



Legislation Text

File #: 41084, Version: 2

Fiscal Note

No appropriation required.

Title

SUBSTITUTE - Opposing 2015 Wisconsin AB568 and 2015 Wisconsin SB445 and similar legislation including those that would condition local designation of historically-significant property and the local regulation of such property on the consent of the owner **and opposing similar legislation that would further weaken local control of landlord-tenant regulation.**

Body

WHEREAS, the Common Council recognizes that the City of Madison contains buildings, structures, signs, features, improvements, sites, and areas that have significant architectural, archaeological, anthropological, historical, and cultural value; and,

WHEREAS, the Common Council further recognizes that these historic resources represent the City's unique heritage, contribute to the health, prosperity, safety and welfare of the City's residents, and serve as a source of great interest to the City's residents and visitors; and,

WHEREAS, the Common Council finds that it is in the public interest to identify, protect, preserve, promote, conserve and use historic resources within the City; and,

WHEREAS, the Common Council recently adopted a revised comprehensive historic preservation ordinance which will continue to protect the City's historic resources, assist in maintaining a high quality of life in the community, stabilize and improve property values of historic properties, contribute to the economic development of the City, and provide added assurance to property owners of historic resources that their collective values will not be diminished by insensitive alterations or demolitions; and,

WHEREAS, the Common Council unanimously adopted the revised comprehensive historic preservation ordinance after a nearly two-year public process that allowed for groups interested in both historic preservation and development to provide extensive input as the ordinance was being drafted; and,

WHEREAS, at the Common Council meeting when the ordinance was adopted both historic preservation and development groups testified in support of the ordinance and encouraged its unanimous adoption and described the revised ordinance as the result of a "collaborative process"; and,

WHEREAS, the Common Council believes historic preservation issues are best determined by individual communities across the state of Wisconsin, and that a collaborative process like the one used in Madison to create a new ordinance allows both the preservation and development community the ability to develop a fair and balanced historic preservation ordinance; and,

WHEREAS, Wisconsin Assembly Bill 568 and Senate Bill 445 will condition local designation of historically-significant property and enforcement of any regulation of such property on the consent of the owner thereof; and,

WHEREAS, the adoption of such legislation will effectively preempt local control of historic preservation issues and deprive local property owners and developers of the ability to provide input into important historic preservation issues, and,

WHEREAS, according to the 2014 census estimates, renters make up a majority of households (51%) in the City of Madison, compared to just 32% of all households throughout all of Wisconsin; and

WHEREAS, the state legislature is attempting to change tenant landlord law for the fifth time in 4.5 years (Wis. Act 108 effective December 21, 2011, Wis. Act 143 effective March 31, 2012, Wis. Act 76, effective March 1, 2014 and CR-14-038 effective November 1, 2014); and

WHEREAS, over 100 changes to the laws and varying implementation dates makes it extremely confusing for tenants and landlords

WHEREAS, frequent changes to the laws and the varying implementation dates, often within the same bill makes doing business as a conscientious landlord very difficult without the aid of an attorney; and

WHEREAS, the bill allows private towing companies to tow a car and charge a tenant or their guests, without a citation being issued, and,

WHEREAS, past changes have pre-empted various local laws; passed by the City of Madison to help tenants get into housing which is compounded by the vacancy rates at less than 3% for most of the last 5 years which is much lower than the national 30-year low average of 6.8%; and,

WHEREAS, current and past changes disproportionately impact first time renters with no experience with landlords and leases, low-income renters and people in poverty who are disproportionately people of color and this adds to current disparities; and,

WHEREAS, AB 568 and SB 445 and amendments will compound the difficult housing market by making it easier for landlords to evict tenants, further pre-empts local government in areas of building inspection, occupancy fees, and landlord registration; and,

NOW, THEREFORE, BE IT RESOLVED THAT, the Common Council of the City of Madison opposes the enactment of 2015 Wisconsin Assembly Bill 568 and 2015 Wisconsin Senate Bill 445, or similar legislation, including those that would condition local designation of historically-significant property and the local regulation of such property on the consent of the owner thereof and opposes the provisions of Wisconsin Assembly Bill 568 and Wisconsin Senate Bill 445 that impact tenant-landlord law or similar legislation that would further weaken local control of tenant-landlord law.