

RESOLUTION NO. 2009-10

**A Resolution Opposing Legislation Limiting
Extraterritorial Subdivision Approval Powers**

WHEREAS, Senate Bill 117 and Assembly Bill 260 limits a municipality's ability to review proposed land divisions in a neighboring town; and

WHEREAS, specifically, the proposed bills prohibit a municipality from denying a proposed land division within its extraterritorial jurisdiction on the basis of concerns over the proposed use of the land; and

WHEREAS, the bill would overturn *Wood v. City of Madison* in which the Wisconsin Supreme Court held that a municipality can consider land use in conjunction with a subdivision ordinance as part of the extraterritorial plat review process; and

WHEREAS, the general health, welfare and safety of the City of Cedarburg and its residents are dependant upon the proper relationship and control of land uses within the areas immediately surrounding and adjacent to the City which are economically and socially integrated with the life and economic pursuits of the residents of the City of Cedarburg, or will in the future become so interdependent; and

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Cedarburg, Wisconsin, opposes any legislation that would limit municipal extraterritorial subdivision approval powers; and

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Governor Jim Doyle, State Senator Glenn Grothman and State Representative Mark Gottlieb, local media and the League of Wisconsin Municipalities.

Passed and adopted this 28th day of September 2009.

Gregory P. Myers, Mayor

Attest:

Constance K. McHugh, City Clerk

Approved as to form:

Kaye K. Vance, City Attorney