



Special Purpose Districts

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Local governments in Wisconsin fall into one of two categories: general or special purpose. General purpose units of local government include counties, cities, villages, and towns and exercise general police powers, ranging from police and fire protection to public health services and local road maintenance.

Local special purpose districts (SPDs) are created to carry out a single function. Despite their limited scope, SPDs can have a sizable impact on individuals, communities, and entire regions. Wisconsin currently has over 1,100 SPDs.¹ Examples of SPDs in Wisconsin include metropolitan sewerage districts [ch. 200, Stats.], town sanitary districts [subch. IX, ch. 60, Stats.], drainage districts [ch. 88, Stats.], mosquito control districts [s. 59.70 (12) to (16), Stats.], regional planning districts [s. 66.0309, Stats.], and inland land protection and rehabilitation districts [subch. IV, ch. 33, Stats.].² This issue brief provides an overview of those districts and their creation, dissolution, membership, powers, and duties.

CREATION, DISSOLUTION, AND MEMBERSHIP

As shown in the table below, no two types of SPDs are exactly alike, but the mechanisms by which they are created, dissolved, and organized generally fall into several broad categories. SPDs can be created by petition, statute, or majority vote of a general unit of government. Depending on the type of SPD, petitions are filed either by a requisite number of people in the proposed SPD or by the governing body of the general unit of local government for the area encompassing the proposed SPD. Petitions for some types of SPDs are submitted in circuit court, while others are submitted to other government bodies, such as the Department of Natural Resources (DNR). Other SPDs are formed by a simple majority vote by a general unit of government like a county board.

The method of dissolution often mirrors the method of creation. For instance, SPDs created by a majority vote can generally be dissolved by a majority vote of the same governmental body. However, statutes sometimes place additional requirements on the dissolution of SPDs, such as providing notice before voting to dissolve the district, or allowing dissolution only after an SPD has been inactive for a certain period of time.

Members of SPD governing bodies can be appointed or elected. The size of governing bodies and appointment of members also varies based on the size and location of an SPD. Courts also play a role in appointing some SPD members. In some cases, statutes require that appointees have a particular professional background.

POWERS AND DUTIES

Once established, SPDs have corporate status and have many of the same powers and duties as a municipal corporation. Though their scope is limited, SPDs oftentimes have significant power within their jurisdictions. The various powers and duties of these districts are detailed in statute.

SPDs typically have the power to acquire property and raise funds, though the ways in which they do so differ. For example, most types of SPDs can acquire land and other property by purchase or lease, but some types may also condemn land using eminent domain. Districts are also funded in various ways, including taxes and assessments. Some types of districts are also able to borrow money and issue municipal obligations.

Generally, SPDs must develop rules and plans related to carrying out their functions. Many districts are also required to prepare an annual report. As a form of local government, SPDs are also subject to open meetings and public records laws.

Table: Creation, Membership, and Powers of Selected SPDs

	Creation/Dissolution	Membership	Powers & Duties
Sewerage Districts	Creation: resolution of municipal governing body submitted to the DNR Dissolution: resolution (if district inactive for two years)	Generally, five-member commission appointed by county board. Districts containing larger cities have nine-member commissions ³	Powers: adopt rules, conduct research, require connection with system, purchase, lease, or condemn property, levy special assessments Duties: prepare sewerage collection and treatment plans, prepare annual report
Sanitary Districts	Creation: DNR board or landowner petition to town board Dissolution: same procedure as creation	Commission of three or five members. Town board determines selection method (appointment or election)	Powers: borrow money, issue obligations, special assessments, purchase, lease, or condemn property, enact ordinances Duties: levy tax
Drainage Districts	Creation: landowner petition Dissolution: landowner petition to court	Court appoints three members (can be expanded to five) from persons recommended by various sources ⁴	Powers: purchase or condemn land, purchase or lease equipment, levy assessments, contract other agencies Duties: annual report, provide notice to landowners in district, report assessments issued
Mosquito Control Districts	Creation: county board majority vote Dissolution: majority vote, 12 months' notice required	County board elects three county supervisors to serve as commissioners ⁵	Powers: purchase materials and equipment, collect money from county Duties: annual audit, hire entomologist and administrator
Regional Planning Commissions	Creation: by the Governor or a state agency after petition from local government Dissolution: by the Governor upon receiving resolutions from local government(s)	Appointed by governing bodies of general units of government in the region ⁶	Powers: conduct research Duties: appoint director, annual report, prepare master plan, prepare annual budget
Lake Protection and Rehabilitation Districts	Creation: landowner petition submitted to county for vote Dissolution: vote of electors and property owners or county board	Initially appointed by county board; subsequent commissioners appointed and elected	Powers: borrow money, impose special assessments Duties: annual meeting, develop and implement projects in the lake or watershed to improve public enjoyment of the lake

¹ Wisconsin Blue Book 344 (Wisconsin Legislative Reference Bureau 2023).

² School districts, technical college districts, and stadium districts are also SPDs but are not discussed here.

³ Districts containing second class cities with populations of 200,000 or more are governed by nine-member commissions, with the mayor appointing five members and executive councils composed of elected officials from other cities, villages, and towns in the district appointing the remaining four members. [s. 200.09(1)(b), Stats.]

⁴ Sources include the Committee on Agriculture and Extension Education; landowners in the district; the Department of Agriculture, Trade and Consumer Protection; and local or statewide agriculture, engineering, local government, or real estate organizations. [s. 88.17(2h), Stats.]

⁵ In districts established by two or more counties, each county board elects two supervisors to serve as district commissioners. [s. 59.70(12)(b)1., Stats.]

⁶ In regions including a first class city, the Governor makes appointments from each participating county. [s. 60.0309(3), Stats.]