

Approval of Functional Classification and Urban Area Boundary Changes

Version: *June 2016*

Background:

The Wisconsin Department of Transportation (WisDOT) and the Federal Highway Administration (FHWA) have historically accepted approval of functional classification changes and urban area boundary changes (hereafter referred to as function/boundary changes) by a local technical expert, such as but not limited to the county highway commissioner, planning/community development director, or city/village public works director. Approval of function/boundary changes in urbanized areas, Wisconsin's 14 MPOs, follow a separate process and are not included in this policy.

WisDOT now recognizes that the Code of Federal Regulations (CFR) requires that principal elected officials (city council/village board/county board) approve functional classification changes (23 CFR §§ 470.103 and 470.105), as follows:

23 CFR 470.103

Responsible local officials means—(2) In rural areas and urban areas not within any urbanized area, principal elected officials of general purpose local governments.

23 CFR 470.105

The State shall cooperate with responsible local officials, or appropriate Federal agency in the case of areas under Federal jurisdiction, in developing and updating the functional classification.

Purpose:

To align with federal regulations, WisDOT will now ensure that, in urban areas, the city council/village board (hereafter referred to as municipal board) will approve all function/boundary changes. In rural areas, the county board will approve all functional classification changes.

Overview:

Consistent with current practice (in urban or rural areas), an appropriate local technical expert(s) or committee (hereafter referred to as local expert(s)) should review proposed function/boundary changes. After concurrence is reached—between the local expert(s), the Division of Transportation Systems Development (DTSD) Region, and Bureau of Planning and Economic Development (BPED) staff—the local expert(s) will recommend approval of changes to the city council/village board/county board.

Delegation

In urban areas, the municipal board may delegate approval authority of function/boundary changes, via municipal resolution, to an appropriate qualified local expert(s) within the municipal organizational structure (not a consultant or contractor).

[Policy document online](#)

In rural areas, the county board may delegate approval authority of functional classification changes to an appropriate local expert(s) within the county organizational structure (not a consultant or contractor) via county resolution.

Upon establishing a designated delegate(s), the city municipal board/county board should notify WisDOT about the appointment for internal tracking. WisDOT has provided sample resolutions at the end of this document for your consideration.

Effective date:

WisDOT began adhering to this policy on January 1, 2016. Proposed function/boundary changes submitted after this date are subject to these approval requirement. Function/boundary reviews or approvals initiated before January 1, 2016 may continue to follow the earlier practice that allowed the local expert(s) to approve proposed function/boundary changes without specific action or delegation by the municipal board/county board.

NOTE:

- *This policy pertains to final approval of proposed function/boundary changes. WisDOT has a separate policy that addresses the timeframe for review of functional classification and boundary changes.*
- *To see how the review and approvals fit into the overall process, the functional classification and boundary update process flowchart can be found at the following location:*

[Link to Functional Classification Review Flow Chart](#)

URBAN AREAS (CITIES AND VILLAGES)

Approval of Function/Boundary Changes

Function/boundary changes must be approved by the municipal board.

Urban Areas with multiple municipalities

For urban areas comprising more than one incorporated city or village, the municipal board from each municipality must approve function/boundary changes within their municipal boundary. If the urban area has a committee of members representing the various communities, this committee may approve function/boundary changes for the entire urban area. Each municipality in the urban area may appoint a person to approve function/boundary changes within its jurisdictional boundary. If a municipality is unaffected by the changes proposed within the urban area, approval by the unaffected municipal board is not required. However, WisDOT encourages adjacent municipalities to consult with one another as appropriate during the review process.

Delegation of Approval Authority

A municipal board may delegate approval authority for function/boundary changes to an appropriately qualified local expert or committee (e.g., streets committee or transportation committee) within the municipal organizational structure. The committee must have a majority of members who are within the municipal organizational structure. (A quorum of the committee should include a majority of members who are within the municipality.) Approval authority cannot be solely delegated to a consultant or contractor for function/boundary changes.

The municipal board must pass a resolution authorizing the designee(s) to act on its behalf for the purpose of approving function/boundary changes. The resolution authorizing this delegation of authority should identify the designee(s) by title rather than by name so that changes in personnel do not require further action by the municipal board.

