



JERRY PETROWSKI

WISCONSIN STATE SENATOR

Senate Bill 835

January 19, 2022

Good morning Mr. Chairman and committee members, thank you for taking time to hear Senate Bill 835. This bill was drafted at the joint request of the League of Municipalities and the Wisconsin Towns Association.

The two associations have been working together to address land use issues that impact local governments and reached agreement on this consensus bill. The bill addresses concerns each organization has about the municipal incorporation process, extraterritorial powers of municipalities, and municipal annexation powers.

The bill closes a loophole in the incorporation process by placing limitations on a newly incorporated city or village from immediately adding any remaining town territory by annexation or a boundary agreement. The bill also restores the ability of cities and villages to annex town territory across county lines by unanimous approval; limits municipal extraterritorial zoning powers, including the duration of zoning freezes within the extraterritorial jurisdiction; and prohibits municipalities from using condemnation to acquire blighted properties located outside a community's borders for the purpose of transferring the property to third-party developers.

I have representatives from both associations with me here this morning. I believe they would like to provide some comments and then we would be happy to answer any questions.

29TH SENATE DISTRICT

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WISCONSIN TOWNS
ASSOCIATION
Empowering Town Officials



MEMORANDUM

TO: Senate Committee on Transportation and Local Government
FROM: Wisconsin Towns Association & League of Wisconsin Municipalities
DATE: January 19, 2022
RE: SB 835, Local Land Use Restrictions

The League of Wisconsin Municipalities and the Wisconsin Towns Association support SB 835, relating to local land use restrictions. Our organizations have set aside our differences and reached agreement in this compromise bill addressing concerns each organization has about the municipal incorporation process, extraterritorial powers of municipalities, and municipal annexation powers.

Cities, villages, and town officials across Wisconsin strive to passionately serve their constituents while simultaneously acting as good neighbors toward each other. SB 835 modifies a number of the statutory tools that municipalities use when interacting with each other to relieve tension that can build between neighboring municipalities, promote good local government, better reflect legislative intent, and support the rights of individual property owners.

Specifically, this bill closes a loophole in the incorporation process by limiting a newly incorporated city or village from immediately adding the remaining town territory by annexation or a boundary agreement, except when adding territory with the unanimous consent of landowners. This change reflects the original legislative intent underlying the incorporation process and allows for better land use planning within all neighboring municipalities. The bill also restores the ability of cities and villages to annex town territory across county lines by unanimous approval; limits municipal extraterritorial zoning powers, including the duration of zoning freezes within the extraterritorial jurisdiction; and prohibits municipalities from using condemnation to acquire blighted properties located outside a community's borders for the purpose of transferring the property to third-party developers. These changes further promote consistency and cooperation between neighboring local governments as they develop regional land use planning goals.

We urge you to recommend passage of SB 835. Thank you for your considering our comments.