

ZONING

425 Attachment 5

Appendix D. Land Division and Development Activities Memorandum of Agreement (MOA) – Town of Fulton and Rock County Planning, Economic and Community Development Agency [Amended 6-14-2016]

RECEIVED

JUL 05 2016

TOWN OF FULTON



Rock County Planning, Economic & Community Development Agency

51 S. Main St.
Janesville, WI 53545
Phone: (608) 757-5587
Fax: (608) 757-5586
Web: www.co.rock.wi.us

LAND DIVISION AND DEVELOPMENT ACTIVITIES MEMORANDUM OF AGREEMENT (MOA) WITH THE TOWN OF FULTON

Article 1. PARTIES AND EFFECTIVE DATE. This Memorandum of Agreement (MOA) between the Rock County Planning, Economic & Community Development Agency ("Agency") and the Town of Fulton ("Town") shall be effective January 1, 2012 to December 31, 2016, unless terminated or extended as provided herein.

Article 2. APPLICABLE LAW. This MOA shall be governed under the laws of the State of Wisconsin and venue for any legal action to enforce the terms of the agreement shall be in Rock County Circuit Court.

Article 3. LEGAL RELATIONS AND INDEMNIFICATION. While this MOA represents a cooperative effort by the parties to serve the interests of each party and of their constituents, the Town shall retain control over and responsibility for all policy determinations and discretionary judgments made in the adoption of the products and services identified in Article 4 of this MOA. Consequently, the Town shall indemnify and hold harmless the Agency and all of its officers, agents, and employees from all suits, actions, or claims of any character brought for or on account of any injuries or damages received by any persons or property resulting from utilization of the products and services identified in Article 4; however, the provisions of this paragraph shall not apply to liabilities, losses, charges, costs, or expenses directly caused by the negligence or wrongful acts of the Agency, its employees or officers.

All persons acting on behalf of either party with regard to the formation of or discharge of responsibilities under this MOA is acknowledged to have always been and shall, at all future times, be deemed to remain an officer, agent or employee of the party on whose behalf he or she has first been identified in writing as authorized so to act.

Article 4. PRODUCTS AND SERVICES. The Agency shall provide to the Town the products and services as enumerated in 4.1., 4.2., 4.3., 4.4., and 4.5. of this MOA (All terms utilized in 4.1., 4.2., 4.3., 4.4., and 4.5. shall have the definition as stated in Sec. 38-7., *Land Division and Development, Code of Ordinances, County of Rock*), to include all tasks and duties required. All products shall become the property of the Town and may be copyrighted in its name, but shall be subject to Sec. 19.21 Wisconsin Statutes, *et seq.* The Agency reserves a royalty-free, non-exclusive and irrevocable license to reproduce, publish, otherwise use, and to authorize others to use said products for government purposes. A notation indicating the preparation of all products, as identified in this Article, by the Agency shall be included on the products and all reproductions thereof.

4.1. ADJACENT LAND SALE OR TRANSFER

The Agency shall administer and enforce adjacent land sale or transfer requirements in the Town, as identified in 4.1. (1), (2), and (3) herein.

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- (1) Application submission requirements. An applicant shall submit an application for preliminary adjacent land sale or transfer to the Administrator. Application information and forms are available at the offices of the Town and Administrator and on the Town and Rock County websites. The application shall require an application form and fee, and a preliminary adjacent land sale or transfer CSM prepared and submitted in accordance with the Ordinance and Sec. 236.34 Wisconsin Statutes. The CSM shall be required for the purpose of verifying that additional lots are not thereby created and the lots resulting therefrom are not reduced below the minimum size and dimension required by law. The Administrator may waive the requirement for a CSM if all of the following conditions are met:
- (a) The new lot line has been staked by a land surveyor;
 - (b) A POS, containing a deed restriction, is filed with the applicable deed in the Rock County Register of Deeds Office with said restriction permanently prohibiting the grantee and all successors in interest from conveying the sold or transferred land separately from the adjacent lot owned by the grantee;
 - (c) The applicant provides to the Rock County Treasurer a POS approved by the Administrator, along with the following text:
"Rock County Treasurer,
I hereby certify that the property taxes on the parent lot are current and have been paid as _____, 20____.

