

**TOWN OF FOUNTAIN PRAIRIE ORDINANCE NO. 10-02  
AN ORDINANCE TO CREATE SECTION 2-2.1 E.  
OF THE LAND DIVISION ORDINANCE FOR THE TOWN OF FOUNTAIN PRAIRIE,  
COLUMBIA COUNTY, WISCONSIN**

**RECITALS**

- A. The Town of Fountain Prairie (the "Town") has previously adopted Chapter 2 – Land Division, known as the Land Division Ordinance, Town of Fountain Prairie (the "Code").
- B. The Town intends to amend the Code to create section 2-2.1 E.
- C. The Town Plan Commission has reviewed section 2-2.1.E and has made a recommendation to the Town Board. The Town Board has considered the Plan Commission's recommendation.
- D. The Town Board held a public hearing on December 16<sup>th</sup>, 2010, with notice of the public hearing given by the publication of a class II notice under Chapter 985 of the Wisconsin State Statutes.
- E. The Town Board has determined that the creation of section 2-2.1.E of the Code will promote the public health, safety, and general welfare of the Town and will accomplish the purposes identified in WI Stat. 236.45(1).

**NOW THEREFORE**, based on the above recitals, and pursuant to State Statutes including section 236.45, the Town Board of the Town of Fountain Prairie ordains as follows:

1. Section 2-2.1 E of the Code is created to provide as follows:

"To the extent this Ordinance contains time limits, deadlines, notice requirements, or other provisions that are more restrictive than time limits, deadlines, notice requirements, or other provisions that provide protections for a subdivider contained in Chapter 236 of the Wisconsin Statutes, the time limits, deadlines, notice requirements, or other provisions that provide protections for a subdivider contained in Chapter 236 shall apply."

2. If any section or part of this Ordinance is adjudged to be unconstitutional, unlawful, or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.
3. This Ordinance shall become effective upon adoption and posting or publication as provided by law.

The above and foregoing Ordinance was duly adopted by the Town Board of the Town of Fountain Prairie, Columbia County, Wisconsin at a meeting held on December 16<sup>th</sup>, 2010 by a vote of five (5) in favor, none (0) opposed and none (0) not voting.

TOWN OF FOUNTAIN PRAIRIE

By \_\_\_\_\_  
*Steven D. Rubert, Town Chair*

ATTEST:

\_\_\_\_\_  
*Linda Henning, Town Clerk/Treasurer*

Adopted: December 16, 2010

Posted: December 20<sup>th</sup>, 2010