

CHAPTER 8
SUBDIVISION CONTROL

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SUBDIVISION CONTROL

CHAPTER 8

Section 8.01. PURPOSE. The purpose of this chapter is to promote the public health, safety, morals and general welfare of the Village of River Hills. These regulations are designed to lessen congestion on the streets and highways; to further the orderly layout and use of land; to secure safety from fire, panic and other danger; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate adequate provision for transportation, water, sewerage, schools, parks, playgrounds, and other public requirements; and to facilitate the further resubdivision of larger tracts into smaller parcels of land. These regulations are made with reasonable consideration, among other things, of the character of the Village with a view to conserving the value of the buildings placed upon land, for providing the best possible environment for human habitation, and for encouraging the most appropriate use of land throughout the Village.

Section 8.02. GENERAL

(1) Platting Required. Any division of land within the Village, which results in a subdivision, as defined herein, shall be, and any other division may be, surveyed and a plat thereof approved and recorded as required by this Chapter and Chapter 236 of the Wisconsin Statutes.

(2) Survey Map Required. Any division of land other than a subdivision within the Village, of which a plat has not been approved and recorded, shall be surveyed and a certified copy of the survey map of such division approved and recorded, as required by Section 8.08 of this Chapter and Chapter 236 of the Wisconsin Statutes.

(3) Exceptions. The provisions of this Chapter shall not apply to the following:

- [a] Transfers of interests in land by Will, or pursuant to Court Order.
- [b] Leases for a term not exceeding ten (10) years, mortgages or easements.

[c] The sale or exchange of parcels of land between owners of adjoining property, if additional lots are not thereby created and the lots resulting are not reduced below the minimum size required by the Zoning Ordinance of the village.

Section 8.03. DEFINITIONS.

(1) Subdivision. A Subdivision@ is a division of a lot, parcel or tract of land by the owner thereof or his agent for the purpose of sale or of building development, where:

[a] The act of division created five (5) or more parcels or building sites of ten (10) acres each or less in area; or

[b] Five (5) or more parcels or building sites of ten (10) acres each or less in area are created by successive divisions within a period of five (5) years.

(2) Streets. Street means a way for vehicular traffic other than an alley, more particularly described as follows:

[a] Major streets and highways= are those which are used primarily for fast or heavy traffic.

[b] Collector streets= are those which carry traffic from minor streets to the system of major streets and highways, including the principal entrance streets of a residential development, and streets for circulation within such a development.

[c] Minor Streets= are those which are used primarily for access to the abutting properties.

[d] Marginal access streets= are minor streets which are parallel to and adjacent to major streets and highways, and which provide access to abutting properties and protection from through traffic.

Section 8.04. PROCEDURE.

(1) Preliminary Consultation. Previous to filing a preliminary plat, the subdivider may consult the Plan Commission for advice and assistance.

(2) Preliminary Plat.

[a] Before submitting a final plat for approval, the subdivider, at his expense, shall submit a preliminary plat and such copies thereof as shall be required by the Village Plan Commission.

[b] At the time of submission of a preliminary plat, the Village Plan Commission shall consult the official map of the Village in considering approval of the preliminary plat; and said Plan Commission shall compare the proposed layout of blocks, orientation, length and width of streets, and such other features as may be incorporated in the plat, with those shown on the official map.

[c] Whenever necessary and advisable, the Plan Commission may authorize duly held public hearings to permit a variance from the exact design as shown on the official map of the Village.

[d] After review of the preliminary plat and negotiations with the subdivider on changes deemed advisable and the kind and extent of public improvements which will be required, the Plan Commission shall make its recommendations to the Village Board for the approval or rejection of the plat, including those public improvements, if any, which shall be made prior to the approval of the final plat. The subdivider shall be notified in writing of any conditions of approval or reasons for rejection, as recommended by the Plan Commission.

[e] The preliminary plat, together with the recommendation of the Plan Commission, shall be considered by the Village Board at a regular meeting. If approved, the Village Board shall, by resolution, indicate its approval of the preliminary plat with any conditions upon which the approval is based, and shall specify what improvements will be required before acceptance of the final plat. The subdivider shall be notified in writing of any conditions of approval or the reasons for rejection within ninety (90) days of the submission of the plat or within such further period of time as may be agreed upon.

