

## Chapter Comm 127

### MAIN STREET PROGRAM

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**Note:** Chapter DOD 27 was renumbered chapter Comm 127 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register, June, 1997, No. 498.

**Comm 127.01 Purpose.** The purpose of this chapter is to establish procedures for the selection of municipalities to the main street program as provided by s. 560.081 (2) (e) and (f), Stats.

**History:** Cr. Register, May, 1994, No. 461, eff. 6-1-94.

**Comm 127.02 Definitions.** In this chapter:

- (1) "Business area" has the meaning provided in s. 560.081 (1) (a), Stats.
- (2) "Council" means the council on main street programs created under s. 15.157 (7), Stats.
- (3) "Department" means the department of commerce.
- (4) "Municipality" has the meaning provided in s. 560.081 (1) (b), Stats.
- (5) "Revitalization" has the meaning provided in s. 560.081 (1) (c), Stats.

**History:** Cr. Register, May, 1994, No. 461, eff. 6-1-94.

**Comm 127.03 Application procedures. (1)** Except as provided in sub. (2), any municipality is eligible to apply to participate in the main street program. Before the department may consider an application from a municipality, the department must receive a letter of intent to apply, no later than the date identified by the department in the application materials, signed by the chief elected or administrative official of the municipality, and a representative of the municipality must attend a pre-application workshop conducted by the department at a time and place to be determined by the department.

(2) If the plan developed with the assistance of the council under s. 560.082 (1), Stats., proposes in any year that eligibility be limited to those municipalities that fit within a category based on population, geographical location, type of business area or other characteristic, then, for that year, the department may limit eligibility to those municipalities within the applicable category.

(3) An application made under this chapter shall be in such form as the department may require and shall include all of the following:

- (a) A description of the general characteristics of the municipality.
- (b) A description of the economic activity and the businesses in the business area and surrounding areas.
- (c) A description of the business area that demonstrates it is a cohesive and recognizable district of historical significance with distinctive features or architectural character.
- (d) A description of the private and public sector interest in and commitment to the preservation and revitalization of the business area proposed by the municipality.
- (e) A description of the potential private sector investment in the business area proposed by the municipality.
- (f) Evidence of local organizational and financial commitment to fund a local main street program, provide support for business area projects and employ a program manager for not less than 3 years.

(g) Evidence of local assistance to pay for the services of a design consultant recommended by the council.

(h) A description of the municipality's need for the program and its expected impact on the municipality.

(i) A description of local commitment to share the knowledge the municipality gains through the main street program with other municipalities.

(j) Evidence of local organizational capacity to implement a local main street program.

(k) Any other information the department may require to make a determination under this chapter and s. 560.081 (2) (e) and (f), Stats.

(4) Following submission of the application and, at a time and place selected by the department, a representative of the applicant must attend a meeting of the council to make a presentation related to the municipality's application.

**Note:** Written application materials for the Main Street Program may be obtained at no charge from the Department of Commerce, Main Street Program Coordinator, P.O. Box 7970, Madison, Wisconsin 53707.

**History:** Cr. Register, May, 1994, No. 461, eff. 6-1-94.

**Comm 127.04 Department determination. (1)** With the advice of the council, the department may annually select up to 5 municipalities to participate in the main street program.

(2) The department may select a municipality to participate in the main street program after examining the application, the presentation required under s. Comm 127.03 (4) and any other information it deems relevant, if based upon a relative comparison on the criteria contained in sub. (3), the application submitted by the municipality compares favorably to other applications received. The department shall select only those municipalities that, in its judgment, effectively address the criteria in sub. (3) even if the department's determination results in the selection of fewer than 5 municipalities. The department may also limit the selection to fewer than 5 municipalities in any year for administrative reasons. If the department elects, for administrative reasons, to limit the selection to less than 5 municipalities, it shall state the number of municipalities that will be selected in that year in the written application materials and shall make those materials available at least 3 months before the deadline for submission of the letter of intent to apply required under s. Comm 127.03 (1).

(3) For the purpose of selecting municipalities to participate in the main street program, the department shall consider the following:

- (a) The degree to which municipality has collected relevant information about economic activity in the municipality and the surrounding area.
- (b) The cohesiveness, distinctiveness, character of and the variety of business activity conducted in the proposed business area.
- (c) The historic significance of the proposed business area and the interest in and commitment to historic preservation.
- (d) The level of private sector interest in and commitment to a local main street program.
- (e) The level of public sector interest in and commitment to a local main street program.

(f) The financial capability to employ a manager, fund a local main street program, and support business-area projects.

(g) The capability of the applicant to successfully implement the main street program.

(h) The need for the main street program in the municipality and its expected impact on the municipality.

(i) The municipality's commitment and ability to share the knowledge gained through the program with other communities.

**(4)** If after comparing the municipalities pursuant to sub. (3), the department is unable to distinguish between 2 or more of the highly rated municipalities then, to distinguish one municipality from another, the department shall consider the following:

(a) The contribution to the geographic variety of the program made by the municipality.

(b) The contribution to the variety of community size in the program made by the municipality.

**History:** Cr. Register, May, 1994, No. 461, eff. 6-1-94.

**Comm 127.05 Contracts.** A successful applicant shall

enter into a contract with the department for the purposes of implementing the main street program. The contract shall be signed by the secretary of development and the chief elected official of the municipality. The department may void a contract and refuse main street program services under the contract for failure by the municipality to perform its obligations under the contract. Amendments to a contract may be adopted by the written consent of the department and the municipality.

**History:** Cr. Register, May, 1994, No. 461, eff. 6-1-94.

**Comm 127.06 Reporting and auditing.** Each successful municipality shall provide the department periodic program reports. The program reports shall be submitted to the department by a date specified in the contract required under s. Comm 127.05. The program reports become the property of the department and are open to public inspection.

**Note:** See chapter Comm 149 for additional requirements relating to (1) contracts between the Department and recipients of economic-development grants, loans or tax credits; (2) submittal of statements for such grants and loans; and (3) penalties for submitting false or misleading information, or for failing to comply with the terms of a contract.

**History:** Cr. Register, May, 1994, No. 461, eff. 6-1-94.