



**SENATE SUBSTITUTE AMENDMENT 1,  
TO 1995 SENATE BILL 21**

November 9, 1995 – Offered by COMMITTEE ON TRANSPORTATION, AGRICULTURE AND  
LOCAL AFFAIRS.

1     **AN ACT to amend** 66.296 (1) and 66.296 (2) (c); and **to create** 66.296 (1m) and  
2           66.296 (2) (d) of the statutes; **relating to:** the authority of villages, towns and  
3           cities other than 1st class cities to vacate streets, roads or alleys.

***The people of the state of Wisconsin, represented in senate and assembly, do  
enact as follows:***

4           **SECTION 1.** 66.296 (1) of the statutes is amended to read:  
5           66.296 (1) The whole or any part of any road, street, slip, pier, or lane ~~or~~ alley,  
6           in any 2nd, 3rd or 4th class city or in any village or town, may be discontinued by the  
7           common council or village or town board upon the written petition of the owners of  
8           all the frontage of the lots and lands abutting upon the portion thereof sought to be  
9           discontinued, and of the owners of more than one-third of the frontage of the lots and  
10          lands abutting on that portion of the remainder thereof which lies within 2,650 feet  
11          of the ends of the portion to be discontinued, or lies within so much of that 2,650 feet  
12          as shall be within the corporate limits of the city, village or town. ~~The beginning and~~  
13          ~~ending of an alley shall be considered to be within the block in which it is located.~~

1 This subsection does not apply to a highway upon the line between 2 towns that is  
2 subject to s. 80.11.

3 **SECTION 2.** 66.296 (1m) of the statutes is created to read:

4 66.296 (1m) The whole or any part of any alley in any 2nd, 3rd or 4th class city  
5 or in any village or town may be discontinued by the common council or village or  
6 town board upon the written petition of the owners of more than 50% of the frontage  
7 of the lots and lands abutting upon the portion thereof sought to be discontinued.  
8 The beginning and ending of an alley shall be considered to be within the block in  
9 which it is located. This subsection does not apply to a highway upon the line  
10 between 2 towns that is subject to s. 80.11.

11 **SECTION 3.** 66.296 (2) (c) of the statutes is amended to read:

12 66.296 (2) (c) No discontinuance of the whole or any part of any road, street,  
13 slip, pier or lane shall be ordered if a written objection to the proposed discontinuance  
14 is filed with the city, village or town clerk by any of the owners abutting on the portion  
15 sought to be discontinued or by the owners of more than one-third of the frontage of  
16 the lots and lands abutting on that portion of the remainder thereof which lies within  
17 2,650 feet from the ends of the portion proposed to be discontinued; or which lies  
18 within so much of said 2,650 feet as shall be within the corporate limits of the city,  
19 village or town. ~~The beginning and ending of an alley shall be considered to be within~~  
20 ~~the block in which it is located.~~

21 **SECTION 4.** 66.296 (2) (d) of the statutes is created to read:

22 66.296 (2) (d) No discontinuance of an alley shall be ordered if a written  
23 objection to a proposed discontinuance is filed with the city, village or town clerk by  
24 the owner of one parcel of land that abuts the portion of the alley to be discontinued

1 and if the alley provides the only access to off-street parking for the parcel of land  
2 owned by the objector.

3 (END)