[f] Approval of the preliminary plat shall entitle the subdivider to final approval of the layout shown by such plat, if the final plat conforms substantially to such layout and the conditions of approval have been met.

[g] All requests for approval of preliminary plats shall be accompanied by a filing fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board for subdivisions not exceeding ten (10) lots. An additional filing fee shall be paid for all subdivisions containing more than ten (10) lots. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website. (Amd Ord #537, 10/16/19)

(3) Final Plat.

[a] The final plat and such copies thereof as shall be required shall be submitted to the Village Clerk within six (6) months of approval of the preliminary plat. In the event that the approval of the preliminary plat must be obtained from another approving authority, the final plat shall be submitted within six (6) months of such approval.

[b] The Village Clerk shall forthwith forward the plat to the Village Plan Commission and copies thereof to the Department of Development as required by Section 236.12 of the Wisconsin Statutes. The Plan Commission shall refer the final plat with its recommendations to the Village Board within thirty (30) days of its submission, unless the time is extended by the Board. The Village Board shall approve or reject the final plat within sixty (60) days of its submission to the Village Clerk, unless the time is extended by agreement of the

subdivider. The reasons for rejection shall be stated in the minutes of the Village Board meeting, and a copy thereof or a written statement of such reasons shall be supplied the subdivider.

[c] In the event that the original of the final plat has been filed with another approving authority, the subdivider may file a true copy of such plat in lieu of the original. The approval of the Village Board shall be inscribed upon the original of the final plat; the surveyor or subdivider shall certify to the respects in which the original of the final plat differs from the true copy; and all modifications must first be approved.

[d] Upon approval of the preliminary plat, the subdivider shall immediately submit a request for extension of public sanitary sewer as provided in Section 13.105 of the Village Ordinances and pay the fee required by said Section 13.105. The subdivider shall also immediately deposit with the Village an amount equal to 10% of the estimated costs for construction of sanitary sewers, streets, and drainage to cover the costs incurred by the Village for engineering, legal, publication, and administrative expenses on the project.

Section 8.05. GENERAL REQUIREMENTS AND DESIGN STANDARDS.

(1) Size, Use and Suitability.

[a] No lot or parcel of land shall be created by a certified survey map or a subdivision plat having less size in area than the minimum area requirement for the zoning district in which the land is located as established by the >Zoning Map of the Village of River Hills= as created by Section 7.04 of the General Ordinances of the Village.

[b] No land in the Village shall be divided or subdivided for any use other than single family residential use, and no more than one such single family dwelling and buildings accessory thereto shall be erected or maintained upon any lot or parcel so created.

[c] No land shall be divided or subdivided for residential use if such land is considered unsuitable for building purposes; said determination to be made only by the Village Board after investigation and report by the Plan Commission.

(2) Conformance. The proposed subdivision shall conform to the following:

[a] The provisions of Chapter 236, Wisconsin Statutes.

[b] All applicable ordinances of the Village.

[c] The master plan of the Village.

[d] The official map of the Village.

[e] All applicable Administrative Rules of State Agencies or other public bodies having jurisdiction.

(3) Streets.

[a] General Consideration. The streets shall be designed and located in relation to the existing and planned streets, to topographical conditions and natural terrain features such as streams and existing tree growth, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

[b] Conform to Official Map. The arrangement, width, grade, and location of all streets shall conform to the official map of the Village.

[c] Extension of Streets. Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless, in the opinion of the Village Plan Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the most advantageous development of adjacent tracts.

[d] Grades. The grade of streets shall not exceed eight (8) percent unless necessitated by exceptional topography and approved by the Village Board.

[e] Horizontal Curves. There shall be a minimum sight distance with clear visibility along the center line of streets of not less than three hundred (300) feet.

[f] Intersections. Streets shall intersect as nearly at right angles as topography and other limiting factors of good design permit. No more than two streets shall intersect at one point unless approved by the Village Board.

