

State of Wisconsin



1995 Senate Bill 21

Date of enactment: **April 18, 1996**

Date of publication*: **May 2, 1996**

1995 WISCONSIN ACT 239

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

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

SECTION 1. 66.296 (1) of the statutes is amended to read:

66.296 (1) The whole or any part of any road, street, slip, pier, lane or paved alley, in any 2nd, 3rd or 4th class city or in any village or town, may be discontinued by the common council or village or town board upon the written petition of the owners of all the frontage of the lots and lands abutting upon the portion thereof sought to be discontinued, and of the owners of more than one-third of the frontage of the lots and lands abutting on that portion of the remainder thereof which lies within 2,650 feet of the ends of the portion to be discontinued, or lies within so much of that 2,650 feet as shall be within the corporate limits of the city, village or town. The beginning and ending of an alley shall be considered to be within the block in which it is located. This subsection does not apply to a highway upon the line between 2 towns that is subject to s. 80.11.

SECTION 2. 66.296 (1m) of the statutes is created to read:

66.296 (1m) The whole or any part of any unpaved alley in any 2nd, 3rd or 4th class city or in any village or town may be discontinued by the common council or village or town board upon the written petition of the owners of more than 50% of the frontage of the lots and lands

abutting upon the portion thereof sought to be discontinued. The beginning and ending of an alley shall be considered to be within the block in which it is located. This subsection does not apply to a highway upon the line between 2 towns that is subject to s. 80.11.

SECTION 3. 66.296 (2) (c) of the statutes is amended to read:

66.296 (2) (c) No discontinuance of the whole or any part of any road, street, slip, pier, lane or paved alley shall be ordered if a written objection to the proposed discontinuance is filed with the city, village or town clerk by any of the owners abutting on the portion sought to be discontinued or by the owners of more than one-third of the frontage of the lots and lands abutting on that portion of the remainder thereof which lies within 2,650 feet from the ends of the portion proposed to be discontinued; or which lies within so much of said 2,650 feet as shall be within the corporate limits of the city, village or town. The beginning and ending of an alley shall be considered to be within the block in which it is located.

SECTION 4. 66.296 (2) (d) of the statutes is created to read:

66.296 (2) (d) No discontinuance of an unpaved alley shall be ordered if a written objection to a proposed discontinuance is filed with the city, village or town clerk by the owner of one parcel of land that abuts the portion of the alley to be discontinued and if the alley provides the

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

only access to off-street parking for the parcel of land
owned by the objector.
