

**CITY OF CEDARBURG
RESOLUTION NO. 2016-20**

**Close Loopholes Causing More of Property Tax Burden to Shift from
Commercial to Residential**

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 closes loopholes that national chains like Walgreens, and big box retail establishments like Target 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 100s 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, Walgreens and CVS stores in Wisconsin have argued in communities across the state that the assessed value of their property for property tax purposes should be only half of its actual value on the open market; and

Whereas, in many cases the courts have sided with Walgreens and CVS, requiring communities to refund tax revenue back to the stores; and

Whereas, there are over 200 Walgreens stores located in Wisconsin's cities and villages; and

Whereas, Target, Lowe's, Meijer and other big box chains are using what is known as the "Dark Store Theory" to argue that the assessed value of a new, thriving store should be based on comparing their buildings to nearby vacant or abandoned stores from a different market segment; and

Whereas, the Republican-controlled 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.

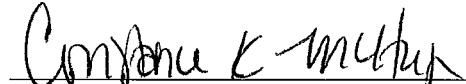
Now, Therefore, Be It Resolved, that the Common Council of the City of Cedarburg urges the Governor and the Legislature to protect homeowners and main street businesses from having even more of the property tax burden shifted to them by passing legislation clarifying that:

1. Leases are appropriately factored into the valuation of properties; and
2. Assessors must, when using the comparable sale method of valuation, consider as comparable those sales exhibiting a similar highest and best use market segment, rather than similarly sized but abandoned properties.

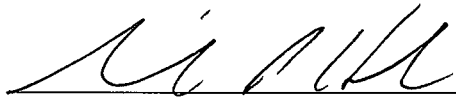
Passed and adopted by the Common Council of the City of Cedarburg this 26th day of September, 2016.


Kip Kinzel, Mayor

Attest:


Constance K. McHugh, City Clerk

Approved as to form:


Michael P. Herbrand, City Attorney