[g] Street Names. New street names shall not duplicate the names of existing streets in the Village, but streets that are continuations of other streets already in existence and named shall bear the name of existing streets.

[h] Cul-de-sacs. Cul-de-sacs, or streets designed to have one end permanently closed, shall not exceed eight hundred (800) feet in length, and shall terminate with a turn-around of not less than one hundred fifty (150) feet in diameter.

[i] Parkways. In the case of parkways influenced by topographical features, such as streams or lakes, ravines or hills, or such other natural features, the widths and location shall be determined by such feature. Dedication for such parkway shall be made on the plat.

[j] Alleys. Alleys shall not be used unless approved by the Village Board.

(4) Utility Easements.

[a] Easements across lots or centered on rear or side lot-lines shall be provided for utilities and shall be at least ten (10) feet in width. Easements of the same or greater width may be required along the lines of or across lots, where necessary, to the extension of existing or planned utilities.

[b] In the event the most suitable and reasonable location for the utilities which are required within a subdivision, either for the service thereof or for service of areas in the surrounding territory, do not lie wholly within the streets shown upon the plat, the subdivider may be required insofar as is reasonable to make provision for the location of such utilities on routes elsewhere than within said streets on the plat, or by the filing of supplementary instruments which will adequately protect the public interest in the proper location of said utilities.

[c] Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way, conforming substantially with the lines of such water course and such further width or construction (or both) as will be adequate for the purpose. Wherever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width for maximum potential volume of flow.

(5) Lots and Blocks.

[a] The length, widths, and shapes of blocks shall be appropriate for the topography and type of development contemplated.

[b] The size, shape and orientation of lots and the minimum building setback lines shall be appropriate for the topography of the subdivision and the type of development contemplated, and shall conform to the applicable zoning regulations.

[c] Every lot shall front or abut on a public street.

[d] Side lot-lines shall be as nearly at right angles to straight street lines or radial to curved street lines on which the lots face as practicable.

[e] Corner lots shall be platted at a width sufficient to maintain setbacks on both streets.

[f] A tract subdivided into parcels of sufficient size to allow future division under existing zoning regulations, shall be arranged to allow the resubdivision of any such parcels into normal lots in accordance with the provisions of the subdivision standards.

[g] Lots shall follow municipal boundaries wherever practicable rather than across them.

(6) Conditions of Approval.

[a] All subdivisions shall be monumented as required by section 236.15, Wis. Stats., which statute is hereby adopted by reference.

[b] Before a final plat of a subdivision will be approved, the subdivider shall either install the following improvements, or file with the Village either a surety bond, cash, letter of credit, or other guarantee that the required improvements will be installed within the time required by the Village and in accordance with the Village specifications and ordinances all at no expense to the Village, to-wit:

1. Sanitary sewer mains and laterals to each lot line, where connection to an existing sewer system can reasonably be provided.

2. All public roadways within the subdivision to be improved, graded to full width of the right-of-way, paved in accordance with Village specifications, appropriate street signs installed and grass to be established in all graded, unpaved areas within the public roadways.

3. Adequate facilities for storm water drainage in accordance with Village specifications.

[c] The approval of the final plat of all subdivisions may be further conditioned, when found necessary by the Village Board, by the following:

1. Execution and recording of appropriate deed restrictions when deemed necessary by the Village to protect the Village from responsibility or liability for any facilities, of any nature, within a subdivision which are commonly or jointly owned or used by owners of lands within the subdivision.

2. The subdivider shall be responsible for the full cost of any necessary alterations of any existing utilities which may fall within the public right-of-way.

3. Such other conditions of approval as are authorized to be imposed by Chapter 236, Wisconsin Statutes.

4. Compliance with those provisions of Chapter 15 of the General Ordinance of the Village of River Hills relating to control measures required during land disturbance and development.

Section 8.06. PLATS AND DATA.

(1) Preliminary Consultation Data. The following information shall be provided at the time of the preliminary consultation or upon filing the preliminary plat if no preliminary consultation is held, to-wit:

[a] Information, including data or existing covenants, land characteristics, and available community facilities and utilities. Information describing the subdivision proposal such as the number of lots, typical lot width and depth, price range, proposed protective covenants, and proposed utilities and street improvements.

