

2013 DRAFTING REQUEST

Bill

Received: 4/30/2013 Received By: emueller
Wanted: As time permits Same as LRB:
For: Frank Lasee (608) 266-3512 By/Representing: Rob Kovach
May Contact: Drafter: emueller
Subject: Local Gov't - counties Addl. Drafters:
Local Gov't - misc
Local Gov't - munis generally Extra Copies: MES
Local Gov't - zoning

Submit via email: YES
Requester's email: Sen.Lasee@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Effect of changes to certain local requirements on persons applying for certain permits or approvals

Instructions:

Same as LRB-1591

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>
/?	emueller 4/30/2013			_____			
/P1	emueller 5/17/2013	jdyer 5/17/2013	phenry 5/20/2013	_____	sbasford 4/30/2013		
/P2	emueller 9/6/2013			_____	srose 5/20/2013		

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/1	emueller 9/19/2013	kfollett 9/6/2013	phenry 9/6/2013	_____	srose 9/6/2013	lparisi 9/9/2013	
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/3				_____	mbarman 9/20/2013	mbarman 9/20/2013	

FE Sent For:

*None
Needed*

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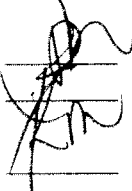
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11	<i>8000</i> <i>9/6/13</i>	<i>9/6</i>	<i>9/1/13</i>	<i>✓</i>			

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/?	emueller		<i>ph</i>	<i>ph/gf</i>			

FE Sent For:

<END>

2013 DRAFTING REQUEST

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Received: 1/28/2013 Received By: mshovers
 Wanted: As time permits Same as LRB:
 For: Frank Lasee (608) 266-3512 By/Representing: Rob Kovach
 May Contact: Drafter: emueller
 Subject: Local Gov't - counties Addl. Drafters:
 Local Gov't - misc
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 Local Gov't - zoning

Submit via email: YES
 Requester's email: Sen.Lasee@legis.wisconsin.gov
 Carbon copy (CC) to:

Pre Topic:

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/?	emueller	PI 4/30 jld		=====			
181	EVN 4/29/13			=====			

FE Sent For:

<END>

Mueller, Eric

From: Turke, Jon
Sent: Thursday, March 07, 2013 1:42 PM
To: Mueller, Eric
Subject: RE: LRB-1591/P1

Yes they should be. I'll give them the heads up also.

Jon Turke

Office of Rep. Jim Steineke
Assistant Majority Leader
608-266-2418

From: Mueller, Eric
Sent: Thursday, March 07, 2013 1:42 PM
To: Turke, Jon
Subject: RE: LRB-1591/P1

Jon,

Do you know if these changes are also intended for Sen. Lasee's version?

Eric Mueller
Attorney, Legislative Reference Bureau
Phone: (608)261-7032
eric.mueller@legis.wisconsin.gov

From: Kahler, Pam
Sent: Thursday, March 07, 2013 1:31 PM
To: Mueller, Eric
Subject: FW: LRB-1591/P1

Hi, Eric:

This is for the "vested rights" draft. I replied to Jon that I would forward this to you.

Pam

From: Turke, Jon
Sent: Thursday, March 07, 2013 1:14 PM
To: Kahler, Pam
Subject: LRB-1591/P1

Hi Pam-

I have some answers for your drafter's note. We agree that we don't need to change the law under 236.13.

As far as the bill itself, we wanted to add some detail to the language. Those details you will find attached in the word doc.

Thanks for your work!

Jon Turke

Office of Rep. Jim Steineke

Assistant Majority Leader

608-266-2418

Amendment to LRB – 1591/P1

(2) VESTED RIGHTS – (a) If a person has applied for a building permit or other approval related to residential, commercial or industrial development, the political subdivision shall consider the approval, disapproval, or conditional approval of the application solely on the basis of any regulations, ordinances, rules or other properly adopted requirements in effect at the time the original application for the permit is filed with the political subdivision.

(b) The permit applicant is entitled to the rights which accrue under this section upon the date in which the permit applicant files the original application that gives the political subdivision fair notice of the project and the nature of the permit sought. An application is considered filed on the date the applicant delivers the application to the political subdivision or deposits the application with the United States Postal Service by certified mail addressed to the political subdivision.

