



# City of Racine

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## Legislative Report

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**File Number: Res. 0851-19**

**Agenda Date: 08/07/2019**

**File Type: Resolution**

Memorandum of Understanding between Racine County, City of Racine, and the Redevelopment Authority - Access Tax Delinquent Properties to Determine the Nature and Extent of Environmental Pollution

**WHEREAS**, Section 75.377 of the Wisconsin Statutes allows the County or a person authorized by the County to enter any real property for which a tax certificate has been issued under Wisconsin Statutes section 74.57 (the “Tax Delinquent Properties”), to determine the nature and extent of environmental pollution, as defined in Wisconsin Statutes section 299.01(4); and

**WHEREAS**, the perception or actual presence of environmental pollution at Tax Delinquent Properties tends to contribute to the likelihood that such properties will remain tax delinquent and contribute to and perpetuate blight in the community; and

**WHEREAS**, the Redevelopment Authority of the City of Racine (RDA) has established programs to enter properties for the purpose of investigating and cleaning up environmental contamination and to eliminate blight and encourage the sale, redevelopment and return to productive use of blighted property; and

**WHEREAS**, the RDA has no means of legal access to tax delinquent properties other than permission of the owner and court issued inspection warrant, which are difficult or impossible to obtain; and

**WHEREAS**, Racine County has resolved, by Resolution No. 2019-21 of the County Finance and Human Resources Committee (“County Resolution 2019-21”), to sign a Memorandum of Understanding in substantially the same form as set forth in County Resolution 2019-21 (the “MOU”); and

**WHEREAS**, the MOU would allow the RDA and its designees to enter all Tax Delinquent Properties at the RDA’s sole risk and expense, as the County’s designee under Wisconsin Statutes section 75.377, in order to facilitate the orderly assessment, cleanup and return to the tax rolls of as many Tax Delinquent Properties as possible in the City of Racine, and

**WHEREAS**, the Redevelopment Authority has reviewed County Resolution 2019-21 and the Memorandum of outside counsel regarding “Considerations for MOU on Access to Properties” and finds the terms and conditions of the MOU to be reasonable under the circumstances for

entry to Tax Delinquent Properties on a case-by-case basis to determine the nature and extent of environmental pollution, as defined in Wisconsin Statutes section 299.01(4).

**BE IT THEREFORE RESOLVED**, that the City Council approves the RDA signing the MOU in substantially the same form as set forth in County Resolution 2019-21.

**BE IT FURTHER RESOLVED**, that the RDA may only request to nonresidential tax delinquent properties under MOU.

Fiscal Note: The RDA will expend funds to enter properties pursuant to the MOU, but the majority of those costs are generally covered by site assessment grants from the federal government.