



## PARC Agenda Item

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| Meeting Date:                       | December 9, 2024                                       |
| Agenda Item:                        | Title 19.69.070 Repeal                                 |
| Staff Contact (name, email, phone): | Allison Schwark, Zoning Administrator/Code Enforcement |

### BACKGROUND

(Enter the who, what when, where, why)

Wis. Act 16 created Wis. Stat § 66.10015(3)(a), which provides that a zoning amendment now only requires approval by a “simple majority of a quorum of the members-elect” of a governing body to pass and eliminates any super-majority voting requirement (such as if a protest petition is filed). Thus, with the enactment of § 66.10015(3)(a), super-majority voting and the protest petition procedure is entirely eliminated, and municipalities are precluded from adopting ordinances that establish a protest petition procedure similar to the former § 62.23(7)(d)2m.

This new provision eliminating protest petition procedures and super-majority voting in local ordinances will not take effect until January 1, 2025. This delayed effective date gives municipalities time to update their ordinances to reflect the statutory change by removing any super-majority voting requirement for zoning amendments. As such, Whitewater’s Ordinance Sec. 19.69.070 will be unenforceable after January 1, 2025.

### PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

N/A

### FINANCIAL IMPACT

(If none, state N/A)

N/A

### STAFF RECOMMENDATION

Staff recommends that the City of Whitewater PARC:

1. Recommend approval of the ordinance amendment to repeal section 19.69.070 to the Common Council

### ATTACHMENT(S) INCLUDED

(If none, state N/A)

Title 19.69.070