(c) If a series of permits is required for a project, the regulations, ordinances, rules or other properly adopted requirements in effect at the time the original application for the first permit in that series is filed shall be the sole basis for consideration of all subsequent permits required for the completion of the project. All permits required for the project are considered to be a single series of permits.

(d) After an application is filed, a political subdivision may not shorten the duration of any permit required for the related project.

(e) Notwithstanding any provision of this section to the contrary, a permit holder may take advantage of any change to federal, state or local laws, ordinances, rules or regulations that enhance or protect the project, including changes that lengthen the effective life of the permit after the date the application for the permit was made, without forfeiting any rights under this section.

(f) A political subdivision may provide that a permit application expires on or after the 60th day after the date the application is filed if:

(1) the permit applicant fails to provide documents or other information necessary to comply with the political subdivision's technical requirements relating to the form and content of the permit application;

(2) the political subdivision provides the permit applicant, no later than the 10th business day after the date the application is filed, with written notice of the failure that specifies the necessary documents or other information and the date the application will expire if the documents or other information is not provided; and

(3) the permit applicant fails to provide the specified documents or other information within the time provided in the notice.

(g) A political subdivision is not prohibited from requiring compliance with technical requirements relating to the form and content of the application in effect at the time the date the applicant accrues rights under sub. (a).

(h) This law applies only to a project commenced on or after the effective date of the Act.

From: LRB.Legal
Sent: Friday, January 25, 2013 10:07 AM
To: Shovers, Marc; Mueller, Eric; Kite, Robin
Cc: Kovach, Robert
Subject: FW: Draft request Vested rights legislation

Drafting Request

From: Kovach, Robert
Sent: Friday, January 25, 2013 10:03 AM
To: LRB.Legal
Subject: Draft request Vested rights legislation

To be added to Wis. Stat. s. Ch. 59, 60 and 62, legislation to codify current law related to when a property owner's rights to develop his or her property in a desired manner is protected or vested from subsequent changes to local land-use regulations, zoning ordinances and permit requirements.

Overview

The concept of "vested rights" recognizes that, at some point in time, it is unfair to change the rules and regulations affecting a property owner's ability to use or develop his or her property. More specifically, "vested rights" refers to the point in time when a property owner's right to develop his or her property is protected from further changes to land-use regulations, such as subdivision regulations, zoning changes, or other requirements.

Wisconsin law currently establishes "vested rights" for changes to both zoning and subdivision regulations. Specifically, current law establishes the following:

- **Zoning** – A property owner's vested right to a particular zoning classification vests when the property owner applies for a building permit which complies with the applicable regulations. See *Lake Bluff Housing Partners v. City of South Milwaukee*, 197 Wis. 2d 157 (1995).
- **Subdivision plats** – A property owner's right to have a proposed subdivision plat evaluated based upon current subdivision regulations vests at the time the property owner submits a preliminary plat (or final plat, if a preliminary plat is required). See Wis. Stat. § 236.11(1)(b).

In summary, both of these laws recognize that a property owner's right to use or develop his or her property vests upon submitting an application or permit to the government entity responsible for approving such application or permit.

The Problems

Two problems exist with current law. First, a property owner's vested right to zoning is found in case law, not the state statutes. This is a problem because not all local officials are attorneys and thus they are often unaware of legal standards established in case law. Second, the law is silent as to when a property owner's rights vest with respect to future changes in other types of development regulations and permit requirements at the local level. While the same rationale applied by courts to zoning changes would seemingly apply to other development regulations and permit requirements, it is not clear how a court would actually rule on such a case. Moreover, it would be expensive and time consuming to find out.

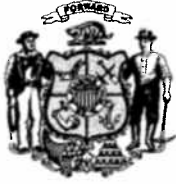
Proposed Solution

To ensure that the rules related to changes in the development-approval process are known by both permit applicants and permit grantors, we recommend that the law be clarified to specifically state that changes to any local land-use regulations cannot be applied to permit applications that have been submitted prior to the effective date of those changes.

Upon submitting an application for a building permit or other development-related permit or approval which complies with all applicable local ordinances and regulations, the property owner has a vested right in (a) having the building permit or development-related permit or approval evaluated based upon the local ordinances and regulations in place at the time of submittal, and (b) building upon or developing the property in accordance with the building permit or development-related permit/approval. Any subsequent changes made to local ordinances and regulations are not applicable to the approval of the building permit or other development-related permits and approvals.