[b] A sketch plan showing in simple sketch form the proposed layout of streets, lots and other features, in relation to existing conditions. The sketch plan may be a free-hand pencil sketch made directly on a print of the topographic survey.

(2) Preliminary Plat.

[a] The preliminary plat shall be drawn on transparent paper or cloth or other material, from which blueprint copies can be made.

[b] The scale of the preliminary plat is optional, but shall not be smaller than one hundred (100) feet to one (1) inch.

[c] The preliminary plat shall show the following:

1. Date, scale and north point.
2. The proposed subdivision name, which shall not duplicate the name of any plat previously recorded in Milwaukee County.
3. The name and address of the owner, the subdivider and the engineer or surveyor preparing the plat.
4. Location of the subdivision by government lots, quarter section, section, township, range, and county.
5. A small scale drawing of the section or government subdivision of the section in which the subdivision lies, with the location of the subdivision indicated thereon.
6. The exact length and bearing of the exterior boundaries of the subdivision.
7. Location and names of adjacent subdivisions and the owners of adjoining parcels of unsubdivided land.

8. Zoning on and adjacent to the subdivision.
9. Location, widths, and names of all existing and platted streets or other public ways, and easements, utility right-of-ways, parks, cemeteries, watercourses, drainage ditches, permanent buildings, bridges, and other pertinent data as determined by the Plan Commission.
10. Water elevations of adjoining lakes or streams at the date of the survey, and the approximate high and low water elevations of such lakes and streams. All elevations shall be referred to the City of Milwaukee datum.
11. If the subdivision borders a lake or stream, the distances and bearings of a meander line established not less than twenty (20) feet back from the ordinary high water mark of the lake or stream.
12. Layout, width and approximate grades of all new streets and right-of-ways, such as highways, easements for sewers, water mains, and other public utilities.
13. Direction and distance to nearest water and sewer mains.
14. Approximate dimensions and areas of lots.
15. Proposed building lines.
16. Approximate radii of all curves and length of tangents.
17. Approximate location and area of property proposed to be dedicated for public use or to be reserved by deed covenant for use of all property owners in the subdivision, with the conditions (if any) of such dedication or reservation.
18. Contours of vertical intervals of not more than five (5) feet, or at more frequent intervals if so required by the Plan Commission for land of unusual topography.

Section 8.07. FINAL PLAT.

(1) Requirements.

[a] A final plat of subdivided land shall comply with the requirements of Section 236.20 of Wisconsin Statutes, which section is hereby adopted by reference.

[b] The affidavits and certificates required by Chapter 236, Wis. Stats. shall be lettered or printed legibly with black durable ink, or typed legibly with black ribbons on the final plat.

[c] In the event that the street, block or other design features of the Official Map of the Village are at variance with the written requirements of this Chapter, the Official Map shall govern.

[d]

1. The Village Engineer shall examine all final plats for the accuracy and closure of survey, proper kind and location of monuments, and legibility and completeness of the drawing.

2. Maximum error of closure before adjustment of the survey of the exterior boundaries of the subdivision shall not exceed, in horizontal distance or position, the ratio of one part in ten thousand (1:10,000), nor in azimuth, four seconds of arc per interior angle. If field measurements exceed this maximum, new field measurements shall be made until a satisfactory closure is obtained. When a satisfactory closure of the field measurements has been obtained, the survey of the exterior boundary shall be adjusted to form a closed geometric figure.

3. All street block and lot dimensions shall be computed as closed geometric figures based upon the control provided by the closed exterior boundary survey. If an error for an interior line of the plat greater than the ratio of one part in five thousand (1:5,000), or an error in measured angle greater than one minute of arc for an angle where the shorter side forming the angle is three hundred (300) feet or longer, necessary corrections shall be made. Where the shorter side of a measured angle is less than three hundred (300) feet in length, the error shall not exceed the value of one minute multiplied by the quotient of three hundred (300) divided by the length of the shorter side; however, such error shall not in any case exceed five (5) minutes of arc.

