where standards and specifications have not been adopted, the improvements shall be made in accordance with good engineering practices, approved prior to the start of construction by the City Engineer. When new or revised standards and/or specifications have been adopted by the City, work on public improvements not begun within one (1) year of the date of Final Plat adoption shall be made to the new or revised standards and/or specifications. The City Engineer shall review and approve the construction plans, specifications and calculations for the construction of the required public improvements.

## Subdivision Regulations – Required Improvements

### 13-9-40

- (c) **Project Manager.** The subdivider shall designate a project manager who shall be readily available on the project site during the construction of the required public improvements. The project manager shall be granted authority on behalf of the subdivider to make decisions related to the construction of the required public improvements as they may arise during the course of the construction. The project manager shall also be responsible for the scheduling and coordination of the required work to construct the required improvements. Correspondence with or verbal orders to the designated project manager shall have the same authority as with the subdivider directly.

## Sec. 13-9-41 Required Construction Plans; City Review; Inspections.

- (a) **Engineering Reports, Construction Plans and Specifications.** As required by Section 13-9-10, engineering reports, plans and proposed specifications shall be submitted simultaneously with the filing of the Preliminary Plat. At the Final Plat stage, construction plans for the required improvements conforming in all respects with the standards of the City Engineer and the Ordinances of the City shall be prepared at the subdivider's expense by a professional engineer who is registered in the State of Wisconsin, and said plans shall contain his seal. Such plans, together with the quantities of construction items, shall be submitted to the City Engineer for his approval and for his estimate of the total cost of the required improvements; upon approval they shall become a part of the contract required. Simultaneously with the filing of the Preliminary Plat with the City Clerk, or as soon thereafter as practicable, copies of the construction plans and specifications shall be furnished for the following public improvements, with a copy sent to the appropriate sanitary district:
- (1) **Street Plans and Profiles** showing existing and proposed grades, elevations and cross sections of required improvements.
  - (2) **Sanitary Sewer Plans and Profiles** showing the locations, grades, sizes, elevations and materials of required facilities.
  - (3) **Storm Sewer and Open Channel Plans and Profiles** showing the locations, grades, sizes, cross sections, elevations and materials of required facilities complying with best management practices as set forth in the City of Onalaska Erosion Control and Stormwater Management Requirements.
  - (4) **Water Main Plans and Profiles** showing the locations, sizes, elevations and materials of required facilities.
  - (5) **Erosion and Sedimentation Control Plans** showing those structures required to retard the rate of runoff water and those grading and excavating practices that will prevent erosion and sedimentation. Such plans shall comply with the City's Erosion Control Chapter (Building Code) and the Wisconsin Department of Natural Resources Best Management Practices.
  - (6) **Planting Plans** showing the locations, age, caliper, species and time of planting of any required grasses, vines, shrubs and trees.
  - (7) **Stormwater management plan** showing calculations, drawings, maps, etc. as outlined in the City of Onalaska Erosion Control and Stormwater Management Requirements.

## Subdivision Regulations – Required Improvements

### 13-9-41

- (8) **Additional Special Plans or Information** as required by City officials.
- (b) **Action by the City Engineer.** The City Engineer shall review or cause to be reviewed the plans and specifications for conformance with the requirements of this Chapter and other pertinent City Ordinances and design standards recommended by the City Engineer and approved by the Common Council. If the City Engineer rejects the plans and specifications, he shall notify the owner, who shall modify the plans or specifications or both accordingly. When the plans and specifications are corrected, the City Engineer shall approve the plans and specifications for transmittal to the Utility Committee and Common Council. The Common Council shall approve the plans and specifications before the improvements are installed and construction commenced.
- (c) **Construction and Inspection.**
  - (1) Prior to starting any of the work covered by the plans approved above, written authorization to start the work shall be obtained from the City Engineer upon receipt of all necessary permits and in accordance with the construction methods of this Chapter. Building permits shall not be issued until all improvements required by this Chapter are satisfactorily completed, unless the developer provides the City with a bond or irrevocable letter of credit. The City requires that at a minimum all utilities and curb and gutter are installed, inspected and approved before the issuance of building permits.
  - (2) During the course of construction, the City Engineer shall make such inspections as the Common Council deems necessary to insure compliance with the plans and specifications as approved. The owner shall pay the actual cost incurred by the City for such inspections. This fee shall be the actual cost to the City of inspectors, engineers and other parties necessary to insure satisfactory work, billed monthly.
  - (3) The City shall pay for the initial compaction test; if the test results are unsatisfactory, the owner/developer shall pay for any necessary retesting.
- (d) **Subdivider to Reimburse the City for Costs Sustained.** The subdivider of land divisions within the City shall reimburse the City for its actual cost of design, inspection, testing, construction and associated legal and real estate fees for the required public improvements for the land division. The City's costs shall be determined as follows:
  - (1) The cost of City employees time engaged in any way with the required public improvements based on the hourly rate paid to the employee multiplied by a factor determined by the City Financial Services Director/Treasurer to represent the City's cost for expenses, benefits, insurance, sick leave, holidays, vacation and similar benefits.
  - (2) The cost of City equipment employed.
  - (3) The cost of mileage reimbursed to City employees which is attributed to the land division.
  - (4) The actual costs of City materials incorporated into the work, including transportation costs plus a restocking and/or handling fee not to exceed ten percent (10%) of the cost of the materials.

