

Bond Case Briefs

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ANNEXATION - WISCONSIN

Ries v. Village of Bristol

Court of Appeals of Wisconsin - April 17, 2014 - Slip Copy - 2014 WL 1499471

The Village of Bristol petitioned the circuit court for an annexation referendum on whether to annex the Town of Bristol to the Village. The circuit court granted the Village's petition for an annexation referendum, and the referendum passed. The Village enacted an ordinance annexing the Town to the Village.

Individual and his L.P. ("Ries") subsequently filed a complaint seeking a declaration that the annexation by referendum was invalid because it violated the rule of reason, a judicially created doctrine used to determine whether an annexation is valid.

Ries raised two main issues: (1) whether the annexation fails to satisfy the rule of reason because the Village abused its discretion by initiating the annexation process and because there is no reasonable present or future demonstrable need for annexation; and (2) whether the circuit court erred in excluding testimony regarding discussions by village board members about whether to initiate the annexation process.

The court found not abuse of discretion, affirming the annexation.