Rob Kovach

Policy Advisor/Committee Clerk
Office of Senator Frank Lasee
(608) 266-3512



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1591/P2 1590/P1

EVM:jld:jm

↑
Keep

SOON

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No changes /
Companion Bill

In 4/29/13

DN

RMNR

X

Regen

1 AN ACT to create 66.10015 of the statutes; relating to: the effect of changes in
2 requirements for building permits and other development-related approvals
3 on persons who apply for certain permits or approvals.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

4 SECTION 1. 66.10015 of the statutes is created to read:
5 **66.10015 Limitation on development regulation authority. (1)**

6 DEFINITIONS. In this section:

7 (a) "Approval" means a building permit or other approval related to residential,
8 commercial, or industrial development.

1 (b) "Existing requirements" means regulations, ordinances, rules, or other
2 properly adopted requirements in effect at the time of the application for an
3 approval.

4 (c) "Political subdivision" means a city, village, town, or county.

5 (2) USE OF EXISTING REQUIREMENTS. (a) Except as provided in pars. (b) and (c),
6 if a person has applied for an approval and the application provides the political
7 subdivision with fair notice of the project and the nature of the permit sought, the
8 political subdivision shall approve, disapprove, or conditionally approve the
9 application solely based on existing requirements. An application is filed under this
10 section on the date that the applicant delivers the application to the political
11 subdivision or deposits the application with the U. S. postal service for mailing by
12 certified mail in an envelope addressed to the political subdivision.

13 (b) Except as provided in par. (c), if a project requires more than one approval,
14 the existing requirements applicable at the time of filing the application for the first
15 approval required for the project shall be applicable to all subsequent approvals
16 required for the project. If a project requires more than one approval, a political
17 subdivision may not shorten the duration of any approval required for the project
18 after the first application for approval is filed.

19 (c) An applicant for an approval may waive the requirements of this section
20 with regard to a particular change in existing requirements without forfeiting the
21 application of this section to any other existing requirement.

22 (d) A political subdivision may provide that an application for an approval
23 expires not less than 60 days after filing if all of the following apply:

- 24 1. The application does not comply with form and content requirements.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1591/P2 dn
EVM:jld:jm

e 1590/P1
↑
KEEP

March 18, 2013 } new date

NO ~~4~~ this bill is the same as LRB-1591 / P2 that was prepared for Rep. Steinke.

ATTN: [redacted] Rob Kovach

Please review the attached draft carefully to ensure that it is consistent with your intent. The following are several issues you may wish to consider in your review of this draft.

1. I have added several definitions to this draft: "approval" meaning a building permit or other approval related to residential, commercial, or industrial development; and "existing requirement" meaning regulations, ordinances, rules, or other properly adopted requirements in effect at the time of the original application for an approval. These definitions retain much of the functional language of pars. (a) and (b) of the provided material. Both of these definitions appear broad, but quite vague. It is difficult to determine with any precision how these terms will be interpreted in the real world. Do you wish to provide any additional detail?
2. The provided language specifies that the political subdivision shall consider "the approval, disapproval, or conditional approval of the application" based on existing requirements. Is this intended to mean that only approvals, disapprovals, or conditional approvals are covered and other potential dispositions are not covered? Is this intended to mean a political subdivision may only approve, disapprove, or conditionally approve an application? If you want a broad application, "the political subdivision may consider the application based on only ..." might be less ambiguous. See, e.g., the similar treatment in s. 236.13.
3. The use of "original application" in the provided material is a little ambiguous. I understand the term to mean the initially filed application even if some additional material or amendment is necessary after the initial filing. Is this correct? I have omitted the use of "original application," but I believe the draft has the effect described above. If you believe additional clarification is necessary, you may wish to consider specifying more explicitly that an application that meets a certain standard remains covered until the political subdivision takes a specified action.
4. The "fair notice" requirement in s. 66.10015 (2) (a) of this draft is ambiguous. Do you wish to clarify what elements are required to provide proper notice of the project?
5. In regards to the multiple approvals provision in s. 66.10015 (2) (b) of the draft, will it be apparent at the outset when something is a project that requires multiple approvals? If not, you may wish to consider adding clarifying language.

6. On a number of occasions, the provided language references only permits. In each instance, I have included other approvals. Please let me know if this is not what you intend.