Rock County Treasurer;
- (2) Review and action. The application for preliminary adjacent land sale or transfer shall be reviewed, with actions taken, in accordance with Sec. 38-12. (3), (4), (5), and (6) of the Ordinance. The Administrator shall then take action and approve, or deny with findings, the application. If the application is denied, the applicant shall be notified in accordance with Sec. 38-12. (7) of the Ordinance. If the application is approved, a final adjacent land sale or transfer POS or CSM shall be prepared and submitted by the applicant to the Administrator in accordance with this Ordinance and Sec. 236.34 Wisconsin Statutes, if applicable. The final adjacent land sale or transfer shall be reviewed, with actions taken, in accordance with applicable components of Sec. 38-13. (2), (4), and (5) of the Ordinance.
- (3) Recordation. The final adjacent land sale or transfer CSM approved by the Administrator shall be recorded by the applicant with the Rock County Register of Deeds within six (6) months of Administrator approval, or a final adjacent land sale or transfer POS approved by the Administrator shall be filed with the Rock County Surveyor within the aforementioned time period.

4.2. LOT COMBINATION

The Agency shall administer and enforce lot combination requirements in the Town, as identified in 4.2. (1), (2), and (3) herein.

- (1) Application submission requirements. An applicant shall submit an application for preliminary lot combination to the Administrator. Application information and forms are available at the offices of the Town and Administrator and on the Town and Rock County websites. The application shall require an application form and fee, and a preliminary lot combination CSM prepared and submitted in accordance with the Ordinance and Sec. 236.34 Wisconsin Statutes. The lots subject to combination shall be contiguous at more than a corner and under identical ownership in accordance with Rock County Tax Records.

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- (2) Review and action. The application for preliminary lot combination shall be reviewed, with actions taken, in accordance with Sec. 38-12. (3), (4), (5), and (6) of the Ordinance. The Administrator shall then take action and approve, or deny with findings, the application. If the application is denied, the applicant shall be notified in accordance with Sec. 38-12. (7) of the Ordinance. If the application is approved, a final lot combination CSM shall be prepared and submitted by the applicant to the Administrator in accordance with the Ordinance and Sec. 236.34 Wisconsin Statutes, if applicable. The final lot combination shall be reviewed, with actions taken, in accordance with applicable components of Sec. 38-13. (2), (4), and (5) of the Ordinance.
- (3) Recordation. The lot combination final CSM shall be recorded by the applicant with the Rock County Register of Deeds within six (6) months of the action of Administrator approval and in accordance with Sec. 236.34 (2) Wisconsin Statutes.

4.3. PUBLIC IMPROVEMENT DESIGN AND CONSTRUCTION

The Agency shall administer and enforce public improvement design and construction requirements in the Town throughout the land division and development process, as identified in 4.3. (1) – (8) herein.

- (1) Blocks. Block length shall not exceed one thousand five hundred (1,500) feet nor be less than four hundred (400) feet, except as the Town deems necessary to secure the efficient use of land or desired features of street layout. Block width shall be wide enough to allow two tiers of lots of sufficient depth to provide an adequate building envelope on each lot. The Town may approve block widths consisting of a single tier of lots when said lots front a major street or when topography or size prevents two tiers. If a single tier block is approved by the Town, an adequate area to screen and buffer differing land uses shall be provided and vehicular access from an abutting major street prohibited.

A pedestrian way may be required by the Town near the center of a block, and entirely across those blocks which exceed nine hundred (900) feet in length, to connect dead-end streets or to provide access to parks, schools, shopping areas, or other similar facilities. If a pedestrian way is required, a minimum ten (10) foot right-of-way shall be set aside with an eight (8) foot pavement (or other cover type as approved by the Town) width, at a grade not steeper than fifteen percent (15%), unless steps of adequate design are approved by the Town. A note shall be placed on the Sub-division Plat stating by whom such pedestrian way shall be maintained.

