

ORDINANCE NO.: B—2019-20

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 Wisconsin State Statutes §77.70 authorizes Wisconsin counties to enact a county sales
2 and use tax at a rate of one-half of one percent (0.5%). Additionally, Wis. Stat.
3 §77.76(3) authorizes counties to share all or a portion of sales tax revenue with
4 underlying municipalities and school districts. The *Outagamie County Sales Tax*
5 *Analysis* estimates \$20,000,000 in net sales tax proceeds. It is proposed that a
6 percentage of the net sales tax proceeds will offset the county levy, a percentage will be
7 used to reduce debt service levy, a percentage will be used to pay for capital
8 expenditures, and 15% of total net proceeds will be shared with local municipalities and
9 school districts. All proposed utilization of net sales tax proceeds shall have the effect
10 of directly reducing the overall property tax levy as required by statute.

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12 The *Outagamie County Sales Tax Analysis* estimates that 75% of the sales tax will be
13 paid by Outagamie County businesses and individuals and 25% will be paid by non-
14 Outagamie County businesses and individuals. The analysis also demonstrates that
15 enactment of a county sales tax will provide overall tax relief for Outagamie County
16 residents, as a significant portion of the sales tax will be paid by out of county
17 individuals and entities. Of the 72 counties in Wisconsin, 66 have a county sales tax in
18 place. The enactment of a county sales tax will promote the county's mission to provide
19 quality services to its residents by utilizing this funding mechanism to provide such
20 services at a lower overall tax liability than would otherwise be possible. This
21 ordinance, if approved, will enact a county sales and use tax for Outagamie County and
22 authorize sharing such proceeds with municipalities for the overall purpose of directly
23 reducing the property tax levy within Outagamie County.

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25 NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption
26 of the following ordinance.

27 BE IT ORDAINED, that the Outagamie County Board of Supervisors does approve of creating
28 Article VIII of Chapter 22 – Finance and Taxation entitled “County Sales and Use Tax” of the
29 Outagamie County Code of Ordinances as follows:

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1 CHAPTER 22 – FINANCE AND TAXATION

2 Article VIII. COUNTY SALES AND USE TAX

3 SECTION 1. Authority. This Ordinance is enacted under authority of Subchapter V of Chapter
4 77 of the Wisconsin State Statutes and acts amendatory thereto.

5 SECTION 2. Definition. The County sales and use tax includes the excise tax referred to in
6 Wisconsin State Statutes §77.71.

7 SECTION 3. Purpose. The purpose and goal of enacting this Ordinance is to utilize net
8 proceeds from the County sales and use tax to directly reduce the property tax levy of Outagamie
9 County in accordance with state statutes and as approved by the Outagamie County Board of
10 Supervisors.

11 SECTION 4. County Sales and Use Tax. Pursuant to and in strict conformity with the
12 provisions of Wisconsin Statutes Chapter 77, Subchapter V, the County of Outagamie County does
13 hereby elect to impose a County sales and use tax in the manner and to the extent permitted by Wis. Stat.
14 Chapter 77, Subchapter V.

15 SECTION 5. The County of Outagamie authorizes sharing of the net proceeds of such sales and
16 use tax up to a maximum of 15% of said proceeds with qualifying municipalities and school districts
17 located within Outagamie County.

18 SECTION 6. Sales and Use Tax Rate. The County sales and use tax imposed by this Ordinance
19 shall be at the rate of one-half of one percent (0.5%).

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1 SECTION 7. Conformity to State Laws. It is the express intent of the County of Outagamie that
2 the construction, administration, and application of this Ordinance to all persons in all situations shall
3 conform to the laws of the State of Wisconsin in all ways and it shall be construed, applied, and
4 administered.

5 SECTION 8. Effective Date. This Ordinance shall become effective January 1, 2020 in the
6 manner provided by law.

7 SECTION 9. Delivery to the Department of Revenue. A certified copy of this Ordinance shall
8 be delivered by the Outagamie County Clerk for Outagamie County to the Secretary of the Department
9 of Revenue of the State of Wisconsin as least one hundred twenty (120) days prior to January 1, 2020.

10 BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a
11 certified copy of this resolution to the Wisconsin Department of Revenue Secretary, Municipal Code
12 Corporation, the Outagamie County Finance Director and the Outagamie County Executive.

13 Dated this ____ day of May 2019

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Respectfully Submitted,
FINANCE COMMITTEE

Kevin Sturn

Nadine Miller

Mike Thomas

Chris Croatt

Pete Marcks

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Duly and officially adopted by the County Board on: _____

Signed: _____
Board Chairperson County Clerk

Approved: _____ Vetoed: _____

Signed: _____
County Executive