

TOWN OF BERRY  
RESOLUTION NO. 2017-2

WHEREAS, 2015 Wisconsin Act 178 was enacted to protect the property rights of rural landowners in Dane County by allowing Dane County Towns the opportunity and option to withdraw from Dane County zoning; and,

WHEREAS, our Town has gone through the process and is prepared to undertake its own zoning, but other towns were discouraged from doing so, or failed in the attempt, because of the complex notice schedules, difficult deadline requirements, numerous resolution adoptions, and countless meetings, the current statutory procedure required; and,

WHEREAS, pending before the Legislature is bill AB-109, which removes these unnecessary complications, redundant notice requirements, and difficult time restrictions and ensures that Dane County Towns would be able to make these important decisions with respect to Town land use, without running a gauntlet of complex and largely unnecessary deadlines and notices, while retaining public input and transparency;

WHEREAS, the Dane County Towns Association has endorsed the bill and endorsed amending the bill to retain the public vote at the Annual Town Meeting as the final approval for opting-out.

WHEREAS, as amended to retain the resident' approval vote at the Annual Town Meeting, AB-109 maintains most of the same provisions in Act 178, such as the many public involvement opportunities to participate in the opting out process as well as requiring all Dane County Towns withdrawing from county zoning to draft a shared zoning ordinance, which each town must approve and enforce at the local level. This bill makes necessary changes to the opting out procedure for Dane County towns that ensures efficiency and accountability at the local level by simplifying the current withdrawal process, while retaining the right of final approval to the Town Electors.

WHEREAS, the only real opposition the AB-109 comes from Towns who have exercised their option under 2015 Wisconsin Act 178 not to opt-out of Dane County Zoning, and apparently oppose making the opt-out process easier for other Towns, who may choose to exercise their option under 2015 Wisconsin Act 178 to opt-out. Nothing in AB-109, as amended, would have any effect on Towns who chose not to opt-out, or the process they would follow to retain Dane County Zoning.


NOW THEREFORE, BE IT RESOLVED, that the Town of Berry hereby adopts the following Resolution:

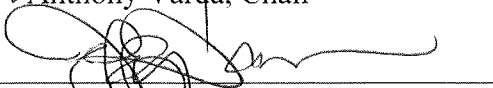
**The Town of Berry endorses AB-109, as amended to retain the final vote of approval at the Annual Town Meeting, and requests the legislature amend the provisions of 2015 Wisconsin Act 178 accordingly, by passing the so amended AB-109, without further delay.**

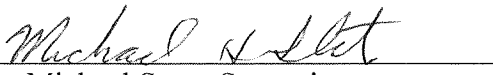
Attest: Brenda Kahl  
Brenda Kahl, Clerk/Treasurer

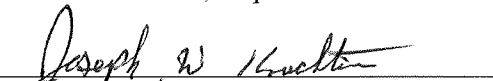
Adopted: September 18, 2017


Posted: September 20, 2017

  
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Anthony Varda, Chair

  
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Jeff Davis, Supervisor

  
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Michael Statz, Supervisor

  
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Joe Kruchten, Supervisor

  
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Duane Haag, Supervisor