## Subdivision Regulations – Required Improvements

### 13-9-41

- (5) All consultant fees associated with the public improvements at the invoiced amount plus administrative costs. Unless the amount totals less than Fifty Dollars (\$50.00), the City shall bill the subdivider monthly for expenses incurred by the City. Bills outstanding for more than thirty (30) days shall accrue interest at the rate of one and one-half percent (1-1/2%) per month. Bills outstanding for more than ninety (90) days shall be forwarded to the subdivider's surety agency for payment. Amounts less than Fifty Dollars (\$50.00) shall be held for billing by the City until amounts total more than Fifty Dollars (\$50.00) or until the conclusion of project activities.
- (e) **Record Plans.** After completion of all public improvements and prior to final acceptance of said improvements, the subdivider shall make or cause to be made three (3) copies of record plans showing the actual location of all valves, manholes, stubs, sewers and water mains and such other facilities as the City Engineer shall require. These plans shall be prepared on the original Mylar's of the construction plans and shall bear the signature and seal of a professional engineer registered in Wisconsin. The presentation of the record plans shall be a condition of final acceptance of the improvements and release of the surety bond assuring their completion. Two (2) copies shall be retained by the City and one (1) copy of such record plans shall be forwarded to the appropriate sanitary district.

### Sec. 13-9-42 Sanitary Sewerage System.

- (a) **Central Sanitary Sewerage and Private Sewage Disposal Systems.**
  - (1) The subdivider shall construct sanitary sewers in such a manner as to make adequate sanitary sewerage service available to each lot within the subdivision. If central sewer facilities are not available, the subdivider shall make provision for adequate private sewage disposal systems as specified by the community Wisconsin Department of Natural Resources; however, any lot containing less than one (1) acre of land and being less than one hundred fifty (150) feet wide must be served by public sanitary sewer facilities, unless in the considered opinion of the Plan Commission such service will be made available to the subdivision within five (5) years of the date of the submission of the Preliminary Plat. The City Plan Commission may require the installation of sewer laterals to the street lot line. If, at the time of final platting, sanitary sewer facilities are not available to the plat, but will become available within a period of five (5) years from the submission of the Preliminary Plat, the subdivider shall install or cause to be installed sanitary sewers and sewer laterals to the street lot line in accordance with this Section and shall cap all laterals as may be specified by the City Engineer. The size, type and installation of all sanitary sewers proposed to be constructed shall be in accordance with plans and standard specifications approved by the City Engineer. All sanitary sewer facilities shall be flood proofed.
  - (2) The subdivider shall assume the cost of installing all sanitary sewers ten (10) inches in diameter or less in size. If greater than ten (10) inch diameter sewers are required to handle the contemplated sewage flows, the cost of the materials only of such larger sewers shall be reimbursed by the City to the subdivider. The subdivider shall pay all costs associated with installation of sewer.

