

LAWS OF WISCONSIN
SPECIAL SESSION OF 1958

No. 1, A.]

[Published June 24, 1958.

CHAPTER 3

AN ACT to amend 32.01 (1), 32.02 (11) and 32.07 (2); and to create 66.431 of the statutes, relating to creating redevelopment authorities in the cities to carry on blight elimination and urban renewal programs and projects, and to confer upon such authorities redevelopment powers, duties and responsibilities, including the power of eminent domain and the prevention and elimination of blighted and slum areas.

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

SECTION 1. 32.01 (1) of the statutes is amended to read:

32.01 (1) "Person" includes the state, a county, town, village, city, school district or other municipal corporation, a board, commission * * *

corporation, or housing authority created under ss. 66.40 to 66.404, or redevelopment authority created under ss. 66.431.

SECTION 2. 32.02 (11) of the statutes is amended to read:

32.02 (11) Any housing authority created under ss. 66.40 to 66.404, or redevelopment authority created under s. 66.431.

SECTION 3. 32.07 (2) of the statutes is amended to read:

32.07 (2) If the application * * * is by a town or county, or by a board, commission, public officer or housing authority created under ss. 66.40 to 66.404, a redevelopment authority created under s. 66.431; or for the right of way for a railroad or a street or interurban railway up to 100 feet in width, or a telegraph, telephone or electric line; or for the right of way for a gas-pipe line, main or service; or for easements for the construction of any elevated structure or subway for railroad, street * * * or interurban railway purposes, the petitioner shall determine the necessity.

SECTION 4. 66.431 of the statutes is created to read:

66.431 BLIGHT ELIMINATION AND SLUM CLEARANCE ACT.

(1) SHORT TITLE. This section shall be known and may be cited as the "Blight Elimination and Slum Clearance Act."

(2) FINDINGS. In addition to the findings and declarations made in ss. 66.43 (2) and 66.435, which findings and declarations are in all respects affirmed, restated and incorporated herein, it is further found and declared that the existence of substandard, deteriorated, slum and blighted areas is a matter of state-wide concern; that it is the policy of this state to protect and promote the health, safety, morals and general welfare of the people of the state in which such areas exist by the elimination and prevention of such areas through the utilization of all means appropriate for that purpose, thereby encouraging well-planned, integrated, stable, safe and healthful neighborhoods, the provision of healthful homes, a decent living environment and adequate places for employment of the people of this state and its communities in such areas; that the purposes of this section are to provide further for the elimination and prevention of substandard, deteriorated, slum and blighted areas through redevelopment and other activities by state-created agencies and the utilization of all other available public and private agencies and resources, thereby carrying out the policy of this state as heretofore declared; that state agencies are necessary in order to carry out in the most effective and efficient manner the state's policy and declared purposes for the prevention and elimination of substandard, deteriorated, slum and blighted areas; and that such state agencies shall be available in all the cities in the state to be known as the redevelopment authorities of the particular cities, to carry out and effectuate the provisions of this section when the local legislative bodies of the cities determine there is a need for them to carry out within their cities the powers and purposes of this section; and any assistance which may be given by cities or any other public bodies in connection therewith, are public uses and purposes for which public money may be expended; and that the necessity in the public interest for the provisions herein enacted is declared a matter of legislative determination. Nothing contained herein is deemed to contravene, repeal or rescind the finding or declaration of necessity prior to the recreation thereof on June 1, 1958.

(3) REDEVELOPMENT AUTHORITY. (a) Whereas, it is hereby found and declared that a redevelopment authority, functioning within a city in which there exists substandard, deteriorating, deteriorated, insanitary, slum and blighted areas, constitutes a more effective and efficient means for

