

2001 Jr2 DRAFTING REQUEST

Senate Amendment (SA-SSA1-AB1)

Received: **03/27/2002**

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Senate Democratic Caucus**

By/Representing: **Engel**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact:

Addl. Drafters:

Subject: **Munis - zoning**

Extra Copies:

Submit via email: **NO**

Pre Topic:

SCC:.....Engel - CN5531,

Topic:

Creating a procedure for cities and villages to annex certain town territory

Instructions:

See Attached. Same as AB 816 (-3561/2)

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	shoveme 03/29/2002	gilfokm 03/29/2002		_____			
	shoveme 03/29/2002			_____			
/1			chanaman 03/29/2002	_____	lrb_docadmin 04/01/2002		
/2	shoveme 04/04/2002	csicilia 04/04/2002	pgreensl 04/04/2002	_____	lrb_docadmin 04/04/2002		
/3	shoveme	gilfokm	jfrantze	_____	lrb_docadmin		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	04/04/2002	04/04/2002	04/04/2002	_____	04/04/2002		
/4	shoveme 04/04/2002	gilfokm 04/04/2002	jfrantze 04/04/2002	_____	lrb_docadmin 04/04/2002		

FE Sent For:

<END>

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/3	shoveme	gilfokm	jfrantze	_____	lrb_docadmin		
		14-4/4 [Signature]	26-4/4 [Signature]	Self 4/4			

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	04/04/2002	04/04/2002	04/04/2002	_____	04/04/2002		

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Creating a procedure for cities and villages to annex town peninsulas

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	shoveme 03/29/2002			_____			
/1			chanaman 03/29/2002	_____	lrb_docadmin 04/01/2002		
/2	shoveme 04/04/2002	csicilia 04/04/2002	pgreensl 04/04/2002	_____	lrb_docadmin 04/04/2002		

13-4/4
KMG
4/4
J/KS
4/4

FE Sent For:

<END>

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For: **Senate Democratic Caucus**

By/Representing: **Engel**

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Drafter: **shoveme**

May Contact:

Addl. Drafters:

Subject: **Munis - zoning**

Extra Copies:

Submit via email: **NO**

Pre Topic:

SCC:.....Engel - CN5531,

Topic:

Creating a procedure for cities and villages to annex town peninsulas

Instructions:

See Attached. Same as AB 816 (-3561/2)

*4/1/02 I talked to Doug Burnett
and he said to keep this as is --
same as AB 816*

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	shoveme 03/29/2002	gilfokm 03/29/2002					
/1	shoveme 03/29/2002	1/2 cjs 4/4 02	chanaman 03/29/2002	<i>4/4</i> <i>pg</i>	Irby_docadmin 04/01/2002		

FE Sent For:

4/4
pg

<END>

2001 Jr2 DRAFTING REQUEST

Senate Amendment (SA-SSA1-AB1)

Received: 03/27/2002

Received By: shoveme

Wanted: As time permits

Identical to LRB:

For: Senate Democratic Caucus 6-9220

By/Representing: Engel

This file may be shown to any legislator: NO

Drafter: shoveme

May Contact:

Addl. Drafters:

Subject: Munis - zoning

Extra Copies:

Submit via email: NO

Pre Topic:

SCC:.....Engel - ~~EN 308~~ *EN 5531*

Topic:

Creating a procedure for cities and villages to annex town peninsulas

Instructions:

See Attached. Same as AB 816 (-3561/2)

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1?	shoveme	3/29 Kmg		==			
1	WES	3/29/02		==			

FE Sent For:

<END>

Shared Revenue and Tax Relief

Modify current annexation law to authorize the City of Madison to annex the Town of Madison if proposed by the Mayor and approved by the City Council.

~~AKA~~ / MES?

CN 5531

2001

Date (time)
needed

LRB b 2805, 1

CAUCUS BUDGET AMENDMENT
[CAUCUS AMDTS. ONLY]

MES: King, RMR
CJS

See form **AMENDMENTS — COMPONENTS & ITEMS.**

CAUCUS AMENDMENT
TO SENATE SUBSTITUTE AMENDMENT 1
TO 2001 SPECIAL SESSION ASSEMBLY BILL 1

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated; amend the substitute amendment as follows:

✓ #. Page 49, line 18: after ~~that~~
line insert: →

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

2001 ASSEMBLY BILL 816

CN 5531
#N

CN 04
7309

February 18, 2002 - Introduced by Representatives BERCEAU, URBAN, HUBER, SHILLING, RYBA, RICHARDS, POCAN and MILLER, cosponsored by Senator RISSER. Referred to Committee on Urban and Local Affairs.

1
2

AN ACT *to create* 66.0218 of the statutes; relating to: creating a procedure for cities and villages to annex town peninsulas.

Analysis by the Legislative Reference Bureau

Currently, town territory that is contiguous to any city or village may be annexed to that city or village under several methods. Three of the methods of annexation include the following: 1) direct annexation, under which a petition for annexation that was signed by the required number of electors and landowners is filed with the city or village clerk; 2) annexation by referendum, under which a petition for referendum that was signed by the required number of electors and landowners is filed with the city or village clerk, and a referendum is held and passes in the town; and 3) annexation by court order and referendum, under which the governing body of a city or village adopts a resolution declaring its intention to apply to the circuit court for an order for an annexation referendum. If the city or village submits the resolution and the proper supporting documents and if no petition of protest is filed with the court or if the petition is found by the court to be insufficient, the court shall order the referendum to be held. If the referendum passes in the town, the annexation occurs.

Under the first two of these current methods of annexation, no annexation proceeding in a county with a population of at least 50,000 is valid unless the person publishing a notice of annexation or the person who files the petition for direct annexation sends certain information, such as a legal description and a scale map of the territory proposed to be annexed, to the department of administration (DOA) within five days of the publishing of the notice or filing of the petition. Within 20 days

ASSEMBLY BILL 816

after receipt of the information, DOA may mail to the clerks of the town and city or village that are involved with the proposed annexation a notice that states DOA's opinion that the annexation is against the public interest and that advises the clerks of the reasons for its decision.

Another method of annexation is direct annexation by unanimous approval. If a petition for direct annexation by unanimous approval signed by all of the electors residing in the territory and the owners of all of the real property in the territory is filed with the city or village clerk and the town clerk of all of the involved towns, along with a scale map and legal description of the property to be annexed, the governing body of the city or village may, generally, annex the property by a two-thirds vote of the body. Such an annexation, however, is subject to DOA review as if the annexation petition were for direct, but not unanimous, annexation or annexation by referendum.

Generally, cities and villages may also annex territory that is owned by the city or village and that lies near but not necessarily contiguous to the city or village by enacting an ordinance to annex such territory.

This bill creates a new method for a city or village to annex a town peninsula, which is defined under the bill as town territory, the boundary of which is not completely surrounded by a city or village but is contiguous to one or more cities or villages for at least 75% of its length, excluding areas that border on water, or on land whose condition prohibits development, except that the excluded areas of the border may not exceed 33% of the length of the boundary of the territory that is sought to be annexed.

Under the bill, a city or village may enact an annexation ordinance if the annexing city or village is contiguous to more than 50% of the peninsula's length, if the annexing city or village is capable of providing public services to the territory in the peninsula at a level that at least equals the level of service that is being provided by the town, and if the annexation will reduce any existing problems of duplicative public services being provided in the same area by multiple local governments. The bill defines "public services" to include police and fire protection services; sewer and water treatment; building, health, and fire prevention inspections; planning; and public works services.

Upon enactment of the annexation ordinance, the city or village clerk is required to forward to the secretary of state copies of the ordinance, a scale map, and the plat of the city or village, including the annexed territory, and the secretary of state is required to forward copies of the ordinance, scale map, and plat to a number of state agencies.

An ordinance enacted under the bill takes effect on the first day of the second month beginning after enactment.

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

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

ASSEMBLY BILL 816

1 SECTION ¹⁵¹² 66.0218 of the statutes is created to read:

2 **66.0218 Direct annexation of town peninsulas.** (1) DEFINITIONS. In this
3 section:

4 (a) "Legal description" has the meaning given in s. 66.0217 (1) (c).

5 (b) "Members-elect" has the meaning given in s. 59.001 (2m).

6 (c) "Municipality" means a city, village, or town.

7 (d) "Peninsula" means town territory, the boundary of which is not completely
8 surrounded by a city or village but which is contiguous to one or more cities or villages
9 for at least 75% of its length, excluding areas that border on water, or on land whose
10 condition prohibits development, except that such excluded areas of the border may
11 not exceed 33% of the length of the boundary of the territory that is sought to be
12 annexed.

13 (e) "Public services" includes police and fire protection; sewer and water
14 treatment; stormwater treatment; building, health, and fire prevention inspections;
15 planning; and public works services.

16 (f) "Scale map" has the meaning given in s. 66.0217 (1) (g).

17 (2) CITY, VILLAGE ORDINANCES. (a) *Enactment*. The governing body of a city or
18 village may, by a two-thirds vote of its members-elect, enact an ordinance to annex
19 a contiguous peninsula if all of the following apply:

20 1. The annexing city or village is contiguous to more than 50% of the peninsula's
21 length.

22 2. The annexing city or village is capable of providing public services to the
23 territory in the peninsula at a level that at least equals the level of service that is
24 being provided by the town.

ASSEMBLY BILL 816

1 3. The annexation of the peninsula will reduce any existing problems of
2 duplicative public services being provided within the same area by more than one
3 municipality.

4 (b) *Requirements.* The annexation ordinance shall contain a legal description
5 of the territory annexed and the name of the town from which the territory is
6 annexed. Upon enactment of the ordinance under par. (a) the city or village clerk
7 shall file with the secretary of state 8 certified copies of the ordinance, 8 copies of a
8 scale map, and 8 copies of a plat which shows the boundaries of the city or village,
9 including the annexed territory.

10 (c) *Secretary of state.* Not later than 10 days after receiving the ordinance, scale
11 map, and plat, the secretary of state shall forward 2 copies of the ordinance, scale
12 map, and plat to the department of transportation, one copy to the department of
13 administration, one copy to the department of natural resources, one copy to the
14 department of revenue, one copy to the department of public instruction, and one
15 copy to the clerk of the town from which the territory was annexed.

16 (d) *Action to contest annexation.* Section 66.0217 (11) applies to annexations
17 under this section.

18 (3) EFFECTIVENESS OF ANNEXATION ORDINANCE. An ordinance enacted under sub.
19 (2) takes effect on the first day of the 2nd month beginning after enactment. // ,

20

(END)

Shovers, Marc

From: Engel, Andy
Sent: Thursday, April 04, 2002 8:55 AM
To: Shovers, Marc
Subject: FW: LRB Draft: 01b2805/1 Creating a procedure for cities and villages to annex town peninsulas--CN 5531

Not sure if you had received this information yet.
Let me know if you have any questions.

Thanks,

Andy

-----Original Message-----

From: Burnett, Douglas
Sent: Wednesday, April 03, 2002 6:20 PM
To: Engel, Andy
Cc: Olin, Rick
Subject: FW: LRB Draft: 01b2805/1 Creating a procedure for cities and villages to annex town peninsulas

This entire provision should be modified to apply only to counties with populations in excess of 400,000.

-----Original Message-----

From: Hanaman, Cathlene
Sent: Friday, March 29, 2002 6:37 PM
To: Tierney, Michael
Cc: Burnett, Douglas; Hanaman, Cathlene; Haugen, Caroline
Subject: LRB Draft: 01b2805/1 Creating a procedure for cities and villages to annex town peninsulas

Following is the PDF version of draft 01b2805/1.



01b2805/1



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb28051
MES:kmg&cjs:cmh

2
TRM

SCC:.....Engel - CN5531, Creating a procedure for cities and villages to annex town peninsulas

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 49, line 18: after that line insert:

3 "SECTION 151e. 66.0218 of the statutes is created to read:

4 **66.0218 Direct annexation of town peninsulas. (1) DEFINITIONS.** In this
5 section:

6 (a) "Legal description" has the meaning given in s. 66.0217 (1) (c).

7 (b) "Members-elect" has the meaning given in s. 59.001 (2m).

8 (c) "Municipality" means a city, village, or town.

9 (d) "Peninsula" means town territory, the boundary of which is not completely
10 surrounded by a city or village but which is contiguous to one or more cities or villages

1 for at least 75% of its length, excluding areas that border on water, or on land whose
2 condition prohibits development, except that such excluded areas of the border may
3 not exceed 33% of the length of the boundary of the territory that is sought to be
4 annexed.

5 (e) "Public services" includes police and fire protection; sewer and water
6 treatment; stormwater treatment; building, health, and fire prevention inspections;
7 planning; and public works services.

8 (f) "Scale map" has the meaning given in s. 66.0217 (1) (g).

9 (2) CITY, VILLAGE ORDINANCES. (a) *Enactment*. The governing body of a city or
10 village may, by a two-thirds vote of its members-elect, enact an ordinance to annex
11 a contiguous peninsula if all of the following apply:

12 1. The city or village is located in a county with a population of at least 400,000.

13 2. The annexing city or village is contiguous to more than 50% of the peninsula's
length.

14 3. The annexing city or village is capable of providing public services to the
15 territory in the peninsula at a level that at least equals the level of service that is
16 being provided by the town.

17 4. The annexation of the peninsula will reduce any existing problems of
18 duplicative public services being provided within the same area by more than one
19 municipality.

20 (b) *Requirements*. The annexation ordinance shall contain a legal description
21 of the territory annexed and the name of the town from which the territory is
22 annexed. Upon enactment of the ordinance under par. (a) the city or village clerk
23 shall file with the secretary of state 8 certified copies of the ordinance, 8 copies of a
24 scale map, and 8 copies of a plat which shows the boundaries of the city or village,
25 including the annexed territory.



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

Date: _____

DELIVER TO:

Marc Shovers

Addressee Fax #:

4

Addressee Phone #: _____

of Pages, Including Cover:

LRB

Sender's Initials: _____

From:

~~Andrew~~ Rick Olin

Message:

Marc -
 don't draft this yet
 but it gives you an idea
 of what we're looking
 at. Do you see
 any problems? ~~It would~~
~~apply~~
 Rick

2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2805/1
MES:kmg&cjs:cmh

SCC:.....Engel – CN5531, Creating a procedure for cities and villages to annex town peninsulas

FOR 2001-03 BUDGET -- NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 49, line 18: after that line insert:

3 "SECTION 151e. 66.0218 of the statutes is created to read:

4 **66.0218 Direct annexation of town peninsulas. (1) DEFINITIONS.** In this
5 section:

6 (a) "Legal description" has the meaning given in s. 66.0217 (1) (c).

7 (b) "Members-elect" has the meaning given in s. 59.001 (2m).

8 (c) "Municipality" means a city, village, or town.

move ← ~~(d) "Peninsula" means town territory, the boundary of which is not completely~~ *the territory to be annexed*
to 10 ~~surrounded by a city or village but which is contiguous to one or more cities or villages~~

(2) ~~4.~~

4.

2001 - 2002 Legislature
Jan. 2002 Spec. Sess.

- 2 -

LRBb2805/1
MES:kmg&cjs:cmh

1 for at least ^{95%}~~75%~~ of its length, excluding areas that border on water, or on land whose
2 condition prohibits development, except that such excluded areas of the border may
3 not exceed 33% of the length of the boundary of the territory that is sought to be
4 annexed.

5 (e) "Public services" includes police and fire protection; sewer and water
6 treatment; stormwater treatment; building, health, and fire prevention inspections;
7 planning; and public works services.

8 (f) "Scale map" has the meaning given in s. 66.0217 (1) (g).
Notwithstanding s. 66.0221,

9 (2) CITY, VILLAGE ORDINANCES. (a) *Enactment.* The governing body of a city or
10 village may, by a two-thirds vote of its members—elect, enact an ordinance to annex
11 a contiguous ^{*town or contiguous territory in a town*}~~peninsula~~ if all of the following apply:

12 1. The annexing city or village is contiguous to more than 50% of the ~~peninsula's~~
13 length. *of the territory to be annexed.*

14 2. The annexing city or village is capable of providing public services to the
15 territory ^{*to be annexed*}~~in the peninsula~~ at a level that at least equals the level of service that is
16 being provided by the town.

17 3. The annexation of the ^{*territory*}~~peninsula~~ will reduce any existing problems of
18 duplicative public services being provided within the same area by more than one
19 municipality.

20 (b) *Requirements.* The annexation ordinance shall contain a legal description
21 of the territory annexed and the name of the town from which the territory is
22 annexed. Upon enactment of the ordinance under par. (a) the city or village clerk
23 shall file with the secretary of state 8 certified copies of the ordinance, 8 copies of a
24 scale map, and 8 copies of a plat which shows the boundaries of the city or village,
25 including the annexed territory.

(2) 5. The territory to be annexed ~~is~~ ^{*has*} an area of less than 10 square miles and is located in a county with a population of at least ~~400,000~~ ^{*350,000*}.

2001 -- 2002 Legislature
Jan. 2002 Spec. Sess.

- 3 -

LRBb2805/1
MES:kmg&cjs:cmh

1 (c) *Secretary of state.* Not later than 10 days after receiving the ordinance, scale
2 map, and plat, the secretary of state shall forward 2 copies of the ordinance, scale
3 map, and plat to the department of transportation, one copy to the department of
4 administration, one copy to the department of natural resources, one copy to the
5 department of revenue, one copy to the department of public instruction, and one
6 copy to the clerk of the town from which the territory was annexed.

7 (d) *Action to contest annexation.* Section 66.0217 (11) applies to annexations
8 under this section.

9 (3) EFFECTIVENESS OF ANNEXATION ORDINANCE. An ordinance enacted under sub.
10 (2) takes effect on the first day of the 2nd month beginning after enactment.”

11

(END)



State of Wisconsin
2001 - 2002 LEGISLATURE

January 2002 Special Session

LRBb2805/3
MES:kmg&cjs:pg1

(RMA)

SCC:.....Engel - ^{certain} CN5531, Creating a procedure for cities and villages to annex ~~town peninsulas~~ ^{territory} *OK-Done*

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

NOW

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 49, line 18: after that line insert:

3 "SECTION 151e. 66.0218 of the statutes is created to read:

4 **66.0218 Direct annexation of ^{certain} ~~town peninsulas~~ ^{territory}** (1) DEFINITIONS. In this
5 section:

6 (a) "Legal description" has the meaning given in s. 66.0217 (1) (c).

7 (b) "Members-elect" has the meaning given in s. 59.001 (2m).

8 (c) "Municipality" means a city, village, or town.

9 (d) "~~Peninsula~~" means ~~town territory, the boundary of which is not completely~~
10 ~~surrounded by a city or village but which is contiguous to one or more cities or villages~~

MOVE

5. The ^{boundary of the} territory to be annexed is contiguous to one or more cities or villages

1 for at least ⁹⁵ 75% of its length, excluding areas that border on water, or on land whose
2 condition prohibits development, except that such excluded areas of the border may
3 not exceed 33% of the length of the boundary of the territory that is sought to be
4 annexed.

5 (d) ~~for~~ "Public services" includes police and fire protection; sewer and water
6 treatment; stormwater treatment; building, health, and fire prevention inspections;
7 planning; and public works services.

8 (e) ~~for~~ "Scale map" has the meaning given in s. 66.0217 (1) (g).

9 (2) CITY, VILLAGE ORDINANCES. (a) *Enactment.* The governing body of a city or
10 village may, by a two-thirds vote of its members-elect, enact an ordinance to annex
11 a contiguous ^{town or contiguous town territory} peninsula if all of the following apply:

12 ^{area of the territory to be annexed is less than 10 square miles and the territory}
1. The ~~city or village~~ ^{area of the territory to be annexed} is located in a county with a population of at least ~~400,000~~ ^{350,000}.

13 2. The annexing city or village is contiguous to more than 50% of the ~~peninsula~~
14 ^{of the territory to be annexed} length.

15 3. The annexing city or village is capable of providing public services to the
16 territory ^{to be annexed} ~~in the peninsula~~ at a level that at least equals the level of service that is
17 being provided by the town.

18 4. The annexation of the ~~peninsula~~ ^{territory} will reduce any existing problems of
19 duplicative public services being provided within the same area by more than one
20 municipality.

21 (b) *Requirements.* The annexation ordinance shall contain a legal description
22 of the territory annexed and the name of the town from which the territory is
23 annexed. Upon enactment of the ordinance under par. (a) the city or village clerk
24 shall file with the secretary of state 8 certified copies of the ordinance, 8 copies of a

1 scale map, and 8 copies of a plat which shows the boundaries of the city or village,
2 including the annexed territory.

3 (c) *Secretary of state.* Not later than 10 days after receiving the ordinance, scale
4 map, and plat, the secretary of state shall forward 2 copies of the ordinance, scale
5 map, and plat to the department of transportation, one copy to the department of
6 administration, one copy to the department of natural resources, one copy to the
7 department of revenue, one copy to the department of public instruction, and one
8 copy to the clerk of the town from which the territory was annexed.

9 (d) *Action to contest annexation.* Section 66.0217 (11) applies to annexations
10 under this section.

11 (3) **EFFECTIVENESS OF ANNEXATION ORDINANCE.** An ordinance enacted under sub.
12 (2) takes effect on the first day of the 2nd month beginning after enactment.”.

13 (END)



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2805/3
MES:kmg&cjs/af

(Handwritten signature)

SCC:.....Engel - CN5531, Creating a procedure for cities and villages to annex certain town territory

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1

(Handwritten word)
NOW

(Handwritten note)
only change:
p. 2, l. 9

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 49, line 18: after that line insert:
- 3 **"SECTION 151e.** 66.0218 of the statutes is created to read:
- 4 **66.0218 Direct annexation of certain town territory.** (1) DEFINITIONS.
- 5 In this section:
- 6 (a) "Legal description" has the meaning given in s. 66.0217 (1) (c).
- 7 (b) "Members-elect" has the meaning given in s. 59.001 (2m).
- 8 (c) "Municipality" means a city, village, or town.

1 (d) "Public services" includes police and fire protection; sewer and water
2 treatment; stormwater treatment; building, health, and fire prevention inspections;
3 planning; and public works services.

4 (e) "Scale map" has the meaning given in s. 66.0217 (1) (g).

5 (2) CITY, VILLAGE ORDINANCES. (a) *Enactment.* The governing body of a city or
6 village may, by a two-thirds vote of its members-elect, enact an ordinance to annex
7 a contiguous town or contiguous town territory if all of the following apply:

8 1. The area of the territory to be annexed is less than 10 square miles and the
9 territory is located in a county with a population of at least ~~850~~³⁰⁰,000.

10 2. The annexing city or village is contiguous to more than 50% of the length of
11 the territory to be annexed.

12 3. The annexing city or village is capable of providing public services to the
13 territory to be annexed at a level that at least equals the level of service that is being
14 provided by the town.

15 4. The annexation of the territory will reduce any existing problems of
16 duplicative public services being provided within the same area by more than one
17 municipality.

18 5. The boundary of the territory to be annexed is contiguous to one or more cities
19 or villages for at least 95% of its length, excluding areas that border on water, or on
20 land whose condition prohibits development, except that such excluded areas of the
21 border may not exceed 33% of the length of the boundary of the territory that is
22 sought to be annexed.

23 (b) *Requirements.* The annexation ordinance shall contain a legal description
24 of the territory annexed and the name of the town from which the territory is
25 annexed. Upon enactment of the ordinance under par. (a) the city or village clerk

1 shall file with the secretary of state 8 certified copies of the ordinance, 8 copies of a
2 scale map, and 8 copies of a plat which shows the boundaries of the city or village,
3 including the annexed territory.

4 (c) *Secretary of state.* Not later than 10 days after receiving the ordinance, scale
5 map, and plat, the secretary of state shall forward 2 copies of the ordinance, scale
6 map, and plat to the department of transportation, one copy to the department of
7 administration, one copy to the department of natural resources, one copy to the
8 department of revenue, one copy to the department of public instruction, and one
9 copy to the clerk of the town from which the territory was annexed.

10 (d) *Action to contest annexation.* Section 66.0217 (11) applies to annexations
11 under this section.

12 (3) EFFECTIVENESS OF ANNEXATION ORDINANCE. An ordinance enacted under sub.
13 (2) takes effect on the first day of the 2nd month beginning after enactment.”

14

(END)



State of Wisconsin
2001 - 2002 LEGISLATURE

January 2002 Special Session

LRBb2805/4
MES:kmg&cjs:jf

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9 territory is located in a county with a population of at least 300,000.

10 2. The annexing city or village is contiguous to more than 50% of the length of
11 the territory to be annexed.

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14 (END)