



## 1995 SENATE BILL 21

January 19, 1995 - Introduced by Senator ANDREA, cosponsored by Representatives KREUSER, WIRCH and PORTER, by request of Kathy Dahl of Kenosha, Wisconsin. Referred to Committee on Transportation, Agriculture and Local Affairs.

1     **AN ACT to amend** 66.296 (2) (c); and **to create** 66.296 (2) (d) of the statutes;  
2             **relating to:** the authority of villages, towns and cities other than 1st class cities  
3             to vacate streets, roads or alleys.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the governing body of any 2nd, 3rd or 4th class city (every city in the state other than Milwaukee), any village and, as of January 1, 1995, any town, may adopt a resolution that vacates, or discontinues, the whole or any part of a road, street, slip, pier, lane or alley (highway). A county may also discontinue a street, slip or alley in any town within the county. The city, village, town or county is required to hold a public hearing on the proposed resolution. Also under current law, no highway may be discontinued if a written objection to the proposed discontinuance is filed with the city, village, town or county clerk by any of the owners of land abutting on the portion of the highway to be discontinued.

This bill changes current law by providing that a proposed discontinuance of an alley may not be halted by the written objection of the owner of one parcel of land abutting the portion of the alley to be discontinued unless the alley provides the only access to off-street parking for that parcel of land.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4             **SECTION 1.** 66.296 (2) (c) of the statutes is amended to read:  
5             66.296 (2) (c) ~~No~~ Except as provided in par. (d), no discontinuance shall be  
6             ordered if a written objection to the proposed discontinuance is filed with the city,

1 village or town clerk by any of the owners abutting on the portion sought to be  
2 discontinued or by the owners of more than one-third of the frontage of the lots and  
3 lands abutting on that portion of the remainder thereof which lies within 2,650 feet  
4 from the ends of the portion proposed to be discontinued; or which lies within so much  
5 of said 2,650 feet as shall be within the corporate limits of the city, village or town.  
6 The beginning and ending of an alley shall be considered to be within the block in  
7 which it is located.

8 **SECTION 2.** 66.296 (2) (d) of the statutes is created to read:

9 66.296 (2) (d) A written objection to a proposed discontinuance or vacation of  
10 an alley, under par. (c), by the owner of one parcel of land that abuts the portion of  
11 the alley to be discontinued or vacated may not halt common council or village or  
12 town board action under par. (a) to discontinue or vacate that alley unless the alley  
13 provides the only access to off-street parking for the parcel of land owned by the  
14 objector.

15 (END)