

## Frequently asked questions & answers for the creation of the City of Whitewater Trippe & Cravath Lakes District

City of Whitewater Information according to Census Data :

<https://datausa.io/profile/geo/whitewater-wi>

- In 2022, Whitewater had a population of 15.7k people with a median age of 21.7 and a median household income of \$46,135.
- In 2022, the median property value in Whitewater, WI was \$199,700, and the homeownership rate was 29.5%

### How Are Property Owners Counted?

Wis. Stat. § 33.30(2) defines **who may vote** in a lake district:

- **Municipalities, corporations, and LLCs** that own property within the district **get one vote each**.
- **Individuals who own property** get one vote each, regardless of the number of parcels they own.
- **Married couples who jointly own property** get **one vote together**, not one each.
- **Trusts and estates** get one vote through their designated representative.
- **Nonresident owners** (who do not live in the district but own property) still have a vote.

Thus, if an LLC owns a rental property, that LLC would count as **one owner, one vote**, not a vote per unit or per tenant. If a person owns multiple rental properties under different LLCs, each **separate LLC** would get a vote.

### What About Nonresident Property Owners?

Nonresident property owners **can vote** if they own land within the proposed lake district. The high number of rental properties means that a large portion of the votes may come from nonresidents or business entities, not local residents.

This impacts:

- **Petition requirements** (who counts toward the 51% threshold).
- **Governance** (decisions may be influenced by nonresident owners).
- **Assessments** (cost-sharing may disproportionately affect local vs. absentee owners).

## How Many Signatures Are Needed?

Under Wis. Stat. § 33.25(1), a lake district can be **formed by petition** if signed by:

- **51% of landowners** OR
- **Owners of 51% of the land area** within the proposed district.

To determine whether this means **400 or 7,000 signatures**, you'd need:

- The **total number of distinct property owners** (not parcels).
- A **breakdown of ownership types** (individuals, married couples, LLCs, corporations).
- The **total land area** (since 51% of land area could be another route to forming the district).

## Legal Challenges Whitewater Could Face

Given that Whitewater is unique in considering an **entire city** for a lake district, there are several **potential legal challenges**:

### Inclusion of Properties That Do Not Benefit

- **Risk:** Property owners could challenge the district under Wis. Stat. § 33.26, arguing that their properties **receive no benefit** from the lake district.
- **Court Precedent:** Courts have ruled against districts that **overreach** in their boundaries, requiring them to prove tangible benefits for included properties.
- **Mitigation:** Clearly define **measurable benefits** (stormwater management, tourism revenue, recreational access) and allow for **exemption requests**.

### Citizen Petition to be Removed from the District

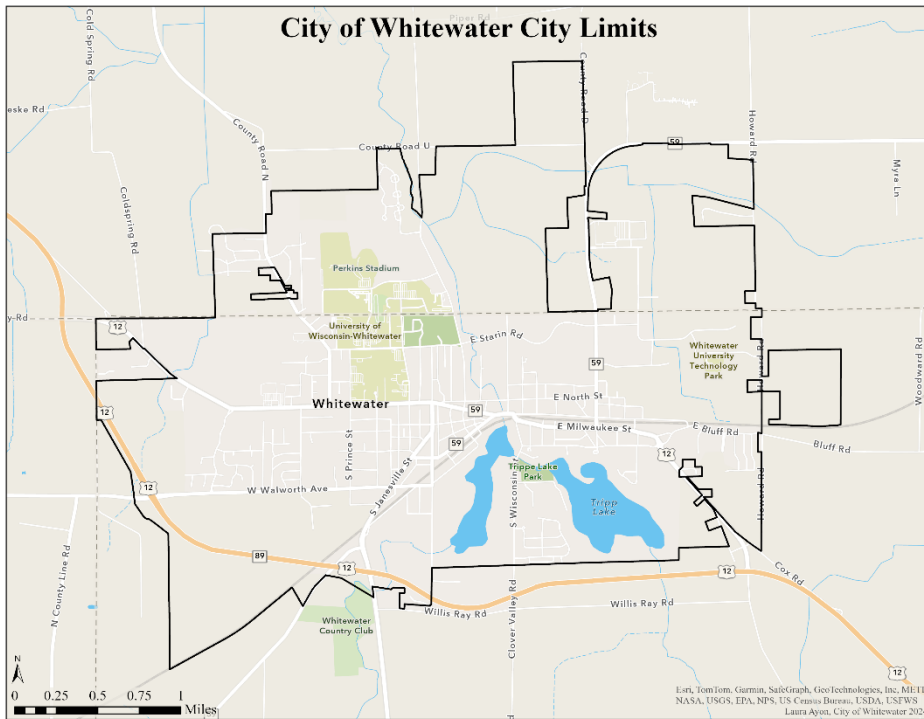
Under Wisconsin law (Wis. Stat. § 33.33), a property owner can petition for removal from a lake district. The process generally requires:

- A written petition to the local governing body (such as a town board or city council) stating why the property should be removed.
- Demonstrating that the property does not benefit from the lake district.
- A hearing, where both the petitioner and potentially affected parties can present evidence.
- A decision by the governing body on whether the property qualifies for exclusion.
- The key factor is whether the property gains a direct benefit from the district's activities.

What constraints exist/are imposed by the state for how much they can levy the district.

- Whereas Wisconsin Lake Districts are special purpose units of government with standalone budgets; and Whereas state law requires lake district budgets to be approved by majority vote of residents and landowners in the district at the annual meeting and limits the annual levy to no more than \$2.50 per thousand of value.

The lakes advisory committee is recommending the entire city of whitewater be included as a Trippe & Cravath Lakes District.



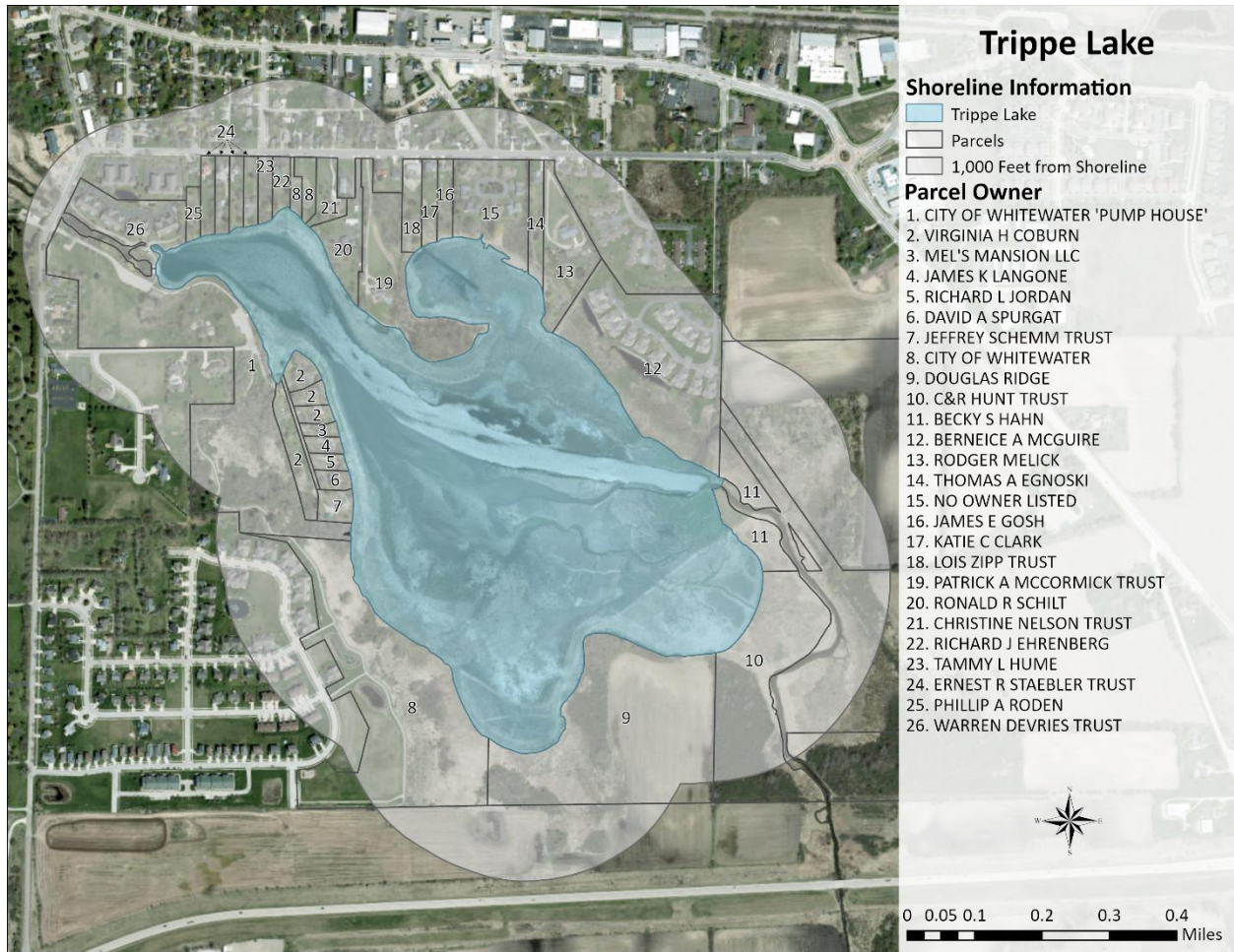
How fee's were calculated: Information provided by city of whitewater finance department.

