

ORDINANCE NO. 01-2017  
TOWN OF FOUNTAIN PRAIRIE  
COLUMBIA COUNTY, WISCONSIN

AN ORDINANCE AMENDING SECTION 2-6.5.C.2. AND  
CREATING SECTION 2-6.7 REGARDING BONUS FUNDS IN FARM/RURAL  
PRESERVATION PROGRAM

**RECITALS**

A. The Town Board of the Town of Fountain Prairie has the authority to amend Chapter 2 Land Division of the Code of Ordinances, Town of Fountain Prairie, Columbia County, Wisconsin pursuant to Wis. Stat. § 236.45.

B. On July 12, 2017, the Town Plan Commission held a public hearing on this Ordinance, preceded by publication of a Class 2 notice and otherwise noticed in accordance with Wis. Stat. § 236.45(4) and other applicable legal requirements.

C. On July 12, 2017, the Town Plan Commission considered and recommended approval of this Ordinance pursuant to Wis. Stat. § 236.45(4). The Town Plan Commission finds that this Ordinance is consistent with the Town's comprehensive plan.

D. The Town Board finds that amending the Code of Ordinances as set forth in this Ordinance improves the subdivision regulations in the Town and promotes the public health, safety and general welfare of the Town. The Town Board finds that this Ordinance is consistent with the Town's comprehensive plan.

**ORDINANCE**

The Town Board of Supervisors of the Town of Fountain Prairie, Columbia County, Wisconsin ordains as follows:

1. Section 2-6.5.C.2. of the Town Code of Ordinances is amended to provide as follows:
2. A financial contribution of five thousand (\$5,000) dollars must be paid to the Town's Farm/Rural Preservation Program at the time of plat or CSM approval for each lot included in the Bonus Land Division above and beyond that which would be allowable under the Standard Land Division approach (See Footnote below for illustration).<sup>2</sup> The Town shall use any financial contribution made under this Section in accordance with Section 2-6.7.

2. Section 2-6.7 of the Town Code of Ordinances is created to provide as follows:

**2-6.7 Use of Financial Contributions to Farm/Rural Preservation Program.**

The Town Board is authorized to use any financial contribution to the Town's Farm/Rural Preservation Program made under Section 2-6.5.C.2. as follows:

- A. **Conservation Easement Purchases.** For costs associated with the purchase or acceptance of holders' interests in conservation easements pursuant to Wis. Stat. §§ 700.40.
- B. **Land Acquisition.** For acquisition costs and/or other costs associated with the acquisition of land for the purpose of rural preservation.
- C. **Payments to Nonprofit Organizations.** For purposes allowed by, and in conformance with, Wis. Stat. § 60.23(6). The Town Board may attach such conditions and restrictions on the use of the financial contributions the Town Board considers necessary and appropriate to further the Town's interests in rural preservation.
- D. **Improve Parks and Open Space.** For the purpose of improving town parks or open space in order to foster the use of such areas by the public.
- E. **Other Expenditures.** For any other public purpose if the Town Board determines the use of the financial contribution is consistent with the intent of the Town's Land Division Ordinance and Land Use Plan.

3. *Effective Date.* This Ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 27<sup>th</sup> day of July, 2017.

TOWN OF FOUNTAIN PRAIRIE

By: \_\_\_\_\_  
Ron Huebner, Town Chair

Attest: \_\_\_\_\_  
Linda Henning, Town Clerk