CHAPTER 3

preventing and eliminating slums and blighted areas in such city and preventing the recurrence thereof; therefore, there is hereby created in every such city a redevelopment authority, known as the redevelopment authority of the city of _____ (which shall be hereafter referred to as "authority," and when so referred to, it shall be deemed to mean and apply to a redevelopment authority) for the purpose of carrying out blight elimination, slum clearance, and urban renewal programs and projects as hereinafter set forth, together with all powers necessary or incidental to effect adequate and comprehensive blight elimination, slum clearance and urban renewal programs and projects. Such authority shall be authorized to transact business and exercise any of the powers herein granted to it following the adoption by the local legislative body of a resolution declaring in substance that there exists within such city a need for blight elimination, slum clearance and urban renewal programs and projects. Upon the adoption of such resolution by the local legislative body by a two-thirds vote of its members present, a certified copy thereof shall be transmitted to the mayor or other head of the city government. Upon receiving such certified copy of such resolution, the mayor or other head of the city government shall, with the confirmation of four-fifths of the local legislative body, appoint 7 resident freeholders as commissioners of the authority. No more than 2 of such commissioners shall be officers of the city in which the authority is created. The powers of the authority shall be vested in the commissioners. In making appointments of commissioners, the appointing power shall give due consideration to the general interest of the appointee in a redevelopment, slum clearance or urban renewal program and shall, insofar as is possible, designate representatives from the general public, labor, industry, finance or business group, and civic organizations. Appointees shall have sufficient ability and experience in related fields, especially in the fields of finance and management, to assure efficiency in the redevelopment program, its planning and direction. One of such 7 commissioners shall be a member of the local legislative body who shall serve ex officio. Commissioners shall receive their actual and necessary expenses, including local traveling expenses incurred in the discharge of their duties.

(b) The commissioners who are first appointed shall be designated by the appointing power to serve for the following terms: 2 for one year, 2 for 2 years, 1 for 3 years, 1 for 4 years, and 1 for 5 years, from the date of their appointment. Thereafter, the term of office shall be for 5 years. A commissioner shall hold his office until a successor has been appointed and qualified. Removals with respect to commissioners of the authority shall be governed by s. 66.40. Vacancies and new appointments shall be filled in the same manner as provided in par. (a).

(c) The filing of a certified copy of the resolution above referred to with the city clerk shall be prima facie evidence of the authority's right to proceed, and such resolution shall not be subject to challenge because of any technicality. In any suit, action or proceeding commenced against the authority, a certified copy of such resolution shall be deemed conclusive evidence that such authority is established and authorized to transact business and exercise its powers hereunder.

(d) Following the adoption of such resolution, such city shall thereafter be precluded from exercising the powers provided in s. 66.43 (4), and the authority shall have exclusive power to proceed to carry on the blight elimination, slum clearance and urban renewal projects in such city. A city which has initiated a redevelopment project may complete, operate and maintain such project, notwithstanding the organization and functioning of an authority in such city. Such authority may, with the consent of the local legislative body of such city, pursuant to an agreement with such city, take over a planned or existing redevelopment project

instituted by such city, and upon such terms and conditions as it determines not inconsistent with this section, contract to assume, exercise, continue, perform and carry out all undertakings, obligations, liabilities, duties, rights, powers, plans and activities of such city relating to such project; but no such action shall be taken if there is evidence of indebtedness of such city issued on account of such project, unless all holders of such evidence of indebtedness have previously consented in writing to such action.

In those cases where a redevelopment authority created under this section has by agreement with a city taken over a planned or existing redevelopment project instituted by a city under ss. 66.405 to 66.445, and such city has complied with the provisions of existing statutes, including provisions relating to the designation of the project area for redevelopment, the approval by the local legislative body of the redevelopment plan of the project area, and the holding of a public hearing by the local legislative body on the project plan, it shall not be necessary for the redevelopment authority to comply with the provisions contained in subs. (6) and (7) relating to such provisions, it being the intention of this paragraph that all actions taken by a city under ss. 66.405 to 66.445 in reference to the formulation of a redevelopment project, the approval of plans, the holding of a public hearing on the plan, and all other statutory requirements taken by such city prior to the actual assumption of jurisdiction and control by the redevelopment authority shall be considered to be in compliance with parallel or similar provisions of this section and especially with the pertinent provisions of sub. (6) (a) to (f) and the provisions and requirements of such provisions need not be repeated or again complied with.