4. The Village Board shall receive the results of the Village Engineer's examination prior to approving the final plat.

[e] In the event that a plat is located within a quarter section, the corners of which have been relocated, monumented, and coordinated by the Village, the plat shall be tied directly to one of the section or quarter corners so relocated, monumented, and coordinated. The exact grid bearing and distance of such tie shall be determined by field measurements, and the material and Wisconsin state plane coordinates of the monument marking the relocated section or quarter corner to which the plat is tied shall be indicated on the plat. All distances and bearings shall be referenced to the Wisconsin Coordinate System, South Zone, and adjusted to the Village's control survey. The grid bearing and distance of the tie shall be determined by a closed survey meeting the error of closure herein specified for the survey of the exterior boundaries of the subdivision.

(2) Assessor's Plat In Lieu Of Final Plat. Where it is not practicable to require that a final plat of a subdivision created by successive divisions be filed in accordance with this Chapter,

the Village Board may, in lieu thereof, order an assessors plat to be made under Section 70.27, Wisconsin Statutes, and may assess the cost thereof as provided in such section or to the subdivider.

(3) Application Of Provisions.

[a] Regardless of the type of plat filed, any such subdivision shall comply with all provisions of this Chapter to the extent that they may reasonably be applied.

[b] When, in the judgment of the Village Board, it would be inappropriate to apply literally a provision of this Chapter for the reason that extraordinary hardship would result, said Board may waive or vary such provision so that substantial justice may be effected and the public interest secured, provided that in no event shall the requirements of filing and recording the plat be waived.

Section 8.08. REGULATION OF DIVISIONS OF LAND OTHER THAN SUBDIVISIONS.

(1) Approval Required. All divisions of land within the Village of River Hills which do not constitute 'subdivisions' shall be approved by the Village Board. All such divisions shall be in the form of a certified survey map which shall be referred by the Village Clerk immediately upon filing to the Village Plan Commission for review and recommendation as to whether dedications of lands to the Village are necessary for the laying out and improvement of public streets and/or the installation of sanitary and storm sewers, drainage ditches, and public utility facilities, as well as whether approval of such division of land should require compliance with subsection 8.05 (6) of this Chapter relating to the subdivision of lands. The Plan Commission shall submit its report and recommendations to the Village Board within sixty (60) days, and in the event the Plan Commission's report and recommendations are not received within said time period, the Village Board may take action without the report.

(2) Certified Survey Maps.

[a]

(1) Procedure. The divider shall file a certified survey map with the Village Clerk together with a filing fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board. Within ninety (90) days after such filing, the Village Board shall either approve, conditionally approve or reject the map. The divider shall be notified in writing of any conditions of approval or the reasons for rejection. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website. (Amd Ord #537, 10/16/19)

[b] Requirements.

(1) To the extent reasonably practicable, the division shall comply with the provisions of this Chapter relating to general requirements, design standards, and required improvements.

(2) The survey shall be performed and map prepared by a licensed surveyor.

(3) All corners shall be monumented in accordance with Section 236.15(1)(c) and (d), Wisconsin Statutes.

(4) The map shall be prepared in accordance with Section 236-20 (2)(a), (b), (c), (f), (g), (h), (j), (k) and (1), Wisconsin Statutes, on durable white paper, eight and one-half (8 2) inches wide by fourteen (14) inches long. All lines shall be made with non-fading black ink on a scale of not more than five-hundred (500) feet to one (1) inch.

(5) Where the map is located within a quarter section, the corners of which have been relocated, monumented, and coordinated by the Village, the map shall be tied directly to one of the section or quarter corners so relocated, monumented, and coordinated. The exact grid bearing and distance of such tie shall be determined by field measurements, and the material and Wisconsin state plane coordinates of the monument marking the relocated section or quarter corner to which the map is tied shall be indicated on the map. All distances and bearings shall be referenced to the Wisconsin Coordinate System, South Zone, and adjusted to the Village's control survey.

