

ORDINANCE NO. O-2022-020

TOWN OF LEDGEVIEW, BROWN COUNTY, WISCONSIN

AN ORDINANCE TO AMEND CHAPTER 94 –STREETS AND SIDEWALKS TO CREATE ARTICLE VIII, PUBLIC IMPROVEMENTS AND ASSESSMENTS

The Town Board of Supervisors of the Town of Ledgeview do hereby ordain as follows:

Article VIII – Public Improvements and Assessments of Chapter 94 – Streets and Sidewalks of the Town of Ledgeview Municipal Code is hereby created to read as follows:

State Law Reference – Special Assessments, Wis. Stats. § 66.0701

Section 1: **GENERALLY**

§ 94-21 General Application.

- a) The installation of any public improvement shall be an exercise of the police power of the town as may from time to time be determined by the town board and the property served shall be assessed pursuant to the provisions of Wis. Stats. §66.0701, §66.0703 and §66.0721.
- b) The total cost of any public improvement to be paid in whole or in part by special assessment shall include the direct and indirect costs reasonably attributable thereto including, but not limited to, materials, supplies, labor, equipment, site preparation and restoration, damages occasioned by the public improvement, interest on bonds or notes issued in anticipation of the collection of assessments, and a reasonable charge for engineering, legal and administrative costs.
- c) The total assessment for any public improvement shall be based upon the total cost, as described in subsection (b) of this section, - and shall be apportioned among the individual parcels benefited. Such apportionment shall generally be computed on a lineal frontage basis unless the town board otherwise determines that extenuating circumstances required a different method of assessment.

Section 2: **SPECIAL ASSESSMENTS PROCEDURE**

§94-22 Applicability.

In addition to other methods provided by law, special assessments for any public work or improvement or any current service may be levied in accordance with the provisions of this section.

§94-23 By Resolution.

Whenever the town board shall determine that any public work or improvement or any current service shall be financed in whole or in part by special assessments levied under this section, it shall adopt a resolution specifying this intention and the time, either before or after completion of the work or improvement, when the amount of the assessments will be determined and levied, the number of annual installments, if any, in which assessments may be paid, the rate of interest to be charged on the unpaid balance and the terms on which any of the assessments may be deferred while no use of the improvement is made in connection with the property.

§94-24 State Provisions; Exceptions.

The provisions of Wis. Stats. §66.0703 and §66.0721 shall apply to special assessments levied under this section except that, when the town board determines by resolution that the hearing on the assessments be held

subsequent to the completion of the work or improvement or the rendering of the service, the report required by Wis. Stats. § shall contain a statement of the final cost of the work, service or improvement in lieu of an estimate of the cost.

§94-25 Public Hearing.

Notice of the time and place of the public hearing on any special assessment proposed to be levied and notice of the final assessment and terms of payment thereof shall be given in the manner prescribed by Wis. Stats. §66.0701.

§94-26 Lien Against Assessed Property.

Any special assessment levied under this section shall be a lien against the property assessed from the date of the final resolution of the town board determining the amount of the levy.

Appeal.

Any person against whose property a special assessment is levied under this section may appeal therefrom in the manner prescribed by Wis. Stats. §66.0701 within 40 days of the date of the final determination of the town board.

Section 5: EFFECTIVE DATE.

This ordinance shall take effect upon passage, postage, and publication as required by §60.80, Wis. Stats.

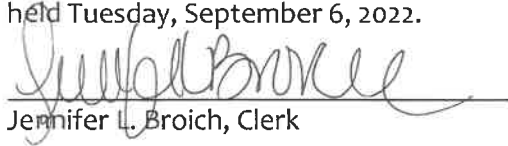
ADOPTED this 6th day of September, 2022.



Philip J. Danen, Town Board Chairman
Town of Ledgeview, Brown County, WI

ATTEST:

I, Jennifer L Broich, Clerk of the Town of Ledgeview, do hereby certify that this is a true and correct copy of the original ordinance required by law to be in my custody and which was adopted by the Town of Ledgeview at a meeting held Tuesday, September 6, 2022.



Jennifer L. Broich, Clerk

Published: September 12, 2022

Posted: September 9, 2022