

CHAPTER 153: IMPROVEMENTS

*Was this
a federal/state
guideline
all put in
in 93*

Section

General Provisions

- 153.001 Definitions
- 153.002 Cost advancement method
- 153.003 Storm sewers

Procedure

- 153.015 Petition for public work or improvement
- 153.016 Initial resolution
- 153.017 Committee report
- 153.018 Costs and fees
- 153.019 Public hearing
- 153.020 Final resolution
- 153.021 Construction
- 153.022 Collection of assessments

Special Considerations

- 153.035 Lots with double frontage
- 153.036 Corner lots
- 153.037 Irregular shaped lots
- 153.038 Little or no actual frontage
- 153.039 Length of extension
- 153.040 Existing facilities
- 153.041 Replacement and maintenance
- 153.042 Nonprofit property owners
- 153.043 Extraterritorial extensions

Payment of Assessment

- 153.055 Due date
- 153.056 Exceptions
- 153.057 Extensions or deferred payments
- 153.058 Waiver of interest on deferred payments

- 153.059 Deferment of payment of special assessments
- 153.060 Tax delinquent land
- 153.061 Procedure for annual installments

Water Main Extensions

- 153.075 General
- 153.076 Assessment rate
- 153.077 Costs not assessable
- 153.078 Water services required
- 153.079 Water services not required
- 153.080 Charges for services
- 153.081 Water boost stations

Sanitary Sewer Extensions

- 153.090 General
- 153.091 Assessment rate
- 153.092 Costs not assessable
- 153.093 Laterals required
- 153.094 Laterals not required
- 153.095 Charges for laterals
- 153.096 Sewage lift stations

Street and Sidewalk Improvements

- 153.110 General
- 153.111 Right-of-way
- 153.112 Grading
- 153.113 Gravel base course
- 153.114 Curb and gutter
- 153.115 Street surfaces
- 153.116 Alleys
- 153.117 Driveways
- 153.118 Sidewalks

Special Charges for Current Services and Hearing

- 153.130 Special charges for current services may be imposed
- 153.131 Hearing procedure
- 153.132 Delinquent special charges

GENERAL PROVISIONS**§ 153.001 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CORNER LOT. A lot with adjacent sides fronting on streets with the frontage on the two streets equal to approximately 50% of the perimeter of the lot.

LOT. A parcel of land adequate in size to allow construction of a residential dwelling in accordance with city requirements. Property of sufficient size to be developed as more than one lot shall not be considered a **LOT** when determining maximum assessments as irregular shaped lots or as lots with double frontage.

SEWER LATERAL. Sanitary sewer connecting a single property or building with the sewer main.

SEWER MAIN. Sanitary sewer installed within a public easement or right-of-way for the purpose of serving adjacent properties.

WATER LATERAL. Water line connecting a single property or building to a water main.

WATER MAIN. Water main four inches in diameter or larger installed within a public easement or right-of-way.
(Ord. 143A, passed 12-6-93; Am. Ord. 143B, passed 10-5-95)

153.002 COST ADVANCEMENT METHOD.

(A) Improvements shall be financed by cost advancements when determined advisable by the Common Council. In general, the cost advancement method shall be used only when application is made for improvements which would require the extensions through sparsely occupied areas to serve such applicant or through areas which in the judgment of the Common Council are unlikely to develop extensively within the next ten years.

(B) Where extensions are authorized on a cost advancement basis, the procedure shall be as follows:

(1) The applicant shall deposit with the City Treasurer a sum equal to the estimated total amount that would have been assessed to all property which would have been assessed under the front foot method.

(2) Such deposit shall be made before construction is started or contracted. If the actual apportionable cost shall be less than the amount deposited, the excess of the deposit over the cost shall be refunded to the applicant within 30 days after payment for the completed project. If the apportionable cost shall exceed the deposit, the applicant shall pay the deficiency prior to the granting of water or sanitary sewer service.

(3) When additional customers are connected to a city service which was originally financed in part by customers, the city will require a contribution from each new customer in an amount that would have been assessed under the normal front foot method. This amount shall then be refunded pro rata to all contributors along the extension whose remaining contribution still exceeds what would have been assessed under the front foot method.

(4) When refunds have reduced the contribution of any contributor to the applicable assessment per front foot, no further refund will be made to that individual. After all refunds have been made, the remaining premises that may connect will be charged at the rate per front foot established for the extension.

(5) When an extension beyond an existing extension is required to serve a new customer and the cost for a customer exceeds the average remaining contribution in the original extension, then the new extension will be considered as an entirely new project without refunds or other connection with the original extension.

(6) The development period during which refunds shall be made will be limited to 20 years.
(Ord. 143A, passed 12-6-93)

§ 153.003 STORM SEWERS.

(A) It shall be the policy of the city to bear the entire cost of storm sewers. Storm sewers are installed prior to street improvements and as needed to alleviate drainage problems.

(B) The city is not responsible for draining private property through laterals. In general, the city will install inlets in the street and ditches to receive storm water.
(Ord. 143A, passed 12-6-93)

PROCEDURE

§ 153.015 PETITION FOR PUBLIC WORK OR IMPROVEMENT.

(A) Property owners desiring sewer, curb and gutter, sidewalk, or street improvements or any other public work or improvement (herein assessable improvements) should file a petition with the City Clerk signed by the property owners of 50% of the abutting frontage.

(B) Where a property owner or group of property owners desire assessable improvements but cannot obtain the necessary signatures to represent over 50% of the abutting frontage, they may request the extension of the service under the "Cost

Advancement" policy of the city. Such a request should be made by placing a letter on file with the City Clerk. The letter should contain the same information as required by the petition.

