Legislation Details (With Text)

File #:	07614	**Version:**	1	**Name:**	review of condo instruments
Type:	Ordinance			**Status:**	Passed
File created:	9/25/2007			**In control:**	COMMON COUNCIL
On agenda:	3/18/2008			**Final action:**	3/18/2008
Enactment date:	4/4/2008			**Enactment #:**	ORD-08-00036

Title: Amending Section 16.23(2), creating new Section 16.24, and renumbering current Sections 16.24 and 16.25 to 16.25 and 16.26, respectively, of the Madison General Ordinances to create review of condominium instruments.

Sponsors: Lauren Cnare

Indexes:

Code sections:

Attachments: 1. City Atty Report IZ condo.pdf, 2. City Attorney Report 2-18-08.pdf

Date	Ver.	Action By	Action	Result
3/18/2008	1	COMMON COUNCIL	Adopt and Close the Public Hearing	Pass
2/20/2008	1	Attorney's Office	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - RECESSED PUBLIC HEARING	
1/22/2008	1	COMMON COUNCIL	Re-refer for Recessed Public Hearing	Pass
1/14/2008	1	Attorney's Office	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - RECESSED PUBLIC HEARING	
11/6/2007	1	COMMON COUNCIL	Re-refer for Recessed Public Hearing	Pass
10/15/2007	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
10/2/2007	1	COMMON COUNCIL	Refer For Public Hearing	
9/26/2007	1	Finance Dept/Approval Group	Fiscal Note Pending	
9/26/2007	1	Attorney's Office	Referred for Introduction	
9/25/2007	1	Attorney's Office/Approval Group	Approved As To Form	
9/25/2007	1	Attorney's Office	Fiscal Note Required / Approval	

Fiscal Note

Planning Department staff estimate that there may be 20 to 30 applications per year at $200 each, or an increase in General Fund revenues of $4,000 to $6,000 annually, which should offset staff resources necessary to conduct the reviews.

Title

Amending Section 16.23(2), creating new Section 16.24, and renumbering current Sections 16.24 and 16.25 to 16.25 and 16.26, respectively, of the Madison General Ordinances to create review of condominium instruments.

Body

DRAFTER'S ANALYSIS: This amendment creates review of condominium instruments by the City of Madison. Wis. Stat. s. 703.115 authorizes counties to conduct a limited review condominium instruments and to delegate review to municipalities within their jurisdictions. Dane County recently adopted an ordinance

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creating such review and allowing municipalities to review condominium instruments for condominiums within their borders.
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The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (2) entitled "Definitions" of Section 16.23 entitled "Land Subdivision Regulations" of the Madison General Ordinances is amended by adding therein the following:

" Condominium Instrument. The plat and plans of a condominium together with any attached exhibits or schedules, and any amendment, addendum, or other document that affects some change in a recorded condominium plat."

2. New Section 16.24 entitled "Condominium Instrument Review" of the Madison General Ordinances is created to read as follows:

"16.24 Condominium Instrument Review.

(1) No person shall record any condominium instrument without submitting it for review to the Department of Planning and Community and Economic Development.

(2) The submittal shall include a copy of the final condominium instrument, a completed application form, and a fee of two hundred dollars ($200).

(3) Any condominium plat that is submitted shall be reviewed as follows:

(a) The name of the condominium and the county in which it is located must appear on each sheet of the plat. The condominium name must be unique in the county in which it is located. Each sheet of a plat shall be consecutively numbered and show the relation of that sheet to the total number of sheets.

(b) Plans shall show the location of each building located or to be located on the property. If there are units in a building, the plans shall show the perimeters, approximate dimensions, approximate square footage, and location of each unit in the building. Common elements, including limited common elements, shall be shown graphically to the extent feasible.

(c) Each unit shall be designated on the condominium plat by the unit number. Unit numbers may not contain more than eight (8) numerals and must be unique throughout the condominium.

(d) All survey maps and floor plans shall be legibly prepared with a binding margin of one and one-half (1 1/2) inches on the left side and a one (1) inch margin on all other sides on a durable white medium that is fourteen (14) inches long by twenty-two (22) inches wide with a permanent non-fading black image. All maps and plans shall be drawn to a convenient scale.

(e) Outlines of the land, buildings, and common elements of new property that may be added to the condominium shall be shown on the plat.

(f) A certificate of a licensed land surveyor authorized to practice that profession in this state shall certify that the plat is a correct representation of the condominium described and that the location of each unit and the common elements can be determined from the plat.

(4) The Director of the Department of Planning and Community and Economic Development shall complete the review of condominium instruments within ten (10) working days of submission of the instrument(s), a complete application, and fee. Reasons for rejection shall be forwarded to the applicant in writing. Resubmittal may require an additional fee if the Director of the Department of Planning and Community and Economic Development determines that a full review of the new submission is necessary. Approval of the condominium instruments shall be certified in writing by the Director of the Department of Planning and Community and Economic Development. If the Director of the Department of Planning and Community and Economic Development fails to act on the condominium instrument(s) within ten (10) working days, the

instrument(s) shall be deemed approved and approval certified as above."

3. Current Sections 16.24 and 16.25 are renumbered to 16.25 and 16.26, respectively.

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