

Department of Administration
Background on Annexation for the
Joint Legislative Council's Special Committee on Municipal Annexation

October 2004

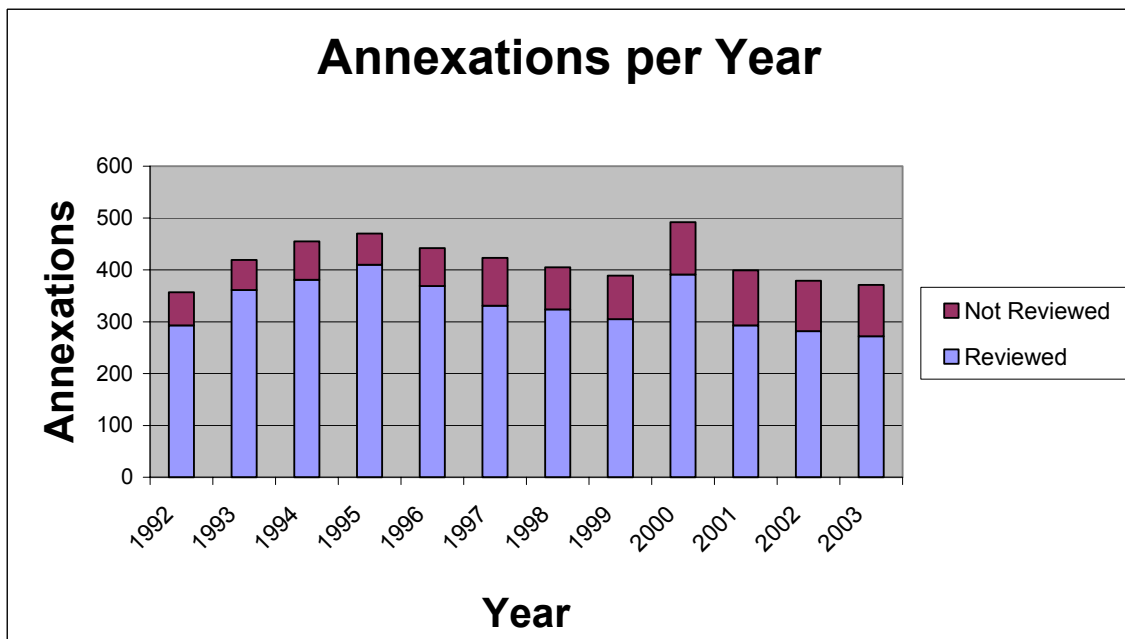
DOA's annexation role

Annexation is a process for transferring territory from towns to cities and villages. Wisconsin's statutes authorize a number of different annexation methods, however annexation by *unanimous approval* and by *one-half approval* are the most common of these methods. They involve:

