

(April 2, 2026)
NOTICE OF REFERENDUM

City of Port Washington

April 7, 2026

Referendum Election Details

At an election to be held in the City of Port Washington on Tuesday, April 7, 2026, the following proposed ordinance will be submitted to a vote of the people:

**PETITION FOR THE ENACTMENT OF AN ORDINANCE BY DIRECT LEGISLATION
PURSUANT TO SECTION 9.20, WISCONSIN STATUTES**

To: City Clerk, City of Port Washington, Wisconsin

We the undersigned hereby petition the Common Council of the City of Port Washington, pursuant to section 9.20 of the Wisconsin Statutes to enact the following ordinance without alteration, or in the event that said Common Council fails to enact the ordinance, we demand pursuant to the above referenced statute that said ordinance be submitted to the electors at the next appropriate general election for their approval or disapproval: An Ordinance referring the creation and/or approval of any Tax Incremental Districts ("TID") which require large capital expenditures, or those with a base value projected to or exceeding \$10,000,000 or Project Costs exceeding \$10,000,000, to the electors.

Whereas, pursuant to Wisconsin Statute 66.1105 (3)(a): Cities may exercise powers necessary to create tax incremental districts and define the boundaries of the districts; typically for the purpose of facilitating development, project plans and any necessary municipal infrastructural improvements needed for development; and

Whereas, TIDs with extensive and unprecedented valuations, with a base value exceeding or projected to exceed \$10,000,000, within the boundaries of the city of Port Washington are currently under consideration and more may be proposed in the future; and

Whereas the approval of TIDs is a proper matter for direct legislation by the public as Tax Incremental financing ("TIF") for TIDs may require the issuance of municipal bonds, or the utilization of city funds from the current tax base paid by the public, and/or other large capital expenditures.

Therefore, the Common Council of the City of Port Washington, Wisconsin do ordain as follows:

Section 1. Referendum Required for approval of any Tax Incremental Districts ("TID") which require large capital expenditure or those with a base value projected to or

exceeding \$10,000,000 or project costs exceeding \$10,000,000, to the electors. As of the effective date of this Ordinance no TIDs which require large capital expenditure or those with a base value projected to or exceeding \$10,000,000 or project costs exceeding \$10,000,000, to the electors shall be created, adopted or approved unless first approved by a majority of the electors in a general or special election.

Section 2. Definition. The term "TID" shall mean and refer to any "contiguous geographic area within a city defined and created by resolution of the local legislative body, consisting solely of whole units of property as are assessed for general property tax purposes, other than railroad rights-of-way, rivers or highways. Railroad rights-of-way, rivers or highways may be included in a tax incremental district only if they are continuously bounded on either side, or on both sides, by whole units of property as are assessed for general property tax purposes which are in the tax incremental district." per Wisconsin Statute 66.1105(2)(k)1.

Section 3. Interpretation; Exceptions. (a) Upon approval by the electors, the Common Council shall have the exclusive authority to create and approve any TIDs which require large capital expenditure or those with a base value projected to or exceeding \$10,000,000 or project costs exceeding \$10,000,000, to the electors. (b) No public referendum shall be required for approval of TIDs that do not require large capital expenditure or do not exceed \$10,000,000 in project costs or contain properties with a base value not exceeding \$10,000,000.

Ballot Text

The question will appear on the ballot as follows:

“Pursuant to Wisconsin Statute § 66.1105, the City of Port Washington may, through its Plan Commission and Common Council, exercise the powers necessary to create Tax Incremental Districts. Pursuant to Wis. Stat. § 9.20, through the power of direct legislation, the electors of the City of Port Washington have put forward a proposed ordinance. Shall the City of Port Washington adopt the proposed ordinance, which, if adopted, would bar the City from creating or approving a Tax Incremental District that requires a large capital expenditure, or with a base value projected to or exceeding \$10,000,000.00, or project costs exceeding \$10,000,000.00, unless the creation or approval of such a Tax Incremental District has been approved by the majority of electors in a general or special election?”

Explanation

A “yes” vote indicates approval of the proposed ordinance that bars the City from creating or approving any Tax Incremental Districts above the proposed values unless such a Tax Incremental District is first approved by the majority of electors. With a majority “yes” vote, the ordinance would be adopted and become a part of the City of Port Washington Municipal Code of Ordinances. As such, to create or approve a Tax Incremental District, in addition to complying with the provisions of Wis. Stat. § 66.1105, the City would have to receive approval from the electors through future referendums.

A “no” vote indicates that you are against the City adopting the proposed ordinance. With a majority “no” vote, the City of Port Washington Municipal Code of Ordinances would remain unchanged. Accordingly, the City, through Plan Commission and Common Council action, would remain free to create or approve any Tax Incremental District, subject to compliance with the provisions of Wis. Stat. § 66.1105.

Done in the City of Port Washington on
March 9, 2026

A handwritten signature in black ink, appearing to read "Susan L. Westerbeke", written over a horizontal line.

Susan L. Westerbeke
City Clerk

(Note: The Type C Notice of Referendum is published by the clerk responsible for the referendum on the day preceding the referendum election. If a weekly paper is used for publication, the notice is published in the closest preceding issue to the day before the referendum election.