## Subdivision Regulations – Required Improvements

- (b) **Sanitary Sewer Installation Charges for Green Coulee Service Area.** For all undeveloped lands encompassed within the Green Coulee service area, all subdividers shall:
- (1) Install sanitary sewers of the diameter(s) set forth in Appendix A, on file with the City Engineer, ranging from eight (8) inch diameter sewers to eighteen (18) inch diameter sewers; and
  - (2) Pay to the City, prior to final ratification of the plat, the sum of One Hundred Fifty Dollars (\$150.00) multiplied by the number of acres or portion thereof contained in said plat. For every plat ratified in 1987 or thereafter, the One Hundred Fifty Dollar (\$150.00) fee per acre set forth herein shall be adjusted annually. The adjustment will be calculated by multiplying One Hundred Fifty Dollars (\$150.00) by the percentage change in the Consumer Price Index for La Crosse County from 1986 to the date of final ratification of the plat. Said amount shall then be added to the One Hundred Fifty Dollar (\$150.00) charge to arrive at a per-acre charge for that year; and
  - (3) Assume the cost of installing all such sanitary sewers ten (10) inches in diameter in size. If greater than ten (10) inch diameter sewers are required to handle the contemplated sewerage flows as set forth in Appendix A, on file with the City Engineer, the City shall reimburse the developer for the cost difference between ten (10) inch pipe material and the larger pipe materials required. No sums will be reimbursed by the City for installation.
  - (4) The Green Coulee service area consists of those lands designated on the map which is designated as Appendix A of this Section and which is on file with the City Engineer and incorporated herein.
- (c) **Sewer Connection Charges for East Avenue Service Area.**
- (1) For connection of any lands within the East Avenue service area to the sewer mains of the City of Onalaska, the owner(s) of such lands(s) shall pay to the City Clerk of the City of Onalaska a connection charge.
  - (2) The amount of the connection charge shall be Five Hundred Fifty Dollars (\$550.00) per acre. Said charge shall be adjusted annually with the first adjustment being made as of January 1, 1989. The adjustment will be calculated by multiplying the connection charge by the percentage change in the Consumer Price Index for La Crosse County from January, 1, 1988 to the date of connection and payment of the connection charge. Said resulting amount shall then be added to the connection charge to arrive at a total connection charge.
  - (3) The connection charge shall be calculated by multiplying the total acres of land within the East Avenue service area owned by any person(s) or business(es) by Five Hundred Fifty Dollars (\$550.00) per acre. Provided, however, that if any portion of said acreage has been separated from the total acreage by certified survey or plat, the connection charge shall be calculated by multiplying the acreage of such surveyed or platted lot/parcel by Five Hundred Fifty Dollars (\$550.00) per acre.
  - (4) Owners of land(s) served with sanitary sewer laterals must pay the connection charges required herein within one (1) year after installation of the laterals or upon issuance of a plumbing permit for said land(s), lot(s) and/or parcel(s), whichever occurs first.

- (5) The East Avenue service area consists of those lands designated in the map which is marked as Exhibit A and is attached and incorporated into Ordinance No. 596-87, on file with the City Clerk.
- (d) **Sewer Connection Charges for Pralle Annexation Service Area.**
- (1) Upon connection of any lands within the Pralle annexation service area to the sewer mains to the City of Onalaska, the owner(s) of such land(s) shall pay to the City Clerk of the City of Onalaska a connection charge.
  - (2) The amount of the connection charge shall be Five Hundred Dollars (\$500.00) per connection. Said charge shall be adjusted annually with the first adjustment being made as of January 1, 1998. The adjustment will be calculated by multiplying the connection charge by the percentage change in the Consumer Price Index based on CPIU Class C North Central District from the previous calendar year to the date of connection and payment of the connection charge. Said resulting amount shall then be added to the connection charge to arrive at a total connection charge.
  - (3) Owners of land(s) served with sanitary sewer laterals must pay the connection charge required herein within one (1) year after installation of the laterals or upon issuance of a plumbing permit for said land(s), lot(s) and/or parcel(s), whichever occurs first.
  - (4) The Pralle annexation service area consists of those lands designated in the map which is denominated as Exhibit A and is attached to and incorporated into this Section by Ordinance No. 943-97. A copy of such map is on file with the City Clerk.
- (e) **Sewer Connection Charges for U.S. Hwy. 16 Service Area.**
- (1) For connection of any lands within the U.S. Hwy 16 service area to the sewer mains of the City of Onalaska, the owner(s) of such land(s) shall pay to the City Clerk of the City of Onalaska a connection charge.
  - (2) The amount of the connection charge shall be Five Hundred Sixty-six and 51/100 Dollars (\$566.51) per acre. Said charge shall be adjusted annually with the first adjustment being made as of January 1, 1999. The adjustment will be calculated by multiplying the connection charge by the percentage change in the Consumer Price Index for La Crosse County from January 1, 1998 to the date of connection and payment of the connection charge. Said resulting amount shall then be added to the connection charge to arrive at a total connection charge.
  - (3) The connection charge shall be calculated by multiplying the total acres of land within the U.S. Hwy 16 service area owned by any person(s) or business (es) by Five Hundred Sixty-six and 51/100 Dollars (\$566.51) per acre. Provided, however, that if any portion of said acreage has been separated from the total acreage by certified survey or plat, the connection charge shall be calculated by multiplying the acreage of such survey of platted lot/parcel by Five Hundred Sixty-six and 51/100 Dollars (\$566.51) per acre.
  - (4) Owners of land(s) served with sanitary sewer laterals must pay the connection charges required herein within one (1) year installation of the laterals or upon issuance of a plumbing permit for said land(s), lots(s), and/or parcel(s), whichever occurs first.
  - (5) The U.S. Hwy 16 service area consists of those lands designated in the map which is marked as Exhibit A and is attached and incorporated into Ordinance No. 596-87, on file with the City Clerk.

