



Counties, Cities, Villages, Towns: Forms of Local Government and Their Functions

STATE VERSUS LOCAL GOVERNMENT

We all live under the protections and limitations of federal and state laws. Local government also creates and enforces laws. The federal government makes public policy that affects the entire nation, like negotiating international treaties and maintaining armed forces. Under the Tenth Amendment to the U.S. Constitution, all powers not delegated to the federal government are given to the states. So, the states have police powers, for example, that the federal government does not have. State governments may then delegate some of their powers to local governments while retaining some power over the form and functions of those local governments. Many of the problems that Wisconsin residents face are local problems, and local problems often require local solutions.

TYPES OF LOCAL GOVERNMENT

In Wisconsin, no matter your place of residence, you are governed by two kinds of local governments: a county and a city, village, or town. There are currently 72 counties, 190 cities, 400 villages, and 1,260 towns in Wisconsin. The legal boundaries of cities, villages, and towns overlap the boundaries of counties, so you live within the legal jurisdiction of a county and a city, village, or town.

In general, there are two broad categories of local governments: “general purpose” local governments, which provide basic, general services used on a daily basis by all residents, and “special purpose” local governments, which offer special services targeted at a select group of residents, such as a school district. This paper examines general purpose local governments, which, in Wisconsin, include counties, cities, villages, and towns.

COUNTIES

County government is the oldest form of local government in Wisconsin. Wisconsin’s 72 counties cover every square inch of the state, so all residents live in one county or another. Some who reside in rural areas receive most government services from the county. Counties may perform only those functions assigned to them by state law. Generally, counties are responsible for social services, such as child welfare, and cultural services, such as parks. Counties also play a role in road maintenance and law enforcement, though its role in these matters overlaps similar services provided by cities, villages, and towns.

Counties are governed by a county board of supervisors. A county board is a legislative entity, whose members are elected by county voters from distinct geographic districts within the county. A county may also have one of two kinds of executive officials: a county executive, elected by county voters, or a county administrator, appointed by the board. If a county has neither a county executive nor a county administrator, it must at least have an administrative coordinator. These officials are responsible for the day-to-day management of county government. Finally, counties generally have certain elective officers, such as a county clerk, coroner, treasurer, district attorney, and sheriff. These elective officers have important roles in the operation of the county.

CITIES AND VILLAGES

Cities and villages are local governmental entities that share many common features, though they differ in population. In addition, unlike counties, cities and villages are specifically granted “home rule” authority under the Wisconsin Constitution. This authority allows cities and villages to determine their local affairs and government, subject to state laws. State law also grants cities and villages statutory home rule authority in a variety of public policy areas.



There are many standards that must be met when forming a new city or village. In general, however, population is the primary consideration. A city must have a population of at least 1,000 people if it is in an isolated rural area, or at least 5,000 people if it is in a more densely populated urban area. Depending on its population, a city is also placed into one of four classes. For example, a city with a population over 150,000 qualifies as a "first class city." Currently, Milwaukee is the only first class city in Wisconsin, though Madison has the necessary population to become first class if it so chose. If a city wants to change its class as its population increases, it must take legal steps under state law. There are differences between a first class city and other cities, and most involve increased financial responsibility for services provided in the first class city.

Villages are usually smaller than cities, but new villages must also meet population requirements. Under Wisconsin law, in an isolated rural area, a village must have a population of at least 150 to form; in a more densely populated urban area, it must have at least 2,500 residents. There are no classes for villages, but under home rule authority different villages can operate in slightly different ways.

Cities and villages differ in their political organization, but, like the state and federal governments, both are governed by a legislative body and an executive officer. Cities usually have an elected mayor and an elected common council. A city may also have a common council and a city manager appointed by members of the council. Both the mayor and the

city manager, regardless of how they are chosen, are responsible for the day-to-day administration of the city. Villages generally have a president, elected by voters from the village, and a village board, whose members are also elected. But a village can have a village manager, in lieu of a village president, who is appointed by members of the village board. Again, both the village president and the village manager are responsible for the day-to-day administration of the village.

