

**TOWN OF \_\_\_\_\_**  
**RESOLUTION NO. 16-**

A RESOLUTION APPROVING NOTICE OF INTENT TO ENACT A  
ZONING ORDINANCE PURSUANT TO SECTION 60.23(34)(a), WIS. STATS.

**WHEREAS**, 2015 Wisconsin Act 178, as signed by the Governor, created statutory provisions which give towns in counties with a certain minimum population (which includes Dane County) the authority to withdraw from the zoning jurisdiction of the county under certain circumstances; and,

**WHEREAS**, new Section 60.23(34), Wis. Stats., provides the mechanism for this withdrawal, including removing Dane County's land division review authority and clarifying that Dane County has no authority to reject, or adopt in part, town comprehensive plans; and,

**WHEREAS**, the Town of \_\_\_\_\_, Dane County, Wisconsin (the "Town") wishes to take greater control of comprehensive planning, land use divisions, development and zoning within the Town, to better effect its Comprehensive Town Plan, for the benefit of its residents; and,

**WHEREAS**, Section 60.23(34)(b)1., Wis. Stats., allows and requires Dane County towns wishing to leave Dane County Zoning to provide notice that the town intends to enact an ordinance under Section 60.23(34)(a), Wis. Stats., in order to withdraw from coverage of the Dane County zoning code and Dane County development plan and to reserve the option to withdraw, pursuant to the statutes' requirements; and,

**WHEREAS**, providing this notice serves only to preserve a town's ability to withdraw, but does not require that withdrawal must occur; and,

**WHEREAS**, the Town Board desires to provide the Notice of Withdrawal, as required by law, to provide the notice contemplated by the statute; to commence evaluation of the possibility of withdrawal, and to preserve the option to withdraw from coverage of the Dane County zoning code and the Dane County development plan [also known as the Dane County Comprehensive Plan], and from the jurisdiction of land division review or approval by Dane County; and,

**WHEREAS**, such withdrawal does not affect either the extra-territorial land division or zoning authority of the municipalities adjacent to the Town, and does not in any way affect boundary, planning, or other agreements the Town may have with those municipalities.

**NOW, THEREFORE**, the Town Board of Supervisors, hereby resolves as follows:

Section 1. The Notice attached hereto at Exhibit A is hereby approved for use.

Section 2. The Town Board Chair and Town Clerk are authorized to execute Exhibit A on behalf of the Town, and the Clerk shall then distribute this Notice as provided by law.

Section 3. This Resolution shall be construed liberally as providing Dane County and all other Towns with any and all notice required by sec. 60.23(34)(b)1, Wis. Stats.

The above and foregoing Resolution was duly adopted by the Town Board of Supervisors of the Town of \_\_\_\_\_, Dane County, Wisconsin, at a regular meeting held on \_\_\_\_\_, 2016, by a vote of \_\_\_ ayes and \_\_\_ nays, with \_\_\_ members absent.

TOWN OF \_\_\_\_\_

Approved:

By: \_\_\_\_\_

Town Board Chair

Attest: \_\_\_\_\_

Town Clerk-Treasurer

APPROVED: \_\_\_\_\_

POSTED: \_\_\_\_\_

**EXHIBIT A**

*[Letterhead]*

**NOTICE**

**INTENT TO ENACT A  
ZONING ORDINANCE PURSUANT TO  
SECTION 60.23(34)(a), WIS. STATS.**

TO: Dane County Clerk  
Dane County Town Clerks and Chairs

**PLEASE TAKE NOTICE**, pursuant to section 60.23(34)(b)1., Wis. Stats., that the TOWN OF \_\_\_\_\_, DANE COUNTY, WISCONSIN (the “Town”), as authorized by action of its Town Board after the recommendation of the Town Plan Commission, hereby provides this **Notice** that the Town intends to enact an ordinance under section 60.23(34)(a), Wis Stats, in order to withdraw the Town from coverage of the Dane County Zoning Ordinance and the Dane County Development Plan.

Dated: July 4, 2016

TOWN OF \_\_\_\_\_

By: \_\_\_\_\_

Town Board Chair

Attest: \_\_\_\_\_

Town Clerk

**CERTIFICATION OF NOTICE**

I, \_\_\_\_\_, the Town Clerk of the Town of \_\_\_\_\_, hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 2016, I sent a true copy of the foregoing “Notice of Intent To Enact A Zoning Ordinance Pursuant to Sec. 60.23 (34)(b) 1., Wis. Stats., by depositing envelopes with sufficient postage in the US Mail, addressed to Scott McDonell, Dane County Clerk, and to the Town Clerks of all 33 Towns in Dane County.

\_\_\_\_\_  
Town Clerk