

No. 216, S.]

[Published September 15, 1959.

CHAPTER 431

AN ACT to amend 66.021 (2) (b), (5) (a) and (6) of the statutes, relating to annexation petitions.

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

66.021 (2) (b), (5) (a) and (6) of the statutes are amended to read:

66.021 (2) (b) A petition for a referendum on the question of annexation may be filed with the city or village clerk signed by 20 per cent of the electors residing in the territory and \* \* \* the owners of 50 per cent of the real property either in area or \* \* \* assessed value.

(5) (a) Within \* \* \* 60 days after the filing of the petition, the common council or village board may *accept or reject* the petition and if rejected no further action shall be taken thereon. *Acceptance may consist of adoption of an annexation ordinance.* Failure to reject the petition shall obligate the city or village to pay the cost of any referendum favorable to annexation. If the petition is not rejected the clerk of the city or village with whom the annexation petition is filed shall give written notice thereof by personal service or registered mail with return receipt requested to the clerk of any town from which territory is proposed to be detached and shall give like notice to any person who \* \* \* files a written request therefore with the clerk. Such notice shall indicate whether the petition is for direct annexation or whether it requests a referendum on the question of annexation. If the notice indicates that the petition is for a referendum on the question of annexation, the town clerk shall give notice as provided in par. (c) of a referendum of the electors residing in the area proposed for annexation to be held within 30 days after the date of personal service or mailing of the notice required under this paragraph. If the notice indicates that the petition is for direct annexation, no referendum shall be held unless within 30 days after the date of personal service or mailing of the notice required under this paragraph, a petition requesting a referendum is filed with the town clerk signed by 20 per cent of the electors residing in the area proposed to be annexed. If such a petition is filed, the clerk shall give notice as provided in par. (c) of a referendum of the electors residing in the area proposed for annexation to be held within 30 days of the receipt of the petition and shall mail a copy of such notice to the clerk of the city or village to which the annexation is proposed. Any referendum shall be held at some convenient place within the town to be specified in the notice.

(6) Qualifications as to electors and owners shall be determined as of the date of filing any petition \* \* \*, *except that* all qualified electors residing in the territory proposed for annexation on the day of the conduct of a referendum election shall be entitled to vote therein. *Residence and ownership must be bona fide and not acquired for the purpose of defeating or invalidating the annexation proceedings.*

Approved September 9, 1959.