In the event the designated delegate(s) is unable to fulfill their duties for approving function/boundary changes because of extended leave of 30 days or more, or because the position(s) has been vacant, approval authority for function/boundary changes reverts to the municipal board. This continues until the municipal board designates a new delegate(s) for function/boundary approval authority.

Notice of Approval

If a designated delegate(s) or committee approves function/boundary changes, notice must be given to municipal board (as reflected in the council/board meeting agenda) and acknowledged by the municipal board at a formal council/board meeting and be reflected in the meeting minutes.

See Attachment 1: Sample Resolution for Delegation of Approval Authority for Functional Classification and Boundary Changes in Urban Areas

Review of Function/Boundary Changes

Local review of proposed function/boundary changes, as distinct from local *approval* thereof, should continue to be carried out by a qualified local expert(s) (e.g., public works director, city engineer or planner, etc.), committee (e.g., streets committee, transportation committee, etc.), or consultant/contractor. The reviewer(s) should notify the municipal board of recommended

[Policy document online](#)

function/boundary changes immediately upon completion of the review. The municipal board should acknowledge the recommendation and follow up immediately with any questions for the reviewer(s).

When an urban area comprises multiple municipalities, and all proposed function/boundary changes are within the boundary of one municipality, the council/board has the authority to approve such changes. The board should promptly notify the other municipalities of the approved changes.

If proposed function/boundary changes cross municipal boundaries, the council/board for each municipality may appoint a lead person to coordinate the reviews and approvals for the impacted municipalities. A municipality may defer review of function/boundary changes to a local expert(s) from an adjacent community.

If only a portion of all proposed changes have been reviewed and/or approved at the time of a municipal board meeting, subsequent review and approvals may be acknowledged at subsequent council/board meetings until the review/approval process is complete.

Communication of Approved Function/Boundary Changes to WisDOT

The municipal board must notify WisDOT Region staff by email when any function/boundary changes have been approved. If review/approval carries over to multiple council/board meetings, communication to WisDOT should wait until all approvals are finalized and can be sent in one notice.

RURAL AREAS (COUNTIES)

Approval of Functional Classification Changes

Functional classification changes not included in an urbanized or urban area must be approved by the county board. If a designated delegate(s) or committee (stated below) approves functional classification changes, the approved changes must be identified as an item on a full county board meeting agenda, acknowledged by the board at a formal meeting, and reflected in the meeting minutes. If approval has been delegated, there is no need for further action by the board to approve the changes.

Delegation of Approval Authority

A county board may delegate approval authority for functional classification changes to an appropriately qualified local expert or committee within the county organizational structure. The committee must have a majority of members who are within the county structure. (A quorum of the committee must include a majority of members who are within the county structure.) The county board must pass a resolution authorizing the designated delegate(s) to act on its behalf for approving functional classification. The resolution authorizing this delegation of authority should identify the designee(s) by title rather than by name so that changes in personnel do not require further action by the county board.

In the event the designated delegate(s) is unable to fulfill their duties—approving functional classification changes—because of extended leave of 30 days or more, or because the position(s) has been vacated, approval authority for functional classification reverts to the county board. This authority remains in effect until the county board designates authority for approving functional classification changes to a new delegate(s).

Notice of Approval

If a designated delegate(s) or committee approves functional classification changes, notice must be given to municipal board (as reflected in the council/board meeting agenda) and acknowledged by the municipal board at a formal council/board meeting and be reflected in the meeting minutes.

See Attachment 2: Sample Resolution for Delegation of Approval Authority for Functional Classification Changes in Rural Areas

Review of Functional Classification Changes

Local *review* of proposed functional classification changes, as distinct from local *approval* thereof, should continue to be carried out by a qualified local expert(s) (e.g., highway commissioner), committee (e.g., highway committee), or consultant/contractor and then approved by the county board. The reviewer(s) should notify the county board of recommended functional classification changes immediately upon completion of the review. The county board should acknowledge the recommendation and, if they have outstanding questions or need for clarification, contact the reviewer(s) for a response.