[c] Affidavits and Certificates

(1) The map shall include the affidavit of the surveyor who surveyed and mapped the parcel, and shall be typed, lettered, or reproduced legibly with non-fading black ink, giving a clear and concise description of the land surveyed by bearings and distances, commencing with some corner marked and established in the United States public land survey or some corner providing reference to a corner marked and established in the United States public land survey. Such affidavit shall also include the statement of the surveyor to the effect that he has fully complied with the requirements of this section.

(3) Recording Required. Upon approval by the Village Board of the said division of land, as described in the said certified survey map, the Village Clerk shall cause said certified survey map to be recorded in the office of the Register of Deeds for Milwaukee County. The Village Board's approval of such division of land shall become effective upon the date of the recording of said certified survey map.

Section 8.09. OFFICIAL MAP.

(1) Establishment.

[a] There is hereby established as the Official Map of the Village of River Hills, as contemplated by the provisions of 62.23(6) of the Wisconsin Statutes, the map which accompanies and is made a part of this section, bearing the date of the 9th day of November, 1983; said map being hereby designated as the >Official Map of the Village of River Hills= and said map and all notations, references, and other information thereon shall be as much a part of this section as though the matters and information thereon were fully described herein.

[b] There shall be a Certified copy of the Official Map described in the preceding paragraph; such Certified copy shall be kept in the Office of the Village Clerk and shall be available for inspection by any interested person during the regular office hours; such Certified copy shall bear on its face the certification that it is a true copy of the Official Map described in and accompanying this Section. Such certificate shall show the date of adoption of the Official Map, and shall be signed by the Village President and countersigned by the Village Clerk.

[c] Thereafter, no amendment to such Official Map shall become effective until such change or addition to the Official Map shall have been indicated by the appropriate convention on the aforesaid Certified copy of the Official Map and described in a certificate placed thereon or attached thereto, and such additional certificate shall also bear the number and date of adoption of the amending ordinance, and likewise be signed by the Village President and countersigned by the Village Clerk.

[d] For the purpose of preserving the integrity of the Official Map established herein, no permit shall hereafter be issued for the location or erection of any building or part thereof, in the bed of any street or highway shown or laid out on said map, except as provided in Section 62.23(6) of the Wisconsin Statutes.

[e] All requests for amendment to the Official Map shall be accompanied by a filing fees as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website. (Amd Ord #537, 10/16/19)

(2) West Manor Lane.

[a] The Official Map of the Village of River Hills is hereby amended so as to relocate the proposed West Manor Lane, westerly of North Spruce Road, as now shown on the Official Map, to the location as more particularly set forth on the Map which accompanies and is made a part of this Ordinance; said Map and all notations, references and other information thereon shall be as much a part of this Ordinance as though the matters and information thereon were fully described herein.

[b] This amendment to the Official Map shall not become effective until such changes shall have been indicated by the appropriate convention upon the Certified Copy of the Official Map in the manner provided for in subsection [c] of Section 8.09(l) of the General Ordinances of the Village.

(3) Future street south of West Bradley Road and west of North River Road.

[a] The official Map of the Village of River Hills is hereby amended so as to relocate the proposed future street located south of West Bradley Road and west of North River Road, as now shown on the official Map, to the location as more particularly set forth on the Map which accompanies and is made a part of this Ordinance; said Map and all notations, references and other information thereon shall be as much a part of this Ordinance as though the matters and information thereon were fully described herein.

[b] This amendment to the Official Map shall not become effective until such changes shall have been indicated by the appropriate convention upon the Certified Copy of the official Map in the manner provided for in subsection [c] of Section 8.09(l) of the General ordinances of the Village.

(1) The certificate of approval of the Village Board shall be typed, lettered, or reproduced legibly with non-fading black ink on the face of the map.

[c] Recording Required. Upon approval by the Village Board of the said division of land, as described in the said certified survey map, the Village Clerk shall cause said certified survey map to be recorded in the office of the Register of Deeds for Milwaukee County. The Village Board's approval of such division of land shall become effective upon the date of the recording of said certified survey map.

[d] Dedications.

(1) Certified survey maps which contain dedications for streets and other public areas shall contain the owners' certificate and the mortgagees' certificate in substantially the same form as required by S. 236.21(2)(a), Wis. Stats.

