

The Town of Cedarburg, Wisconsin

IN THE NAME AND BY THE AUTHORITY OF THE TOWN OF CEDARBURG, WISCONSIN

RESOLUTION #2009-19

“A Resolution Supporting Legislation Limiting Extraterritorial Subdivision Approval Powers”

WHEREAS, As a result of the Wisconsin Supreme Court decision in Wood v. City of Madison, 260 Wis. 2d 71 (2003) cities and villages have been given unlimited power to deny plats and development within the extraterritorial area of neighboring towns;

WHEREAS, The Wood v. City of Madison case has eliminated any incentive to cities and villages to meet with towns on extraterritorial zoning agreements and cooperative boundary agreements because they now have power without such agreements to control development within the extraterritorial areas;

WHEREAS, AB 260 and SB 117 will not eliminate city and village extraterritorial platting authority, but will only reverse the effect of the Wood v. City of Madison case by limiting the extraterritorial authority to traditional land division, which for example included authority over street configuration in the extraterritorial area;

WHEREAS, The authority to approve land divisions within a town should reside with the elected officials of that town and not the elected officials of a neighboring city or village;

WHEREAS, Passage of these bills will encourage more cities and villages to discuss cooperative extraterritorial zoning agreements and in turn encourage more cooperative boundary agreements.


NOW THEREFORE, BE IT RESOLVED the Town of Cedarburg supports the passage of AB 260 and SB 117 in order to protect the rights of town residents and to encourage more cooperation between towns and cities/villages.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Governor Jim Doyle, State Senator Glenn Grothman and State Representative Mark Gottlieb, local media and the Wisconsin Town's Association.

Passed and adopted this 7th day of October, 2009.


David M. Valentine, Town Chairman

Attest:


Dawn Priddy, Town Clerk