- (2) Streets. All streets shall meet applicable jurisdictional construction standards and regulations. All streets shall be designed to appropriately coordinate with and relate to existing land uses, future land uses as delineated in applicable comprehensive plans and official maps, the natural landscape, street systems, dedicated rights-of-way, population densities, special vehicular traffic generators such as commercial, business, and industrial districts, institutional facilities, and other social gathering areas. In areas to be utilized predominately for non-residential uses, streets shall be planned in coordination with building groupings, rail facilities, alleys, and truck loading and maneuvering areas, and pedestrian ways and parking areas shall be adequately provided and located so as to minimize conflict between various types of traffic. Streets shall normally intersect, as nearly as possible, at right angles and shall avoid a combination of steep grades and curves. Streets shall be arranged to provide access to lots and building and accessory building sites at or above street grade. Street design in a major land division (sub-division) shall provide for the continuation of existing streets in adjacent areas at the same or greater width as said existing streets, unless the Town deems such continuation undesirable for reasons of topography or design.

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All streets shall be public unless the Town, prior to approval of the application for preliminary land division, agrees to the use of private streets. Private streets will be considered by the Town only in those instances where an association or other legal entity is established by covenant with capability and responsibility for maintenance of said streets.

- (a) Street width shall be as delineated in **Figure I**:

Figure I: Street Width

	Arterial Street	Collector Street	Local Street
Full Width	100 feet	80 feet	66 feet
Half Width	50 feet	40 feet	33 feet

- (b) Street gradient shall not exceed nine percent (9%), nor eleven percent (11%), with approval of the Town, in areas of extreme topography. Gradient shall not exceed one point four percent (1.4%) for a minimum distance of fifty (50) feet from the intersection of street centerlines. Streets may be constructed diagonally across contours in areas of extreme topography and shall traverse the slope with minimum street grade, driveway grade, and earth movement.
- (c) Cul-de-sac use shall not be encouraged, and if utilized, cul-de-sacs shall not be longer than six hundred (600) feet unless approved by the Town and shall terminate in a circular open space having a diameter at the outside of the right-of-way of at least one hundred forty (140) feet. Temporary cul-de-sacs may be permitted by the Town, to be constructed to the lot line and provided with a temporary circular or "T" shaped turn-around.
- (d) Frontage or access streets shall be required in those instances where a major land division (sub-division) abuts or contains an existing or proposed arterial street on which traffic volume and vehicular speeds warrant special safety precautions to ensure no lots front arterial streets.
- (e) A street approximately parallel to a rail line, expressway, freeway, or parkway right-of-way shall be required if the land division adjoins such facility for a considerable distance, with consideration given to the distance required for approach grades to future grade separations.
- (f) A clear vision triangle ("triangle"), in each quadrant of every public street or rail line intersection, shall be maintained, bounded by the street centerlines and a line connecting points on said centerlines at a specified distance from their point of intersection, in the manner illustrated in **Figure II** as contained herein, with the exception that a triangle shall be maintained for twenty five (25) feet from the right-of-way for any intersection in a Sub-division Plat. The triangle shall be cleared of all vegetation less than six (6) inches in diameter. Vegetation greater than six (6) inches in diameter may remain in the triangle at the discretion of the Town. Any vegetation remaining in the triangle shall require trimming up to eight (8) feet above the ground.
- (g) Grading, base course, surface course, marking and signing, landscaping, and stormwater management shall be in accordance with *Article II – Stormwater Management, Chapter 16 – Environment, Code of Ordinances, Rock County* and all other applicable Rock County ordinances, with all costs related to these activities borne by the applicant. The applicant shall come to terms with the Town on a method of financing to assure surface course is applied to the street. Surface course is to be applied approximately twelve (12) months after the base course is constructed. Financing and timing for application of surface course shall be a condition of approval of the application for preliminary land division.