*Cross-Reference: Section 8-3-1.*

**Sec. 13-9-43 Water Supply Facilities.**

- (a) The subdivider shall construct water mains in such a manner as to make adequate water service available to each lot within the subdivision. If municipal water service is not available, the subdivider shall make provision for adequate private water systems as specified by the community Wisconsin Department of Natural Resources; however, any lot containing less than one (1) acre of land and being less than one hundred fifty (150) feet wide must be served by public water facilities, unless in the considered opinion of the Plan Commission such services will be made available to the subdivision within five (5) years of the date of the submission of the Preliminary Plat. The Plan Commission may require the installation of water laterals to the street lot line. The size, type and installation of all public water mains proposed to be constructed shall be in accordance with plans and standard specifications approved by the City Engineer.
- (b) The subdivider shall assume the cost of installing all water mains ten (10) inches in diameter or less in size. If greater than ten (10) inch water mains are required, the City shall reimburse the developer for the difference in cost of materials only between the ten (10) inch water main and the larger size water main. The subdivider shall pay all costs associated with the installation of mains no matter what size. All water systems shall be flood proofed.
- (c) If oversized materials and equipment are required to obtain adequate flows when developing at higher elevations such as the bluffs, the subdivider/developer shall be required to pay for all oversized materials and equipment, including but not limited to booster stations and oversized water mains.

**Sec. 13-9-44 Storm Water Drainage Facilities.**

*All minor & major subdivisions must meet Federal Phase II Stormwater Regulations and Wis. DNR Regulations*

Pursuant to Section 13-9-40 the subdivider shall provide storm water drainage facilities which may include curb and gutter, catch basins and inlets, storm sewers, road ditches and open channels, as may be required. All such facilities are to be of adequate size and grade to hydraulically accommodate maximum potential volumes of flow, the type of facility required, the design criteria and the sizes and grades to be determined by the City Engineer. Storm drainage facilities shall be so designed as to present no hazard to life or property, minimize shoreland erosion and siltation of surface waters, shall prevent excess run-off on adjacent property and shall provide positive drainage away from on-site sewage disposal facilities. The size, type and installation of all storm water drain and sewers proposed to be constructed shall be in accordance with this Chapter and plans and standard specifications approved by the City Engineer. Storm drainage facilities shall be so designed as to minimize hazards to life or property, and the size, type and installation of all storm water drains and sewers proposed to be constructed shall be in accordance with the plans and specifications approved by the City Engineer. The subdivider shall pay a storm sewer fee as required by Section 13-8-51. The subdivider, at his/her cost, shall comply with Federal Storm Water Regulations and the State of Wisconsin Department of Natural Resources NR 216 using NR151 performance standards. The subdivider shall submit a storm water management plan as outlined in the City of Onalaska Erosion Control and Stormwater Management Requirements. The size, type, quantity of all storm water controls and best management practices shall be reviewed for approval by the City Engineer.

**Subdivision Regulations – Required Improvements**

**Sec. 13-9-45 Other Utilities.**

- (a) The subdivider shall cause gas, electric power, cable television and telephone facilities to be installed in such a manner as to make adequate service available to each lot in the subdivision, certified survey or land division. All new electrical distribution television cables and telephone lines from which lots are individually served shall be underground unless the Plan Commission specifically allows overhead poles for the following reasons: Topography, soil, water table, solid rock, boulders, or other physical conditions would make underground installation unreasonable or impractical; or,
- (b) The lots to be served by said facilities can be served directly from existing overhead facilities.
- (c) Plans indicating the proposed location of all gas, electrical power, cable television and telephone distribution and transmission lines required to service the plat shall be approved by the City Engineer.

**Sec. 13-9-46 Street Lamps.**

- (a) The subdivider shall install street lamps along all streets per City specifications. In the event the City determines that it is in the best interests of the health, safety and welfare of the residents of the City to install street lamps on undeveloped lands prior to their development, the City shall do so and shall charge the costs of the same to the developer upon development.
  - (1) Upon annexation of lands to the City of Onalaska, street lamps shall be installed per City specifications. Each owner of lands within the annexed area shall be assessed for the costs of the street lamps. The amount of the assessment shall be determined on a front footage basis. The cost per front foot shall be calculated by dividing the total cost for the street lamps and the installation thereof by the amount of front footage served by said lamps. The assessment per owner shall then be determined by multiplying the cost per front foot times the amount of front footage owned.
  - (2) In determining such assessment, lands on both sides of any street shall be included.
  - (3) Provided, however, that in the event lands on only one (1) side of any street shall be annexed, the assessment for lands within the City shall be fifty percent (50%) of the assessment as calculated above. Upon subsequent annexation to the City of any lands for which no street lamp assessment has previously been paid, the owners of said land shall be assessed for the cost of street lamps in accordance with this Section.

