

INTERGOVERNMENTAL COOPERATION ELEMENT

Appendix G-2

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Annexation

- * Process by which unincorporated parcels of land come under the jurisdiction of a city or village.
- * Landowner driven. Generally seeking a higher level of services.
- * Cities/villages cannot unilaterally annex.
- * Property annexed has to be contiguous. Cannot create a town island.

Methods of Annexation**1. Unanimous Approval**

- * Petition signed by all owners and all electors in the territory along with a scale map.
- * Filed with the city and town clerks.
- * Also filed with Department of Administration in counties of 50,000 or more.
- * No other notices are required.
- * Ordinance adopted by 2/3 votes after review of DOA advice.

2. One-half Approval

- * Petition signed by electors equaling a majority of the votes cast for governor in the last election, and
- * ½ of the owners of land is area or
- * ½ of the owners of assessed value
- * OR if no electors reside in the territory, a petition signed by ½ of the owners of land in areas of ½ of the owners of real property in assessed value.

3. Annexation by Referendum

- * Petition seeking a referendum signed by electors equaling 20 percent of the votes cast for governor in the last election and 50 percent of the owners of real property either in area or assessed value.

4. Procedure Under “One-half Approval” and “Annexation by Referendum.”

- * A class 1 notice of intent to circulate an annexation petition is published.
- * The notice states the intent to circulate, the legal description, the name of the city, the name of the town, the name(s) and address(es) of the person(s) causing the notice to be published and a statement that a scale map can be inspected at the offices of the town and city/village clerks.
- * Copy of the notice is served on the town and city clerks and the clerk of the school district.
- * A signature cannot be withdrawn from the petition.
- * A signature cannot be added after the petition is filed.
- * Circulation of the petition cannot begin less than 10 nor more than 20 days after the notice is published.
- * Petition is void unless filed within 6 months of notice publication.
- * Within 60 days after the petition is filed, it can be accepted or rejected by the common council.
- * If rejected, no further action is taken.

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- * If accepted and if not a referendum petitions, the city clerk gives notice to the town.
- * If a petition for a referendum signed by 20 percent of the electors in the territory is not filed within 30 days, annexation ordinances (2/3 vote) can be adopted.
- * If a petition is filed, referendum is scheduled and held not less than 42 nor more than 72 days after the filing of the petition.

5. Annexation by City Initiated Referendum

- * 2/3-vote council for a resolution to petitioning the circuit court for an order for an annexation referendum
- * Resolution describes the territory.
- * Resolution published.
- * Copy of resolution and scale map served on town clerk.
- * Court sets a hearing date.
- * If prior to the hearing a petition protesting the annexation is filed by electors equal to a majority of the votes cast for governor, the court shall deny the application.
- * If a petition of protest has insufficient numbers, the court will hear all parties and make a decision.
- * If the court is satisfied that the description is accurate and the requirements of law have been met, it will order or referendum.
- * Results determine whether or not the territory will be annexed.