7. I substantially rewrote the material at par. (e) of the provided material. Please let me know if s. 66.10015 (2) (c) of the draft does not meet your intent.

8. Do you want the application expiration authority to be exercised in a particular way? For example, should a political subdivision be required to enact an ordinance?

9. This draft omits the material at par. (g) of the provided material. What is the intent of this provision? Does it have any effect beyond that specified in existing law and s. 66.10015 (2) (d) of the draft?

10. This draft does not include any change related to par. (h) of the provided material. The initial applicability provision in this draft applies the changes made in the draft to an application submitted on the effective date of the draft. Is par. (h) of the provided material intended to change the initial applicability provision only with regard to projects that require multiple approvals? Is it intended to change the initial applicability for all applications from date of submission to date of initiation of a project? How is the project initiation date established?

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2277/P1dn
EVM:jld:ph

April 30, 2013

ATTN: Rob Kovach

Please review the attached draft carefully to ensure that it is consistent with your intent. This bill is the same as LRB-1591/P2 that was prepared for Rep. Steineke. The following are several issues you may wish to consider in your review of this draft.

1. I have added several definitions to this draft: “approval” meaning a building permit or other approval related to residential, commercial, or industrial development; and “existing requirement” meaning regulations, ordinances, rules, or other properly adopted requirements in effect at the time of the original application for an approval. These definitions retain much of the functional language of pars. (a) and (b) of the provided material. Both of these definitions appear broad, but quite vague. It is difficult to determine with any precision how these terms will be interpreted in the real world. Do you wish to provide any additional detail?
2. The provided language specifies that the political subdivision shall consider “the approval, disapproval, or conditional approval of the application” based on existing requirements. Is this intended to mean that only approvals, disapprovals, or conditional approvals are covered and other potential dispositions are not covered? Is this intended to mean a political subdivision may only approve, disapprove, or conditionally approve an application? If you want a broad application, “the political subdivision may consider the application based on only ...” might be less ambiguous. See, e.g., the similar treatment in s. 236.13.
3. The use of “original application” in the provided material is a little ambiguous. I understand the term to mean the initially filed application even if some additional material or amendment is necessary after the initial filing. Is this correct? I have omitted the use of “original application,” but I believe the draft has the effect described above. If you believe additional clarification is necessary, you may wish to consider specifying more explicitly that an application that meets a certain standard remains covered until the political subdivision takes a specified action.
4. The “fair notice” requirement in s. 66.10015 (2) (a) of this draft is ambiguous. Do you wish to clarify what elements are required to provide proper notice of the project?
5. In regards to the multiple approvals provision in s. 66.10015 (2) (b) of the draft, will it be apparent at the outset when something is a project that requires multiple approvals? If not, you may wish to consider adding clarifying language.

6. On a number of occasions, the provided language references only permits. In each instance, I have included other approvals. Please let me know if this is not what you intend.

7. I substantially rewrote the material at par. (e) of the provided material. Please let me know if s. 66.10015 (2) (c) of the draft does not meet your intent.

8. Do you want the application expiration authority to be exercised in a particular way? For example, should a political subdivision be required to enact an ordinance?

9. This draft omits the material at par. (g) of the provided material. What is the intent of this provision? Does it have any effect beyond that specified in existing law and s. 66.10015 (2) (d) of the draft?

10. This draft does not include any change related to par. (h) of the provided material. The initial applicability provision in this draft applies the changes made in the draft to an application submitted on the effective date of the draft. Is par. (h) of the provided material intended to change the initial applicability provision only with regard to projects that require multiple approvals? Is it intended to change the initial applicability for all applications from date of submission to date of initiation of a project? How is the project initiation date established?

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov

Amendment to LRB 1591/P2

Page 1, lines 7-8 – change definition of “approval” to “means a permit or authorization for building, zoning, driveway, stormwater or other activity related to residential, commercial or industrial development.”

Page 2, lines 1-3 – change definition of “existing requirements” to “means regulations, ordinances, rules, or other properly adopted requirements in effect at the time the application is submitted to the political subdivision.”

