



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2013 Senate Bill 390

**Senate
Amendment 1**

Memo published: February 10, 2014

Contact: Katie Bender-Olson, Staff Attorney (266-2988)
Melissa Schmidt, Senior Staff Attorney (266-2298)

Current Law

Under current law, if a county has enacted a zoning ordinance and a town exercising village powers within that county decides to enact its own town zoning ordinances, then both of the following must occur: (1) the town board must be specifically authorized to engage in zoning under village powers by the town electors at a town meeting or by a referendum vote; and (2) the county board must approve any town zoning ordinance or amendment of an ordinance.

Senate Bill 390

Senate Bill 390 specifies that a town located within a county that meets three criteria cannot adopt or amend a zoning ordinance without county board approval. The requirement applies if the following criteria are met:

- The town is located in a county that has a population exceeding 380,000.
- The county in which the town is located is adjacent to a county that has a population exceeding 800,000.
- The county in which the town is located has a zoning ordinance in effect on January 1, 2013.

The only county which currently meets these criteria is Waukesha County.

Senate Amendment 1

Senate Amendment 1 provides a technical revision to clarify that the bill applies only to a town that meets the three criteria listed above (currently, only a town located in Waukesha County).

Legislative History

Senate Amendment 1 was offered by Senator Farrow on December 17, 2013. The Senate Committee on Elections and Urban Affairs recommended adoption of the amendment on February 6, 2014, on a vote of Ayes, 5; Noes, 0. The committee then recommended passage of the bill, as amended, on a vote of Ayes, 3; Noes, 2.

KBO:ty