**Sec. 13-9-47 Improvements on Boundaries of Subdivisions; Improvements on Undeveloped Land.**

Any public improvements occurring on the boundaries of a subdivision shall be paid for by using the normal assessing methods for establishing payments. Similarly, undeveloped land shall have the same assessing policies as this Chapter provides. The intention is that the owners of said land shall pay for all improvements using the same procedures as in this Chapter.

**Sec. 13-9-48 Erosion Control.**

Pursuant to the City's Construction Site Erosion Control Chapter (Building Code and City Specifications), the subdivider shall cause all grading, excavations, open cuts, side slopes, and other land surface disturbances to be mulched, seeded, sodded or otherwise protected so that erosion, siltation, sedimentation and washing are prevented. The subdivider shall submit an erosion control plan that specifies measures that will be taken to assure the minimization of erosion problems.

*Cross Reference:* Title 15, Chapter 2.

**Sec. 13-9-49 Partition Fences.**

When the land included in a subdivision plat or certified map abuts upon or is adjacent to land used for farming or grazing purposes, the subdivider shall erect, keep, and maintain partition fences, satisfying the requirements of the Wis. Stats. for a legal and sufficient fence, between such land and the adjacent land. A covenant binding the developer, its grantees, heirs, successors, and assigns to erect and maintain such fences, without cost to the adjoining property owners, so long as the land is used for farming or grazing purposes, shall be included upon the face of the Final Plat or Certified Survey Map.

**Sec. 13-9-50 Easements.**

- (a) **Utility Easements.** The Common Council, on the recommendation of appropriate departments and agencies serving the City, shall require utility easements for poles, wire, conduits, storm and sanitary sewers, gas, water and head mains or other utility lines. It is the intent of this Chapter to protect all established easements so as to assure proper grade, assure maintenance of the established grade, prohibit construction of permanent fences or retaining walls over underground installation and prevent the planting of trees in the easement area.
- (b) **Drainage Easements.** Where a subdivision is traversed by a watercourse, drainageway, channel or stream:
  - (1) There shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse and such further width or construction, or both, as will be adequate for the purpose and as may be necessary to comply with this Section; or

**Subdivision Regulations – Required Improvements  
13-9-50**

- (2) The watercourse, drainage way, channel or stream may be relocated in such a manner that the maintenance of adequate drainage will be assured and the same provided with a storm water easement or drainage right-of-way conforming to the lines of the relocated watercourse, and such further width or construction, or both, as will be adequate for the purpose and may be necessary to comply with this Section.
  - (3) Wherever possible, it is desirable that drainage be maintained by an open channel with landscaped banks and adequate width for maximum potential volume flow. In all cases, such water course shall be of a minimum width established at the high-water mark or, in the absence of such specification, not less than thirty (30) feet. If, in the opinion of the City Engineer, the easement will be for a major drainage swale, the easement shall be of sufficient width to contain a one hundred (100) year frequency storm. If the drainage easement is located in an established floodway or flood fringe district, the entire floodplain area shall be included within the drainage easement.
- (c) **Easement Locations.** Such easements shall be at least ten (10) feet wide, or wider where recommended by the City Engineer, and may run across lots or alongside of front lot lines. Such easements should preferably be located along front lot lines. Evidence shall be furnished the Plan Commission and Common Council that easements and any easement provisions to be incorporated in the plat or in deeds have been reviewed by the individual utility companies or the organization responsible for furnishing the services involved.

### **Sec. 13-9-51 Extra-Sized and Off-Site Facilities.**

When any public improvements of adequate capacity are not available at the boundary of a proposed land division, the City, or its duly authorized representative, shall require, as a prerequisite to approval of a Final Plat or Certified Survey Map, assurances that such improvement extensions shall be provided as follows in accordance with the following standards:

- (a) **Design Capacity.** All improvements within or entering or leaving the proposed development shall be installed to satisfy the service requirements for the entire service or drainage area in which the development is located and the improvements shall be of sufficient capacity to handle the expected development of the overall service area involved.
- (b) **Extra-sized and Off-size Improvements.** Where improvements of adequate size needed to serve the development are not available at the boundary of the development, the subdivider shall proceed under one (1) of the alternatives as identified in Section 13-9-43.
- (c) **Lift Stations.** Where sanitary or storm sewer lift stations and force mains are required to lift sewage to the gravity system, the subdivider shall have plans, profiles, specifications and estimated operation and maintenance costs prepared for the installation of such facilities to the City Engineer's requirements. Equipment similar to existing City equipment shall be utilized whenever possible. The installation, inspection, supervision and engineering fees for lift stations and/or force mains shall be paid for by the subdivider unless otherwise determined and agreed upon by the Common Council.

