

ORDINANCE NO. 2025-4-28AN ORDINANCE TO AMEND CHAPTER 26 OF  
THE VILLAGE OF RAYMOND MUNICIPAL CODE TO CREATE  
EXTRA TERRITORIAL PLAT APPROVAL JURISDICTION

WHEREAS, Chapter 26 of the Village of Raymond Code of Ordinances governs Land Division and Development Control, and

WHEREAS, the Village of Raymond is authorized under Wis. Stat. § 236.10 to exercise extraterritorial plat approval jurisdiction over unincorporated areas within one and a half (1.5) miles of its corporate limits, as a village, provided it has adopted a subdivision ordinance or official map; and

WHEREAS, Wis. Stat. § 236.45 authorizes the Village to adopt ordinances to regulate the division or subdivision of land within its extraterritorial plat approval jurisdiction to promote public health, safety, and general welfare; and

WHEREAS, the Village seeks to ensure orderly land development, protect the quality of subdivisions, and facilitate adequate provision for public infrastructure, while complying with limitations on land use regulation as set forth in Wis. Stat. § 236.45(3)(b) and relevant case law; and

WHEREAS, the Village acknowledges that extraterritorial plat approval jurisdiction does not extend to zoning functions unless conducted cooperatively with affected towns under Wis. Stat. § 62.23(7a), and that plat denials may not be based on proposed land use unless supported by a plan or regulation adopted under Wis. Stat. § 62.23(7a)(c);

NOW, THEREFORE, the Village Board of the Village of Raymond, Racine County, Wisconsin DOES HEREBY ORDAIN as follows:

**SECTION 1:** Chapter 26 of the Village of Raymond code of ordinances will be amended to add the following:

**Sec. 26-193 – Extra Territorial Plat Approval Jurisdiction**

(1) Purpose. The purpose of this ordinance is stated in Sec. 26-182.

(2) Definitions.

- a. Extraterritorial Plat Approval Jurisdiction. The unincorporated area within one half (0.5) miles of the corporate limits of the Village of Raymond, as defined by Wis. Stat. § 236.02(5).
- b. Subdivision. A division of land as defined in Wis. Stat. § 236.02(12).
- c. Preliminary Plat. A map showing the salient features of a proposed subdivision submitted for preliminary consideration, as defined in Wis. Stat. § 236.02(9).

- d. Final Plat. The final map of a subdivision submitted for approval and recording, as described in Wis. Stat. § 236.02(9c).
  - e. Certified Survey Map (CSM). A map of a land division, not constituting a subdivision, prepared in accordance with Wis. Stat. § 236.34.
- (3) Jurisdiction. The jurisdiction of this chapter extends throughout the extraterritorial plat approval jurisdiction authorized by ss 236.10(1)(b), Wis. Stats. All minor subdivisions and all major subdivisions in the extraterritorial plat approval jurisdiction shall be subject to the approval of the Village Board and Plan Commission in accordance with the requirements of:
- a. § 26-187 “Land suitability,”
  - b. § 26-122 “Drainage,”
  - c. § 26-229 “Engineering, planning, legal and administrative costs; land division fee,”
  - d. § 26-261 “Easements” pertaining to drain tiles, 26-263 “Lots,”
  - e. § 26-224 “Drainage,”
  - f. Division Five (5) “Preliminary Plat,”
  - g. Division Six (6) “Final Plat,”
  - h. Division Seven (7) “Certified Survey Maps” with the exception of § 26-438 “Public Improvements,” and
  - i. Division Eight (8) “Modifications or Waivers.”
- (4) Overlapping Jurisdiction. Where the extraterritorial plat approval jurisdictions of two or more municipalities overlap, jurisdiction shall be divided on a line equidistant from the boundaries of each municipality, per Wis. Stat. § 66.0105, ensuring no more than one municipal ordinance applies to any area.
- (5) Limitations. The Village shall not deny approval of a plat or certified survey map based on the proposed use of land, unless such denial is based on a plan or regulation adopted under Wis. Stat. § 62.23(7a)(c). The Village shall not impose requirements for public improvements (e.g., streets, stormwater facilities) as a condition of plat approval, per Wisconsin Supreme Court precedent.
- (6) Extraterritorial Plat Review Jurisdiction. The Village shall review all extraterritorial plats, pursuant to Wis. Statutes, to include only such plats within 0.5 miles of the boundary of the Village of Raymond.
- (7) Land Suitability. The Village Board and Plan Commission may consider the land suitability standards in section 28-7, especially those standards related to drainage, in its review of any plat or certified survey map within this area. The relationship of the Comprehensive Plan and Official Map to a proposed extraterritorial plat shall also be considered in determining whether a proposed plat or map should be approved or denied.
- (8) Special Exception. A special exception to the requirements of this section may be granted by the Plan Commission or Village Board as expressly provided in an intergovernmental agreement, cooperative plan, or extraterritorial zoning ordinance between the Village and appropriate town.

- (9) Application and Fees. No person shall divide any land located within the Village's extraterritorial jurisdiction without first filing an application, meeting all submittal requirements, and paying the Village's land division review fees contained in this chapter and the fee schedule. The timing for filing the application and paying the Village's review fees shall be the same as otherwise required for land divisions within the Village.
- (10) Violations. Any person who violates this ordinance or submits a plat or certified survey map without required approvals shall be subject to penalties as provided in Wis. Stat. § 236.31.
- (11) Injunctive Relief. The Village may seek injunctive relief against violations or threatened violations of this ordinance, per Wis. Stat. § 236.50.

**SECTION 2: SEVERABILITY.**

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

**SECTION 3: EFFECTIVE DATE.**

This ordinance shall be effective upon publication or posting as provided by law.

Dated this 28th day of April, 2025.

VILLAGE OF RAYMOND

Douglas P. White  
Doug White, Village President

ATTEST:

Barbara J Hill  
Barbara Hill, Village Clerk

This ordinance posted or published May 30, 2025.