

C.O.W.  
3-20-17

17-0290

**RESOLUTION**

**CLOSE LOOPHOLES THAT SHIFT A GREATER PROPERTY TAX BURDEN FROM COMMERCIAL TO RESIDENTIAL HOMEOWNERS**

**WHEREAS**, home owners in Wisconsin already pay 70% of the total statewide property tax levy; and

**WHEREAS**, that disproportionate burden is about to get much worse unless the Legislature addresses tax avoidance strategies that national chains and big box retail establishments are using across the country to gain dramatic reductions in their property tax bills at the expense of homeowners and other taxpayers; and

**WHEREAS**, a carefully-orchestrated wave of hundreds of lawsuits in Wisconsin is forcing assessors to slash the market value of thriving national retail stores, shifting their tax burden to local mom and pop shops and homeowners; and

**WHEREAS**, retail pharmacy stores in Wisconsin have argued in communities across the state, including Manitowoc, that the assessed value of their property for property tax purposes should be less than half of their actual sale prices on the open market; and

**WHEREAS**, in many cases the courts have sided with these stores, requiring communities to refund tax revenue back to the stores; and

**WHEREAS**, big box chains are using what is known as the "Dark Store Theory" to argue that the assessed value of a new store in a thriving location should be based on comparing their buildings to sales of vacant stores in abandoned locations from a different market segment; and

**WHEREAS**, the Indiana state Legislature has on two occasions in the last two years overwhelmingly passed legislation prohibiting assessors from valuing new big box stores the same as nearby abandoned stores from a different market segment; and

**WHEREAS**, the Michigan state house overwhelmingly passed similar legislation in May of 2016.

**NOW, THEREFOR, BE IT RESOLVED**, that the Mayor and Common Council of the City of Manitowoc urge the Governor and the Legislature to protect homeowners and main street businesses from having even more of the property tax burden shifted to them by passing legislation clarifying that:

1. Leases are appropriately factored into the valuation of leased properties; and
2. When using the comparable sale method of valuation, assessors shall consider as comparable only those sales within the same market segment exhibiting a similar highest and best use rather than similarly sized but vacant properties in abandoned locations.

INTRODUCED MAR 20 2017

ADOPTED \_\_\_\_\_

APPROVED \_\_\_\_\_

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Justin M. Nickels, Mayor

<b>Fiscal Impact:</b>	n/a
<b>Funding Source:</b>	n/a
<b>Finance Director Approval:</b>	/sc
<b>Approved as to form:</b>	/kmm

This resolution was drafted by Kathleen M. McDaniel, City Attorney from a template provided by the League of Wisconsin Municipalities