



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 376
[2009 Senate Bill 626]

Platting Requirements

2009 Wisconsin Act 376 makes the following changes to statutory platting requirements:

1. Prior to Act 376, the law provided that if a final plat was not submitted within 24 months after the last approval of a preliminary plat, the approving authority could refuse to approve the plat. Act 376 extends the time to 36 months and provides that the approving authority may extend the time for submission of the final plat.
2. Act 376 requires a professional engineer, planner, or another person charged with responsibility to review plats to provide the approving authority with conclusions as to whether the final plat conforms substantially to the preliminary plat and with a recommendation on approval of the final plat.
3. Prior to Act 376, the law required a plat approval to be in accordance with local ordinances. Act 376 provides that the person seeking approval of the plat must meet ordinances in effect of the time of submission of the preliminary plat or at the time of the submission of the final plat if no preliminary plat is submitted.
4. The Act provides that a subdivider may construct a project in phases as the governing body approves, which approval may not be unreasonably withheld. If the project is constructed in phases, the amount of any surety bond or other security must be limited to the phase of the project that currently is being constructed. The governing body may not require any security for improvements sooner than is reasonably necessary before the commencement of the installation of the improvements.
5. Prior to Act 376, the law provided that a plat could not be accepted by a register of deeds unless offered within six months of the last approval of the plat and within 24 months of the

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

first approval of the plat. Act 376 changes these times to 12 months and 36 months, respectively.

6. Prior to Act 376, the law provided that local ordinances could be more restrictive than statutory provisions. Act 376 exempts from this rule ordinances relating to time limits, deadlines, notice, or other provisions of ch. 236, Stats., that provide protections for a subdivider.
7. Act 376 provides that if, on or after January 1, 2011, a city, village, town, or county has in effect an ordinance that is inconsistent with Act 376, the ordinance does not apply and may not be enforced.

Effective date: The Act took effect on June 2, 2010.

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