

Working with Town Government

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Town Government in Wisconsin

- 1257 Towns—30.3% of state population
- 402 Villages—14.2% of “ “ “
- 190 cities—55.5% of “ “ “
- Towns have about 95% of Land Area in Wisconsin

Origin of Town Government

- New England colonies established town government
- Predominantly in northern tier of States from New Hampshire; Vermont west to the Dakotas
- 23 states have some form of town or township form of governments

Wisconsin Town's origins

- Northwest Ordinance state laid out by surveyors in 6x6 square mile tracts
- In 1848 when State of Wisconsin organized we used New York law
- Towns in Wisconsin
- In neighboring states term is Townships

Historic Cornerstone of Town or Township Government

- Town meeting of the electors
- Town board of supervisors
- Town administrative officers

- Note that eastern states have moved from some of powers of town meetings to more town board authority
- Traditional town meetings still in Vermont

Distinction in Wisconsin from City and Village Government

- Cities and Villages under Wisconsin Constitution are “home rule” jurisdictions
- Towns and Counties are statutory bodies
 - Only have authority that legislature gives by statute
 - Note Counties have been given Administrative Home Rule

Note---Village Powers granted to town board by town meeting of elector vote

Powers of Town Electors at Town Meeting of Electors

- Wisconsin Statute Sec. 60.10
- Direct Powers
 - Ex. Adopt town tax levy; town officer compensation, combine offices, and more
- Authorizations of Power to Town Board
 - Ex. Authorize Board to buy & sell land; to build buildings; grant of village powers, etc.
- Appropriations of Money for select items

Town Board Powers & Duties

- Town Board acts as legislative body and policy making body
- Town Board governs day to day activities such as supervising town highways; providing fire protection and other emergency services
- Some powers limited such as highway expenditures to total amount in a year unless a greater amount is authorized by vote of electors at town meeting or town referendum

Town Officer Structure

- Elected Town Board of Three Supervisors (one of whom is chairperson)
 - May increase to 4 or 5 supervisors
 - By town board (with village powers)
 - By town meeting in towns > than 2,500 pop.
- Chairperson has additional duties but may not veto or override town board majority votes

Town Administration

- Town Clerk (elected or appointed)
- Town Treasurer (elected or appointed)
- Optional Combined Town Clerk/Treasurer
– (elected or appointed)

Town Assessor (elected or appointed)

Optional Town Constable

Other Administrative positions may be
town administrator

Other optional town bodies

- Town Planning Commission
 - 5 members or 7 members (option) if under 2,500 in population
 - 7 members if over 2,500
 - Appointed by Town chairperson and confirmed by town board for terms of three years

May create other advisory committees such as “Land Use Planning Committee” and more

Land Use authority

- Town zoning may be one of following
 - No town or county zoning (other than county shore land and floodplain zoning)
 - Town zoning (general zoning under Sec. 60.61 or with village powers under Sec. 60.62 of Wis. Statutes)
 - County Zoning (under Sec. 59.69)

Zoning Numbers

- About 242 towns have town zoning
- About 759 (maybe a few more now) have county zoning
- About 258 towns have neither town nor county zoning other than state mandated shore land or floodplain zoning at county level
- Towns may have more restrictive shore land zoning ordinance than county (few have adopted such ordinances)

Land Division/Subdivision

- Sec. 236.45 of Wis. Statutes authorizes towns with planning commission (which requires village powers)
- May have town and county land division/subdivision ordinance (most restrictive will control)

Comprehensive Planning

- Sec. 66.1001 of Wis. Statutes commonly referred to as new “Smart Growth” Law
- Towns with village powers have authority to adopt comprehensive plans
- Note different feelings about planning across State
- About 1329 plus of 1922 units of local government have adopted and 200 are in process of preparing comprehensive plans (approx. 80%)

Changing nature of town government

- Population Growth in suburban areas
- Changing nature of agriculture in parts of Wisconsin
- Demand for waterfront property throughout the state, with more permanent residences in north
- Threat of annexation by cities & villages

Strengths of Town Government

- Town meeting powers, particularly to adopt the town tax levy
- 2008 tax levies (collected in 2009)
 - Towns tax rate of \$1.81/ \$1,000 of value
 - Villages tax rate of \$4.88/\$1,000 of value
 - Cities tax rate of \$6.96/ \$1,000 of value
 - (Note these are averages for each)

Strengths of Town Government

- A lot of dedicated local officials who believe in civic responsibility to their community
- Proximity of elected officials to their constituents
- Traditional conservative view of less demand for government services (has changed over time with population growth in many parts of the state)

Weaknesses of Town Government

- All of the strengths in reverse
 - Concern that town meeting is outdated
 - Fewer dedicated people with more conflict at local level
 - More land use conflicts harder for local officials to resolve
 - More demand for services often pushes landowners to annex for services (ex. Sewer)

Suggestions to Best Work with Town Government

- Get to know local officials
- Attend meetings
- Get involved by serving on commissions and committees
- Recognize that towns may have limited authority compared to city/village, but often have the will to survive and provide needed services

Your Questions?