



**INFORMATION NEEDED
for
MUNICIPAL INCORPORATION REVIEWS**

August 2008

Division of Intergovernmental Relations
Department of Administration
101 E. Wilson Street, 9th Floor
Madison WI 53703
(608) 264-6102

<http://doa.wi.gov/municipalboundaryreview/>

Petitioners and any intervenors are requested to supply the information and analysis listed below to enable the Incorporation Review Board to determine if the petition meets the statutory standards in [Section 66.0207, Wis. Stats.](#) Please provide six copies of anything submitted so that each Board member and Department staff may review the material. Please also provide a copy to any intervenors or parties of interest that are admitted by the circuit court to the proceedings.

The following headings relate to the incorporation review requirements found in [s. 66.0207, Wis. Stats.](#) For additional information, contact Erich Schmidtke at (608) 264-6102 or erich.schmidtke@wisconsin.gov.

Section 1(a), Homogeneity and Compactness

The standard to be applied as found in [§66.0207\(1\)\(a\)](#) reads as follows:

The entire territory of the proposed village or city shall be reasonably homogenous and compact, taking into consideration natural boundaries, natural drainage basin, soil conditions, present and potential transportation facilities, previous political boundaries, boundaries of school districts, shopping and social customs.

If the petition is for a proposed “isolated” village or city (see [section 66.0201 \(2\) Wis. Stats.](#)), describe how it has an identifiable “community center,” by using the information requested below. If there is no identifiable “community center,” explain why its absence does not matter.

If the petition is for a “metropolitan” village or city (see [section 66.0201 \(2\) Wis. Stats.](#)), describe how natural resource attributes, the built environment, and related socio-economic activities occurring within the territory distinguish it from the character and activity of adjacent incorporated cities and villages.

Provide a written explanation showing how the natural resource and socio-economic information listed below supports a finding that the proposed community is homogenous and compact.

- a. Maps showing the regional context of the territory proposed for incorporation including neighboring communities and other jurisdictions, and other information described in the enclosed instructions for map preparation. All submitted maps must, at a minimum, portray natural and man-made features for the petitioned territory as well as for abutting jurisdictions. The nature of the incorporation standards require an analysis of how the chosen boundary relates to these natural and man-made features, as well as socio-economic and municipal service issues.
- b. A description of historic, governmental, social, and economic factors that demonstrate cohesion, unity, and identity for the proposed community. Specific types of information include: a description of organized events and historic or other celebrations; shopping and social and recreational customs or other activity patterns of any type (such as a sanitary, lake, or utility district, volunteer fire department, etc.); a list of local groups, social clubs, churches, including meeting locations, frequency of meeting, and an estimate of the proportion of members who are residents of the proposed community.
- c. A list of businesses within the proposed community organized by type of business, address and zip code. State whether the business is seasonal or year round, and the number of people employed on a part-or full-time basis. This information is most readily utilized by the Board when provided in printed and electronic format.

