

CHAPTER 281, Laws of 1975

AN ACT to repeal and recreate 62.23 (7) (d) of the statutes, relating to procedures for the enactment, amendment, repeal and repeal and reenactment of zoning ordinances.

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

62.23 (7) (d) of the statutes is repealed and recreated to read:

62.23 (7) (d) *Method of procedure.* 1. 'Enactment of a zoning ordinance.' a. Upon the request of the city council, the city plan commission, the board of public land commissioners, or if the city has neither, the city plan committee of the city council shall prepare and recommend a district plan and regulations for the city. Following the formulation of tentative recommendations a public hearing shall be held by, at the council's option, the council, the plan commission, the board of public land commissioners or the plan committee. At least 10 days' prior written notice of any such hearings shall be given to the clerk of any municipality whose boundaries are within 1,000 feet of any lands included in the proposed plan and regulations but failure to give such notice shall not invalidate such district plan or regulations. Publication of a class 2 notice, under ch. 985, of the tentative recommendations and hearings thereon must be made once during each of the 2 weeks prior to such hearing.

b. The council may make changes in the tentative recommendations after first submitting the proposed changes to the plan commission, board of public land commissioners or plan committee for recommendation and report and after publishing a class 2 notice, under ch. 985, of the proposed changes and hearings thereon as well as the notice to the clerk of any contiguous municipality as required in subd. 1.a. Hearings on the proposed changes may be held by, at the council's option, the council, the plan commission, the board of public land commissioners or the plan committee.

2. 'Amendments to a zoning ordinance.' The council may adopt amendments to an existing zoning ordinance after first submitting the proposed amendments to the city plan commission, board of public land commissioners or plan committee for recommendation and report and after providing the notices as required in subd. 1.b of the proposed amendments and hearings thereon. A hearing shall be held on the proposed amendments by, at the council's option, the council, the plan commission, the board of public land commissioners or the plan committee. If the council does not receive recommendations and a report from the plan commission, board of public land commissioners or plan committee within 60 days of submitting the proposed amendments, the council may hold hearings without first receiving the recommendations and report. In case of a protest against such amendment, duly signed and acknowledged by the owners of 20% or more either of the areas of the land included in such proposed amendment, or by the owners of 20% or more of the area of the land immediately adjacent extending 100 feet therefrom, or by the owners of 20% or more of the land directly opposite thereto extending 100 feet from the street frontage of such opposite land, such amendment shall not become effective except by the favorable vote of three-fourths of the members of the council voting on the proposed change.

3. 'Repeal or repeal and reenactment of a zoning ordinance.' The council may repeal or repeal and reenact the entire district plan and all zoning regulations in

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accordance with subd. 1. The council may repeal or repeal and reenact a part or parts of the district plan and regulations in accordance with subd. 2.