### **Subdivision Regulations – Required Improvements 13-9-51**

Gravity sanitary sewer service shall be employed whenever determined by the City Engineer to be feasibly accessible.

**Sec. 13-9-52 Acceptance of Improvements and Dedications.**

- (a) **Acceptance of Improvements.** The dedication of any improvements, utilities, streets, parks, easements, rights-of-way or other lands or rights to the City or the public shall not be considered accepted by the City for public ownership until such time as the required public improvements within the intended dedication or necessary because of the intended dedication have been completed and accepted by the Common Council. The subdivider shall be responsible for and liable for the maintenance, safety and operation of all required public improvements until such time as the improvements are accepted by the Common Council by resolution. In the event the City must take measures to maintain, operate or make safe a public improvement existing or required as a result of the land division but which has not yet been accepted by the City, the costs of such measures shall hereby be determined to be City-incurred costs to be reimbursed to the City by the subdivider in accordance with the provisions of this Chapter.
- (1) **Inspection and Certification of Improvements.** After any of the following increments of the required improvements have been installed and completed, the subdivider shall notify the City Engineer, in writing, that the work is complete and ready for final inspection, shall file reproducible record drawings of the completed improvements. Acceptance of the improvements may be requested in the following increments:
- a. Sewer mains and services (either storm or sanitary).
  - b. Water mains and services.
  - c. Streets comprised of all grading, gravel, curb and gutter, culverts and paving.
  - d. Other miscellaneous appurtenances to the above increments such as sidewalks, bikeways, street lighting, street signing, etc.
- (2) The appropriate department heads shall certify that there are no unpaid taxes or unpaid special assessments on any of the lands included in the area of acceptance and shall prepare a final billing for engineer, inspection and legal fees and submit it to the subdivider for payment. The City Engineer shall conduct any necessary final inspections of the improvements and forward a report to the Mayor recommending either approval or disapproval. When the engineering, inspection, taxes, special assessments and legal fees have been paid, the report of the City Engineer, together with the recommendation of the Mayor, shall be forwarded to the Common Council for approval and acceptance of the improvements and dedications.

**Subdivision Regulations – Required Improvements  
13-9-53**

**Sec. 13-9-53 Regulations Regarding Construction of Mailboxes.**

Updated April 2011

*Persons constructing mailboxes in non-compliance with these provisions shall be required to sign a waiver of liability for replacement of the structure if it is damaged by street maintenance*

- (a) **Purpose.** The purpose of this Section is to establish standards for providing safe mailbox installation to lessen the likelihood of injuries, deaths, and substantial property damage resulting from mailboxes which do not have breakaway supports and/or sufficient attachment of mailbox to support so as to prevent the separation of the box from the support post when struck.
- (b) **Support Systems.** The support should be a wood post or steel channel installed no more than twenty-four (24) inches in the ground and extending to a vertical height such that the bottom of the mailbox is a minimum of forty-two (42) inches, but not to exceed a maximum of forty-eight (48) inches above the ground surface. The support should be the following dimensions:
- (1) Square post: four (4) by four (4).
  - (2) Round wood post: four and one-half (4-1/2) inches diameter.
  - (3) Steel channel: two (2) pounds per foot.
- (c) **Location.** In compliance with the requirements set by the United States Post Office for the location of a mailbox, the front edge of the mailbox itself shall be even with or up to 2 feet behind the back edge of the curb and gutter system, in the event that there is no curb and gutter system in place, the front edge of the mailbox shall not be within six inches of the edge of the pavement.
- (d) **Anchoring of Support.** Anchor plates shall not be used with metal posts. No support shall be set in concrete. Anti-twist flanges may be installed on a steel channel support but shall not be imbedded more than ten (10) inches into the ground.
- (e) **Attachment.** The box-to-post attachment shall be sufficient to prevent the separation of the box from the support post when struck.
- (f) **Permit.** Any support system not meeting the requirements of this section shall need a street privilege permit approved by the Director of Public Works.
- (g) **Damage.** Mailboxes damaged during the process of snow removal, street sweeping or other street department activities will only be replaced or repaired if that mailbox complies with the support system and location requirements, as set forth above, and only if physically hit by the snow removal or street equipment. If City replacement or repair is warranted, the mailbox will be returned to working condition until such time as permanent replacement or repair can be made. Repair or replacement shall be limited to a basic metal mailbox and a 4 inch by 4 inch square wood post, with material cost not to exceed twenty five (25) dollars.