- d. Current school district enrollment, and the proportion of students who live in the proposed city or village by type of school (elementary, middle, high school). A brief physical description of any school facilities within the proposed boundary, along with any proposed modifications/additions. Describe how adjoining neighborhoods or town residents use these school facilities and identify any formal or informal agreements between school districts and municipal jurisdictions or social organizations.
- e. A list of the existing ordinances in the proposed city or village, including a zoning map, zoning classification descriptions and abbreviations corresponding to the zoning map, subdivision regulations, an official map, and others that you think relate to compactness and homogeneity of the territory. Include analysis of how these ordinances relate to this Standard.
- f. Information describing land use trends including the development potential of the territory proposed for incorporation. This information could include a list of parcel rezones, land divisions/subdivisions, building permits, and number of developable acres.
- g. A functional street classification map (shows various road classes i.e. state highways, county roads, etc.) for the territory, and any relevant transportation improvement plans, traffic data (traffic counts, level of service status, projections, etc) and relevant corridor plans or special studies. Provide an explanation as to how this information supports your position and how the transportation system a finding that the proposed territory is compact and homogenous.
- h. Relevant excerpts from local and county or regional plans and maps portraying and discussing existing and proposed land use. For example, these excerpts could address residential and commercial land uses, public facilities, parks, environmental corridors or significant natural resources, wetlands, and historic buildings/sites. Examples of relevant plans are comprehensive plans, farmland preservation plans, outdoor recreation plans, economic development plans, transportation improvement plans, erosion control and lake management districts, capital improvement plans, and urban service area plans. Provide an explanation as to how this information relates to the compactness and homogeneity standard.
- i. Relevant excerpts from engineering, planning, financial reports or feasibility studies, and monitoring reports for public utilities including sewer, water, and stormwater management systems that explain how services are currently provided, and will be provided in the proposed territory for incorporation.
- j. A description of any existing or closed solid waste landfills.
- k. If the boundaries of the proposed incorporation are irregular and form peninsulas or town islands with an adjoining city or village, discuss why this does or does not matter. Provide copies of any existing intergovernmental agreements or other adopted instruments that address and resolve intergovernmental service delivery and identity issues for any peninsulas/islands.

Section 1(b), Territory Beyond the Core

The standard to be applied as found in [§66.0207\(1\)\(b\), Wis.Stats](#), reads as follows:

The territory beyond the most densely populated one-half square mile specified in [s. 66.0205 \(1\)](#) or the most densely populated square mile specified in [s. 66.0205 \(2\)](#) shall have an average of more than 30 housing units per quarter section or an assessed value, as defined in [s. 66.0217 \(1\) \(a\)](#) for real estate tax purposes, more than 25% of which is attributable to existing or potential mercantile, manufacturing or public utility uses. The territory beyond the most densely populated square mile as specified in [s. 66.0205 \(3\)](#) or [\(4\)](#) shall have the potential for residential or other land use development on a substantial scale within the next three years. The Board may waive these requirements to the extent that water, terrain or geography prevents such development.

Provide the following in your petition submittal:

- a. Provide the Board with an accurate estimate of the population of the proposed village, and area population trends using Wisconsin Demographics Services Center or U. S. Bureau of Census data. The population estimate is critical because if the incorporation petition is approved, population will determine the initial allocation of state aids and shared revenues for the community.
- b. For “isolated” petitions, identify either the most densely populated contiguous one-half square mile if filing as a “village,” or contiguous one square mile if filing as a “city,” using a Public Land Survey System standard measurement (such as 40 acres, 80 acres, 160 acres).
- c. For “metropolitan” petitioners, identify lands suitable for development and the availability of municipal sewer and water services within the territory proposed for incorporation. Use maps of environmental features, public utility maps, building permit data, and other supporting information.

Section 2(a), Tax Revenue

The standard to be applied is found in [§66.0207\(2\)\(a\), Wis. Stats.](#), and reads as follows:

The present and potential sources of tax revenue appear sufficient to defray the anticipated cost of governmental services at a local tax rate, which compares favorably with the tax rate in a similar area for the same level of services.

Provide the following in your petition submittal:

- a. A proposed village or city budget, using the Wisconsin Department of Revenue chart of accounts format for municipalities, including current debts and other liabilities (or proportion potentially transferable to the proposed unit of government, if less than a whole town or parts of a town).
- b. An estimate of the current equalized value of the proposed community.
- c. Town annual financial reports for the preceding 5 years along with a 5-year history of changes in equalized value by property tax classes.
- d. For all “special purpose districts” serving the territory, explain how existing debts and obligations are to be “shared” by the proposed village/city.
- e. An explanation as to how any existing intergovernmental agreements address payment for services or shared infrastructure, and proposed contracts/agreements regarding water or sewer service, police, fire and rescue services, joint transportation projects, recreation programs, studies, etc.
- f. An estimate of new capital facility needs or improvements to existing facilities.
- g. Intervenors in opposition, who have filed a resolution expressing a willingness to annex the territory proposed for incorporation, should submit the information in the preceding a.-f., that relates to the territory they proposed to annex. This should describe how the territory proposed for annexation relates to existing adopted plans, capital and operating budgets, personnel and facilities, urban service and extraterritorial authority, etc.

