

No. 462, S.]

[Published June 6, 1941.]

**CHAPTER 195.**

AN ACT to renumber 59.97 (1) to be 59.97 (1) (a); and to create 59.97 (1) (b) of the statutes, relating to the zoning power of counties.

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

SECTION 1. Subsection (1) of section 59.97 of the statutes is renumbered to be paragraph (a) of subsection (1) of section 59.97 of the statutes.

SECTION 2. Paragraph (b) of subsection (1) of section 59.97 of the statutes, is created to read:

(59.97) (1) (b) The county board of any county may by ordinance regulate, restrict, and determine the location, height, bulk, number of stories, and size of buildings and other structures and objects of natural growth, whether or not in existence on the effective date of this paragraph, in territory outside the limits of incorporated villages and cities in the vicinity of an airport, whether publicly or privately owned, and may divide such territory into several areas and impose different restrictions with respect to each area which restrictions may be applicable to an entire town or only a portion thereof. The county board shall, before it adopts such ordinance or ordinances, submit the same to the town board or town boards of the town or towns in which may be situated any lands affected by such ordinance, and thereupon obtain the approval of said town board or town boards, so far as the same affects the lands in such town or towns, and in like manner any and all ordinances, which may amend any ordinance, which have been adopted as herein provided, shall be submitted to said town boards of the towns in which said lands are located and their approval obtained as to each such change before the same shall be adopted by the county board. Such ordinance or amendments thereto may be adopted as to such town or towns which shall have given their approval thereto. In the exercise of its power under this paragraph, the county board may, by eminent domain, remove or alter any buildings, structures, or objects of natural growth which are contrary to the restrictions imposed in the area in which they are located.

Approved June 3, 1941.