

**RESOLUTION TO AMEND THE POLK COUNTY CODE OF ORDINANCES, CHAPTER 42,
ARTICLE 4- FLOODPLAIN ZONING**

TO THE POLK COUNTY BOARD OF SUPERVISORS:

WHEREAS, the floodplain areas of Polk County are governed under this ordinance by the authorization provided under Wisconsin Statute Sections 59.69, 59.692, 59.694, 87.30 and NR 116, Wisconsin Administrative Code; and

WHEREAS, on January 19, 2023, the Polk County Zoning Administrator filed pursuant to Wisconsin Statute Section 59.69(5)(e), a petition to amend the Polk County Code of Ordinances, Chapter 42, Article 4, through the enactment of the proposed amendments in Appendix A attached; and

WHEREAS, the amendments include revisions to comply with the new 2022 Department of Natural Resources model ordinance and 2019 ACT 175 enacted by the Wisconsin Legislature; and

WHEREAS, a public hearing was held on Wednesday, February 15, 2023, at the Polk County Government Center by the Environmental Services Committee of the Polk County Board of Supervisors as required by the provisions of Wisconsin Statute Section 59.69(5)(e) regarding said proposed amendments; and

WHEREAS, at said public hearing no objections were received about the proposed amendments; and

WHEREAS, the Environmental Services Committee has reviewed said proposed amendments, and recommends the Polk County Board of Supervisors enact said amendments to Chapter 42, Article 4 of the Polk County Code of Ordinances; and

NOW, THEREFORE, pursuant to Wisconsin Statute Sections 59.692(2)(a) and 59.69(5)(e), the Polk County Board of Supervisors ordains as follows:

1. The amended Polk County Code of Ordinances, Chapter 42, Article 4, attached hereto and incorporated herein, is enacted.
2. Pursuant to Wisconsin Statute, the provisions of the amended Code of Ordinances shall supersede any prior ordinance versions.
3. The Polk County Zoning Administrator is directed to forward the amended floodplain zoning ordinance provisions to the Wisconsin Department of Natural Resources for approval.
4. Pursuant to Wisconsin Statute Sections 59.14(1) and 985.01(5), the County Clerk is directed to cause to be published the amendment enacted herein.
5. The amended provisions shall be effective upon passage and publication.

**RESOLUTION TO AMEND THE POLK COUNTY CODE OF ORDINANCES, CHAPTER 42,
ARTICLE 4- FLOODPLAIN ZONING****RESOLUTION SPONSOR(S):**

X _____ Brad Olson	X <u><i>L.A. O'Connell</i></u> Kim O'Connell
X _____ Doug Route	X _____ Amy Middleton
X _____ Steve Warndahl	X _____ Jay Luke
X _____ Ryan Wood	X _____ Denise L'Allier-Pray
X _____ Tracy LaBlanc	X _____ Russ Arcand
X _____ Dan Ruck	X _____ CJ Simones
X _____ Barbara McAfee	X _____ John Bonneprise
X _____ Sharon Kelly	X _____ Vince Netherland, Administrator

COMMITTEE(S) REVIEW & RECOMMENDATION**Committee 1:** Environmental Services

- ☒ Recommended
☐ Not Recommended
☐ Neutral

Committee 2: Select a Committee.

- ☐ Recommended
☐ Not Recommended
☐ Neutral

Certification:

I, Shabana Lundeen, Clerk of Polk County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 21st day of March, 2023 by the Polk County Board of Supervisors.

Shabana Lundeen
 Shabana Lundeen, Polk County Clerk

VOTE BY ROLL CALL

Board Members	Aye	Nay	Excu.
Olson			
Route			
Warndahl			
Wood			
LaBlanc			
Ruck			
McAfee			
Kelly			
O'Connell			
Middleton			
Luke (Chairperson)			
L'Allier-Pray			
Arcand (2nd Vice Chair)			
Simones			
Bonneprise (Vice Chair)			

BOARD ACTION

Vote Required: _____

Motion to ApproveAdopted ☒1st KellyDefeated ☐2nd Middleton

Yes: _____ No: _____ Excu: _____

☒ Approved by unanimous voice vote☐ Approved by majority voice vote☐ Defeated by lack of majority voice vote**RESOLUTION REVIEW COMPLETED BY:**

X *Malia G. Malone*
 Malia Malone, Corporation Counsel

X *Vince Netherland*
 Vince Netherland, Administrator

X *Don*
 Don Wortham, Finance Director

Fiscal & Legal Impact(s):