

ORDINANCE NO. 09-003

AN ORDINANCE TO CREATE CHAPTER 26 OF THE  
CODE OF ORDINANCES OF THE TOWN OF SOMERS  
RELATING TO LAND PLANNING

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The Town Board of Supervisors of the Town of Somers, Kenosha County, Wisconsin, hereby creates Chapter 26 of the Code of Ordinances of the Town of Somers relating to land planning to read as follows:

**26.01 OFFICIAL MAP.**

(A) **Intent.** Pursuant to §60.10(2)(c) and §62.23(6), Wis. Stats., the Town of Somers is authorized to prepare and adopt an official map as defined in such section of the Wisconsin Statutes.

(B) **Authority.** The Town Plan Commission of the Town of Somers, by a majority vote of the entire Commission recorded in its official minutes, has adopted a resolution recommending to the Town Board the adoption of a document entitled "An Official Map for the Green Bay Road Corridor from CTH 'E' to CTH 'L'", an area located generally in the East One-half of Section 15, Town 2 North, Range 22 East located within the Town.

(C) The Town has held at least one public hearing on this ordinance, allowing the public to comment upon the proposed adoption.

(D) **Official Map.** The Town Board of the Town of Somers, does hereby enact this ordinance, formally adopting the document entitled "An Official Map for the Green Bay Road Corridor from CTH 'E' to CTH 'L'" a true and correct copy of which is attached hereto, marked Exhibit "A" and incorporated herein by reference, pursuant to §62.23(6) of the Wisconsin Statutes.

(E) **Changes and Additions.** The Town Board may change or add to the Official Map so as to establish the exterior lines of; widen; extend or close any platted, existing, proposed, or planned streets, highways, drainageways, parkways, and parks or playgrounds, except that drainageways shall not be included on the Official Map outside of the Town limits.

The Town Board shall refer any change or addition to the Official Map to the Town Plan Commission for review and report thereon prior to adoption. The Town Plan Commission shall report its recommendation to the Town Board within sixty (60) days.

A public hearing of parties in interest and citizens before the Town Board shall be required before any changes or additions to the Official Map are effective. Notice of the public hearing shall be published as a Class II notice pursuant to Chapter 985 of the Wisconsin Statutes.

(L) **Penalties.** Any person, firm, or corporation who fails to comply with the provisions of this ordinance shall, upon conviction thereof, forfeit not more than Two Hundred (\$200.00) Dollars and not less than Fifty (\$50.00) Dollars and cost of prosecution for each violation, and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until payment thereof but not exceeding thirty (30) days.

(M) **Severability and Conflict.** If any section or part of this ordinance is adjudged unconstitutional or invalid by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. All other ordinances or parts of ordinances of the Town inconsistent with this Ordinance to the extent of the inconsistency only are hereby repealed.

(N) **Effective Date.** This ordinance shall take effect upon passage by majority vote of the members elect of the Town Board of the Town of Somers and posting as is required by law.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

TOWN OF SOMERS

By: \_\_\_\_\_  
James M. Smith, Chairperson

Attest: \_\_\_\_\_  
Timothy Kitzman, Clerk/Treasurer