$66.0703 \ldots$ as a complete alternative to all other methods provided by law, any city, town or village may, by resolution of its governing body, levy and collect special assessments upon property in a limited and determinable area for special benefits conferred upon the property by any municipal work or improvement; and may provide for the payment of all or any part of the cost of the work or improvement out of the proceeds of the special assessments.
Two types of Special Assessments

Police Power –
for the health, safety and welfare of the public
3 general requirements:
• The improvement must be local rather than general
• The improvement must confer special benefits on the property to be assessed
• The assessment must be fair and equitable and in proportion to the benefits accruing / must be made on a reasonable basis
  o Not arbitrary
  o Not allocated in an unequal or unfair manner

Taxing Power –
• Power of governments to levy taxes to pay for improvements and services
• More direct connection
• Special Assessments may not exceed the actual benefits conferred on the property
Benefits of Using Special Assessments

• Very limited exceptions, properties that may be assessed include:
  Residential, Commercial, Industrial, Institutional, Tax exempt

Exceptions include ROW, certain RR property and property of the Federal Government

Can specially assess benefitted properties in adjacent municipality with cooperation of adjacent municipality

Benefits of Using Special Assessments, cont’d.

• Familiar – authorized by Wisconsin Statutes since 1945

• Provides a source of revenue outside of the property tax levy and general obligation debt

• Collection - Can be placed on property tax roll
Challenges of Using Special Assessments

- Administration can be burdensome
  - Assessed Costs vs. Actual Costs
  - Credits
  - Dealing with unique situations
  - Repayment Issues
  - Insolvent Funds (Negative Cash)

- High costs for property owners

- Property owner challenges to special assessments
  - CED v. City of Oshkosh

Exploring Alternatives to Special Assessments

- Eliminate Special Assessments and Fund with Tax Levy
- Vehicle Registration Fees
- Transportation Utility Fees