

# Working with Town Government

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# Town Government in Wisconsin

- 1260 Towns—30.3% of state population
- 401 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 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 shoreland 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 207 towns have town zoning
- About 710 (maybe a few more now) have county zoning
- About 340 towns have neither town nor county zoning other than state mandated shoreland or floodplain zoning at county level
- Towns may have more restrictive shoreland 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 600 plus of 1800 units of local government have adopted or are in process of comprehensive plans

# 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
- 2003 tax levies (collected in 2004)
  - Towns tax rate of \$2.33/ \$1,000 of value
  - Villages tax rate of \$5.92/\$1,000 of value
  - Cities tax rate of \$8.04/ \$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?