(e) Such authority shall have all of the powers provided for in ss. 66.40 (9), 66.43 and 66.435, but:

1. Such authority shall have no power, whatsoever, in connection with any public housing project;

2. The local legislative body shall continue to have the powers to determine an area to be a blighted area and that such an area is in need of redevelopment, approve redevelopment plans and modification thereof, approve the general plan for the city, approve a workable program, exercise zoning and rezoning powers, enact and enforce conditions and regulations relating to the use and occupancy of land and structures or requiring the repair, closing or demolition of structures unfit for human habitation, and approve the terms of disposal of property in project areas; and

3. The city planning commission shall continue to have the power to prepare the general plan of the city.

(f) In carrying out this section, the authority is deemed an independent, separate and distinct public body and a body corporate and politic, exercising public powers determined to be necessary by the state to protect and promote the health, safety and morals of its residents, and is authorized to take title to real and personal property in its own name; and with respect to the acquisition of property by eminent domain, such authority shall not be required to obtain a jury verdict of necessity under ch. 32 or any other applicable provisions of state law for the purpose of proceeding with condemnation. Such authority shall proceed under s. 32.07 (2).

(g) The authority may employ such personnel as is required for the purpose of carrying on its duties and responsibilities under civil service. The authority may appoint an executive director whose qualifications shall be determined by the authority. Such director shall also act as secretary of such authority and may have such duties, powers and

CHAPTER 3

responsibilities as may be from time to time delegated to him by the authority. All of the employes, including the director of the authority, shall be eligible to participate in the same pension system provided for city employes.

(4) **BLIGHTED AREA LAW APPLICABLE.** Section 66.43 (2m) and the definitions under s. 66.43 (3) shall in all respects be fully applicable to the operations of the authority; and in addition, a blighted area may include land which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvement, or otherwise substantially impairs or arrests the sound growth of the community.

(5) **POWERS OF REDEVELOPMENT AUTHORITIES.** (a) Every authority is granted, in addition to any other powers, all powers necessary or incidental to carry out and effectuate the purposes of this section, including the following powers:

1. To prepare or cause to be prepared redevelopment plans and urban renewal plans and to undertake and carry out redevelopment and urban renewal projects within the corporate limits of the city in which it functions.

2. To enter into any contracts determined by the authority to be necessary to effectuate the purposes of this section. All contracts, other than those for personal or professional services, in excess of \$1,500 shall be subject to bid and awarded to the lowest qualified and competent bidder. The authority shall advertise for bids in advertisements to be published once a week for 2 consecutive weeks in a newspaper or newspapers having general circulation in the city in which the project is to be developed.

3. Within the boundaries of the city to acquire by purchase, lease, eminent domain, or otherwise, any real or personal property or any interest therein, together with any improvements thereon, necessary or incidental to a redevelopment or urban renewal project; to hold, improve, clear or prepare for redevelopment or urban renewal any such property; to sell, lease, subdivide, retain or make available for the city's use; to mortgage or otherwise encumber or dispose of any such property or any interest therein; to enter into contracts with redevelopers of property containing covenants, restrictions and conditions regarding the use of such property in accordance with a redevelopment or urban renewal plan, and such other covenants, restrictions and conditions as the authority deems necessary to prevent a recurrence of blighted areas or to effectuate the purposes of this section; to make any of such covenants, restrictions, conditions or covenants running with the land and to provide appropriate remedies for any breach thereof.

4. a. To borrow money and issue revenue bonds under s. 30.085 (12); to execute notes, debentures and other forms of indebtedness; to apply for and accept advances, loans, grants and contributions from the city in which it functions; to accept or obtain any other form of financial assistance from the federal, state or county government, or other public body, or from any sources; to give such security as may be required and to enter into and carry out contracts in connection therewith, and to enter into contracts with the federal government for assistance, aids, loans or grants in carrying out a redevelopment or urban renewal program.

b. Any debt or obligation of the authority shall not be deemed the debt or obligation of the city in which such authority functions.

5. To exercise such other and further powers as may be required or necessary in order to effectuate the purposes hereof.

6. The chairman of the authority, selected by vote of the commissioners, and the executive director is authorized to execute on behalf of the

authority all contracts, notes and other forms of obligation when authorized by at least 5 of the commissioners of the authority to do so.

7. The authority is authorized to commence actions in its own name and shall be sued in the name of the authority. The authority shall have an official seal.

(b) Condemnation proceedings for the acquisition of real property necessary or incidental to a redevelopment project shall be conducted in accordance with ch. 32, but no jury verdict of necessity shall be required.

