



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 223
[2015 Assembly Bill 523]

**Nonconforming Manufactured
Home Communities and
Replacement of Damaged
Nonconforming Structures**

Under current law, city and village zoning ordinances may not prohibit, or limit based on cost, the repair, maintenance, renovation, or remodeling of a nonconforming structure. Another statute provides that restrictions under these types of zoning ordinances that are applicable to nonconforming structures damaged or destroyed by violent wind, vandalism, fire, flood, ice, snow, mold, or infestation after March 1, 2006 may not prohibit the restoration of one of these nonconforming structures if the structure will be restored to the size (unless state or federal law require changes), location, and use that it had immediately before the damage or destruction occurred, and may not impose any limits on the costs of the repair, reconstruction, or improvement. 2015 Wisconsin Act 223 specifies that city and village zoning ordinances also may not prohibit the *replacement* of a nonconforming structure damaged or destroyed by one of these causes if the same conditions are met.

The Act also provides that a licensed manufactured home community that is a legal nonconforming use under a county zoning ordinance retains its legal nonconforming status notwithstanding any repair or replacement of homes or infrastructure within the community.

Effective date: March 3, 2016

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.