Communication of Approved Functional Classification Changes to WisDOT

The county board must promptly notify staff in the respective WisDOT Region by email after the functional classification changes have been approved.

Sample Resolution 1 [Resolution Number _____]
**Delegation of Approval Authority for Functional Classification and
Boundary Changes in Urban Areas**

WHEREAS, a comprehensive functional classification system and boundary review is conducted across the state of Wisconsin after the decennial census update; and

WHEREAS, the Wisconsin Department of Transportation (WisDOT), Bureau of Planning and Economic Development (BPED) and Division of Transportation Systems Development (DTSD) conducts the functional classification and boundary review with the cooperation of municipal (city/village) stakeholders; and

WHEREAS, the municipal stakeholder provides a qualified individual to review proposed functional classification and boundary changes; and

WHEREAS, in accordance with federal regulation set forth by the Federal Highway Administration (FHWA) under 23 CFR §§470.103 and 470.105, proposed changes to the functional classification system need to be approved by a city council/village board; and

NOW, THEREFORE BE IT RESOLVED: the [__INSERT TITLE OF COUNCIL/BOARD__] is responsible for approving proposed functional classification and boundary changes; and

BE IT FURTHER RESOLVED: the municipal council/board may delegate approval authority for functional classification and boundaries to a qualified individual(s) by position title(s); and

BE IT FURTHER RESOLVED: the municipal council/board delegates the functional classification and boundary approval authority to [__qualified individual(s') TITLE(S) or Committee__]; and

BE IT FURTHER RESOLVED: the delegation of the functional classification and boundary approval authority to the individual(s) possessing the job title of [__INSERT TITLE__], must be adopted by the municipal council/board; and

BE IT FURTHER RESOLVED: after approval of a change to functional classification and boundary by delegate, the approver must notify the municipal council/board of the approved change, and the council's/board's acknowledgement of the change must be reflected in the meeting minutes; and

BE IT FURTHER RESOLVED: once the functional classification and boundary change proposal has been sent to the municipal stakeholder for review and discussion, the reviewer must abide by the Timeframes for Review of Functional Classification and Boundary Changes policy.

This resolution is hereby adopted by [local municipal board] this ____ day of ____, __year__

Name, title

Name, title

Sample Resolution 2 [Resolution Number _____]

Delegation of Approval Authority for Functional Classification Changes in Rural Areas

WHEREAS, a comprehensive functional classification system review is conducted across the state of Wisconsin after the decennial census update; and

WHEREAS, the Wisconsin Department of Transportation (WisDOT), Bureau of Planning and Economic Development (BPED) and Division of Transportation Systems Development (DTSD) conducts the functional classification review with the cooperation of county stakeholders; and

WHEREAS, the county stakeholder provides a qualified individual(s) to review proposed functional classification changes; and

WHEREAS, in accordance with federal regulation set forth by Federal Highway Administration (FHWA) under 23 CFR §§470.103 and 470.105, proposed changes to the functional classification system are required to be approved by a county board; and

NOW, THEREFORE BE IT RESOLVED: the [__INSERT TITLE OF BOARD__] is responsible for approving proposed functional classification changes; and

BE IT FURTHER RESOLVED: that the county board may delegate approval authority for functional classification to a qualified individual(s) by position title; and

BE IT FURTHER RESOLVED: that the county board delegates the functional classification approval authority to [__qualified individual(s') TITLE(S)__); and

BE IT FURTHER RESOLVED: the delegation of the functional classification approval authority to the individual(s) possessing the job title of [__INSERT TITLE__], must be adopted by the county board; and

BE IT FURTHER RESOLVED: after approval of a change to functional classification by delegate, the approver must notify the county board of the approved change, and the board's acknowledgement of the change must be reflected in the meeting minutes; and

BE IT FURTHER RESOLVED: once the functional classification proposal has been sent to the county board for review and discussion, the reviewer must abide by the Timeframes for Review of Functional Classification and Boundary Changes policy.

This resolution is hereby adopted by [county board] this ____ day of _____, year__

Name, title

Name, title