Lake District Tax Calculation	
855,393,850	<b>Walworth</b>
106,181,200	<b>Jefferson</b>
961,575,050	<b>Total Assessed Value in City</b>
<b>\$ 250,000.00</b>	<b>Budget</b>
0.000259990	<b>Mill Rate</b>
<b>\$ 0.26</b>	<b>Per Thousand of Assessed Value</b>
Assessed Value	Tax Increase
150,000	\$ 39.00
200,000	\$ 52.00
250,000	\$ 65.00
300,000	\$ 78.00

## What if you only included riparian owners?

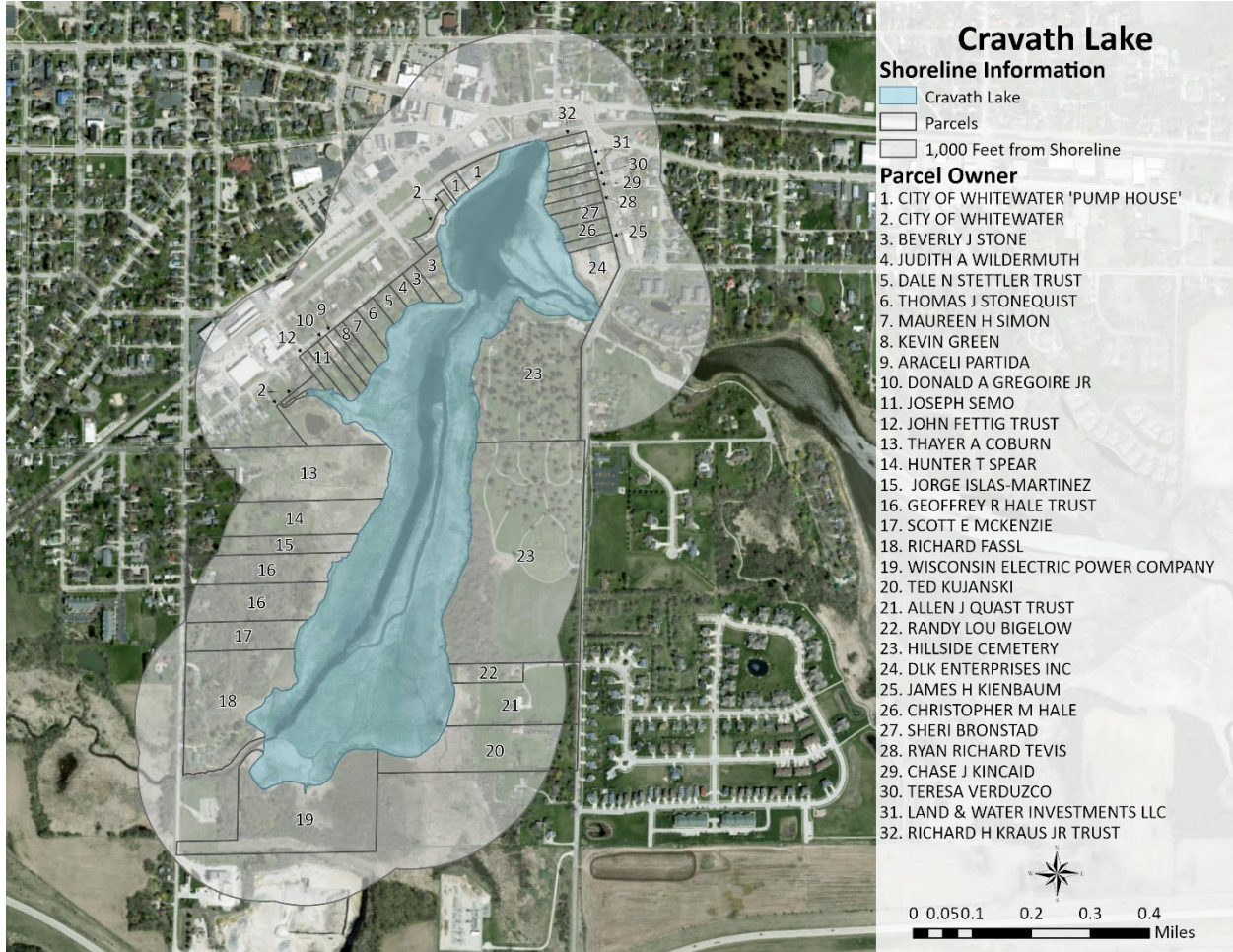
### Current Riparian Owners.

