

[The following information is re-created from TOB Chairman discussion with Wisconsin Towns Assn. and reference to Wis. Towns Assn. Officers' Handbook]

## VILLAGE POWERS FOR TOWN BOARD

Although the powers of the town board are limited to the powers granted by the statutes and necessarily implied therefrom, the statutes allow the power of the town board to be broadened by the adoption of village powers.

Villages have broad power, under sec. 61.34 (1), "to act for the government and good order of the village, for its commercial benefit and for the health, safety, welfare and convenience of the public..." Village powers is a local policy decision for electors to make allowing the town board to better regulate public health, safety and welfare.

The Wisconsin Towns Association recommends that towns adopt village powers so that towns are provided with general rather than specific authority to regulate for public health, safety and welfare. Village powers can enable towns too deal with problem areas as the need arises without the necessity of finding specific statutory authority.

## AUTHORIZATION

The town electors, at an annual meeting or special meeting, may authorize the town board to exercise village powers under ch. 61 (Villages). Sec. 60.10(2)(c). This power, once granted to the town board, is ongoing until rescinded by the town meeting. While the town meeting may authorize the board to adopt village powers, it is within the board's discretion to decide whether to exercise these powers.

## EFFECT

Village powers does not change the status of the town it does not become a village. The town remains a town and the town board remains a town board. It merely provides the town board authority to enact ordinances and resolutions which it might not be able to enact under the more limited authority of ch. 60 (towns). There is no change to the power of the town meeting or to any town officer.

## PROCESS

A resolution "Exercise of Village Powers" needs to be presented to the electors at the town meeting and motion made to grant authority of village powers to the town board.

State of Wisconsin  
Town of Buffalo  
Buffalo County

RESOLUTION

Authorization of Village Powers

The town meeting of the Town of Buffalo, Buffalo County, Wisconsin, by a majority vote of the eligible electors voting at the annual town meeting assembled and voting, resolves and orders as follows:

Pursuant to s. 60.10(2)(c), Wis. stats., the Town Board of the Town of Buffalo is authorized to exercise powers of a village board under s. 60.22(3), Wis. stats., which power shall be a general and continuing power for the town board.

The town clerk shall properly post this resolution as required in s. 60.80, Wis. stats., within 30 days of the below-noted adoption date.

Adopted this 15<sup>th</sup> day of April, 2014.

Number of town electors authorized to vote \_\_\_\_\_

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Abstain \_\_\_\_\_

Not voting \_\_\_\_\_

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Steve B. James  
Town Chairman

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Lisa Braaten  
Town Clerk

