

CHAPTER 485

AN ACT to create 66.435 of the statutes, to provide for the clearance and redevelopment of slum and blighted areas by authorizing additional activities for the elimination and for the prevention of the development or spread of slums and blight, including specifically functions with respect to rehabilitation and conservation for the restoration and removal of blighted, deteriorated or deteriorating areas, and to provide all of the rights, powers, privileges and immunities of public bodies with respect to redevelopment projects.

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

66.435 of the statutes is created to read:

66.435 URBAN RENEWAL ACT. (1) SHORT TITLE. This section shall be known and may be cited as the "Urban Renewal Act."

(2) FINDINGS. It is hereby found and declared that there exists in municipalities of the state slum, blighted and deteriorated areas which constitute a serious and growing menace injurious to the public health, safety, morals and welfare of the residents of the state, and the findings and declarations heretofore made in s. 66.43 (2) are in all respects affirmed and restated; that while certain slum, blighted or deteriorated areas, or portions thereof, may require acquisition and clearance, as provided in s. 66.43, since the prevailing condition of decay may make impracticable the reclamation of the area by conservation or rehabilitation in such a manner that the conditions and evils hereinbefore enumerated may be eliminated, remedied or prevented, and to the extent feasible salvable slum and blighted areas should be conserved and rehabilitated through voluntary action and the regulatory process; and all acts and purposes provided for by this act are for and constitute public uses and are for and constitute public purposes, and that moneys expended in connection with such powers are declared to be for public purposes and to preserve the public interest, safety, health, morals and welfare. Any municipality in carrying out the provisions of this section shall afford maximum opportunity consistent with the sound needs of the municipality as a whole to the rehabilitation or redevelopment of areas by private enterprise.

(3) URBAN RENEWAL PROJECTS. In addition to its authority under any other section, a municipality is authorized to plan and undertake urban renewal projects. As used in this section, an urban renewal project may include undertakings and activities for the elimination and for the prevention of the development or spread of slums or blighted, deteriorated or deteriorating areas and may involve any work or undertaking for such purpose constituting a redevelopment project or any rehabilitation or conservation work, or any combination of such undertaking or work. For this purpose, "rehabilitation or conservation work" may include (a) carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements; (b) acquisition of real property and demolition, removal or rehabilitation of buildings and improvements thereon where necessary to eliminate unhealthful, insanitary or unsafe conditions, lessen density, reduce traffic hazards, eliminate obsolete or other uses detrimental to the public welfare, or to otherwise remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities; (c) installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary

for carrying out the objectives of the urban renewal project; and (d) the disposition, for uses in accordance with the objectives of the urban renewal project, of any property or part thereof acquired in the area of such project, provided, that such disposition shall be in the manner prescribed in this section for the disposition of property in a redevelopment project area.

(4) WORKABLE PROGRAM. (a) The governing body of the municipality, or such public officer or public body as it may designate, including a housing authority organized and created under s. 66.40, is hereby authorized to prepare a workable program for utilizing appropriate private and public resources to eliminate, and prevent the development or spread of, slums and urban blight and deterioration, to encourage needed urban rehabilitation, to provide for the redevelopment of blighted, deteriorated or slum areas, or to undertake such of the aforesaid activities or other feasible activities as may be suitably employed to achieve the objectives of such a program; and such governing body may by resolution or ordinance provide the specific means by which such workable program can be effectuated and may confer upon its officers and employes the power required to carry out a program of rehabilitation and conservation for the restoration and removal of blighted, deteriorated or deteriorating areas. Whenever any municipality finds that there exists in such municipality dwellings which are unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities, or due to other conditions, any one of which shall be sufficient for action, rendering such dwellings unsafe or insanitary or dangerous or detrimental to the health, safety or morals, or otherwise inimical to the welfare of the residents of such municipality, power is hereby expressly conferred upon such municipality to enact such resolutions or ordinances deemed appropriate and effectual in order to prevent the conditions herein set forth and to require or cause the repair, closing or demolition or removal of such dwellings. Such ordinances or resolutions shall require that notice be given to the owner and residents of the dwelling and a hearing before a board or commission established by the governing body of such municipality and the issuance of an order affording a reasonable time as is specified by the governing body of the municipality in which to repair, alter, change or remodel the dwelling as specified by the public officers or employes of such municipality. For the purposes of such resolutions or ordinances a "dwelling" means any building, or structure, or part thereof, used and occupied for human habitation or intended to be so used, and includes any appurtenances belonging thereto or usually enjoyed therewith.

(b) Any person feeling himself aggrieved by the determination of the officers and employes of such municipality may appeal directly to the circuit court of the county in which such dwelling is located by complying with and proceeding in accordance with ch. 227. No such person shall be entitled to judicial review thereof as provided in ch. 227 unless he shall first serve a petition therefor personally or by registered mail upon such municipality by serving the mayor or clerk thereof within 30 days after the promulgation or issuance of the order, ruling or determination of such municipal officers or employes, and filing such petition within said 30 days with the clerk of the circuit court in which such dwelling is located. All of the procedures applicable in ch. 227 and not inconsistent with the provisions of this section shall fully apply with respect to such order, ruling or determination. Such petition shall be heard at the earliest opportunity by the circuit court upon application of either the municipality or the person aggrieved. If the court shall affirm said order, ruling or determination, it shall set the time within which such

order, ruling or determination shall become operative. If it appears to the court that such petition is filed only for purposes of delay, it shall upon application of such municipality promptly dismiss such petition.

(5) **GENERAL POWERS CONFERRED UPON MUNICIPALITIES.** The governing body of any municipality shall have and there is hereby expressly conferred upon it all powers necessary and incidental to effect a program of urban renewal, including functions with respect to rehabilitation and conservation for the restoration and removal of blighted, deteriorated or deteriorating areas, and such local governing body is hereby authorized to adopt such resolutions or ordinances as may be required for the purpose of carrying out that program and the objectives and purposes of this section. In connection with the planning, undertaking and financing of the urban renewal program or projects, the governing body of any municipality and all public officers, agencies and bodies shall have all the rights, powers, privileges and immunities which they have with respect to a redevelopment project under s. 66.43.

(6) **ASSISTANCE TO URBAN RENEWAL BY MUNICIPALITIES AND OTHER PUBLIC BODIES.** Any public body is hereby authorized to enter into agreements (which may extend over any period, notwithstanding any provision or rule of law to the contrary) with any other public body or bodies respecting action to be taken pursuant to any of the powers granted by this section, including the furnishing of funds or other assistance in connection with an urban renewal plan or urban renewal project.

(7) **POWERS HEREIN GRANTED TO BE SUPPLEMENTAL AND NOT IN DEROGATION.** (a) Nothing in this section shall be construed to abrogate or impair the powers of the courts or of any department of any municipality to enforce any provisions of its charter or its ordinances or regulations, nor to prevent or punish violations thereof.

(b) Nothing in this section shall be construed to impair or limit in any way the power of the municipality to define and declare nuisances and to cause their removal or abatement, by summary proceedings or otherwise.

(c) The powers conferred by this section shall be in addition and supplemental to the powers conferred by any other law; and 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 July 22, 1955.
