

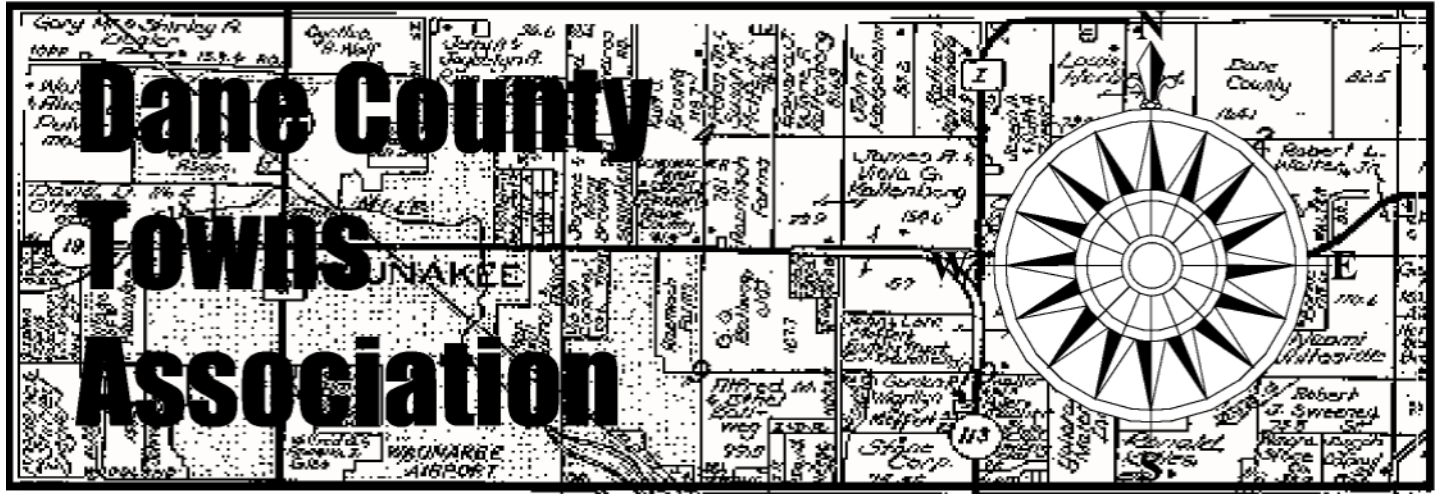
Dane County Towns Association Requests Amendment of AB 109

1 message

Mark Hazelbaker <mh@kasieta.com>

Fri, Sep 29, 2017 at 10:52 AM

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To: Members, the Wisconsin Legislature

From: Jerry Derr, President and Mark Hazelbaker, Legal Counsel and Lobbyist

Date: September 29, 2017

Re: DCTA Requests Amendment to AB 109

The Dane County Towns Association has responded to concerns of some towns by voting to request that Assembly Bill 109 be amended, and delegating the further handling of the bill to the 6 towns which have withdrawn. Some of our members felt strongly that an annual meeting should authorize towns to withdraw from county zoning. Our membership voted to support amending the bill to respond to that objection. Therefore, we ask that AB 109 be amended to retain current law, which requires annual meeting approval. The remaining provisions of AB 109, however, are important. We support adoption of the bill with the amendment.

If the provision related to town meeting approval is removed, AB 109 will make the following changes:

Simpler Process. It will simplify the timelines of the withdrawal process for the future. An annual meeting would authorize withdrawal. Then, the town board could give notice of withdrawal by acting prior to September 1 in 2020, 2023, 2026 and every third year following. The town board then has November 1 to adopt a zoning ordinance and comprehensive plan.

Avoid Double Taxation. When towns withdraw, the county's workload goes down. We ask that the towns taking on zoning be allowed to increase their levy limits to pay for administering zoning. The County's levy limit should be decreased by that amount. This will prevent double taxation.

Assure That Town Plans Control Town Land Use. Ever since comp planning was adopted, Dane County has insisted that the county has power over town comp plans. The law never gave counties that power. We ask that the statutes be amended to make that clear. That change benefits all towns in Dane County, whether they withdraw from the County ordinance or not.

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Thank you for your attention to this memo.

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