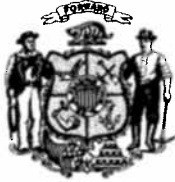
Page 2, lines 5-12 – change to “Except as provided in pars. (b) and (c), if a person has applied for an approval, the political subdivision shall approve, deny or conditionally approve the application based solely on existing requirements. An application is filed under this section on the date that the applicant delivers the application to the political subdivision or deposition the application with the U.S. postal service for mailing by certified mail in an envelope addressed to the political subdivision.

Page 2, lines 13-18 – change to “Except as provided in par. (c), if a project requires more than one approval from one or more political subdivision, the existing requirements of all political subdivisions applicable at the time the applicant files the application for the first approval required for the project shall be applicable to all subsequent approvals for the project.

Page 2, lines 19-21 – delete

Page 2, lines 22-23 – change to “An application for an approval shall expire not less than 60 days after filing if all of the following apply:”

The remainder of the bill is fine.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1591/P3 2277/P2
EVM:jld:jm

Note

keep

RMNR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No changes

10/5/17/13

RMNR

Soon

LX

Regen

1 AN ACT to create 66.10015 of the statutes; relating to: the effect of changes in
2 requirements for development-related permits or authorizations on persons
3 who apply for the permits or authorizations.

Analysis by the Legislative Reference Bureau

Under current law, a city, village, or town that is authorized to exercise village powers or a county (political subdivision) is 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, case law provides that where substantial rights have vested, zoning ordinances cannot be applied retroactively.

Under this bill, if a person has applied for a permit or authorization for building, zoning, driveway, stormwater, or other activity related to residential, commercial, or industrial development (approval), the political subdivision must approve, deny, or conditionally approve the application based on regulations, ordinances, rules, or other properly adopted requirements in effect at the time the application for an approval is submitted to the political subdivision (existing requirements). In addition, if a project requires more than one approval or approvals from more than one political subdivision, the existing requirements applicable in each political subdivision at the time of filing the application for the first approval required for the project are applicable to all subsequent approvals required for the project.

Under this bill, an application for approval is submitted upon delivery of the application to the political subdivision or deposit of the application with the U.S.

Postal Service for mailing by certified mail. An application for approval expires 60 days after filing if the application does not comply with form and content requirements, the political subdivision provides notice of the noncompliance, and the applicant fails to remedy the noncompliance.

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

1 **SECTION 1.** 66.10015 of the statutes is created to read:

2 **66.10015 Limitation on development regulation authority. (1)**

3 DEFINITIONS. In this section:

4 (a) “Approval” means a permit or authorization for building, zoning, driveway,
5 stormwater, or other activity related to residential, commercial, or industrial
6 development.

7 (b) “Existing requirements” means regulations, ordinances, rules, or other
8 properly adopted requirements of a political subdivision that are in effect at the time
9 the application for an approval is submitted to the political subdivision.

10 (c) “Political subdivision” means a city, village, town, or county.

11 **(2) USE OF EXISTING REQUIREMENTS.** (a) Except as provided in par. (b), if a person
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16 postal service for mailing by certified mail in an envelope addressed to the political
17 subdivision.

18 (b) If a project requires more than one approval or approvals from more than
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3 (c) An application for an approval shall expire not less than 60 days after filing
4 if all of the following apply:

5 1. The application does not comply with form and content requirements.

6 2. Not more than 10 days after filing, the political subdivision provides the
7 applicant with written notice of the noncompliance. The notice shall specify the
8 nature of the noncompliance and the date on which the application will expire if the
9 noncompliance is not remedied.

10 3. The applicant fails to remedy the noncompliance before the date provided in
11 the notice.

12 **SECTION 2. Initial applicability.**

13 (1) This act first applies to an application for an approval that is submitted on
14 the effective date of this subsection.

15 (END)

d-note
↓

ⓓ Note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2277/P2dn

EVM:jld:ph

↑
Keep

date

ATTN: Rob Kovach ✓

Please note, your draft has been assigned a new LRB number, LRB-2277, due to an error in processing a previous version of this draft.

In regards to the changes to the definition of ^{fix} "approval" in this draft, please note that ^{*} when a statute contains specific enumerations, there is a risk that a court may interpret the statute to apply only in situations similar to type enumerated. That is, ^{the} including the fairly specific examples of driveway and stormwater authorizations might lead a court to find that ^{fix} "approval" covers a narrower range of authorizations ^{*} than a broadly worded, but entirely generic definition.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an ^{fix} "introducible" draft. ✓

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2277/P2dn
EVM:jld:ph

May 20, 2013

ATTN: Rob Kovach

Please note, your draft has been assigned a new LRB number, LRB-2277, due to an error in processing a previous version of this draft.