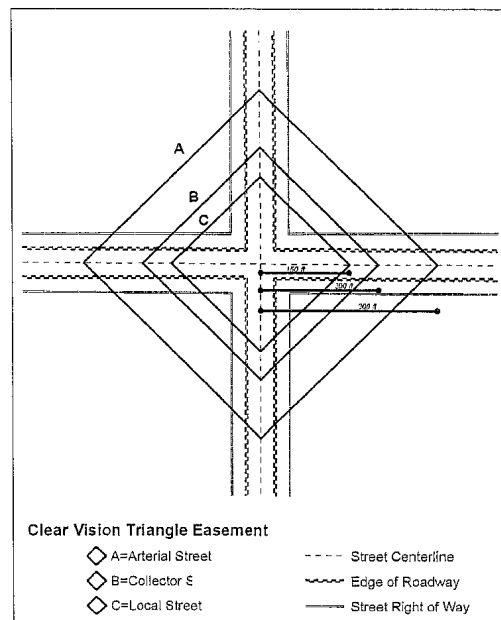
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Figure II: Clear Vision Triangle



- (h) Bridges of primary benefit to the applicant shall be constructed at the expense of the applicant without reimbursement from the Town. Cost sharing for construction of bridges not of primary benefit to the applicant can be fixed by special agreement between the State, County or Town and the applicant as a condition of approval of the application for preliminary land division. Said costs shall be charged by the County or Town to the applicant pro-rata as the acreage of the land developed so served.
- (3) Town public improvement plan. All public improvements shall be designed, constructed, and maintained by the applicant in accordance with 4.3. (1) and (2) herein and a Town public improvement plan. The Town public improvement plan shall be submitted by the applicant to the Administrator in accordance with 38-13. (1) (b) of the Ordinance. The Administrator shall review the plan and either approve the plan or provide the applicant with required modifications. The plan shall contain all of the following:
- (a) Elevation profiles of the centerline of all existing and proposed streets;
 - (b) Elevation profile of the centerline of all existing streets that intersect with a proposed street, within six hundred (600) feet of said intersection;
 - (c) Approximate radii of all curves, lengths of tangents, and central angles on all existing streets;
 - (d) Cross-sections of all proposed streets at one hundred (100) foot stations superimposed on existing topography (the Town may require cross-sections every fifty (50) feet in areas in excess of nine percent (9%) slope), and the location and cross-section of street pavements including drainageway easements, right-of-ways, and street signs;

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- (e) Location, dimension, and invert elevations of existing and proposed sanitary sewers, stormwater drainageways, drainage control facilities, and fire hydrants, identification of connections to any existing or proposed utility, and the location and size of all water, gas, or other underground utilities or structures;
- (f) Location, dimension, and name (if applicable) of all streets and improvements designated for public dedication, and all necessary utilities;
- (g) Any other special requirements deemed necessary by the Town to ensure the land division is in compliance with the Town comprehensive plan, *Rock County Comprehensive Plan*, or any similar successive and other relevant plan or document, and any applicable construction standard and regulation;
- (h) Notation of approval on the cover page as follows:

Landowner	Date
Administrator	Date

- (4) Financial guarantee. A written financial guarantee in a sum sufficient to pay the cost of construction of all public improvements shall be provided by the applicant to the Town, for all improvements as stated in the Town public improvement plan not constructed at the time of Administrator approval of the final land division, complying with all conditions of approval of the application for preliminary land division and assuring the construction and performance of all necessary improvements. Said financial guarantee shall take one of the following forms:
 - (a) An insurance contract from a bonding agency;
 - (b) An irrevocable letter of credit from a recognized financial institution;
 - (c) An escrow account in a recognized financial institution;The monetary amount of said guarantee shall be limited to the cost of the current phase of improvement construction, in accordance with Sec. 236.13 (2) (a), Wisconsin Statutes.
- (5) Inspection. The Administrator shall provide for inspection of public improvements during construction to ensure completion satisfactory to the Town. If the Administrator finds the improvements have not been constructed in accordance with the Town public improvement plan, the applicant shall be responsible for taking corrective measures to ensure said improvements are constructed to the satisfaction of the Administrator or Town and in accordance with said plan.
- (6) Maintenance. The applicant shall be required to maintain all public improvements and services associated with ensuring the adequate performance of all said improvements until acceptance of improvements by the applicable general or special purpose district, or homeowners association, including but not limited to snow removal on streets. The applicable special or general purpose district may on notice plow streets or affect emergency repairs and charge same to applicant. Utility entities shall be responsible for accurate replacement of all lot corners and monuments destroyed while installing utilities, within a reasonable time period after installation.
- (7) Timeline. Public improvements shall be constructed by the applicant within twelve (12) months of the action of Administrator approval of the final land division, in accordance with

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Sec. 38-13. (5) of the Ordinance. Extensions to the aforementioned timeline may be applied for by the applicant prior to expiration of said timeline and granted by the Town upon findings that delays are beyond the control of the applicant and that no material change in standards or conditions of the final land division has occurred or is reasonably expected to occur.