(6) COMPREHENSIVE PLAN OF REDEVELOPMENT; DESIGNATION OF BOUNDARIES; APPROVAL BY LOCAL LEGISLATIVE BODY. (a) The authority may make or cause to be made and prepare or cause to be prepared a comprehensive plan of redevelopment and urban renewal which shall be consistent with the general plan of the city, including the appropriate maps, tables, charts and descriptive and analytical matter. Such plan is intended to serve as a general framework or guide of development within which the various area and redevelopment and urban renewal projects may be more precisely planned and calculated. The comprehensive plan shall include at least a land use plan which designates the proposed general distribution and general locations and extents of the uses of the land, for housing, business, industry, recreation, education, public buildings, public reservations and other general categories of public and private uses of the land. The authority is authorized to make or have made all other surveys and plans necessary under this section and s. 66.435, and to adopt or approve, modify and amend such plans.

(b) For the exercise of the powers granted and for the acquisition and disposition of real property for the redevelopment of a project area, the following steps and plans shall be requisite:

1. Designation by the authority of the boundaries of the project area proposed by it for redevelopment, submission of such boundaries to the local legislative body, and adoption of a resolution by two-thirds of such local legislative body declaring such area to be a blighted area in need of redevelopment.

2. Approval by the authority and by two-thirds of the local legislative body of the redevelopment plan of the project area which has been prepared by the authority. Such redevelopment plan shall conform to the general plan of the city and shall be sufficiently complete to indicate its relationship to definite local objectives as to appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements in the project area, and shall include, without being limited to, a statement of the boundaries of the project area; a map showing existing uses and conditions of real property therein; a land use plan showing proposed uses of the area; information showing the standards of population density, land coverage and building intensity in the area after redevelopment; present and potential equalized value for property tax purposes; a statement of proposed changes, if any, in zoning ordinances or maps and building codes and ordinances; a statement as to the kind and number of site improvements and additional public utilities which will be required to support the new land uses in the area after redevelopment; and a statement of a feasible method proposed for the relocation of families to be displaced from the project area.

3. Approval of a redevelopment plan of a project area by the authority may be given only after a public hearing conducted by the authority and a finding by the authority that such plan is feasible and in conformity with the general plan of the city. Notice of such hearing, describing the time, date, place and purpose of the hearing and generally identifying the project area, shall be given by publication at least twice during each of 3 consecutive weeks in a newspaper or newspapers having

general circulation in the city, the last publication to be at least 20 days prior to the date set for the hearing. In addition thereto, a notice shall be served at least 20 days prior to the date set for the hearing on the proposed redevelopment plan of the project area upon each owner of real property of record within the boundaries of the redevelopment plan in the same manner as a summons is served. In the event such owner cannot be found after diligent search, within the county in which such project is located or the contiguous counties, then notice may be given by posting the same at least 20 days prior to the date of hearing on any structure located on the property; or in the event such property consists of vacant land, a notice may be posted in some suitable and conspicuous place on such land. Such notice shall state the time and place at which the hearing will be held with respect to the redevelopment plan and that the owner's property might be taken for urban renewal. For the purpose of ascertaining the name of the owner of record of the real property within such project boundaries, the records, at the time of the approval of the project boundaries, of the register of deeds of the county in which such project is located shall be deemed conclusive. Failure to receive such notice shall not invalidate the plan. A sheriff's affidavit of service of such notice or posting thereof filed as a part of the records of the authority shall be deemed prima facie evidence of the giving of such notice. All interested parties shall be afforded a full opportunity to express their views respecting the proposed plan at such public hearing, but the hearing shall only be for the purpose of assisting the authority in making its determination and in submitting its report to the local legislative body. Any technical omission in the procedure outlined herein shall not be deemed to invalidate the plan. Any owner of property included within the boundaries of the redevelopment plan and objecting to such plan shall be required to state his objections and the reasons therefor in writing and file the same with the authority either prior to, at the time of the public hearing, or within 15 days thereafter, but not subsequently thereto. He shall state his mailing address and sign his name thereto. The filing of such objections in writing shall be a condition precedent to the filing of a petition under sub. (7) (a).

(c) In relation to the location and extent of public works and utilities, public buildings and public uses in a comprehensive plan or a project area plan, the authority is directed to confer with the planning commission and with such other public officials, boards, authorities and agencies of the city under whose administrative jurisdictions such uses respectively fall.

