

No. 461, A.]

[Published June 23, 1949.

### CHAPTER 323.

AN ACT to amend 236.143 of the statutes, relating to the regulation for prohibition of the division or subdivision of land outside the limits of incorporated cities or villages in counties having a population of 500,000 or more, by extending provisions thereof to cities of the first class.

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

236.143 of the statutes is amended to read:

236.143 SUBDIVISION CONTROL: IN POPULOUS COUNTIES OR CITIES. (1) The purpose of this section is to promote the public health, safety and the general welfare of the community and the regulations authorized to be made are designed to lessen congestion in the streets and highways and further the orderly layout and use of land; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate adequate provision for transportation, water, sewerage, schools, parks, playgrounds and other public requirements; to facilitate the further resubdivision of larger tracts into smaller parcels of land. The regulations provided for by this section shall be made with reasonable consideration, among other things, of the character of the county *or city* with a view of conserving the value of buildings placed upon land, providing the best possible environment for human habitation, and for encouraging the most appropriate use of land throughout the county *or city*.

(2) The county board of any county having a population of 500,000 or more may by ordinance regulate, restrict, and in specific areas prohibit the division or subdivision of land within the county outside the limits of incorporated cities or villages. *The common council of any city of the first class may by ordinance regulate, restrict, and in specific areas prohibit the division or subdivision of land within said city.* This section, and any ordinance, resolution or regulation hereafter enacted or adopted pursuant thereto, shall be liberally construed in favor of the county *or city* and as minimum requirements adopted for the purposes stated in subsection (1). It shall not be deemed a limitation or repeal of any power elsewhere granted or appearing in chapter 236 relating to the platting of lands except where the regulations adopted pursuant to authority contained in this section are more restrictive than such other provisions of chapter 236.

(3) The rural planning board or county park commission of such county, *or the board of public land commissioners of such city* shall prepare a draft of suitable rules,

regulations or ordinances, hold public hearings on such tentative draft, and thereafter submit a final draft thereof to the county board *or common council, as the case may be*, which shall proceed to consider the draft and which may adopt rules, regulations or ordinances with respect thereto, provided that the county board shall, before it adopts such ordinances, rules or regulations, submit the same to the town board of the town in which any lands which may be affected by any ordinance are situated and thereupon obtain the approval of the town board of such ordinance, rule or regulation so far as the same affects the land in such town, which ordinance may thereafter be adopted by the county board and be in effect in the town or towns whose town boards shall have given their approval thereto. At any time thereafter, the county board may amend such rules, regulations or ordinances after submitting the proposed amendments to the rural planning board or park commission for its recommendation and report thereon and after the proposed ordinance, rule or regulation embodying such amendment shall have been submitted to the town board of the town in which lands to be affected thereby are located and the approval thereof by the town board obtained. *At any time thereafter, the common council of such city may amend such rules, regulations or ordinances after submitting the proposed amendments to the board of public land commissioners for its recommendation and report thereon.* Before adopting any original or amendatory ordinance, rule or regulation, the county board *or common council* shall hold a public hearing. Notice of the public hearing shall be given by publication in such manner as the county board *or common council* shall determine.

Approved June 24, 1949.

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