4.4. ENVIRONMENTALLY SENSITIVE AREAS, CULTURAL RESOURCES, PRODUCTIVE AGRICULTURAL SOILS, AND WOODLANDS PROTECTION AND PRESERVATION

Environmentally Sensitive Areas (“ESA”), cultural resources, productive agricultural soils and woodlands (collectively “Resources”) shall be protected and preserved throughout the land division and development process, and land division and development shall not occur in a manner which significantly degrades or depletes any Resources, or compromises their function or integrity, in accordance with Sec. 38-9. (3) and (4) of the Ordinance, Town comprehensive plans and zoning ordinances, *Chapter 44 – Zoning, Code of Ordinances, Rock County*, the *Rock County Comprehensive Plan*, or any similar successive ordinances, plans, or documents. The Agency shall administer and enforce standards and requirements for protecting and preserving Resources in the Town throughout the land division and development process, as identified in 4.4. (1), (2), and/or (3) herein.

- (1) Town building site plan. Any lot subject to a land division, or on which a building or accessory building is proposed for construction or location, shall require a Town building site plan identifying all of the following (if applicable): construction activities and products, approximate location and dimension of lot lines, building setback lines, building/accessory building, driveway, and bounding streets, building/accessory building use, bounding streets name and type, identification and approximate location of Environmentally Sensitive Areas (“ESA”), cultural resources, productive agricultural soils, and woodlands, and a building envelope not to include any front, rear, or side yards, ESA, cultural resources, and required POWTS area and open space in accordance with Sec. 38-16. (2) (a) of the Ordinance. The plan shall be required either as a condition of approval of an application for preliminary land division, or at the time of Town building permit or Town Building Site Permit (“Town BSP”) application, in accordance with 4.5. herein.

Building setback lines as identified on a Town building site plan shall be in accordance with the following:

Building setback lines as identified on a Town building site plan shall be in accordance with the requirements for the designated zoning district in and Sec. 425-3-3 of the Code of Ordinances of the Town.

- (2) Note on final land division or deed restriction. Any lot subject to a land division, or on which a building is proposed for construction or location, thirty five (35) acres or smaller and containing specified Resources, shall require either a note on the final land division POS, CSM, or Sub-division Plat, or a deed restriction, identifying specified Resources and prohibiting building and accessory building sites, and earth-disturbing activity that would significantly degrade or deplete or compromise the function or integrity of said Resources as identified therein. The note shall be required as a condition of approval of an application for preliminary land division, or the deed restriction shall be filed with the applicable deed in the Rock County Register of Deeds Office with said restriction required at the time of Town BSP issuance, in accordance with 4.5. herein.

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- (3) Conservation easement. Any lot subject to a land division, or on which a building or accessory building is proposed for construction or location, thirty five (35) acres or smaller and containing specified Resources, shall require a conservation easement. The conservation easement shall be required either as a condition of approval of an application for preliminary land division, or at the time of Town BSP issuance, in accordance with **4.5**, herein, and shall be recorded with the Rock County Register of Deeds. Said easement shall:
 - (a) Identify the land area subject to the easement and prohibit building and accessory building sites, and earth-disturbing activity detrimental to the intent and purpose of the easement, in/on any specified Resources as identified therein;
 - (b) Designate the owner of the lot subject to the easement as grantor therein and either Rock County, the Town, or some combination thereof, as grantee therein;
 - (c) Contain any additional information deemed appropriate by the Town, Agency, or Rock County Corporation Counsel;

4.5. TOWN BUILDING SITE PERMIT

The Agency shall administer and enforce requirements for application and issuance of a Town Building Site Permit ("Town BSP") in the Town, as identified in **4.5**. (1) – (6) herein.