(d) At any time after such redevelopment plan has been approved both by the authority and the local legislative body, it may be amended by resolution adopted by the authority, and such amendment shall be submitted to the local legislative body for its approval by a two-thirds vote before the same shall become effective. It shall not be required in connection with any amendment to the redevelopment plan, unless the boundaries described in the plan are altered to include other property that the provisions with respect to public hearing and notice be followed.

(e) After a project area redevelopment plan of a project area has been adopted by the authority and the authority has made a finding of necessity under s. 32.07 (2) to acquire the property within the boundaries of the redevelopment plan, and the local legislative body has by a two-thirds vote approved the redevelopment plan the authority may at any time certify said plan to the local legislative body, whereupon the authority shall proceed to exercise the powers granted to it for the acquisition and assembly of the real property of the area. The local legislative body shall upon the certification of such plan by the authority direct that no new construction shall be permitted, and thereafter no new construction shall

be authorized by any agencies, boards or commissions of the city in such area unless as authorized by the local legislative body, including substantial remodeling or conversion or rebuilding, enlargement, or extension or major structural improvements on existing buildings, but not including ordinary maintenance or remodeling or changes necessary to continue the occupancy.

(f) Any city in which a redevelopment authority is carrying on redevelopment under this section may make grants, loans, advances or contributions for the purpose of carrying on redevelopment, urban renewal and any other related purposes.

(7) PETITION IN THE CIRCUIT COURT TO CHALLENGE REDEVELOPMENT PLAN AS ARBITRARY. (a) Following the approval of redevelopment plan by the local legislative body, which approval is evidenced by a resolution adopted by a two-thirds vote thereof, a certified copy of such resolution together with a statement concerning its substance shall be served by the sheriff as is a summons, or if not found, then by registered mail to the address appearing on the written objection, to each owner of property filing written objections as provided in sub. (6) (b) 3, within 5 days following the approval of such resolution, and any owner of property directly affected by the redevelopment plan, and feeling himself aggrieved by the inclusion of his property within such plan, and such owner has filed written objections to such plan as provided in sub. (6) (b) 3, may petition the circuit court in the county in which such property is located within 30 days from the date of service of said certified copy and statement thereof. If an owner of property fails to file written objections to such plan as provided in sub. (6) (b) 3, he shall be precluded from filing a petition in the circuit court. Such verified petition shall state that the owner of the property is directly affected by the redevelopment plan, that his property is included within the boundaries of the redevelopment plan, and the basis for his petition. Within 15 days following the service of a copy of such petition, which shall be served in the same manner as a circuit court summons, the authority shall answer, and the proceedings shall thereafter be scheduled for trial before a judge. The circuit court shall advance such case so that it may be tried at the earliest possible time. If the petitioner demonstrates to the satisfaction of the court that the inclusion of petitioner's property is fraudulent, arbitrary or capricious, the court shall order that such property be excluded from the plan, and the petitioner shall recover his actual disbursements, including his actual expert witness fees and actual attorney's fees, as approved by the judge, but not otherwise. Technicalities in the procedure applicable to the designation of boundaries or the approval of the plan shall not affect the validity of the plan unless substantial rights of any party are affected. Following the court's order, after hearing is held on the petition, either party to the proceedings may appeal to the supreme court within 30 days from the date of the order. In the event more than one petition is filed in the circuit court within the 30-day period, the proceedings may be consolidated for the purpose of trial in the discretion of the circuit court. The filing of such petition shall not act to either delay or stay the proceeding with the redevelopment plan, and the authority shall continue to exercise all of its powers with respect thereto. If the property is excluded from the plan by virtue of the court's determination, such result shall not affect the remaining parcels of the plan. The proceedings herein authorized shall constitute an exclusive remedy to such owner as to the taking power of the authority.

(b) In the event that the plan is amended at any time so that it includes real property which was not previously included within the boundaries of the plan, notice of such inclusion shall be communicated by the authority to the owner of such property prior to the time such

CHAPTER 3

amendment of the plan is submitted to the local legislative body. Subsection (6) (b) 3 shall apply. The limitations within which to file a petition contesting the inclusion of such property, under par. (a), shall in all respects be applicable in the event the plan is amended to include the property not previously included in the plan.

