



2017 SENATE BILL 601

1 **AN ACT** *to amend* 87.30 (1) (b); and *to create* 87.30 (1) (e) of the statutes;
2 **relating to:** conforming a floodplain zoning ordinance to a federal letter of map
3 amendment.

Analysis by the Legislative Reference Bureau

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

4 **SECTION 1.** 87.30 (1) (b) of the statutes is amended to read:
5 87.30 (1) (b) All final orders, determinations, or decisions made under this
6 subsection shall be subject to review under ch. 227 and be effective 20 days after the
7 same have been served unless such order, determination, and decision specifies a
8 different date upon which the same shall be effective. Such floodplain determination
9 and zoning ordinance shall be of the same effect as if adopted by the county, city, or
10 village. Thereafter it is the duty of the county, city, village, and town officials to

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1 administer and enforce the ordinance in the same manner as if the county, city, or
2 village had adopted it. ~~Floodplain~~ Except as provided in par. (e), floodplain
3 determinations and zoning ordinances so adopted may be modified by the county,
4 city, or village concerned only with the written consent of the department ~~except that,~~
5 Except as provided in par. (e), nothing in this subsection may be construed to prohibit
6 a county, city, village, or town from adopting a floodplain ordinance more restrictive
7 than that adopted by the state.

8 **SECTION 2m.** 87.30 (1) (e) of the statutes is created to read:

9 87.30 (1) (e) 1. Except as provided in subd. 4., on the request of a property owner
10 who has obtained a letter of map amendment from the federal emergency
11 management agency under 44 CFR 70, the county, city, village, or town in which the
12 property is located shall amend its floodplain determination as necessary to conform
13 with the letter of map amendment. After amending its floodplain determination, the
14 county, city, village, or town may not enforce a floodplain zoning ordinance with
15 respect to that specific property or area to the extent that the ordinance is contrary
16 to the letter of map amendment.

17 2. A property owner requesting an amendment to a floodplain determination
18 under subd. 1. shall submit to the county, city, village, or town the letter of map
19 amendment and all supplementary documents submitted to the federal emergency
20 management agency as part of the application for the letter of map amendment.

21 3. The department shall consent to an amendment to a floodplain
22 determination that is necessary to conform with a letter of map amendment under
23 subd. 1.

24 4. Subdivision 1. does not apply to a county, city, village, or town that
25 participates in the community rating system under the National Flood Insurance

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1 Program if amending a floodplain determination to conform with a letter of map
2 amendment would conflict with eligibility requirements under the community
3 rating system.

4 (END)