

No. 315, A.]

[Published July 4, 1953.

**CHAPTER 366**

AN ACT to amend 59.97 (3) (f); and to create 59.97 (4a) of the statutes, relating to zoning.

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

SECTION 1. 59.97 (3) (f) of the statutes is amended to read:

59.97 (3) (f) Upon receipt of such agency report the county board may adopt the ordinance as drafted by the zoning agency or with amendments, or it may deny the petition for amendment, or it may refuse to deny the petition as recommended by the agency in which case it shall re-refer the petition to the agency with directions to draft an ordinance to effectuate the petition \* \* \* and report the same back to the county board which may then adopt or reject such ordinance. In case a protest against a proposed amendment be filed with the county clerk at least 24 hours prior to the date of the meeting of the county board at which the report of the zoning agency is to be considered, duly signed and acknowledged by the owners of 20 per cent or more of the area proposed to be altered, or by the owners of at least 20 per cent of the frontage immediately in the rear or along the side boundaries thereof within 300 feet of the area proposed to be changed, or by the owners of at least 20 per cent of the frontage directly opposite and across a public street, highway or alley, from the area proposed to be altered, action on such ordinance may be deferred until the zoning agency shall have had a reasonable opportunity to ascertain and report to the county board as to the authenticity of such ownership statements. Each signer shall state the amount of area or frontage owned by him and shall include a description of the lands owned by him. If such statements are

found to be true, such ordinance shall not be adopted except by the affirmative vote of three-fourths of the members of the county board of supervisors present and voting. If such statements are found to be untrue to the extent that the required frontage or area ownership is not present such protest may be disregarded.

SECTION 2. 59.97 (4a) of the statutes is created to read:

59.97 (4a) CONTINUED EFFECT OF ORDINANCE. Whenever any area which has been subject to a county zoning ordinance petitions to become part of a village or city, the regulations imposed by such county zoning ordinance shall continue in effect, without change, and shall be enforced by such village or city until such regulations have been changed by official action of the governing body of such village or city, except that in the event an ordinance of annexation is contested in the courts, the county zoning shall prevail and the county shall have jurisdiction over the zoning in the area affected until ultimate determination of the court action.

Approved June 25, 1953.

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