- (1) Application submission requirements. A Town Building Site Permit ("Town BSP") shall be required if a building or accessory building is proposed for construction or location on a lot. Application information and forms are available at the offices of the Town and Administrator, and on the Town and Rock County websites. The application shall require an application form and fee and a Town Building Site Plan prepared in accordance with **4.4**. (1) herein.
- (2) Administrator review. The Administrator shall review an application for a Town BSP for compliance with the Ordinance. The review shall be undertaken in accordance with Sec. 38-12. (3) of the Ordinance and completed by the Administrator within ten (10) business days of receipt of the application by the Administrator.
- (3) Administrator action. After review, the Administrator shall take action and approve or deny with findings the application for a Town BSP within ten (10) business days of receipt of the application by the Administrator and shall notify the applicant of same within the aforementioned time period. If the applicant is not notified by the Administrator within the aforementioned time period, the application shall be deemed approved by the Administrator.
- (4) Approval and issuance. If the Administrator approves the application for a Town BSP, a Town BSP shall be issued to the applicant within ten (10) business days of receipt of an application by the Administrator. Said Town BSP shall contain the Town building site plan in accordance with **4.4**. (1) herein, with all construction activities and products to be completed to specifications contained therein within twelve (12) months of issuance of the Town BSP to the applicant by the Administrator. Approval and issuance of a Town BSP shall be subject to the following conditions:
 - (a) Building, accessory building, and earth-disturbing activity sites as identified in the Town building site plan shall not be in/on any specified Resources and either a deed restriction in accordance with **4.4**. (2) herein, or a conservation easement in accordance with **4.3**. (3) herein, shall be placed on the lot;
 - (b) Erosion control measures are in place on the lot in accordance with a stormwater management and erosion control plan;

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- (c) The Rock County Health Department has issued a sanitary permit for the lot or a connection to a public sanitary sewer system has been approved for the lot;
- (d) The Rock County Public Works Department or applicable Town has issued a driveway/access control permit for the lot;
- (e) The lot has been reviewed and approved by the Town and Administrator in accordance the Ordinance, or is otherwise permitted by law to be sold or used as a building site and containing adequate size and dimension to meet all Rock County, Town, State, and any other applicable standards and regulations;
- (f) Building and accessory building sites, as identified in the Town building site plan, less than ten (10) feet from any building setback line, in accordance with 4.4 (1) (a), (b), (c), (d), and (e) herein, shall require a foundation survey, provided by the applicant to the Administrator. The foundation survey shall identify lot lines, building setback lines, and a building and/or accessory building's existing foundation or footings, and the distance from the lot lines to said foundation or footings, and floodplain. The foundation survey shall be submitted to the Administrator within thirty (30) days of construction of the foundation or footings. This aforementioned timeline may be extended in cases of extenuating circumstances at the discretion of the Administrator and upon submittal of a written extension request from the applicant to the Administrator;
- (5) Completion. The applicant's Town BSP obligations shall be fulfilled only if all of the following conditions have been met within twelve (12) months of issuance of the Town BSP:
 - (a) Construction of the building and/or accessory building is substantially completed;
 - (b) All stormwater management, erosion control, landscaping, and final grading activities over which the Town and Rock County have review authority, in accordance with any applicable ordinances, statutes, regulations, and plans, are completed;
- (6) Extension. If (5) (a) and (b) of this Sec. are not completed within twelve (12) months of issuance of the Town BSP to the applicant by the Administrator, a Town BSP extension shall be required if the applicant wishes to complete (5) (a) and (b). The applicant shall request a Town BSP extension from the Town and the Town shall issue said extension only if all of the following conditions have been met:
 - (a) Applicant requests the Town BSP extension prior to twelve (12) months from the date the Town BSP was issued;
 - (b) Applicant provides to the Town reasonable information regarding the need for the Town BSP extension, demonstrating that events leading to the extension request are beyond the control of the applicant and that no material change in the Town building site plan has or is reasonably expected to occur during the duration of the extension;
 - (c) The Town reviews the information per (b) of this Sub-sec., finds the information sufficient, and approves the Town BSP extension at a public meeting;

A Town BSP extension may not exceed twelve (12) months, unless the Town approves an additional extension on a month-to-month basis, at the request of the applicant.

