

Incorporating into a Village Frequently Asked Questions

Why would the Town incorporate into a village?

Regulation, growth pressure, and annexation by the City of Eau Claire has and will continue to erode town borders and change the landscape, quality, and character of the Town of Washington. As it sits now, Town residents cannot elect those who determine a large part of the Town's land use. Only incorporation will give Washington residents the ability to control their own land uses - an issue more important than ever given the pace of growth and development. Village status would provide for fixed borders, local control, and area stability.

Can the entire Town be incorporated into a village?

No, based on Wisconsin Department of Administration incorporation criteria the entire Town of Washington cannot become a village. Standards for incorporation include a minimum area, population, density, compactness, homogeneous, ability to grow and positive regional impact.

What area of the Town of Washington can become a village?

In general, the area of Town of Washington south of the City of Eau Claire to the Town of Pleasant Valley line and the pockets of the town near E. Hamilton Ave are possible areas of incorporation.

What is the process to become a village?

- **Petition Preparation:** A comprehensive petition is prepared and signed by residents.
- **Circuit Court Review:** The petition is submitted to the Circuit Court for initial review.
- **Incorporation Review Board:** If the petition meets basic standards, it is reviewed by the Incorporation Review Board. Neighboring municipalities may support or oppose the incorporation.
- **Referendum:** If approved by the Review Board, a referendum is held. If successful, an incorporation certificate is issued by the Department of Administration

What are the standards?

The Circuit Court will review the petition to ensure the territory will meet minimum area, population, and density standards for a metropolitan village. The Incorporation Review Board is required to evaluate the request for incorporation against the following categories: characteristics of the territory, territory beyond the core, and public & metropolitan Interest. The Town has hired governmental affairs and legal experts to carefully review and analyze these matters and to provide a road map to incorporation that best meets these standards and Town goals.

If a portion of the Town of Washington becomes a village how would the Town and Village be managed?

The town and village would be two separate units of government with a town board and a village board. The town and village would share the municipal building, equipment, staff, and services by agreement and the town and village would be levied for their proportionate share. The village would need its own set of ordinances and may need additional staff or service agreements to fulfill requirements.

What about the budget and tax levy?

A budget would be needed for both the village and the town. The budget along with estimates of equalized value for the village and the town would be needed to determine the tax rate for each. The new village would likely have a higher level of operating costs relative to the town and would likely have

a higher share of assets - facilities, equipment, and infrastructure. Residents of the town would be taxed based on the tax rate established by the town. Residents of the village would be taxed based on the rate established by the village. The town has a long history of being fiscally astute and will look to continue that tradition. We are early in the process and therefore, more analysis is needed to provide a tax rate estimate.

What additional utilities and services would be offered by a Village, if any?

Initially the village would not have additional utilities and it would be up to the village board to determine the need for such items in the future. It is anticipated that fire, ambulance, and police service would be by agreement as it is now. The village would have its own zoning and land use regulations and the responsibility of administering these regulations whether by staff or contract.

Would this be a traditional village such as Fall Creek, Fairchild, Elk Mound?

No, it would be considered a metropolitan village. That means it is within a metropolitan community and therefore, would not necessarily have a village center or “downtown” like a traditional village.

I live in the Town but have City of Eau Claire water. Will this change with incorporation?

The Town filing for incorporation would not negate city services that you receive now related to the 1980's City acquisition of the Washington Heights Sanitary District.

Will the village special assess landowners for road reconstruction projects as does the City of Eau Claire?

The City does special assess landowners for road projects affronting their property. The Town of Washington does not special assess landowners for projects affronting their property. Road projects are funded through the general fund. There is not an intention to go to a special assessment model to fund road projects in the Town or Village for the foreseeable future due to large road frontages with the larger parcels that characterize this area. A change to the funding model would be matter of the governing board.

What are the costs and timeline to complete the incorporation process?

This will be a major undertaking. Costs would include consultants, attorneys, and staff to research, develop and submit the petition to the Circuit Court and the Incorporation Review Board and to establish data and framework for the operation of the new Town and Village. There is a fee involved for the Incorporation Review Board to review the petition. The initiative is estimated at \$200,000; more if things get complicated or combative. The process in total will take a 1.5 to 2 years and up to 3 years with delays and possible resubmittals.

Is public comment allowed at the circuit court hearing?

Yes

Can the City of Eau Claire continue to annex lands during the incorporation process?

The filing of the incorporation petition stops all annexation in the proposed territory until the incorporation matter is decided.

Is there a process for those residents that will remain in the town to annex to the new village?

Yes, however there is a 5-year moratorium on such annexations.

What is the difference between city density and village density for development?

For residential development, the city has low, medium, and high-density development. Low density housing is defined as one to two family housing with a density of 2.5 to 6 units per acre. Lot sizes are

6,000 sq ft and up. Medium and high-density housing includes townhouses, 4, 6 and 8-unit buildings, and low and high-rise apartment buildings.

The village housing will be low density with one to two family dwellings and may include limited condominium offerings. Village developments would likely include lot sizes from 20,000 sq ft to 2 acres.

What land use regulations is a town landowner subject to now and how would that change in the village territory?

Town landowners with 3 miles of the City of Eau Claire and 1.5 of the City of Altoona are subject to regulation from the respective city, Eau Claire County, and the Town of Washington. Village landowners will be regulated by the village. Incorporation provides less regulation and puts an end to regulation without representation.