

ORDINANCE NO. 01-06
TOWN OF BLACK BROOK, POLK COUNTY, WISCONSIN

ORDINANCE ESTABLISHING A CASH PAYMENT BY SUBDIVIDERS IN LIEU OF LAND DEDICATION FOR PARK AND RECREATIONAL DEVELOPMENT

The Town of Black Brook, Polk County, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

The purpose of this Ordinance is to establish the requirement of a cash payment for park and recreation development for all new residential dwelling lots in the Town of Black Brook.

SECTION II: AUTHORITY

The Town Board of the Town of Black Brook has specific statutory authority, power and duty under Chapter 62 and Chapter 66 Wisconsin Statutes pursuant to its adoption of village powers under Sec. 60.10 Wis. Stats. to create this ordinance.

SECTION III: PARK AND RECREATION DEVELOPMENT FEE ESTABLISHED

Any subdivider creating a lot under a major subdivision plat or under a certified survey map as a minor subdivision shall, in lieu of land being dedicated for parks, playgrounds or other public open areas, be required to pay to the Town a park and recreation development fee. The fees collected shall be held in a segregated account to be used for purchase, development, improvement and maintenance of parks, playgrounds, open spaces and other recreational sites and facilities as outlined in the Town of Black Brook Outdoor Recreation Plan for 2005-2010 established June 23, 2005, and as may be amended from time to time.

SECTION IV: AMOUNT OF FEE

The amount of park and recreation development fee established herein shall be equal to the amount of the park land payment required in lieu of park land dedication by Polk County under Chapter 18- Subdivisions of the Polk County Land Use Regulations; provided, however, that any such fee paid to the Town hereunder shall never be less than \$350.00 per lot. The fee shall be paid to the Town by the subdivider at the time of the final subdivision plat approval.

SECTION V: SEVERABILITY

In the event that any portion, phrase or word of this ordinance is ruled by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, the remainder of this ordinance shall not be affected thereby.

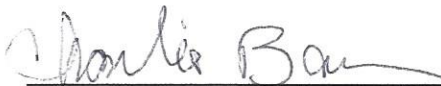
SECTION V: EFFECTIVE DATE

This ordinance shall take effect upon passage and publication as provided by law.

Adopted this 19th day of January, 2006.

TOWN OF BLACK BROOK

By:



Charlie Barney, Town Chair

Attest:



Sally Pickard, Town Clerk