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ANNEXATION - WISCONSIN

Darboy Joint Sanitary Dist. No. 1 v. City of Kaukauna

Court of Appeals of Wisconsin - August 6, 2013 - Slip Copy - 2013 WL 3984165

City adopted an ordinance annexing certain property located within the Town and serviced by the Sanitary District. The ordinance proclaimed, pursuant to WIS. STAT. § 66.0217, that the property was being annexed for purposes of providing municipal services.

Town and the Sanitary District filed suit against the City, alleging that the ordinance did not comport with the requirements of WIS. STAT. § 66.0217(14).

The circuit court dismissed the Town's claims, concluding that WIS. STAT. § 66.0217(11)(c) bars towns from pursuing an action to declare an annexation void for failure to comply with § 66.0217(2). The circuit court dismissed the Sanitary District's claims, concluding that the Sanitary District did not have a legal interest protected by § 66.0217 and therefore also lacked standing to bring the case. The Court of Appeals affirmed.

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