

**PETITION FOR THE ENACTMENT OF AN ORDINANCE BY DIRECT LEGISLATION  
PURSUANT TO SECTION 9.20, WISCONSIN STATUTES**

To: City Clerk, City of Port Washington, Wisconsin

We the undersigned hereby petition the Common Council of the City of Port Washington, pursuant to section 9.20 of the Wisconsin Statutes to enact the following ordinance without alteration, or in the event that said Common Council fails to enact the ordinance, we demand pursuant to the above referenced statute that said ordinance be submitted to the electors at the next appropriate general election for their approval or disapproval: An Ordinance referring the creation and/or approval of any Tax Incremental Districts ("TID") which require large capital expenditures, or those with a base value projected to or exceeding \$10,000,000, or Project Costs exceeding \$10,000,000, to the electors.

Whereas, pursuant to Wisconsin Statute 66.1105 (3)(a): Cities may exercise powers necessary to create tax incremental districts and define the boundaries of the districts; typically for the purpose of facilitating development, project plans, and any necessary municipal infrastructure improvements needed for development; and

Whereas, TIDs with a base value exceeding or projected to exceed \$10,000,000, within the boundaries of the city of Port Washington are currently under consideration and more may be proposed in the future; and

Whereas the approval of TIDs is a proper matter for direct legislation by the public as Tax Incremental financing ("TIF") for TIDs often require large capital expenditures and may require the issuance of municipal bonds, or the utilization of city funds from current general tax revenues which must be paid from and are the obligation of the tax base and the City's property tax payers.

Therefore, the Common Council of the City of Port Washington, Wisconsin do ordain as follows:

Section 1. Referendum Required for approval of any Tax Incremental Districts ("TID") with a base value projected to or exceeding \$10,000,000, or project costs exceeding \$10,000,000. As of the effective date of this ordinance no TIDs with a base value projected to or exceeding \$10,000,000 or project costs exceeding \$10,000,000, shall be created, adopted or approved unless first approved by a majority of the electors in a general or special election.

Section 2. Definition. The term "TID" shall mean and refer to any "contiguous geographic area within a city defined and created by resolution of the local legislative body, consisting solely of whole units of property as are assessed for general property tax purposes, other than railroad rights-of-way, rivers or highways. Railroad rights-of-way, rivers or highways may be included in a tax incremental district only if they are continuously bounded on either side, or on both sides, by whole units of property as are assessed for general property tax purposes which are in the tax incremental district." per Wisconsin Statute 66.1105(2)(k)1.

Section 3. Interpretation; Exceptions.

(a) Upon approval by the electors, the Common Council shall have the exclusive authority to create and approve any TIDs which require large capital expenditure or those with a base value projected to or exceeding \$10,000,000 or project costs exceeding \$10,000,000, to the electors.

(b) No public referendum shall be required for approval of TIDs that do not require large capital expenditure or do not exceed \$10,000,000 in project costs or contain properties with a base value not exceeding \$10,000,000.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Mayor of Port Washington

Attested: \_\_\_\_\_  
City Clerk

