

**ORDINANCE NO. 2024-04**

**ORDINANCE TO REPEAL SECTION 40.122 OF THE MUNICIPAL CODE OF THE VILLAGE OF PEWAUKEE REGARDING ZONING PROTEST PETITIONS**

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**WHEREAS**, the Village of Pewaukee Municipal Code Section 40.122 currently provides a procedure for property owners to file a petition in protest of a proposed amendment to the zoning code of the Village of Pewaukee, whereby the receipt of a duly signed and acknowledged petition would require a three-fourths vote of the members of the Village of Pewaukee Village Board for passage of the proposed change; and

**WHEREAS**, 2023 Wisconsin Act 16 created Wisconsin Statute Section 66.10015(3)(a), which prohibits a local protest petition process requiring a supermajority vote of the governing body to approve a proposed zoning amendment.

**NOW, THEREFORE**, the Village Board of the Village of Pewaukee, Waukesha County, Wisconsin do ordain as follows:

**SECTION I**

Section 40.122 of the Municipal Code of the Village of Pewaukee is hereby repealed in its entirety.

**SECTION II**

All Ordinances or parts of Ordinances contravening the terms and conditions of this Ordinance are hereby to that extent repealed;

**SECTION III**

The several sections of this Ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the Ordinance.

**SECTION IV**

This Ordinance shall take effect January 1, 2025 and after passage and publication as approved by law, and the Village Clerk shall so amend the Code of Ordinances of the Village of Pewaukee, and shall indicate the date and number of this amending Ordinance therein.

Passed and adopted this 4 day of June 2024 by the Village Board of the Village of Pewaukee.

APPROVED:

  
Jeff Knutson, Village President

Countersigned:

  
Jenna Peter, Village Clerk