## **Subdivision Regulations – Required Improvements 13-9-57**

**Sec. 13-9-54 General Street Design Standards. See Section 13-7-2.**

**Sec. 13-9-55 Specifications for Preparation, Construction and Dedication of Streets and Roads. See Section 13-7-3.**

**Sec. 13-9-56 Block Design Standards. See Section 13-7-4.**

**Sec. 13-9-57 Lot Design Standards.**

(a) **Size.**

(1) The size, shape and orientation of lots shall be appropriate for the location of topography of the subdivision, the type of sewerage or septic system to be utilized, and for the type of development contemplated, provided that no lot shall be smaller in area than the minimum lot size for the appropriate zone as established by the City Zoning Code.

(2) Lot dimensions, shape and size shall provide for conformance to the requirements of the Zoning Code for the permitted land use(s) without the need for the granting of Zoning Code variances by the Zoning Board of Appeals.

(b) **Commercial Lots.** Depth and width of properties reserved or laid out for commercial or industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated, as required by the City Zoning Code.

(c) **Corner Lots.** Corner lots for residential use shall have a minimum width of eighty (80) feet to permit full building setback from both streets.

(d) **Access to Public Streets.** Every lot shall front or abut on a public street. Every lot shall front or abut for a distance of at least forty-five (45) feet on a public street that curves or terminates in a dead-end or cul-de-sac and shall be not less than sixty (60) feet in width at the building setback line.

(e) **Side Lots.** Side lot lines shall be substantially at right angles to or radial to abutting street lines. Lot lines shall follow City boundary lines.

(f) **Double and Reversed Frontage Lots.** Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.

(g) **Natural Features.** In the subdividing of any land, regard shall be shown for all natural features, such as tree growth, water courses, historic spots or similar conditions which, if preserved, will add attractiveness and stability to the proposed development.

(h) **Land Remnants.** All remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, or a plan shown as to future use rather than allowed to remain as unusable parcels.

**Subdivision Regulations – Required Improvements  
13-9-57**

(i) **Large Lots.** In case a tract is divided and results in parcels of more than twice the minimum lot size provided for by the City Zoning Code for the zoning district in which the land is located, such parcels shall be so arranged to permit redividing into parcels in accordance with this Chapter and with the Zoning Code.

- (j) **Trunk Highway Proximity.** All lots adjacent to state trunk and federal highways shall be platted with additional depth necessary to provide for a building setback line not less than fifty (50) feet from the nearer right-of-way line or one hundred ten (110) feet from the centerline, whichever is more restrictive (Ref. Wis. Adm. Code HY 33). The subdivider may appeal this requirement to the City Engineer. Upon written request of the City Engineer; the Wisconsin Department of Transportation is hereby authorized to then determine building setback requirements equal to or less than those required above in all land divisions (including certified surveys) adjacent to state and federal highways in accordance with the authority granted in the Wis. Adm. Code. The required building setback line and additional lot depth shall be platted so as to accommodate such required building setbacks.
- (k) **Easement Allowance.** Lots containing pedestrian or drainage easements may be platted to include additional width in allowance for the easement.

**Sec. 13-9-58 Drainage System.**

- (a) **Drainage System Required.** As required by Section 13-9-44, a drainage system shall be designed and constructed by the subdivider to provide for the proper drainage of the surface water of the subdivision and the drainage area of which it is a part. The drainage system shall adhere to the requirements as outlined in the City of Onalaska Erosion Control and Stormwater Management Requirements. A Final Plat shall not be approved until the subdivider shall submit plans, profiles and specifications as specified in this Section, which have been prepared by a registered professional engineer and approved by the Common Council, upon the recommendations of the Plan Commission and City Engineer.
- (b) **Associated Permits.** Applicants must also apply for and receive stormwater and erosion control permits when applicable. Applicants shall conform to standards set forth in the City of Onalaska Erosion Control and Stormwater Management Requirements.
- (c) **Drainage System Plans.**
  - (1) The subdivider shall submit to the City at the time of filing a Preliminary Plat a preliminary drainage plan, and engineering report on the ability of existing watercourse channels, storm sewers, culverts and other improvements pertaining to drainage or flood control within the subdivision to handle the additional runoff which would be generated by the development of the land within the subdivision. The drainage plan and engineering report shall adhere to the requirements as outlined in the City of Onalaska Erosion Control and Stormwater Management Requirements. Additional information shall be submitted to adequately indicate that provision has been made for disposal of surface water without any damage to the developed or undeveloped land downstream or below the proposed subdivision. The report shall also include:
    - a. Estimates of the quantity of storm water entering the subdivision naturally from areas outside the subdivision.
    - b. Quantities of flow at each inlet or culvert.
    - c. Location, sizes and grades of required culverts, storm drainage sewers and other required appurtenances.

