

Assembly Bill 998

Date published:
January 9, 1968

CHAPTER 273, LAWS OF 1967

AN ACT to create 66.432 of the statutes, relating to the consolidation of housing and redevelopment authorities in cities of the 1st class.

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

66.432 of the statutes is created to read:

66.432 HOUSING AND URBAN DEVELOPMENT AUTHORITY.

(1) AUTHORIZATION. Any city of the 1st class may, by a two-thirds vote of the members of the city council present at the meeting, adopt an ordinance creating a housing and urban development authority which shall be known as the "Development Authority" of such city. It shall be deemed

a separate body politic for the purpose of carrying out blight elimination, slum clearance, urban renewal programs and projects and housing projects. A certified copy of such ordinance shall be transmitted to the mayor. The ordinance shall also:

(a) Provide that any redevelopment authority created under s. 66.431 operating in such city and any housing authority created under s. 66.40 operating in such city, shall terminate its operation as provided in sub. (5); and

(b) Declare in substance that a need for blight elimination, slum clearance, urban renewal programs and projects and housing projects exists in the city.

(2) APPOINTMENT OF MEMBERS. Upon receipt of a certified copy of such ordinance, the mayor shall, with the confirmation of four-fifths of the council, appoint 7 resident persons having sufficient ability and experience in the fields of urban renewal and housing, as commissioners of the development authority.

(a) Two of the commissioners shall be members of the council and shall serve only while they are council members.

(b) The first appointments of the 5 noncouncil members shall be for the following terms: 2 for one year and one each for terms of 2, 3 and 4 years. Thereafter the terms of noncouncil members shall be 4 years and until their successors are appointed and qualified.

(c) Vacancies shall be filled for the unexpired term as provided in this subsection.

(d) Commissioners shall be reimbursed their actual and necessary expenses including local travel expenses incurred in the discharge of their duties, and may, in the discretion of the city council, receive other compensation.

(3) EVIDENCE OF AUTHORITY. The filing of a certified copy of the ordinance referred to in sub. (1) with the city clerk shall be prima facie evidence of the development authority's right to transact business and such ordinance shall not be subject to challenge because of any technicality. In any suit, action or proceeding commenced against the development authority, a certified copy of such ordinance shall be deemed conclusive evidence that such development authority is established and authorized to transact business and exercise its powers under this section.

(4) POWERS AND DUTIES. (a) The development authority shall have all powers, duties and functions set out in ss. 66.40 and 66.431 for housing and redevelopment authorities and as to all housing projects initiated by the development authority it shall proceed under ss. 66.40, and as to all projects relating to blight elimination, slum clearance, urban renewal and redevelopment programs it shall proceed under s. 66.431.

(5) TERMINATION OF HOUSING AND REDEVELOPMENT AUTHORITIES. Upon the adoption of an ordinance creating a development authority, all housing and redevelopment authorities under ss. 66.40 and 66.431 shall terminate.

(a) Any programs and projects which have been begun by housing and redevelopment authorities shall, upon adoption of such ordinance be transferred to and completed by the development authority. Any procedures, hearings, actions or approvals taken or initiated by the redevelopment authority under s. 66.431 on pending projects is deemed to have been taken or initiated by the development authority as though the development authority had originally undertaken such procedures, hearings, actions or approvals.

(b) Any form of indebtedness issued by a housing or redevelopment authority shall, upon the adoption of such ordinance, be assumed by the development authority except as indicated in par. (e).

(c) Upon the adoption of such ordinance, all contracts entered into between the federal government and a housing or redevelopment authority, or between such authorities and other parties shall be assumed and discharged by the development authority except for the termination of operations by housing and redevelopment authorities. Housing and redevelopment authorities may execute any agreements contemplated by this subsection. Contracts for disposition entered into by the redevelopment authority with respect to any project shall be deemed contracts of the development authority without the requirement of amendments thereto. Contracts entered into between the federal government and the redevelopment authority shall bind the development authority in the same manner as though originally entered into by the development authority.

(d) A development authority may execute appropriate documents to reflect its assumption of the obligations set forth in this subsection.

(e) A housing authority which has outstanding bonds or other securities that require the operation of the housing authority in order to fulfill its commitments with respect to the discharge of principal or interest or both, may continue in existence solely for such purpose. The ordinance creating the development authority shall delineate the duties and responsibilities which shall devolve upon the housing authority with respect thereto.

(f) The termination of housing and redevelopment authorities pursuant to this section shall not be subject to s. 66.40 (26).

Approved December 20, 1967.