Failed

#91-08-07

ORDINANCE RE:
REPEAL PENALTY ON
DELINQUENT REAL ESTATE TAXES

The Board of Supervisors of Buffalo County does ordain as follows:

WHEREAS, Wisconsin Statutes Section 74.80 authorizes a county discretion to impose a 0.5% per month additional penalty on all real estate and personal property taxes and special assessments overdue or delinquent; and

WHEREAS, the County Board of Supervisors of Buffalo County having imposed this additional penalty by virtue of an Ordinance adopted in August, 1983; and

WHEREAS, the County Board of Supervisors wishes to repeal such ordinance to eliminate the 0.5% per month penalty.

NOW, THEREFORE, BE IT ORDAINED, that the Ordinance imposing a penalty on overdue or delinquent real estate and personal property taxes and special assessments adopted in August, 1983 is repealed and the penalty of 0.5% per month provided for in Wisconsin Statutes Section 74.80 is eliminated, effective as provided below.

BE IT FURTHER ORDAINED, that this Ordinance shall be repealed on January 1, 1992; therefore, the 1991 and subsequent years delinquent real estate taxes and special assessments will no longer be subject to the county penalty charge.

BE IT FURTHER ORDAINED, that penalties accrued through December 31, 1991 on the 1990 and prior years overdue and delinquent real estate taxes and special assessments shall continue to be charged against such property, but will no longer accrue from January 1, 1992 forward.

APPROVED AS TO FORM:

RESOLUTIONS COMMITTEE

Les Winsand
Leslie Winsand, Chairman

Daniel Lauersdorf
Daniel Lauersdorf

Randy Schreiner

Lee Amdahl
Lee Amdahl

Gary Risen
Gary Risen

DELINQUENT TAX PENALTY
BACKGROUND INFORMATION

August 15, 1991
Pat Wodele

Original Ordinance was adopted - August 9, 1983, County Board
Effective October 18, 1983
Retroactive to prior years delinquent taxes

Ordinance to repeal penalty - February 27, 1987, County Board
Defeated - 7 yes, 9 no

Ordinance to repeal penalty - October 1, 1988, County Board
Defeated - 7 yes, 10 no

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For comparison purposes:

	TOTAL LEVY	% Delinquent on 8/1
1982	$ 7,398,623.27	5.76%
1983	8,093,376.38	5.07%
1984	8,338,394.36	6.08%
1985	8,624,533.27	6.37%
1986	9,359,221.55	5.40%
1987	8,620,961.51	4.20%
1988	8,966,706.02	3.79
1989	9,643,526.84	3.14%
1990	10,441,658.66	3.37%

* *

Revenue collected by penalty (100% County retained)

1985	$ 40,863.57
1986	47,054.08
1987	78,555.93
1988	58,385.65
1989	46,462.54
1990	39,377.16

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1985-1989 Delinquent Real Estate Taxes 8/1/91 $ 317,596.95
1990 Delinquent Real Estate Taxes (w/o) Maxville 322,173.93

Penalties should be higher in 1992 because we will be taking Tax Deed on two years taxes, 1988 and 1989. In 1993 penalty earned could be somewhat less because Tax Deed would be taken after two years rather than three years of delinquency. Penalties earned flucuate based on the amount of delinquency and the number of properties that are in and coming out of bankruptcy at any given time.

It should be noted that the percentage of delinquent real estate taxes has decreased since the penalty has been imposed.

Creating Section of the County Code of Ordinances Relating to Imposing a Penalty on Overdue or Delinquent Real Estate and Personal Property Taxes and Special Assessments

The County Board of Supervisors of the County of Buffalo does ordain as follows:

The County Code of Ordinances is created to read as follows:

Interest Rate and Penalty on Overdue or Delinquent Real Estate and Personal Property Taxes and Special Assessments.

(1) There is hereby imposed a penalty of ½% per month in addition to the interest provided for in sec. 74.80(1), Wis. Stats., on all real estate and personal property taxes and special assessments overdue or delinquent on or after October 18, 1983; and this ordinance shall apply retroactively on all such delinquent overdue taxes.

(2) The county treasurer shall exclude the additional revenue generated by the penalty from the distributions required by secs. 74.03(7) and 74.031(12) (c) and (d), Wis. Stats.

(3) This ordinance is adopted pursuant to authority contained in Section 1268 of Chapter 27, Laws of 1983.

Submitted by:

Duane Bautsch

Purchasing Committee

Adopted - 8/9/83