

ORDINANCE NO. _____

A THIRD AMENDED ORDINANCE to repeal and recreate sec 2-405 of the Code of Ordinances of the City of La Crosse regarding the sale of surplus land.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION 1: Section 2-405 are hereby repealed and recreated to read as follows:

Sec. 2-405. - Sale of City-owned land.

(a) The following is the formal established policy and procedure for the sale of City-owned property which is intended to provide a common standard for sales and will assist the City in stimulating interested purchasers/developers:

(1) Each City Department shall maintain a listing of property under its jurisdiction and shall annually present a list of its properties to the Board or Committee that oversees the respective department, to determine if any property can be deemed "surplus". ~~The Board of Public Works shall annually request the surplus property listing from each Department to ensure annual compliance.~~

(2) Property may only be offered for sale if it is first determined to be "surplus" by the Board or Committee that oversees such land and by Common Council resolution. This resolution shall state which governing body and department will oversee the remainder of the sale process and shall also state if a Request For Proposal (RFP) process should be followed for the sale of the property.

(3) Once a property is deemed surplus it shall be advertised with a display ad in the La Crosse Tribune; or by request for qualification/proposal that is widely distributed; or by sealed bid (this requirement shall only apply to commercially zoned land, parcels zoned for multiple dwelling, or parcels suitable for platting). A "For Sale" sign with contact information is required to be located on the property for minimum of ten consecutive days.

~~(3) It shall be the responsibility of each department to advertise surplus property under its jurisdiction.~~

(4) Future land use must be compatible with the City's Comprehensive Plan and other adopted plans.

(5) The City may add conditions or contingencies to any land sale.

(6) The City may add a reverter clause to any purchase agreement to buy back land at the original sale price if the land is not developed or if the land is deemed tax exempt.

(7) The anticipated sales price of the property shall be determined by the City Assessor or by a third-party appraisal. The purchase amount offered shall be one of the items weighted in determining if and to whom the property should be sold unless the property sale is part of an application for City assistance through the Economic and Community Development Commission. The Board of Public Works will negotiate the sale price and provide a recommendation to the Common Council. The Common Council will need to approve the sale price via Resolution in order to finalize the sale.

(8) Unless otherwise approved via Council action, the land shall remain subject to the general property tax pursuant to Chapter 70 of the Wisconsin Statutes for 20 years following the sale of the property. No future owner, occupant, or tenant shall apply for tax exemption during the 20 year period.

(98) The aforementioned conditions for sale found in section 2-405 do not apply to the following:

a. Lands that are deemed of local interest, such as a parcel smaller than 7,200 square feet or a remnant parcel created as a result of a highway construction project or remnant or surplus parcels that would only have an interest by the abutting property owner, shall only be required to be advertised via a legal ad in the La Crosse Tribune. Per the discretion of the Board or Committee overseeing the sale, adjacent landowners in need of land for business expansion may be given priority in the land sale.

b. ~~Land sold to non-profit entities or corporations for municipal public purpose.~~

~~bc. Land sold in the City's industrial/business parks, land sold for industrial purposes, or land sold by the Redevelopment Authority where Wisconsin Law otherwise authorizes sale of industrial or Redevelopment Authority lands. However, such land sales shall be advertised on the City website as well as with signage on the property.~~

c. Land sold or managed through the Replacement Housing Program, as they will follow the process identified in the Policies, Procedures and Guidelines of that program.

d. Whereas otherwise provided by law or otherwise directed by Common Council Resolution.

SECTION II: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

Shaundel Washington-Spivey, Mayor

— Nikki M. Elsen, City Clerk

Passed:

Approved:

Published: