

2003 DRAFTING REQUEST

Bill

Received: **01/10/2003**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Alan Lasee (608) 266-3512**

By/Representing: **shari**

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

Drafter: **mlief**

May Contact:

Addl. Drafters:

Subject: **Real Estate - miscellaneous
Munis - miscellaneous**

Extra Copies: **MES**

Submit via email: **YES**

Requester's email: **Sen.Lasee@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Extraterritorial plat review

Instructions:

See Attached

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>
/?							Local
/1	mlief 01/15/2003	wjackson 01/24/2003	jfrantze 01/24/2003		amentkow 01/24/2003	mbarman 01/30/2003	

FE Sent For: *At intn.*

<END>

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1?	mlief	11 wLj 1/24	Jb 1/24	3 all 1/24			

FE Sent For:

<END>

11/11/03 TC w/ Rich Stadelman

236.10 (b)

Can approve plats in town
applying local city or village ord.

City of Oshkosh impose
higher stand on town than
on city.

Problem: Create standards that town
can't copy w

Boucher 178 Wis 2d 74

Using extrator plat approval
to shut down town

Bill Request Form

Legislative Reference Bureau
100 N. Hamilton Street
Legal Section 266-3561

You may use this form or talk directly with the LRB attorney who will draft the bill.

Date 1-9-03

Legislator, agency, or other person requesting this draft Senator Rasee

Person submitting request (name and phone number) Shari Low

Persons to contact for questions about this draft (names and phone numbers) Shari Low 266-3512 219 South

Describe the problem, including any helpful examples. How do you want to solve the problem?

see attached

Please attach a copy of any correspondence or other material that may help us. If you know of any statute sections that might be affected, list them or provide a marked-up copy.

You may attach a marked-up copy of any LRB draft or provide its number (e.g., 2001 LRB-2345/1 or 1999AB-67).

Requests are confidential unless stated otherwise. May we tell others that we are working on this for you? YES NO

If yes: Anyone who asks? YES NO
 Any legislator? YES NO

Only the following persons _____

Do you consider this request urgent? YES NO If yes, please indicate why _____

Should we give this request priority over any pending request of this legislator, agency, or person? YES NO

Drafting Request

Statement of Purpose: Seek legislative change to require that before city or village may exercise extraterritorial plat review, the city or village must have the town board's agreement.

Statement of Current Law: Under current law the city or village may exercise extraterritorial plat review if the city or village adopts a subdivision ordinance (Sec. 236.45 of Wis. Statutes) or an official map (Sec. 62.23 of Wis. Statutes) without town board authority to object. Under extraterritorial zoning under Sec. 62.23 (7a) town and city/village must reach an agreement for extraterritorial zoning to be applicable.

Request: Amend extraterritorial plat review authority in Sec. 236.10 (1) (b) to state the city or village approval is only applicable if the town board and city or village have reached an agreement for extraterritorial plat review.

Some other points of interest to address: (1) Create an effective date two years from the publication of the law to give towns, cities, and villages to reach an agreement.

(2) After effective date of this law (two years after publication) no city or village shall extraterritorial plat review authority unless it is agreed upon with the town board.

For Further Information please contact Rick Stadelman, Wis. Towns Association,
At (715) 526-3157.



2003 BILL

GEN

1 AN ACT ...; relating to: extraterritorial plat approval.

Analysis by the Legislative Reference Bureau

Under current law, a developer who wishes to subdivide an extraterritorial plat (the unincorporated area within ^{three} ~~3~~ miles of the corporate limits of a first, second, or third class city, or ^{within} ~~one~~ and a half miles of a fourth class city or village) must obtain the approval of the town board and of the governing body of the municipality (an incorporated city or village) by the body's adoption of a subdivision ordinance or an official map.

This bill also requires that the town board show its approval of the municipality's ordinance or map by adopting a resolution.

For further information see the *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:

2 SECTION 1. 236.10 (1) (b) 2.¹ of the statutes is amended to read:

3 236.10 (1) (b) 2. The governing body of the municipality if, by July 1, 1958, or

4 thereafter it adopts a subdivision ordinance or an official map under s. 62.23 and the

5 town board has approved the subdivision ordinance or official map by resolution; and

BILL

SECTION 2

1
2
3
4

SECTION 2. Effective date.

(1) This act takes effect on the first day of the 25th month beginning after publication.

(END)

Barman, Mike

From: Lief, Madelon
Sent: Thursday, January 30, 2003 9:11 AM
To: Barman, Mike
Subject: FW: LRB 1447/1

Mike--Would you please jacket this? Thanks.

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

From: Lord, Shari
Sent: Wednesday, January 29, 2003 11:41 AM
To: Lief, Madelon
Subject: LRB 1447/1

LRB 1447 is ready to be jacketed. Thank you.