

# TOWN OF BROOKLYN, GREEN COUNTY, WI

## ORDINANCE # 2.5

Title: PRIME LAND PRESERVATION ORDINANCE

Adopted: 03/24/2015

This ordinance supersedes ordinance # 04-13-09 entitled "PRIME LAND PRESERVATION ORDINANCE" with a change in numbering, format and wording but no change in substance.

### 1. AUTHORITY

These regulations are adopted under the authority granted by Section 236.45 (Subdivision Regulation & Regional Plans) of the Wisconsin Statutes.

### 2. PURPOSE

To encourage the preservation of Prime Farmland for agricultural use. This ordinance will facilitate the Town of Brooklyn Smart Growth Comprehensive Land Use Plan which is to maintain an agricultural and rural based community (See Section 3-1-3 of Smart Growth Plan)

### 3. DEFINITIONS

Prime Soils: All soil types classified in capability Groupings I & II as described in the Soil Survey for Green County, Wisconsin, by the U.S. Department of Agricultural Soil Conservation Service.

Lesser Soils: All soil types classified in capability Groupings III thru VIII.

### 4. JURISDICTION

Jurisdiction of these regulations shall include all lands within the Town of Brooklyn.

### 5. COMPLIANCE

All land divisions, driveway siting, and building improvement siting involving Prime Soils shall be reviewed by the Planning Commission and approved by the Town Board.

A Land Owner requesting a land division, driveway siting, or building improvement siting, will be encouraged to configure the location of the land division, driveway siting or building improvement in such a way as to use Lesser Soils in lieu of Prime Soils.

Any land division, building site or driveway access on Prime Soils must be configured to achieve maximum preservation of Prime Soil for agricultural use.

**6. INFORMATION REQUIRED**

- A. A completed Preliminary Parcel Inquiry Form is required for any land division.
- B. Aerial photo of land owned, marked to indicate where division is desired.
- C. Soils map of land owned, identifying classes of soil where land division is desired. This map is available from Green County Soil & Conservation Service in Monroe, WI, or at the Green County website public viewer <http://gis.msa-ps.com/maps/wi/counties/green/publicviewer/viewer.htm>

**7. PENALTIES**

Any Person, Firm or Corporation who fails to comply with the provisions of this ordinance shall, upon conviction, be subject to penalties and forfeitures as provided in Sections 236.30, 236.31, 236.32, and 236.35 of Wisconsin Statutes.

**8. SEVERABILITY**


The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the applicability thereof to any person or circumstance is held invalid the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

**9. EFFECTIVE DATE**

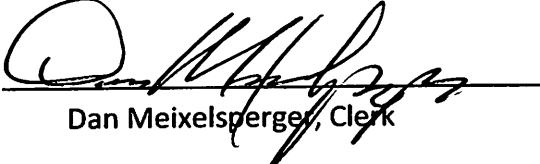
This ordinance shall take effect one day after its publication or posting as required by law.

Adopted by the Town Board this 13<sup>th</sup> day of April, 2009 by a vote of 3 aye and 0 nay.

Revised Format Approved March 24<sup>th</sup>, 2015 by Town Board of Supervisors,

Chairman:   
James Scrivner

Dated: 3/26/2015

Attested:   
Dan Meixelsperger, Clerk