

No. 58, S.

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CHAPTER 508

AN ACT to create 70.11 (24) of the statutes, relating to an exemption from taxation for improvements within a conservation area.

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

70.11 (24) of the statutes is created to read:

70.11 (24) PROPERTY IN CONSERVATION AREA. (a) Any city, town or village may establish a conservation area (hereafter in this subsection

referred to as "area") by resolution of its governing board. Such resolution shall state:

1. The boundaries of the area;
2. The substandard, outworn or outmoded condition of the industrial, commercial or residential buildings in the area;
3. That such conditions impair the economic value of the area;
4. That the continuation of such conditions depreciates values, impairs investments and reduces the capacity to pay taxes;
5. That it is necessary to create with proper safeguards inducements and opportunities for the employment of private investment and equity capital in the replanning, rehabilitation and conservation of the area;
6. That through rehabilitation, conservation or replanning the area may improve the general welfare of the city, town or village and protect its tax base;
7. That by virtue of additions, betterments or alterations made to the structures in the area, the health, safety, morals, welfare and reasonable comfort of the citizens will be protected and enhanced.

(b) Any improvement made by an owner commenced after the adoption of a local ordinance or resolution, through private investment to any existing completed structure in the area shall be deemed to be made for the purposes and objectives of the area and shall be excluded by the assessor of such locality in arriving at the assessment of the real estate, but not to exceed the maximum amount established by the municipality in the exemption period specified in par. (c), provided that the actual cost of such additions, betterments or alterations to the owner of the property is \$200 or greater.

(c) The assessment exemption granted by this section may continue for 5 assessment years and shall not be extended beyond that time. The maximum value of any assessment exclusion for said 5-year period shall be either \$1,000 or 10 per cent of the value of the improved property. The governing body of a municipality coming under this subsection shall determine which statutory maximum shall apply to the municipality and then shall set the maximum for the municipality, which shall be equal to or lower than the chosen statutory maximum.

(d) Whenever an owner of property within the area has made such improvements, alterations or additions for the purpose of enhancing the value of the real estate and to comply with the requirements of the resolution creating the area, such owner may apply to the assessor, or to the tax commissioner in any city, town or village having such official, requesting that an exemption be granted from that part of the tax assessment against his property which would otherwise be levied except for such exemption, but in no event shall an exemption be granted in excess of the maximum amount established under par. (c). Such owner shall file an affidavit in the form approved by the assessor or tax commissioner, setting forth the date when such improvements, additions or betterments were completed, their actual cost, their nature and description, and the manner in which the real estate will be improved as a result of such additions, betterments or improvements, together with such other information as the assessor or tax commissioner requires. Within 90 days from the date such affidavit is filed the assessor or commissioner, shall communicate his decision to the owner as to whether or not the exemption is granted. If the exemption is refused a review of the determination of the assessor or commissioner shall be had before the board of review at the earliest time the board is in regular session. The determination of the board of review shall be final and conclusive and no appeal shall lie with respect thereto.

(e) The commissioner, or the assessor, shall in the event an exemption is granted in accordance with this section certify to the governing body of

such city, town or village that the exemption has been granted and shall specify assessment dates on which such exemption shall operate and shall state briefly the reasons why the exemption is accorded. The commissioner, or the assessor as the case may be, shall then enter such exemption upon the assessment roll opposite the property affected by the exemption.

(f) The full assessed value of property, excluding any exemption as may be granted pursuant to this section, shall be used in determining the tax burden of the municipality and such full assessed valuation shall be the only valuation transmitted for use by the appropriate agency in such determination.

(g) The governing body of any city, town or village may by ordinance or resolution establish procedures for giving effect to this section not in conflict therewith.

(h) The improvements herein contemplated must be done pursuant to a permit from the local building inspector if a permit is required for the particular type of improvement.

Approved April 30, 1964.
