

Fiscal Estimate - 2005 Session

Original Updated Corrected Supplemental

LRB Number 05-2488/1 **Introduction Number** SB-165

Subject
Authorize the creation of charter towns; powers of certain towns

Fiscal Effect

State:

No State Fiscal Effect
 Indeterminate

Increase Existing Appropriations Increase Existing Revenues Increase Costs - May be possible to absorb within agency's budget
 Decrease Existing Appropriations Decrease Existing Revenues Yes No
 Create New Appropriations Decrease Costs

Local:

No Local Government Costs
 Indeterminate

1. Increase Costs 3. Increase Revenue
 Permissive Mandatory Permissive Mandatory

2. Decrease Costs 4. Decrease Revenue
 Permissive Mandatory Permissive Mandatory

5. Types of Local Government Units Affected
 Towns Village Cities
 Counties Others
 School Districts WTCS Districts

Fund Sources Affected **Affected Ch. 20 Appropriations**

GPR FED PRO PRS SEG SEGS

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Fiscal Estimate Narratives

DOR 4/15/2005

LRB Number	05-2488/1	Introduction Number	SB-165	Estimate Type	Original
Subject					
Authorize the creation of charter towns; powers of certain towns					

Assumptions Used in Arriving at Fiscal Estimate

The bill allows certain towns that are authorized to exercise village powers to declare themselves, by referendum, to be charter towns. Charter towns can be declared only by towns with populations of at least 2,500 and that have a town plan commission, a comprehensive land use plan, building code and subdivision ordinances and zoning ordinances for construction site erosion control and storm water management. A charter town would not be subject to county zoning ordinances unless adopted by the town and may revoke its approval of any county zoning ordinance. Charter towns would not be subject to extraterritorial zoning jurisdiction or extraterritorial plat approval jurisdiction of a city or village but would continue to be subject to county zoning of wetlands in shorelands.

In addition, certain charter towns would be protected from annexation by a city or village unless the town board approves the proposed annexation. These protected towns must have (1) an equalized value that exceeds \$100 million and (2) 10% of its residents receiving either water or sewage disposal services from off-site facilities, e.g. sanitary, sewerage or utility districts and (3) 24-hour law enforcement services.

The bill allows charter towns to exercise the powers of a city to create tax incremental financing districts (TIDs). If a town already created a TID under the town TIF law, that TID has to operate under the town TIF law.

Fiscal Estimate.

According to Department of Revenue data, 138 towns have populations over 2,500. These towns could, subject to voter approval, declare themselves charter towns upon enactments of the necessary land use plans, mapping and zoning ordinances. Most towns are likely to have land use plans, maps, and zoning ordinances under the Smart Growth Law. However, towns that do not already have land use plans and official maps would incur costs ranging from \$5,000 to \$20,000 for basic land use plans and mapping; more complicated plans and mapping could cost up to \$100,000. Towns that had not already enacted and enforced zoning ordinances would incur personnel costs for the staff required for enforcement. Fees associated with various zoning requirements could defray some costs.

According to Department of Revenue data, 24 towns would be protected from annexation under the bill. This provision has no fiscal effect.

Additional staff and resources may be required to administer the TIF law if the bill results in a substantial increase in workload. In any case, the bill would require creation of 13 new forms, revision to training, application materials, and annual reports. In addition, for each new TID, the Department reviews the TIF project plan, the required local resolutions, the district boundary descriptions, and parcel lists. The Department is also required to annually determine the value of increments.

Long-Range Fiscal Implications