

ORDINANCE NO. 2010-2011

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT §15-5.0103b. TO ASSIGN SPECIFIC DEVELOPER RESPONSIBILITY FOR THE REMOVAL OF A TEMPORARY STREET TERMINATION

WHEREAS, a developer of property in the City which adjoins undeveloped lands may be required to install a temporary street termination and provide security for its removal when the street which has been temporarily terminated by way of a temporary cul-de-sac or a temporary "T" intersection is to be extended to continue as a street onto and when the adjoining undeveloped lands are being developed; and

WHEREAS, the need to remove a temporary street termination may not occur until years after the commencement or completion of the original development, when the adjoining property is being developed; and

WHEREAS, the Common Council having directed the consideration of legislation to provide alternatives for consideration in lieu of the current practice of requiring the original developer to maintain a letter of credit to secure the future removal of a temporary street termination; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 8th day of July, 2010, as required for the amendment of zoning ordinances, upon a proposed ordinance to amend the Unified Development Ordinance text at §15-5.0103b. to assign specific developer responsibility for the removal of a temporary street termination, and the Plan Commission thereafter having made its recommendation thereupon; and

WHEREAS, a public hearing was held upon the proposed ordinance before the Common Council on the 17th day of August, 2010, as required for the amendment of land division ordinances; and

WHEREAS, the Common Council having considered the public input and the recommendation of the Plan Commission and having determined that an amendment to the Unified Development Ordinance to assign specific developer responsibility for the removal of a temporary street termination, is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and will promote the health, safety and welfare of the Community.

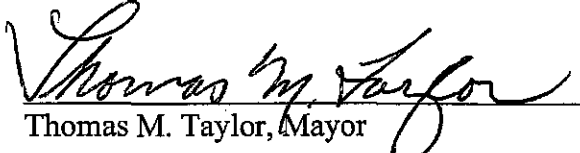
NOW, THEREFORE, the Mayor and Common Council of the City of Franklin, Wisconsin, do ordain as follows:

- SECTION 1: §15-5.0103b. of the Unified Development Ordinance of the City of Franklin, Wisconsin, be and the same is hereby amended to add the following to the existing text: "The removal of a temporary street termination shall be the full responsibility of the developer of adjoining property for which development the extension of the street is required."
- SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.
- SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.
- SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.


Introduced at a regular meeting of the Common Council of the City of Franklin this 17th day of August, 2010, by Alderman Skowronski.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 17th day of August, 2010.

APPROVED:


Thomas M. Taylor, Mayor

ATTEST:


Sandra L. Wesolowski, City Clerk

AYES 4 NOES 1 ABSENT 1
(Ald. Solomon) (Ald. Olson)