- Aggregate estimated property value based on information gathered from Walworth County GIS. Trippe Lake= \$10,175,300.00
- Trippe Lake



**Current Riparian Owners.**

- Aggregate estimated property value based on information gathered from Walworth County GIS. Cravath Lake= 10,527,800
- Cravath Lake



Charges to riparian owners only with the levy almost at it's max and the budget set at \$51,000

Lake District Tax Calculation	
10,527,800	Cravath
10,175,300	Trippe
20,703,100	Total Assessed Value For Both Lakes
\$ 51,000.00	Budget
0.002463399	Mill Rate
\$ 2.46	Per Thousand of Assessed Value
Assessed Value	Tax Increase
150,000	\$ 369.51
200,000	\$ 492.68
250,000	\$ 615.85
300,000	\$ 739.02

## What is the general management of a lake district?

Lake districts can conduct a broad range of activities to manage and enhance the lake or lakes they are organized around. Some typical activities include:

1. Understanding the lake's water quality and its ecosystem by: • Monitoring water quality • Inventorying and monitoring aquatic plants • Mapping the lake's watershed • Identifying pollution sources • Developing long range lake management plans.
2. Protecting lake habitat through: • Educational efforts • Wetland restoration • Acquisition of land or conservation easements to protect sensitive areas • Erosion control programs • Invasive or nuisance aquatic plant management programs (like harvesting, chemical treatment and education).
3. Maintaining water levels through dam ownership and/or operation
4. Enhancing recreational boating and boater safety through: • Boating ordinances • Operation of water safety patrols • Boating safety classes • Developing water trails • Developing informational/educational tools (such as boat landing signs, brochures, or maps).

## What kind of power does a lake district have?

The legislature has given lake districts a broad range of financial and administrative powers to undertake lake management programs. All lake districts have been granted the power to: • Levy taxes and impose special charges and special assessments • Borrow money • Disburse money • Make contracts • Accept gifts • Buy, hold, and sell property • Undertake projects to enhance recreational uses, including recreational boating facilities (such as boat launches or breakwaters) • Sue and be sued • Take other acts necessary to carry out a program of lake protection and rehabilitation.

**Additional questions**, please do not hesitate to ask. Lakes Advisory Committee Members: Kurt Zi, Carol McCormick, Gayle Stettler, Geoff Hale, Ginny Coburn and Elvira Kau.

