

Chapter 30
OFFICIAL MASTER STREET MAP

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OFFICIAL MASTER STREET MAP

Sec. 30-01. Official Map.

- (1) The map "entitled Official Map of the City of Marshfield, Wood County, Wisconsin," as established and maintained on September 12, 2017, together with all amendments thereto to date, as shown thereon at the time of the adoption of the ordinance from which this chapter derives, is hereby adopted and reestablished for the purpose of serving and promoting the public health, safety, convenience, economy, orderliness and general welfare of the community; to further the orderly layout and use of the land; to stabilize the location of real property boundary lines; to ensure proper legal descriptions and proper monumenting of land; to facilitate adequate provision for transportation, parks, playgrounds, and stormwater drainage; and to facilitate the further subdivision of larger tracts into smaller parcels of land pursuant to § 62.23(6) Wis. Stats. The official map shall be maintained by the director of public works or his designee, and shall show the location and extent of all platted and existing streets, highways, historic districts, parkways, railroad rights-of-way, parks and playgrounds within the corporate limits of the City of Marshfield as heretofore laid out, adopted and established by law. All notations, references and other information shown thereon shall be deemed a part of this chapter as though the matters and information thereon were fully described in this chapter.

(Code 1982, § 26.01 ORD 1360 9/12/17)

Sec. 30-02. Changes and additions.

- (1) The council may, by ordinance or resolution, change or add to the official map so as to establish the exterior lines of; widen; narrow, extend; or close any platted, existing, proposed or planned streets, highways, parkways, railroad rights-of-way, parks or playgrounds.
- (2) The council shall refer any change or addition to the official map to the city plan commission for review and report thereon prior to adoption. The city plan commission shall report its recommendations to the council within 60 days, or it forfeits the right to further suspend action.
- (3) No such change may become effective until after a public hearing concerning the proposed change before the city council or a committee appointed by the city council from its members, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the public hearing shall be published as a class 2 notice under ch. 985.
- (4) The locating, widening or closing, or the approval of the locating, widening or closing of streets, highways, parkways, railroad rights-of-way, parks or playgrounds by the city under provisions of law other than this section shall be deemed to amend the official map, and are subject to this section, except that changes or additions made by a subdivision plat approved by the city under ch. 236 do not require the public hearing specified in par. (3) if the changes or additions do not affect any land outside the platted area.
- (5) In those counties where the county maintains and operates parks, parkways, playgrounds, bathing beaches and other recreational facilities within the limits of any city, such city shall not include said facilities in the master plan without the approval of the county board of supervisors.

(Code 1982, § 26.04 ORD 1360 9/12/17)

Sec. 30-03. Building permits.

- (1) For the purpose of the integrity of the official map, no building permit shall be issued for any building that shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered which may impact features reflected on the official map.
- (2) The street, highway, waterway, railroad right-of-way, public transit facility or parkway system shown on the official map may be shown on the official map as extending beyond the boundaries of a city a distance equal to that within which the approval of land subdivision plats by the city council is required as provided

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by § 236.10(1)(b)2 Wis. Stats. Any person desiring to construct or enlarge a building within the limits of a street, highway, railroad rights-of-way, or parkway so shown as extended may apply to the authorized official of the city Marshfield for a building permit.

- (3) Any person desiring to construct or enlarge a building within the limits of a street, highway, railroad right-of-way, or parkway shown on the official map within the incorporated limits of the municipality shall apply to the authorized official of the city of Marshfield for a building permit. Unless an application is made, and the building permit granted or not denied within 30 days, the person is not entitled to compensation for damage to the building in the course of construction of the street, highway, railroad right-of-way, public transit facility or parkway shown on the official map.
- (4) If the land within the mapped street, highway, waterway, railroad right-of-way, public transit facility or parkway is not yielding a fair return, the zoning board of appeals may, by the vote of a majority of its members, grant a permit for a building or addition in the path of the street, highway, railroad right-of-way, or parkway, which will as little as practicable increase the cost of opening the street, highway, railroad right-of-way, or parkway or tend to cause a change of the official map. The board may impose reasonable requirements as a condition of granting the permit to promote the health, convenience, safety or general welfare of the community. The board shall refuse a permit where the applicant will not be substantially affected by not constructing the addition or by placing the building outside the mapped street, highway, waterway, railroad right-of-way, public transit facility or parkway.
- (5) Before taking any action authorized in this subsection, the board of appeals or city council shall hold a hearing at which parties in interest and others shall have an opportunity to be heard. At least 15 days before the hearing notice of the time and place of the hearing shall be published as a class 1 notice, under § 985 Wis. Stats. Any such decision shall be subject to review by certiorari issued by a court of record in the same manner and pursuant to the same provisions as in appeals from the decisions of a board of appeals upon zoning regulations.
- (6) The Building Services Department may require each applicant for a building permit to submit a plan, prepared and certified by a registered land surveyor, showing accurately the location of any proposed building with reference to any street, highway or parkway shown on the official map.

(Code 1982, § 26.05ORD 9/12/17)

Sec. 30-04. Municipal improvements.

- (1) No public sewer or other municipal street utility or improvement shall be constructed in any street, highway or parkway until such street, highway or parkway is duly placed on the official map. No permit for the erection of any building shall be issued unless a street, highway or parkway giving access to such proposed structure has been duly placed on the official map.
- (2) Where the enforcement of the provisions of this section would entail practical difficulty or unnecessary hardship, and where the circumstances of the case do not require the structure to be related to existing or proposed streets, highways or parkways, the applicant for such a permit may appeal from the decision of the administrative officer having charge of the issue of permits to the board of appeals in any city which has established a board having power to make variances or exceptions in zoning regulations, and the same provisions are applied to such appeals and to such boards as are provided in cases of appeals on zoning regulations. The board may in passing on such appeal make any reasonable exception, and issue the permit subject to conditions that will protect any future street, highway or parkway layout. Any such decision shall be subject to review by certiorari issued by a court of record in the same manner and pursuant to the same provisions as in appeals from the decision of such board upon zoning regulations.

(Code 1982, § 26.06; ORD 9/12/17)

Sec. 30-05. Appeals.

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- (1) The board of zoning appeals shall have the power to review any administrative decision of the city building services supervisor to deny a permit for the erection of a structure under this chapter and to grant relief from the requirements of this chapter under the provisions of § 62.23(6)(d), (f), and (g) Wis. Stats.

(Code 1982, § 26.07 ORD 9/12/17)

Sec. 30-06. Certified copy of map.

- (1) There shall be a certified copy of the official master street map kept in the office of the city clerk, which shall be available for inspection by any interested person during regular office hours. The certified copy shall bear on its face a certification that it is a true copy of the official map described in this chapter, and shall show the effective date of such map and shall be signed by the mayor and countersigned by the city clerk. Thereafter no change or addition to such official map shall become effective until it shall have been indicated by the appropriate convention on the aforesaid certified copy of the official map and a certificate placed thereon or attached thereto bearing the number and date of adoption of each amendment. The certificate shall be signed by the mayor and countersigned by the city clerk.

(Code 1982, § 26.08 ORD 9/12/17)

Sec. 30-07. Penalties; eminent domain compensation.

- (1) Any person who fails to comply with the provisions of this chapter shall, upon conviction thereof, be subject to forfeiture and penalties as provided in section 1-05 of this Code.
- (2) No damages shall be allowed for the taking by any governmental agency, for street, highway and parkway purposes, of any building or improvement erected in violation of this chapter.

(Code 1982, § 26.11 ORD 9/12/17)