(8) TRANSFER, LEASE OR SALE OF REAL PROPERTY IN PROJECT AREAS FOR PUBLIC AND PRIVATE USES. (a) 1. Upon the acquisition of any or all of the real property in the project area, the authority has power to lease, sell or otherwise transfer all or any part of said real property (including streets or parts thereof to be closed or vacated in accordance with the plan) to a redevelopment company, association, corporation or public body, or to an individual or partnership, for use in accordance with the redevelopment plan. No such assembled lands of the project area shall be either sold or leased by the authority to a housing authority created under s. 66.40 for the purpose of constructing public housing projects upon such land unless the sale or lease of such lands has been first approved by the local legislative body by a vote of not less than four-fifths of the members elected. Such real property shall be leased or sold at its fair market value for uses in accordance with the redevelopment plan, notwithstanding such value may be less than the cost of acquiring and preparing such property for redevelopment. In determining such fair market value, an authority shall give consideration to the uses and purposes required by the plan; the restrictions upon and covenants, conditions and obligations assumed by the purchaser or lessee, the objectives of the redevelopment plan for the prevention or recurrence of slum and blighted areas; and such other matters as the authority deems appropriate. A copy of the plan shall be recorded in the office of the register of deeds in the county where such redevelopment project is located, and any amendment to such redevelopment plan, approved as herein provided for, shall also be recorded in the office of the register of deeds of such county. Before the transfer, lease or sale of any real property in the project area occurs, a report as to the terms, conditions and other material provisions of the proposed sale, lease or other disposition of either a part (where only a part of the land assembled is to be disposed) or of all of the land assembled shall be submitted to the local legislative body, and such local legislative body shall approve such report prior to the authority proceeding with the disposition of such real property.

2. Any lease, including renewal options, which can total more than 5 years shall be approved by the local legislative body.

(b) Any such lease or sale may be made without public bidding, but only after public hearing is held by the authority after 10 days' public notice, such notice to be published at least twice in a newspaper or newspapers having local circulation in such city, and the hearing shall be predicated upon the proposed sale or lease and the provisions thereof.

(c) The terms of such lease or sale shall be fixed by the authority, and the instrument of lease may provide for renewals upon reappraisals and with rentals and other provisions adjusted to such reappraisals. Every such lease or sale shall provide that the lessee or purchaser shall carry out or cause to be carried out the approved project area redevelopment plan or approved modifications thereof, and that the use of such land or real property included in the lease or sale, and any building or structure erected thereon, shall conform to such approved plan or approved modifications thereof. In the instrument of lease or sale, the authority may include such other terms, provisions and conditions as in its judgment will provide reasonable assurance of the priority of the obligations of the lease or sale and of conformance to the plan over any other obligations of the lessee or purchaser, and also assurance of the financial and legal ability of the lessee or purchaser to carry out and conform to the

plan and the terms and conditions of the lease or sale; also, such terms, conditions and specifications concerning buildings, improvements, sub-leases or tenancy, maintenance and management, and any other matters as the authority may impose or approve, including provisions whereby the obligations to carry out and conform to the project area plan shall run with the land. If maximum rentals to be charged to tenants are specified, provision may be made for periodic reconsideration of such rental bases.

(d) Until the authority certifies that all building constructions and other physical improvements specified by the purchaser have been completed, the purchaser shall have no power to convey the area, or any part thereof, without the consent of the authority and no such consent shall be given unless the grantee of the purchaser obligates himself, by written instrument, to the authority to carry out that portion of the redevelopment plan which falls within the boundaries of the conveyed property and also that the grantee, his heirs, representatives, successors and assigns, shall have no right or power to convey, lease or let the conveyed property or any part thereof, or erect or use any building or structure erected thereon free from obligation and requirement to conform to the approved project area redevelopment plan or approved modifications thereof.

(e) The authority may cause to have demolished any existing structure or clear the area of any part thereof, or specify the demolition and clearance to be performed by a lessee or purchaser and a time schedule for the same. The authority shall specify the time schedule and conditions for the construction of buildings and other improvements.

