

2001 DRAFTING REQUEST

Bill

Received: 12/04/2000

Received By: **shoveme**

Wanted: As time permits

Identical to LRB:

For: **Luther Olsen (608) 266-8077**

By/Representing: **Mary**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact:

Alt. Drafters:

Subject: **Counties - zoning
Munis - zoning**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Dissemination of county zoning ordinances to town clerks

Instructions:

See Attached. Change notification requirement from "registered mail" to "certified mail" in s. 59.69 (5) (b) and (e) 2. and 6.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	shoveme 12/05/2000	jdye 12/11/2000					Local
/1			rschluet 12/12/2000		lrb_docadmin 12/12/2000	lrb_docadmin 12/12/2000	

FE Sent For:

<END>

2001 DRAFTING REQUEST

Bill

Received: 12/04/2000

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Luther Olsen (608) 266-8077**

By/Representing: **Mary**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact:

Alt. Drafters:

Subject: **Counties - zoning
Munis - zoning**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Dissemination of county zoning ordinances to town clerks

Instructions:

See Attached. Change notification requirement from "registered mail" to "certified mail" in s. 59.69 (5) (b) and (e) 2. and 6.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	shoveme	1 12/11/00	12-12-00	12-12-00			

1, 1 MEs 12/5/00

FE Sent For:

<END>

JACKET for Assembly

**SUBMITTAL
FORM**

LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 08/29/2000

To: Representative Olsen

Relating to LRB drafting number: LRB-5056

*for drafting
file*

Topic

Dissemination of county zoning ordinances to town clerks

Subject(s)

Counties, Munis - miscellancous

1. **JACKET** the draft for introduction by Representative Luther Olsen

in the Senate or the Assembly (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction yes

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Marc E. Shovers, Senior Legislative Attorney
Telephone: (608) 266-0129

1999 DRAFTING REQUEST

*for drafting
file*

Bill

Received: 08/22/2000

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Luther Olsen (608) 266-8077**

By/Representing: **Mary**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact:

Alt. Drafters:

Subject: **Counties
Munis - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Dissemination of county zoning ordinances to town clerks

Instructions:

See Attached. Change notification req' ment from "registered mail" to "certified mail" in s. 59.69 (5) (b) and (e) 2. and 6.

Drafting History:

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

JLD
RMMR

2001 ~~1999~~ BILL

regen

1 AN ACT to amend ~~59.69~~ (5) (b), 59.69 (5) (e) 2. and 59.69 (5) (e) 6. of the statutes;
2 relating to: the type of notification for certain county zoning changes that are
3 mailed to town clerks.

Analysis by the Legislative Reference Bureau

Under current law, if a county board enacts a zoning ordinance, the county clerk is required to send by registered mail duplicate copies of the ordinance to each town clerk in the county. Also under current law, one of the ways a county board may amend a zoning ordinance is to act on a petition for amendment that has been submitted to the county board. The county board is required to hold a public hearing on the petition, and is required to send a registered mail notice of the time and place of the hearing to the clerk of each town that is affected by the proposed amendment. If a county board amends a zoning ordinance by a method other than adopting the changes sought in a petition, the county clerk is required to send by registered mail duplicate copies of the ordinance to the clerk of each town that is affected by the ordinance. Also under current law, if a county board enacts an ordinance that relates to the location of boundaries of a zoning district in the county, the county clerk is required to send by registered mail a copy of the ordinance to the town clerk of the town in which the lands affected by the change are located.

Under this bill, all such documents that must currently be sent by registered mail must be sent by certified mail.

BILL

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 59.69 (5) (b)^x of the statutes is amended to read:

2 59.69 (5) (b) When the draft of the ordinance, recommended for enactment by
3 the zoning agency, is received by the board, it may enact the ordinance as submitted,
4 or reject it, or return it to the agency with such recommendations as the board may
5 see fit to make. In the event of such return subsequent procedure by the agency shall
6 be as if the agency were acting under the original directions. When enacted,
7 duplicate copies of the ordinance shall be submitted by the clerk by registered^x mail^{plain}
8 certified ~~mail~~ to each town clerk for consideration by the town board.

9 **SECTION 2.** 59.69 (5) (e) 2.^x of the statutes is amended to read:

10 59.69 (5) (e) 2. Upon receipt of the petition by the agency it shall call a public
11 hearing on the petition. Notice of the time and place of the hearing shall be given
12 by publication in the county of a class 2 notice, under ch. 985. A copy of the notice
13 shall be mailed by registered^x mail^{plain} certified ~~mail~~ to the town clerk of each town
14 affected by the proposed amendment at least 10 days prior to the date of such
15 hearing. If the petition is for any change in an airport affected area, as defined in
16 s. 62.23 (6) (am) 1. b., the agency shall mail a copy of the notice to the owner or
17 operator of the airport bordered by the airport affected area.

18 **SECTION 3.** 59.69 (5) (e) 6.^x of the statutes is amended to read:

19 59.69 (5) (e) 6. If an amendatory ordinance makes only the change sought in
20 the petition and if the petition was not disapproved prior to, at or within 10 days
21 under subd. 3. or 30 days under subd. 3m., whichever is applicable, after the public

BILL

PWF

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

hearing by the town board of the town affected in the case of an ordinance relating to the location of district boundaries or by the town boards of a majority of the towns affected in the case of all other amendatory ordinances, it shall become effective on passage. The county clerk shall record in the clerk's office the date on which the ordinance becomes effective and notify the town clerk of all towns affected by the ordinance of the effective date and also insert the effective date in the proceedings of the county board. Any other amendatory ordinance when enacted shall within 7 days thereafter be submitted in duplicate by the county clerk by registered ~~mail~~ ^{plain} certified ~~mail~~ to the town clerk of each town in which lands affected by the ordinance are located. If after 40 days from the date of the enactment a majority of the towns have not filed certified copies of resolutions disapproving the amendment with the county clerk, or if, within a shorter time a majority of the towns in which the ordinance is in effect have filed certified copies of resolutions approving the amendment with the county clerk, the amendment shall be in effect in all of the towns affected by the ordinance. Any ordinance relating to the location of boundaries of districts shall within 7 days after enactment by the county board be transmitted by the county clerk by registered ~~mail~~ ^{plain} certified ~~mail~~ only to the town clerk of the town in which the lands affected by the change are located and shall become effective 40 days after enactment of the ordinance by the county board unless such town board prior to such date files a certified copy of a resolution disapproving of the ordinance with the county clerk. If such town board approves the ordinance, the ordinance shall become effective upon the filing of the resolution of the town board approving the ordinance with the county clerk. The clerk shall record in the clerk's office the date on which the ordinance becomes effective and notify the town clerk of all towns

BILL

affected by such ordinance of such effective date and also make such report to the county board, which report shall be printed in the proceedings of the county board.

(END)

RWF
1
2
3