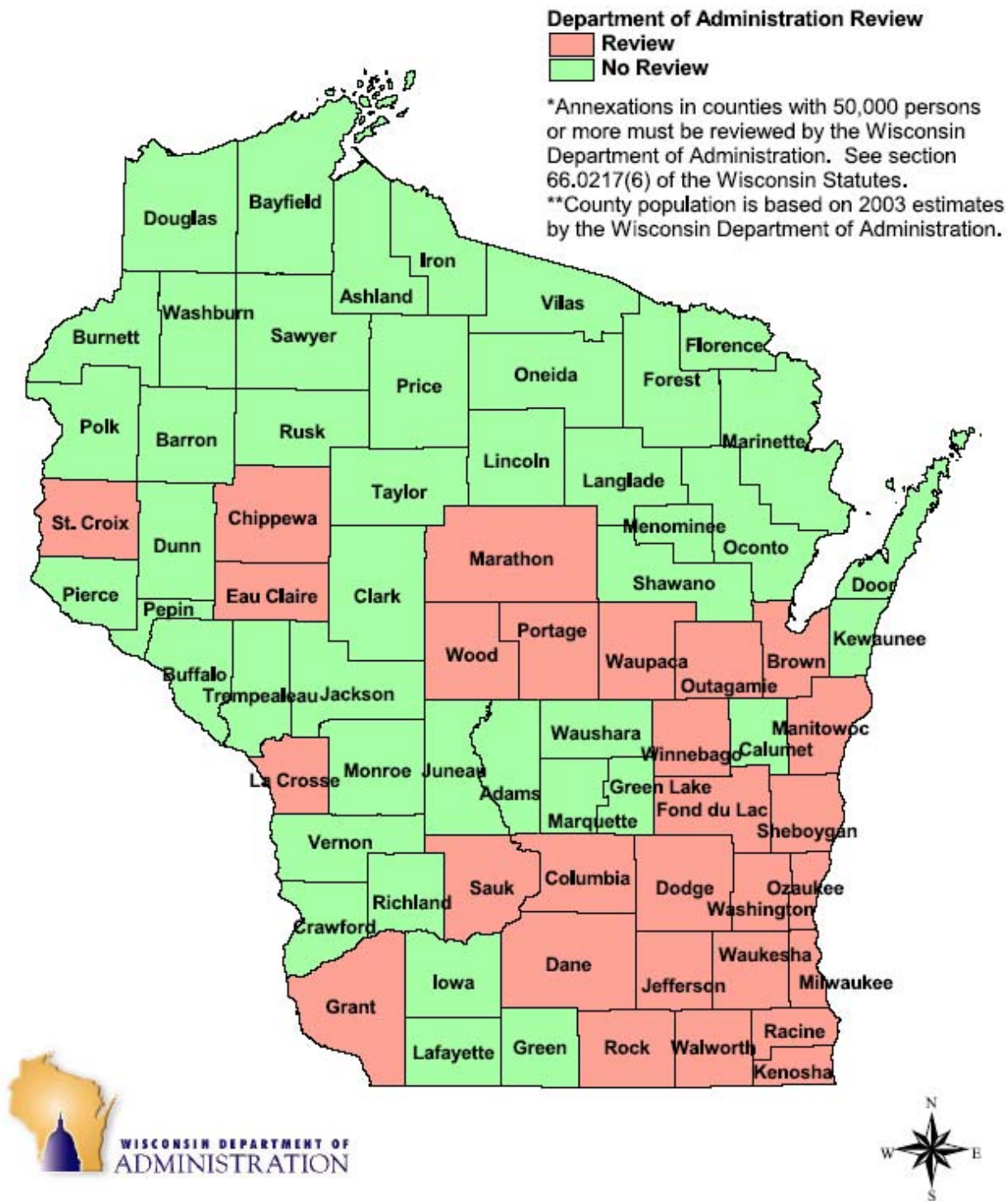
1. a property owner;
 2. a town(s);
 3. a village or City; and
 4. a public interest review by the Department of Administration (DOA) if the proposed annexation is in a county with a population of 50,000 or more persons.
- See the map on the next page for the Wisconsin with 50,000 or more persons.

Since 1959, the state's public interest review, currently implemented by DOA, has examined the shape of the territory to be annexed, the legal description and scale map, the relationship of the territory proposed for annexation with the annexing jurisdiction, and the governmental services to be supplied

DOA reviews most of the municipal boundary changes that occur in Wisconsin, as shown by Table 1 below. The blue bars show the number of annexations reviewed by DOA for each year since 1992, while the maroon bars shows all boundary changes, which include both annexations in counties with more than 50,000 persons (reviewed by DOA) and less than 50,000 persons. Maroon also includes boundary changes due to incorporations and boundary agreements. Although annexation continues to be the most prevalent method for boundary adjustment, boundary agreements are being used more and more, as is reflected by the maroon bars' increasing width.



Annexation Review in Wisconsin



The Department has a 20 day statutory review period which commences upon receipt of the petition and review fee. The review fee, initiated by legislative direction in 2001, includes an initial filing fee of \$200 and an acreage fee based on the following schedule:

Less than 2 acres	\$200
2.01 to 10 acres	\$300
10.01 to 50 acres	\$400
50.01 to 100 acres	\$500
100.01 to 200 acres	\$700
200.01 to 500 acres	\$1000
Over 500 acres	\$2000

DOA's public interest opinion letter is advisory to the annexing city or village, however the annexing city or village is required to at least consider the letter before taking final action. DOA rarely finds an annexation to be *against the public interest*.¹ Instead it more commonly identifies problems and errors and recommends steps to correct these. DOA's advisory letters may be introduced as evidence in circuit court, and DOA staff called to testify, if an ordinance adopting an annexation is litigated.

DOA is currently working to improve the time and cost efficiency of its role in the annexation process. First, it is moving to an electronic rather than paper-based system. Second, it is working to consolidate existing annexation databases and make this information available on the web. This will allow other state agencies, local communities, businesses, landowners, the legislature and others to track annexations and also to do searches and analysis. For example, a community could use the database to develop an annexation history map of its growth. Ultimately, when linked with digital boundary information, the database could also be used by the U.S. Census so that Wisconsin could have an accurate and real-time municipal boundary data layer for use with local and state mapping products such as voting districts, taxation districts, and census geography.

¹ During 2004, DOA has issued just four (4) annexation opinion letters against the public interest, one-hundred seventy-six (176) in the public interest, and eighteen (18) in the public interest but with recommended changes to the petition prior to it being adopted by the local city or village. More frequently, with the consent of the parties, petitions are often held until necessary information is supplied, or identified survey and legal description mistakes corrected.