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ORDINANCE NO. 010

AN ORDINANCE TO CREATE SECTION 18.38
OF THE CODE OF ORDINANCES OF THE TOWN OF SOMERS
RELATING TO A PUBLIC PARTICIPATION PLAN FOR
AMENDING THE COMPREHENSIVE PLAN: TOWN OF SOMERS

The Town Board of Supervisors of the Town of Somers, Kenosha County, Wisconsin, hereby creates Section 18.38 of the Code of Ordinances of the Town of Somers relating to a public participation plan for amending the comprehensive plan: Town of Somers to read as follows:

18.38 PUBLIC PARTICIPATION PLAN FOR AMENDING THE COMPREHENSIVE PLAN: TOWN OF SOMERS.

(A) **Introduction and Background.** On March 9, 2010, the Somers Town Board adopted §18.37 of the Code of Ordinances, the multi-jurisdictional comprehensive plan for Kenosha County, as the Town comprehensive plan under §66.1001 of the Wisconsin Statutes. That plan is documented in a report titled *A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035*. The comprehensive plan was prepared in accordance with a public participation plan adopted by the Town Board on January 26, 2010, that included activities to foster public participation in the preparation of the comprehensive plan. Under §66.1001(4)(a) of the Wisconsin Statutes, future amendments to the comprehensive plan must also be carried out in accordance with a public participation plan, adopted by the Town Board, designed to foster public participation in the amendment process.

(B) **Public Participation Activities for Future Amendments to the Comprehensive Plan.**

(1) The Town will provide opportunities for public review of materials describing all proposed amendments to the comprehensive plan, including the following:

(a) Printed copies of materials describing a proposed plan amendment will be made available at the Town Hall.

(b) Electronic copies of materials describing a proposed plan amendment will be posted on the Town website.

(2) The Town will hold a public hearing on each proposed amendment to the comprehensive plan. The hearing will include a presentation describing the

proposed plan amendment and provide an opportunity for the public to comment on the proposed amendment. The Town Plan Commission and Town Board will take public testimony provided at the hearing and any written comments submitted to the Town into account during their deliberations and actions on the proposed plan amendment.

(3) The public hearing referred to in subparagraph (2), above, will be preceded by a Class 1 notice that is published at least thirty (30) days before the hearing is held. In accordance with §66.1001(4)(d), Wis. Stats., the notice will include the date, time and place of the hearing; a brief summary of the proposed comprehensive plan amendment; a local contact who may be contacted for additional information on the proposed plan amendment and to whom written comments regarding the plan amendment may be submitted; and information regarding where and when the proposed plan amendment may be inspected before the hearing and how a copy of the proposed plan amendment may be obtained.

(4) The Town Clerk/Treasurer will provide a copy of the public hearing notice and the proposed amendment at least thirty (30) days prior to the public hearing to any person who submits a written request to receive notice of any proposed amendment under §66.1001(4)(f), Wis. Stats. The Town may charge a fee to cover the cost of providing such notice. In accordance with §66.1001(4)(e), Wis. Stats., the Town Clerk/Treasurer will also provide such notice to nonmetallic mining operators within the Town; to persons who have registered a marketable nonmetallic mineral deposit within the Town; or to persons who own or lease property on which nonmetallic minerals may be extracted, if such person has requested notification in writing.

(C) **Adoption of Comprehensive Plan Amendments.** Any plan amendment approved by the Town will be approved by a resolution approved by a majority of the full membership of the Town Plan Commission, and an ordinance adopted by a majority of the full membership of the Town Board. Printed or electronic copies of the amendment and the ordinance adopting the amendment will be sent to all units and agencies of government as required under §66.1001(4)(b), Wis. Stats.

Dated at Somers, Wisconsin, this 27 day of April, 2010.

TOWN OF SOMERS

By: James M. Smith
James Smith, Chairperson

Attest: Tim Kitzman
Tim Kitzman, Clerk/Treasurer