

STATE OF WISCONSIN

VILLAGE OF PALMYRA

JEFFERSON COUNTY

ORDINANCE NO. 2026-04

An Ordinance to Amend Portions of Chapter 17 of the Village of Palmyra Municipal Code Regarding Zoning & Development Code

Summary of an Ordinance to Amend Certain Sections of the Village's Zoning & Development Code

WHEREAS, Chapter 17 of the Village of Palmyra Municipal Code establishes zoning and development codes for the Village of Palmyra and the area within its extraterritorial plat review jurisdiction; and

WHEREAS, the Village has found it necessary to amend certain Sections of Chapter 17 to clarify the intent and purpose of Village zoning regulations; and

WHEREAS, Chapter 17 has been adopted pursuant to the authority contained in Wisconsin Statutes sections 61.35, 62.23(7), 87.30, and Chapters 236 and 703, and Wisconsin Administrative Codes; and

WHEREAS, the purpose of the Chapter is to protect and promote the public health, safety, prosperity, aesthetics, morals, and general welfare of the Village of Palmyra, and to provide certain minimum standards, provisions, and requirements for safe and stable structures; and

WHEREAS, the intent of the proposed amendments is to further the purpose for which Chapter 17 was created; and

WHEREAS, the Village Plan Commission has reviewed the proposed changes and recommended adoption by the Village Board; and

WHEREAS, the Village Plan Commission has held a public hearing at an official meeting regarding the proposed amendments to Chapter 17.

NOW THEREFORE, the Village Board for the Village of Palmyra DOES HEREBY ORDAIN THE FOLLOWING AMENDMENTS TO CHAPTER 17 AS FOLLOWS:

SECTION 1: SUMMARY OF CHAPTER 17 CODE AMENDMENTS

Section 17.17(4)(f)(2) of the Village Code is hereby repealed in its entirety to conform with 2023 Wisconsin Act 16, which eliminated the protest petition procedure and supermajority voting requirement for zoning amendments under Wis. Stat. § 62.23(7). The repealed subsection previously read as follows:

Section 17.17(4)(f)(2):

2. In the event of a protest against such district change or amendment to the regulations of this Chapter, duly signed and acknowledged by the owners of twenty (20) percent or more of the areas of the land included in such proposed change, or by the owners of twenty (20) percent or more of the land immediately adjacent extending 100 feet there from, or by the owners of twenty (20) percent or more of the land directly opposite thereto extending 100 feet from the street frontage of such opposite land, such change or amendment shall not become effective except by the favorable vote of three-fourths (3/4) of the full Village Board membership.

Subsections (3) and (4) of Section 17.17(4)(f) are hereby renumbered as Subsections (2) and (3), respectively. Section 17.17(4)(f) shall therefore be amended to read as follows:

Section 17.17(4)(f), Action of the Village Board:

- 1. As soon as possible after such public hearing, and after careful consideration of the Village Plan Commission recommendation, the Village Board shall act on the petition either approving, modifying and approving, or disapproving of the same. The Village Board may take final action on the application at the time of its initial meeting, or may continue the proceedings, at the Board's, or the Petitioner's request.*
- 2. Other Agency Approval. When amendments to the zoning text or map require outside agency approval, Village Board approval of an amendment shall be subject to subsequent authorized agency approval.*
- 3. Approval shall be by appropriate ordinance and necessary changes in the official zoning map or texts shall be made promptly by the Zoning Administrator.*

SECTION 2: SEVERABILITY

If any section, clause, provision, or portion of the amendments to Chapters 17 are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of Chapter 17 shall not be affected thereby. If an application of Chapter 17 to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under Chapter 17 is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE

This ordinance shall take effect immediately upon passage and posting or publication as provided by law. This ordinance passed this ____ day April, 2026.

Tim Gorseger, Village President

ATTEST:

Laurie Mueller, Village Clerk

Published: