



STAFF REPORT
WEST ALLIS PLAN COMMISSION
Wednesday, February 27, 2019
6:00 PM
Room 128 – City Hall – 7525 W. Greenfield Ave.

10. Ordinance to amend section 12.16 (14) of the Revised Municipal Code relative to setting a consistent timeframe for appeals of special use decisions by the Common Council.

The purpose of this amendment is to provide a 30-day period for someone to commence court action challenging a Common Council *special use decision*. The current special use section of the zoning ordinance (12.16) doesn't specify a timeframe, the proposed amendment would be consistent with WI State law. See (62.23(7)(de)5 of WI State Statutes).

*Ordinance No. O-2019-DRAFT
Sponsor(s): Safety and Development Committee*

Ordinance to amend section 12.16 (14) of the Revised Municipal Code relative to setting a consistent timeframe for appeals of special use decisions by the Common Council.

The Common Council of the City of West Allis do ordain as follows:

PART I. Subsection 12.16(14) of the Revised Municipal Code of the City of West Allis is hereby amended as follows:

** * **

(14) Appeals. Any person aggrieved by a decision of the Common Council on an application for special use permit may seek judicial review of the decision within 30 days after the filing of the written decision in the clerk's office.

PART II. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART III. This ordinance shall take effect and be in force from and after its passage and publication.

The proposed zoning ordinance amendment, will be published in the Official paper and a public hearing has been scheduled for March 19. The Plan Commission's recommendation will be forwarded to the Common Council for consideration.

Recommendation: Recommend Common Council approval of the Ordinance to amend section 12.16(14) of the Revised Municipal Code relative to setting a consistent timeframe for appeals of special use decisions by the Common Council (A public hearing is scheduled for March 19, 2019).

