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## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

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**2005 Wisconsin Act 208**  
[2005 Assembly Bill 620]

**Required Notice of Zoning Actions  
and Comprehensive Plans**

Current law authorizes a city, village, town, or county to adopt a new zoning ordinance or amend an existing zoning ordinance. A local unit of government must follow statutory procedures in adopting or amending a zoning ordinance. Among other requirements, the local governmental unit must give notice and hold a public hearing. A county, city, or village is required to provide public notice of its proposed action by a Class 2 notice, which requires two insertions in a newspaper likely to give notice in the area. The notice must include the time and place of the hearing.

The statutes regarding town zoning required a Class 2 notice for a zoning amendment, but not for a proposal to adopt a zoning ordinance. Act 208 modifies the statute for town zoning to require a Class 2 notice for a proposed zoning ordinance.

Act 208 specifies additional contents for the public notice that is placed in newspapers. If the proposed ordinance or amendment has the effect of changing the allowable use of any property, the notice must contain a map showing the property affected by the ordinance or a description of the property affected by the ordinance and a statement that a map may be obtained from the local agency responsible for zoning.

Act 208 creates a new procedure that allows a person to request personal notice of any proposed zoning ordinance or amendment that affects the allowable use of property owned by the person. The Act requires the local agency responsible for zoning to send notice to each person on the list whose property, the allowable use of which, may be affected by the ordinance or amendment. The person and the zoning agency may agree on the form of the notice. The zoning agency may charge each person whose name is on the list a fee approximately equal to the cost of providing the notice. The provisions described in this paragraph do not apply to the City of Milwaukee.

A similar provision is established under the comprehensive planning statute. A political subdivision (city, village, town, or county) that proposes to adopt or amend a comprehensive plan, must maintain a list of persons who submit a written request to receive notice of the proposed ordinance

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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/>.

adopting or amending the comprehensive plan. The provisions described above regarding the requirement of written notice, the form of the notice, and the option of charging a fee for the notice also apply to comprehensive plans.

Act 208 provides that a zoning ordinance or amendment or a comprehensive plan or amendment is not invalid if notice is not provided to a person who requests notice.

***Effective Date:*** Act 208 takes effect on April 11, 2006.

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