

# General Boundary Agreement Factsheet

General boundary agreements are authorized under [s. 66.0301, Wis.Stats.](#), which is a statutory section that broadly enables local governments to cooperate on a wide range of intergovernmental issues and activities, including municipal boundaries.

Prior to 2007, communities developed general boundary agreements under the implied authority of the statute. However, in 2007 the legislature amended s. 66.0301 Wis. Stats. to expressly authorize the development of boundary agreements. The amendment also established a required process for communities to follow.

## **TIP: Prior Agreements Grandfathered**

Dozens of communities across Wisconsin have general boundary agreements that were developed prior the legislature's 2007 amendment and many of these agreements are still in effect today. These agreements did not comply with the new procedural requirements such as notice, a public hearing, publication, referendum, and filing. However, [s. 66.0301\(6\)\(h\) Wis. Stats.](#) exempts these prior agreements from the new requirements.

[doa.wi.gov/MunicipalBoundaryReview](http://doa.wi.gov/MunicipalBoundaryReview)

## Process Requirements

- 1) Both participating communities hold a public hearing on the boundary agreement, or they may instead hold one joint public hearing;
- 2) The two participating communities publish a newspaper notice announcing their intention to develop a boundary agreement under s. 66.0301 Wis. Stats. and to hold a public hearing;
- 3) All affected property owners must also receive notice sent by certified mail.
- 4) The newspaper notice and certified letter to property owners must be given at least 20 days prior to the public hearing;
- 5) Both participating communities pass resolutions approving of the agreement, and
- 6) The approved boundary agreement is fully published in the newspaper.

## **TIP: Maximum Time Limit of 10 Years**

General boundary agreements under s. 66.0301 Wis. Stats. have a maximum term of 10 years, except that any boundary changes made may remain in effect permanently. Communities desiring longer-term boundary agreements may develop Cooperative Boundary Plans under [s. 66.0307 Wis. Stats.](#)

Additionally, a referendum vote may also occur if residents who are affected by the boundary agreement request one. Specifically, 20% or more of the affected residents must sign a petition requesting a referendum vote and their petition must be filed within 30 days after publication of the approved boundary agreement appears in the local newspaper. The referendum vote is binding, so if residents approve of the agreement, it may take effect. However, if residents do not approve of the agreement, it may not take effect.

## **Benefits to General Boundary Agreements:**

**Cooperative** – while annexation tends to pit neighboring communities against one another, boundary agreements provide a chance to focus on shared values, points of agreement, and solutions that can benefit everyone.

**Proactive** – while annexation puts area communities in a reactive mode, boundary agreements enable communities to proactively guide their future.

**Flexibility** – communities can craft their own solutions, having discretion over the issues to be resolved, the territory involved, and whether municipal boundaries will change or not change over time.

**Certainty** – communities can take charge of their future, which benefits landowners, developers, businesses, and other community stakeholders.

**Save money \$\$\$** – boundary agreements save money by avoiding costly litigation. Also, agreements can identify service sharing opportunities and avoid costly duplication of services and capital facilities.

**Enforceable** – general boundary agreements are a written contract that is recognized by state statute.

### **TIP: Beyond Cooperating with Boundaries**

Communities have used the authority granted by s. 66.0301 Wis. Stats. to also cooperate with such things as:

- ✓ Snowplowing
- ✓ Fire & police protection
- ✓ Sharing specialized equipment
- ✓ Joint purchasing of equipment & supplies
- ✓ Road repair & maintenance
- ✓ Libraries
- ✓ Sharing clerks, assessors, and other municipal staff
- ✓ Joint operation of parks, cemeteries, community centers, etc.