(f) In order to facilitate the lease or sale of a project area, or if the lease or sale is part of an area, the authority has the power to include in the cost payable by it the cost of the construction of local streets and sidewalks in the area, or of grading and any other local public surface or subsurface facilities or any site improvements necessary for shaping the area as the site of the redevelopment of the area. The authority may arrange with the appropriate federal, state, county or city agencies for the reimbursement of such outlays from funds or assessments raised or levied for such purposes.

(9) HOUSING FOR DISPLACED FAMILIES. In connection with every redevelopment plan, the authority shall formulate a feasible method for the temporary relocation of persons living in areas that are designated for clearance and redevelopment. In addition, the authority shall prepare a plan which shall be submitted to the local legislative body for approval which shall assure that decent, safe and sanitary dwellings substantially equal in number to the number of substandard dwellings to be removed in carrying out the redevelopment program or project are available or will be provided at rents or prices within the financial reach of the income groups displaced.

(10) MODIFICATION OF REDEVELOPMENT PLAN. An approved project area redevelopment plan may be modified at any time after the lease or sale of the area or part thereof provided that the modification is consented to by the lessee or purchaser, and that the proposed modification is adopted by the authority and then submitted to the local legislative body and approved by it. Before approval, the authority shall hold a public hearing on the proposed modification, and notice of the time and place of hearing shall be sent by mail at least 10 days prior to the hearing to the owners of the real properties in the project area and of the real properties immediately adjoining or across the street from the project area. The local legislative body may refer back to the authority any project area redevelopment plan, project area boundaries or modifications submitted to it, together with recommendations for changes in such plan, boundaries or modification, and if such recommended changes are

CHAPTER 3

adopted by the authority and in turn approved by the local legislative body, the plan, boundaries or modifications as thus changed shall be the approved plan, boundaries or modification.

(11) **LIMITATION UPON TAX EXEMPTION.** The real and personal property of the authority is declared to be public property used for essential public and governmental purposes, and such property and an authority shall be exempt from all taxes of the state or any state public body; but the city in which a redevelopment or urban renewal project is located may fix a sum to be paid annually in lieu of such taxes by the authority for the services, improvements or facilities furnished to such project by such city provided that the authority is financially able to do so, but such sum shall not exceed the amount which would be levied as the annual tax of the city upon such project. However, no real property acquired pursuant to this act by a private company, corporation, individual or partnership, either by lease or purchase, shall be exempt from taxation by reason of such acquisition.

(12) **CO-OPERATION AND USE OF CITY FUNDS.** To assist any redevelopment or urban renewal project located in the area in which the authority is authorized to act, any public body may, upon such terms as it determines: furnish services or facilities, provide property, lend or contribute funds, and perform any other action of a character which it is authorized to perform for other general purposes, and to enter into co-operation agreements and related contracts in furtherance of the purposes enumerated.

(13) **OBLIGATIONS.** For the purpose of financially aiding an authority to carry out blight elimination and urban renewal programs and projects, the city in which such authority functions is authorized (without limiting its authority under any other law) to issue bonds of the city which are payable out of the general funds of the city, including revenues derived from the tax levy. Bonds issued pursuant to this authority shall be in such form, mature at such time, bear interest at such rate, be issued and sold in such manner, and contain such terms, covenants, and conditions as the local legislative body, by resolution, determines. Such bonds shall be fully negotiable, shall not require a referendum, and shall not be subject to any other law or charter pertaining to the issuance or sale of bonds. As used in this section, "bonds" mean any bonds (including refunding or general obligation bonds), notes, interim certificates, debentures or other obligations.

(14) **BUDGET.** The local legislative body shall approve the budget for each fiscal year of the authority, and shall have the power to alter or modify any item of said budget relating to salaries, office operation or facilities.

(15) **CITY ATTORNEY TO RENDER LEGAL SERVICES TO AUTHORITY.** The city attorney or other legal officer of the city in which such authority exists shall be the legal adviser to such authority and perform all of the legal work required by such authority, and the city may be reimbursed therefor. Additional counsel may be retained in special situations to work with such legal officer.

(16) **CONSTRUCTION.** This section shall be construed liberally to effectuate the purposes hereof and the enumeration therein of specific powers shall not operate to restrict the meaning of any general grant of power contained in this section or to exclude other powers comprehended in such general grant.

Approved June 19, 1958.