

Assembly Bill 325

Published
July 8, 1965.

CHAPTER 148

AN ACT to renumber 30.19 (2) (e) ; to amend 30.19 (3) and (4) ; and to create 30.19 (2) (e) of the statutes, relating to application for hearing on and issuance of permits for the enlargement and protection of waterways.

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

SECTION 1. 30.19 (2) (e) of the statutes is renumbered 30.19 (2) (f).

SECTION 2. 30.19 (2) (e) of the statutes is created to read:

30.19 (2) (e) The name and address of the secretary of any property owners' association pertaining to the bodies of water affected by the project or if there is no such association, the names and addresses of at least 5 persons who own real property located adjacent to the bodies of water. If fewer than 5 persons own real property located adjacent to the bodies of water, the names and addresses of such persons that own real estate so located shall be given.

SECTION 3. 30.19 (3) and (4) of the statutes are amended to read:

30.19 (3) Upon receipt of the application the commission shall *mail copies to the conservation commission, state board of health, clerks of the municipality and county in which the project or bodies of water affected are located, and to the other persons named in sub. (2) (e), accompanied by a statement that unless written objection is filed with the public service commission within 30 days after the mailing of the application, the commission may take action to grant the application without public hearing. If the application affects the Milwaukee river, the Menomonee river, the Kinnickinnic river, the Root river or any of the tributaries thereof, notice shall also be given to the metropolitan sewerage district of the county of Milwaukee. If timely objection is filed, the commission shall set the application for public hearing. Notice of such hearing shall be given by publication and by mailing a copy of the notice, as provided in s. 31.06, to the clerk of every municipality and county in which the project or the bodies of water affected thereby are located, to the conservation director, to the secretary of a property owners' association on the bodies of water affected, and if no such property owners' association exists, to at least 5 owners of property on the bodies of water affected persons named in this subsection.*

(4) ~~At the conclusion of the hearing,~~ If the commission finds that the project will not injure public rights or interest, including fish and game habitat, that the project conforms to the requirement of laws for the platting of land and for sanitation and that no material injury to the rights of any riparian owners on any body of water affected will result, the commission shall issue a permit authorizing the enlargement of the waterways affected.

Approved July 1, 1965.