**Subdivision Regulations – Required Improvements  
13-9-58**

- (2) A grading plan for the streets, blocks and lots shall be submitted by the subdivider for the area within the subdivision.
- (3) The design criteria for storm drainage systems shall be based upon information provided by the City Engineer.

- (4) Material and construction specifications for all drainage projects (i.e., pipe, culverts, seed, sod, etc.) shall be in compliance with specifications provided by the City Engineer.

**(d) Storm Drainage and Stormwater Management Facilities.**

- (1) The subdivider, at his cost, shall install all drainage and stormwater management facilities identified in the drainage plan, engineering report and Erosion Control Plan or determined by the City Engineer as being necessary for the management for the management of all lands and roadways within the development. In addition, drainage capacity through the development from other areas shall be provided in accordance with a Comprehensive Surface Water Management Study, if applicable. All required storm drainage facilities shall be constructed and operational prior to acceptance of any dedications and/or public improvements served by the storm drainage facilities.
- (2) The subdivider shall submit to the City Engineer for review and approval a final copy of the drainage plan and engineering report, including as built data, as outlined in 13-9-58(b) prior to any final plat approval.

**Sec. 13-9-59 Non-Residential Subdivisions.**

**(a) General.**

- (1) If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision with respect to such land shall make such provisions as the City may require.
- (2) A non-residential subdivision shall also be subject to all the requirements of site plan approval set forth in the City Building Code. A non-residential subdivision shall be subject to all the requirements of this Chapter, as well as such additional standards required by the City and shall conform to the proposed land use standards established by any City Comprehensive Plan or Official Map and the City Zoning Code.

**(b) Standards.** In addition to the principles and standards in this Chapter, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Common Council that the street, parcel and block pattern proposed is taken into account with other uses in the vicinity and adapted to the uses anticipated in the area. The following principles and standards shall be observed:

- (1) Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
- (2) Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
- (3) Special requirements may be imposed by the Common Council, upon the recommendation of the City Engineer, with respect to street, curb, gutter and sidewalk design and construction.

**Subdivision Regulations – Required Improvements  
13-9-59**

- (4) Special requirements may be imposed by the Common Council, upon the recommendation of the City Engineer, with respect to the installation of public utilities, including water, sewer and storm water drainage.

- (5) Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for permanently landscaped buffer strips when necessary.
- (6) Streets carrying non-residential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

**Sec. 13-9-60 Grading.**

The subdivider shall grade each land division in order to establish street, block and lot grades in proper relation to each other and to topography as follows:

- (a) The subdivider shall grade the full width of the right-of-way of all proposed streets in accordance with the approved plans, including the grading of site triangles at each intersection.
- (b) Block grading shall be completed by one (1) or more of the following methods:
  - (1) Regrading along the side or rear lot lines, which provides for drainage to the public drainage facilities.
  - (2) Parts of all lots may be graded to provide for drainage to a ditch or to a swale, provided any ditches or swales are in public drainage easements.
  - (3) Draining across rear or side lot lines may be permitted provided that the course of drainage is within a public drainage easement and is toward public drainage facilities.
- (c) Lot grading shall be completed so that water drains away from each building site toward public drainage facilities at a minimum grade of one percent (1 %) and provisions shall be made to prevent drainage onto properties adjacent to the land division unless to a public drainage facility.
- (d) Grading activities shall not result in slopes greater than three to one (3:1) on public lands or lands subject to public access.
- (e) The topsoil stripped for grading shall not be removed from the site unless identified in the Erosion Control Plan approved by the City Engineer as not being necessary for erosion control or site landscaping purposes. Topsoil shall be uniformly returned to the lots when rough grading is finished. Topsoil piles shall be leveled and seeded for erosion control prior to the City releasing the one (1) year guarantee provision on public improvements in the streets adjacent to the lots on which the topsoil is stockpiled.
- (f) Such grading shall not result in detriment to any existing developed lands, either within or outside of the corporate limits.

**Sec. 13-9-61 through Sec. 13-9-69**

**Reserved for Future Use.**