TOWNS

Towns provide some of the same services as cities and villages, but they are organized differently. Town governments can be found in rural areas because, by law, they govern areas not included within the city or village boundaries. But towns may exist in more urban areas, just outside the boundaries of a city, for example. Towns are often geographically larger than any other kind of municipality. In fact, the entire county of Menominee is also one large town. Towns do not have home rule authority, but have those powers granted under state law. A town's most important responsibility is usually to provide road maintenance, often in cooperation with the county in which the town is located. Towns also provide other services to their residents, such as garbage service, fire and police protection, and zoning. Some towns provide some of the same services as cities and villages, and those services may overlap those provided by the county. Often, however, towns provide limited services, and residents pay lower local taxes because of it.

Towns are usually governed by a town board of three supervisors

elected by the people, though the board can have more members depending on the town's population. The town board must have a chairperson who performs executive duties and exercises executive powers. The town board may also appoint a town administrator to handle town administration. Towns are unique in their form of representation. The town board carries out all public policies and duties set at an annual town meeting. Residents over the age of 18, who are qualified to vote and have lived in the town for at least ten days before the meeting, are entitled to discuss and vote on the town's business, including the property tax level. Because almost every adult resident of a town can have a voice at this annual meeting, towns are governed by the people more directly than are cities and villages, which have boards that make these decisions. Towns are Wisconsin's version of direct democracy.

SUMMARY

In ways great and small, we are governed by counties, cities, villages, and towns. In Wisconsin, local governments are organized in similar ways. They have an executive official who manages the daily affairs of local government and a legislative body that enacts laws governing our behavior within its legal jurisdiction. Local government is important in Wisconsin because it is closest to us and impacts our lives most directly. It gives us an excellent opportunity to view government close up, and maybe even to get involved.

Governing Wisconsin: "Counties, Cities, Villages, Towns"

Study Questions

1	How many people must live in a rural area in order for it to qualify as a city?	
2	Explain how towns practice a more direct form of democracy than counties.	
3	Using a <i>Wisconsin Blue Book</i> or another resource, find the most recent report of the population of Wisconsin and the population of the county where you reside.	
4	In local elections you will be asked to vote for several county officials. Using available resources, research and list some duties of two elected county officials.	
5	If the state legislature decided that the city of Madison had a problem with teenage crime, could they pass a curfew law prohibiting Madison teens from being out after 11:00 p.m.? Why, why not?	
6	Imagine you are a member of a city council that is considering a curfew that will prohibit minors from being out between midnight and 5 a.m. List the pros and cons and explain why you think so.	

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Study Questions in the Cognitive Domain

1	How many people must live in a rural area in order for it to qualify as a city?	A city in a rural area must have a population of at least 1,000.	Cognition
2	Explain how towns practice a more direct form of democracy than counties.	In town meetings, every town member over the age of 18 who has lived in the town for more than ten days may discuss and vote on the town’s business. At the county level, the elected board of supervisors are the only people who can vote on the county issues. People are more directly involved in decisions made for the town.	Comprehension
3	Using a <i>Wisconsin Blue Book</i> or another resource, find the most recent report of the population of Wisconsin and the population of the county where you reside.	In 2006, there were 5,617,744 people living in Wisconsin. (2007–2008 <i>Wisconsin Blue Book</i> , p. 801. Population by county found on p. 802.)	Application
4	In local elections you will be asked to vote for several county officials. Using available resources, research and list some duties of two elected county officials.	<i>County clerk</i> administers elections, collects records; <i>coroner</i> investigates deaths, testifies, acts as sheriff when necessary; <i>treasurer</i> manages moneys within the county, administers property taxes, reports on finances; <i>district attorney</i> is chief law enforcement officer and presents the “people’s case” during a trial.	Analysis
5	If the state legislature decided that the city of Madison had a problem with teenage crime, could they pass a curfew law prohibiting Madison teens from being out after 11:00 p.m.? Why, why not?	No. Article XI, section 3, of the Wisconsin Constitution, gives cities and villages “home rule” authority, so the legislature cannot make laws that apply to specific cities. The legislature can make laws that apply to all cities equally, so it could pass a statewide curfew law that would override any standing city ordinances.	Synthesis
6	Imagine you are a member of a city council that is considering a curfew that will prohibit minors from being out between midnight and 5 a.m. List the pros and cons and explain why you think so.	Teachers can reference the story of the Mequon council vote, July 2004. Pros: there are problems with drinking, drugs, and sexual promiscuity. Getting minors off the streets at night will help. The law supports parents by putting the law on their side. Cons: The law undermines parental authority and violates the civil rights of minors.	Evaluation