In regards to the changes to the definition of "approval" in this draft, please note that when a statute contains specific enumerations, there is a risk that a court may interpret the statute to apply only in situations similar to the type enumerated. That is, including the fairly specific examples of driveway and stormwater authorizations might lead a court to find that "approval" covers a narrower range of authorizations than a broadly worded, but entirely generic definition.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

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E-mail: eric.mueller@legis.wisconsin.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1591/4 2277/1
EVM:jld:jf

stays
RMR

2013 BILL

No
Changes

9/6/13

Regen

Today

1 AN ACT to create 66.10015 of the statutes; relating to: the effect of changes in
2 requirements for development-related permits or authorizations on persons
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Under current law, a city, village, or town that is authorized to exercise village powers or a county (political subdivision) is 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, case law provides that where substantial rights have vested, zoning ordinances cannot be applied retroactively.

Under this bill, if a person has submitted an application for a permit or authorization for building, zoning, driveway, stormwater, or other activity related to residential, commercial, or industrial development (approval), the political subdivision must approve, deny, or conditionally approve the application based on regulations, ordinances, rules, or other properly adopted requirements in effect at the time the application for an approval is submitted to the political subdivision (existing requirements). In addition, if a project requires more than one approval or approvals from more than one political subdivision, the existing requirements applicable in each political subdivision at the time of filing the application for the first approval required for the project are applicable to all subsequent approvals required for the project.

BILL

Under this bill, an application for approval is submitted upon delivery of the application to the political subdivision or deposit of the application with the U.S. Postal Service for mailing by certified mail. An application for approval expires 60 days after filing if the application does not comply with form and content requirements, the political subdivision provides notice of the noncompliance, and the applicant fails to remedy the noncompliance.

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

1 **SECTION 1.** 66.10015 of the statutes is created to read:

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4 (a) “Approval” means a permit or authorization for building, zoning, driveway,
5 stormwater, or other activity related to residential, commercial, or industrial
6 development.

7 (b) “Existing requirements” means regulations, ordinances, rules, or other
8 properly adopted requirements of a political subdivision that are in effect at the time
9 the application for an approval is submitted to the political subdivision.

10 (c) “Political subdivision” means a city, village, town, or county.

11 **(2) USE OF EXISTING REQUIREMENTS.** (a) Except as provided under par. (b) or s.
12 66.0401, if a person has submitted an application for an approval, the political
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BILL

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11 the notice.

12 **SECTION 2. Initial applicability.**

13 (1) This act first applies to an application for an approval that is submitted on
14 the effective date of this subsection.

15 (END)

Parisi, Lori

From: Kovach, Robert
Sent: Monday, September 09, 2013 1:10 PM
To: LRB.Legal
Subject: Draft Review: LRB -2277/1 Topic: Effect of changes to certain local requirements on persons applying for certain permits or approvals

Please Jacket LRB -2277/1 for the SENATE.

Barman, Mike

From: Barman, Mike
Sent: Thursday, September 19, 2013 11:10 AM
To: Mueller, Eric
Cc: Kovach, Robert
Subject: FW: Mistake on LRB 2277/1
Attachments: 13-1591_4.pdf

Redraft instructions (see below) ...

From: Kovach, Robert
Sent: Thursday, September 19, 2013 11:06 AM
To: LRB.Legal
Subject: Mistake on LRB 2277/1

While working with the Assy author, we requested a change for both the Assy version (13-1591/4) AND the Senate version 2277/1.

The senate version is here jacketed without the change in 13-1591/4. I need to bring the jacket over and have it changed to match the assembly version.

Rob Kovach

Policy Advisor/Committee Clerk
Office of Senator Frank Lasee
(608) 266-3512



* LPS-FROM 2013 LRB-1591/4 *

State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1591/4
EVM:jld:jf

TODAY
2013 BILL

2277/2

4

Regen

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BILL

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BILL

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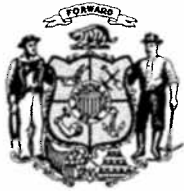
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15 (END)



2013 BILL

RMNR

9/20/13

Today

4

Regen

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BILL

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