

State of Wisconsin



2005 Senate Bill 283

Date of enactment: **March 21, 2006**

Date of publication*: **April 4, 2006**

2005 WISCONSIN ACT 171

AN ACT *to create* 59.69 (2) (g), 60.61 (4) (e) and 62.23 (7) (gm) of the statutes; **relating to:** limiting the reasons for which a local government may withhold approval of a permit.

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

SECTION 1e. 59.69 (2) (g) of the statutes is created to read:

59.69 (2) (g) Neither the board nor the county zoning agency may condition or withhold approval of a permit under this section based upon the property owner entering into a contract, or discontinuing, modifying, extending, or renewing any contract, with a 3rd party under which the 3rd party is engaging in a lawful use of the property.

SECTION 2. 60.61 (4) (e) of the statutes is created to read:

60.61 (4) (e) Neither the town board nor the town zoning committee may condition or withhold approval of a permit under this section based upon the property

owner entering into a contract, or discontinuing, modifying, extending, or renewing any contract, with a 3rd party under which the 3rd party is engaging in a lawful use of the property.

SECTION 3. 62.23 (7) (gm) of the statutes is created to read:

62.23 (7) (gm) *Permits.* Neither the city council, nor the city plan commission, nor the city plan committee of the city council, nor the board of appeals may condition or withhold approval of a permit under this section based upon the property owner entering into a contract, or discontinuing, modifying, extending, or renewing any contract, with a 3rd party under which the 3rd party is engaging in a lawful use of the property.

SECTION 4. Initial applicability.

(1) This act first applies to an application for a permit that is filed on the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].