(2) When the certified survey map is properly certified, signed, acknowledged and recorded, every donation or grant to the Village marked or noted on the certified survey map shall be deemed a sufficient conveyance to vest the fee simple in the Village of all parcels of land so marked or noted and shall be considered a general warranty against such donors, their heirs and assigns to the Village for its use for the purposes therein expressed and no other, and the lands intended for streets or other public uses as designated on the certified survey map shall be held by the Village in trust for such uses and purposes.

(3) When the certified survey map has been approved by the Village Board and the map is recorded, that approval constitutes acceptance by the Village for the purpose designated on the map of all lands shown thereon as dedicated to the public.

(4) Upper River Court.

[a] The Official Map of the Village of River Hills is hereby amended so as to relocate the extension of Upper River Court as now shown on the Official Map, to the location as more particularly set forth on the map which accompanies and is made a part of this ordinance: Said map and all notations, references and other information thereon shall be as much a part of this Ordinance as though the matters and information thereon were fully described herein.

[b] This amendment to the Official Map shall not become effective until such change of the Official Map shall have been indicated by the appropriate convention upon the certified copy of the Official Map in the manner provided for in subsection [c] of Section 8.09 (1) of the General Ordinances of the Village.

(5) North Lodgewood Road.

[a] The Official Map of the Village of River Hills is hereby amended so as to reflect the vacation and discontinuance of a portion of North Lodgewood Road at the intersection of North Lodgewood Road and West Brown Deer Road and the creation of a cul-de-sac as more particularly set forth on the map which accompanies and is made a part of this Ordinance; said map and all notations, references and other information thereon shall be as much a part of this Ordinance as though the matters and information thereon were fully described herein.

[b] This amendment to the Official Map shall not become effective until such changes shall have been indicated by the appropriate convention upon the Certified Copy of the Official Map in the manner provided for in subsection [c] of Section 8.09(a) of the General Ordinances of the Village.

(6) Dean Circle.

[a] The Official Map of the Village of River Hills is hereby amended so as to reflect the vacation and discontinuance of a portion of Dean Circle at the intersection of Dean Circle and West Brown Deer Road and the creation of a cul-de-sac as more particularly set forth on the map which accompanies and is made a part of this Ordinance; said map and all notations, references and other information thereon shall be as much a part of this Ordinance as though the matters and information thereon were fully described herein.

[b] This amendment to the Official map shall not become effective until such changes shall have been indicated by the appropriate convention upon the Certified Copy of the

Official Map in the manner provided for in subsection [c] of Section 8.09[a] of the General Ordinances of the Village.

(7) Public Right of Way in Certified Survey Map No. 5302 at 1625 and 1765 West Bradley Road.

[a] The Official Map of the Village of River Hills is hereby amended so as to reflect the vacation and discontinuance of Public Right of Way in Certified Survey Map No. 5302 as more particularly set forth on the map marked Exhibit AA@ which accompanies and is made a part of this Ordinance; said map and all notations, references and other information shall be as much a part of this Ordinance as though the matters and information thereon were fully described herein.

[b] This amendment to the Official Map shall not become effective until such changes shall have been indicated by the appropriate convention upon the Certified Copy of the Official Map in the manner provided for in subsection (c) of Section 8.09 (a) of the General Ordinances of the Village. (Ord. #483, 1/20/04)

Section 8.19. PENALTY. Any person, firm or corporation found guilty of the violation of any provision of this Chapter, shall, upon conviction thereof be subject to a forfeiture of not less than Twenty-Five (\$25.00) Dollars nor more than Five Hundred (\$500.00) Dollars, together with the costs of the action for each violation; and in default of payment thereof, shall be imprisoned in the County Jail or the House of Correction of Milwaukee County until said forfeiture and costs, together with subsequent costs, are paid, but in no event to exceed thirty (30) days.

Section 8.20. DIVISIBILITY OF SECTIONS. If any section, subsection, sentence, clause, or phrase of this Chapter is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter and shall apply only to the provisions so adjudged. The Village Board hereby declares that it would have enacted this Chapter and each section, subsection, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared unconstitutional.