

Municipal Boundary Research

By Michael Keane

The State of Wisconsin preserves legal documents on the evolution of municipal boundaries. Most of these documents are found in the Municipal Data System at mds.wi.gov. Learn how to use this website with our recent article: *Researching municipal boundaries*.

The Evolution of Incorporation and Annexation Law

Initially, cities and villages were incorporated by legislative enactment. The Legislature dealt with incorporation individually. (Learn more in our [Nonstatutory provisions: what they are and how to find them](#) article.) Chapter 70 of the 1858 Wisconsin Statutes allowed residents of towns to incorporate villages by obtaining an order of incorporation from the circuit court for their county. However, the Legislature continued to incorporate villages by act frequently. Chapter 188, Laws of 1872 enacted a provision that ended the practice of the Legislature incorporating villages.

The Legislature continued to incorporate cities by enacting special charters. Chapter 326, Laws of 1889 began the process of extending this autonomy to city residents. That law created a general city charter and gave existing cities the right to abandon their enacted charters and instead adopt the general charter. The law also created a system by which cities could become incorporated under the general charter statute by order of the circuit court, effectively removing the Legislature from the process of incorporating municipalities entirely. This law divided cities into four classes. The city's class is determined largely by population. Cities were given the power to annex territory by the same 1889 law.

The movement toward greater autonomy for cities continued during the early part of the 20th Century as part of the progressive movement. Chapter 242, Laws of 1921 repealed all enacted special city charters (except Milwaukee's, which is still in effect) and required all cities to reincorporate under the revised general charter statute. The Legislature proposed a constitutional amendment that provided for [municipal home rule](#), prohibiting the Legislature from enacting laws that affect individual municipalities. Once the amendment was ratified in November 1924, it became necessary for the Legislature to address municipal matters as applying to entire classes of municipalities, such as towns, villages or one or more class of city. The power to annex territory was extended to villages by Chapter 251, Laws of 1931.

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All municipalities were required to report each annexation and a description of the new municipal boundaries to the Secretary of State due to Chapter 434, Laws of 1917 (modified by Chapter 241, Laws of 1919). This was later changed from the Secretary of State to the Secretary of Administration (2015 Act 55, sections 1940-1948L). The Department of Administration maintains a mostly complete collection of these documents, including many preceding 1917, on a website called the Municipal Data System. Located at mds.wi.gov, this system contains several datasets dealing with municipal charters, incorporations, and annexations.

Data Sets

Petitions for proposed annexations: For a municipality to annex territory. 2002 to present

Corporate Boundaries: Descriptions of municipal boundaries required by Wisconsin Statute s. 62.02. Sometimes a map of the boundaries is included. 2014 to present

Contiguity review: Wis. Stat. ss. 66.0217 (2) and (6) (d) requires the Department of Administration to review all annexations to determine whether or not the annexation meets the law's contiguity requirements. Includes review documents and the Department's final determination. 2013, 2014 and 2015

Incorporations: Documents filed under Wis. Stat. s. 66.0203 for the incorporation of new cities and villages. Contains a few files from 2014 to present

Annexation ordinances: Final ordinances for annexations as required by Wis. Stat. s.66.0217(8). 1988 to present

Supervisory districts: Modifications to supervisory districts, Wis. Stat. 59.10(3). 2015 to present

Boundary agreements: Municipal boundary agreement information and maps adopted by municipalities under Wis. Stat. 66.0307. 1996 to present

Charter ordinances: Amendments enactments or repeals affecting charter ordinances (Wis. Stat. 66.0101). 2014 to the present

Historical material: Various documents from approximately 1917 to 2015. Includes a large number of laws and ordinances affecting incorporation and annexation before 1917

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