



2013 ASSEMBLY BILL 410

October 4, 2013 – Introduced by Representatives KLEEFISCH, T. LARSON, SCHRAA and OHNSTAD. Referred to Committee on Housing and Real Estate.

- 1 **AN ACT to create** 62.23 (7) (ham) of the statutes; **relating to:** nonconforming
2 uses and manufactured home communities.

Analysis by the Legislative Reference Bureau

Under current law, cities, villages, certain towns (municipalities), and counties are authorized to enact zoning ordinances that regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards and other open spaces, the density of population, and the location and use of buildings, structures, and land for various purposes.

Also under current law, a zoning ordinance enacted by a municipality or county generally may not prohibit the continued lawful use of any building, premises, structure, or fixture for which the building, premises, structure, or fixture is used when the ordinance takes effect. In cities, villages, towns exercising village powers, and counties, the alteration or repair of, in excess of 50 percent of the assessed value, any existing building, premises, structure, or fixture to carry on any prohibited use within the district may be prohibited. Generally, if a nonconforming use of a building, premises, structure, or fixture is discontinued for 12 months, any future use of the building, premises, structure, or fixture must conform to the municipality's or county's zoning ordinance.

Under this bill, in cities, villages, and towns exercising village powers, a licensed manufactured home community that is a legal nonconforming use continues