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4.6. TOWN BOARD OF ADJUSTMENT AND VARIANCES AND APPEALS

Any individual or party aggrieved by administration and enforcement of any provision of **4.1., 4.2., 4.3., 4.4., and 4.5.** of this MOA may apply to the Town Board of Adjustment (BOA) for a variance to or appeal of said provisions, in accordance with Town BOA procedure.

Article 5. PRODUCT AND SERVICE PERFORMANCE. All products and services identified in Article 4., to include all tasks and duties required, shall be performed by the Agency within the timeframe identified in Article 1.

Article 6. PERFORMANCE STANDARDS. The Agency shall perform all tasks and duties, and deliver all products and services, as identified in Article 4. herein, pursuant to the standards established by County, State, and Federal ordinances, statutes and administrative rules.

Article 7. ENTIRE AGREEMENT. The terms and conditions contained in this MOA, and such attachments and/or appendices as may be expressly incorporated, constitute the entire agreement between the parties. Any provision of the Ordinance necessary to fulfill said terms and conditions shall also be applicable to this MOA

Article 8. NON - DISCRIMINATION. The parties shall not discriminate against any employee or applicant for employment or services because of race, color, religion, sex, national origin, age or physical or mental handicap in regard to any position or service for which qualified.

Article 9. MEMORANDUM OF AGREEMENT (MOA) ADMINISTRATION. The Agency's MOA Administrator is Paul Benjamin, Director, Rock County Planning, Economic & Community Development Agency, whose principal business address is 51 S. Main Street, Janesville, WI 53545. The telephone number of the Agency's MOA Administrator is (608) 757-5587. In the event its MOA Administrator is unable to administer this MOA, the Agency shall designate a new MOA Administrator.

The Town's MOA Administrator is _____, whose principal business address is _____. The telephone number of the Town's MOA Administrator is (608) _____. In the event its MOA Administrator is unable to administer this MOA, the Town shall designate a new MOA Administrator.

Article 10. PAYMENT. The Agency shall provide the products and services identified in Article 4. to the Town at no monetary cost. Any applicant, in accordance with the Ordinance or **4.1., 4.2., 4.3., 4.4., 4.5., or 4.6.** of this MOA, shall be subject to applicable fees payable to the Agency in accordance with Sec. 38-30. of the Ordinance.

Article 11. EXTENSION OR MODIFICATION. Either party may request an extension or modification of this MOA. Any extension or modification of the terms of this MOA shall be in writing, in the form of an Addendum to this MOA, and approved by both the Town and the County in the same manner as this Contract was approved. If any provision of the Ordinance is amended or revised, said provision amendment or revision shall be incorporated herein only if approved by both the Town and the County in the same manner as this Contract was approved.

Article 12. TERMINATION. Either party shall have the right to terminate this MOA at any time, at that party's sole discretion, with the party terminating the MOA required to provide written notice of termination to the other party by Certified Mail, Return Receipt Requested.

Article 13. COMPLIANCE WITH LAWS. The parties agree to comply with all applicable Federal, State and local codes, regulations, standards, ordinances, and other laws.

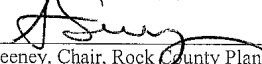
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IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement (MOA).

DATED this 23 day of June, 2016

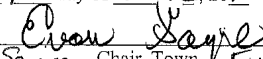

Alan Sweeney, Chair, Rock County Planning and Development Committee

ATTEST:

DATED this 23 day of June, 2016

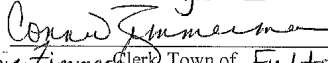

Lisa Tollefson, Clerk, Rock County

DATED this 14th day of June, 2016


Evan Seyre, Chair, Town Fulton

ATTEST:

DATED this 14th day of June, 2016


Connie Zimmerman, Clerk, Town of Fulton