

No. 396, S.]

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CHAPTER 324

AN ACT to amend 62.23 (7) (d) and 236.11 (2) of the statutes, relating to municipalities notifying adjoining municipalities of proposed actions affecting land use.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 62.23 (7) (d) of the statutes is amended to read:

62.23 (7) (d) The city plan commission, or board of public land commissioners, or if the city has neither, a city plan committee of the council,

shall, upon request of the council, recommend the district plan and regulations for the city. Tentative recommendations shall first be formulated and a public hearing or hearings held thereon by the plan commission, or plan committee, functioning in lieu thereof. *At least 10 days' prior written notice of such hearings shall be given to the clerk of any municipality whose boundaries are within 1,000 feet of any lands included in the proposed plan and regulations but failure to give such notice shall not invalidate such district plan or regulations.* The council may change the districts and regulations after first submitting the proposed changes to the city plan commission or board of public land commissioners for recommendation and report and after giving at least 10 days' notice of the proposed changes and hearings thereon, by publication in the official paper at least 3 times during the preceding 30 days. *At least 10 days' prior written notice of changes in the district plan shall be given to the clerk of any municipality whose boundaries are within 1,000 feet of the land to be affected by the proposed change but failure to give such notice shall not invalidate any such change.* The council or committee thereof shall give an opportunity to any person interested to be heard. In case of a protest against such change, duly signed and acknowledged by the owners of 20 per cent or more either of the areas of the land included in such proposed change, or by the owners of 20 per cent or more of the area of the land immediately adjacent extending 100 feet therefrom, or by the owners of 20 per cent or more of the land directly opposite thereto extending 100 feet from the street frontage of such opposite land, such amendment shall not become effective except by the favorable vote of three-fourths of the members of the council. Such notice may contain the street names and house or lot numbers for purposes of identification if the commission or board so determines.

SECTION 2. 236.11 (2) of the statutes is amended to read:

236.11 (2) The body or bodies having authority to approve plats shall approve or reject the final plat within 60 days of its submission, unless the time is extended by agreement with the subdivider. *When the approving authority is a municipality and determines to approve the plat, it shall give at least 10 days' prior written notice of its intention to the clerk of any municipality whose boundaries are within 1,000 feet of any portion of such proposed plat but failure to give such notice shall not invalidate any such plat.* If a plat is rejected, the reasons therefor shall be stated in the minutes of the meeting and a copy thereof or a written statement of the reasons supplied the subdivider. If the approving authority fails to act within 60 days and the time has not been extended by agreement and if no unsatisfied objections have been filed within that period, the plat shall be deemed approved, and, upon demand, a certificate to that effect shall be made on the face of the plat by the clerk of the authority which has failed to act.

Approved July 28, 1961.