Section 2(b), Level of Services

The standard to be applied is found in [s. 66.0207\(2\)\(b\), Wis. Stats.](#), and provides that the proposed incorporation must be in the public interest as determined by the board upon consideration of:

Level of services. The level of governmental services desired or needed by the residents of the territory compared to the level of services offered by the proposed village or city and the level available from a contiguous municipality which files a certified copy of a resolution as provided in [s. 66.0203\(6\), Wis. Stats.](#)

If no adjacent city files a resolution to annex the entire territory as provided for by [§66.0203\(6\), Wis. Stats.](#), with the circuit court, this standard is not applicable, and the information listed in below is not needed.

- a. A description of public works (road maintenance, snow plowing, ditch and culvert work, signage, etc.), public safety, administrative functions, library, or other services desired or needed to be performed by the proposed village/city, how they will be performed, and who will perform them.
- b. Information on the level of services available to the territory proposed for incorporation from a contiguous local government, which files a resolution to participate as an intervenor in the incorporation process. Intervenors should include an analysis of their physical and financial ability to serve the territory as well as existing and planned facilities/infrastructure/personnel necessary for providing these services.
- c. A list and brief description of all town buildings and equipment, the age of the equipment, and any plans to purchase, or upgrade equipment.
- d. A list and discussion of the services the town currently provides and/or which the town contracts for. Include information such as the current fire insurance (ISO) rating, emergency response times, and EMS capabilities. Indicate whether services are provided by full-time, paid-on-call, or volunteer staff. If possible, provide statistics on the number and type of incidents responded to within the town or territory proposed for incorporation.

Section 2(c), Impact on the Remainder of the Town

The standard to be applied is found in [Section 66.0207\(2\)\(c\), Wis. Stats.](#), calling for the Board to consider:

The impact, financial and otherwise, upon the remainder of the Town from which the territory is to be incorporated.

This section applies when less than an entire town is petitioned for incorporation. If the entire town is petitioning for incorporation, then this standard is not applicable and the information listed below is not needed.

- a. An analysis of the impact of incorporation on the remainder of the Town and on surrounding municipalities within the metropolitan area, including evaluation of fiscal, service, political, environmental, and land use impacts.
- b. A description of any impact of incorporation on existing special purpose districts or on urban service boundaries, supported by maps, data, or other documentation.
- c. An estimate of the residual equalized value for the remainder of the town and a prospective budget and tax levy for the remainder of the town. The Board will seek to determine whether or not the remainder of the town would constitute a viable unit of government.

Section 2(d), Impact on the Metropolitan community

The standard to be applied is found in [Section 66.0207\(2\)\(d\) , Wis. Stats](#) and reads as follows:

The effect upon the future rendering of governmental services both inside the territory proposed for incorporation and elsewhere within the metropolitan community. There shall be an express finding that the proposed incorporation will not substantially hinder the solution of governmental problems affecting the metropolitan community.

This section only applies to “metropolitan” incorporation petitions. If this is an “isolated” city or village petition, this standard does not apply, and therefore, the information listed below is not needed.

- a. “Metropolitan” petitioners and intervenors should describe the policy, regulatory, and service issues of concern to local and county governments within the immediate region, how past or current activities occurring within the territory proposed for incorporation may affect these concerns, and the impact incorporation would have.
- b. Describe the consistency of existing policy, regulatory, and service issues in the territory proposed for incorporation with those of the county and adjacent municipalities. Examples of metropolitan issues from past incorporations include regional transportation projects, environmental and watershed protection, stormwater runoff, protection of agricultural lands, economic development, housing, public works (water and sewer), and safety (police, fire, emergency medical assistance).