(C) The Common Council may, by resolution, declare its preliminary intent to create an assessable improvement on its own motion by adopting an initial resolution described herein.
(Ord. 143A, passed 12-6-93)

§ 153.016 INITIAL RESOLUTION.

Following receipt of a petition, the Common Council will adopt an initial resolution indicating the Council is considering an assessable improvement and shall contain:

(A) General description of project;

(B) A statement that an assessment of property owners for improvements is being considered;

(C) Limits of assessment district;

(D) Method of paying assessments or indication that the method will be established at public hearing.
(Ord. 143A, passed 12-6-93)

§ 153.017 COMMITTEE REPORT.

At the request of the Common Council, the City Planning Commission will prepare a report, to be placed on file in the Office of the City Clerk, including:

(A) Feasibility determination;

(B) Preliminary plans;

(C) Cost estimate;

(D) Proposed assessment method;

(E) Recommendation to Common Council.
(Ord. 143A, passed 12-6-93)

§ 153.018 COSTS AND FEES.

(A) The cost of any work or improvement to be paid in whole or in part by special assessment on property may include, but is not limited to, the direct and indirect cost thereof, the damages occasioned thereby, the interest on bonds or notes issued in anticipation of the collection of the assessments, a reasonable charge for the services of the administrative staff of the city and the cost of any architectural, engineering, and legal services, and any other items of direct or indirect cost which may reasonably be attributed to the proposed work or improvement.

(B) The amount to be assessed against all property for any such proposed work or improvement shall be apportioned among the individual parcels in the manner designated by the Common Council.

(C) Service fee on public improvements or work subject to special improvements.

(1) *Fee imposed.* There is hereby imposed upon every public improvement and work subject to special assessment a fee of 1% of the cost of the amount which is assessed for the project to pay for administrative, miscellaneous engineering, clerical, and legal services.

(2) *Included within borrowing.* The 1% service fee should be included within the amount borrowed to pay for the project, if borrowing is used.

(3) *General fund.* The amount collected for the 1% service fee shall be paid into the general fund upon receipt.
(Ord. 143A, passed 12-6-93)

§ 153.019 PUBLIC HEARING.

(A) The Common Council will hold a public hearing, based on preliminary plans and cost estimates, prior to levying assessments.

(B) The hearing may be waived if 100% of the adjacent property owners have signed the petition requesting the service. If the public hearing is unsuccessful because of excessive opposition to the levying of assessments to abutting property owners, the project maybe paid for on the "Cost Advancement" basis.

(Ord. 143A, passed 12-6-93)

§ 153.020 FINAL RESOLUTION.

(A) Following the public hearing, the Council may approve, disapprove, or modify the proposed project. When the Council feels the project and assessments acceptable, a final resolution will be adopted to legally authorize the work and levy the assessment.

(B) Any person against whose land a special assessment is levied under this section may appeal therefrom in the manner prescribed in Wis. Stats. § 66.0703(12) within 40 days of the date of mailing the resolution pursuant to Wis. Stats. § 66.0703(8)(d).
(Ord. 143A, passed 12-6-93)

§ 153.021 CONSTRUCTION.

The resolution authorizes the city to carry out the construction of the improvement.

(Ord. 143A, passed 12-6-93)

§ 153.022 COLLECTION OF ASSESSMENTS.

As soon as a contract for any part of the improvement has been awarded, the special

assessment may be collected in accordance with this policy.
(Ord. 143A, passed 12-6-93)

SPECIAL CONSIDERATIONS

§ 153.035 LOTS WITH DOUBLE FRONTAGE.

Where lots front on two streets on opposite sides and do not classify as a corner lot, the following procedure shall be followed. The lots shall be assessed for 100% of the frontage on the first side served and for 20% of the frontage on the second side.
(Ord. 143A, passed 12-6-93)

§ 153.036 CORNER LOTS.

If service is given on the short side of the lot, the assessment will be for 100% of the frontage on the short side. If service is provided only on the long side of the lot, the lot shall be assessed for the frontage on the short side, plus the frontage on the long side exceeding 132 feet.
(Ord. 143A, passed 12-6-93)

§ 153.037 IRREGULAR SHAPED LOTS.

Lots which front on more than two streets and classify as a corner lot shall be assessed as a corner lot. The maximum combined assessable frontage shall not be greater than the length of the longest side exceeding 132 feet plus the length of the second longest side.
(Ord. 143A, passed 12-6-93)

§ 153.038 LITTLE OR NO ACTUAL FRONTAGE.

(A) If lots should exist with little or no actual frontage abutting the improvements but a direct benefit

is realized from the improvement, the lot shall be assessed on the minimum front footage allowable under the zoning code of that area.

(B) Lots which have frontage of 20% or more or 20% less than the average width of the lot shall be measured at a point 20 feet back from the street line and parallel to the street in order to determine assessable frontage.
(Ord. 143A, passed 12-6-93)

§ 153.039 LENGTH OF EXTENSION.

(A) Platted lots served by the sewer or water extensions shall be assessed for the full footage whether or not the main abuts the full frontage.

(B) Unplatted areas shall be assessed only for frontage abutting the sewer or water main unless the main adequately serves the full frontage.
(Ord. 143A, passed 12-6-93)

§ 153.040 EXISTING FACILITIES.

Property presently served by mains not fronting on the property and property being served by sewers or water mains not classified as main sewers or water mains and not previously assessed will be assessed for new mains at one-half the regular assessment rate.
(Ord. 143A, passed 12-6-93)

§ 153.041 REPLACEMENT AND MAINTENANCE.

The city shall maintain sewer and water mains and replace sections where necessary without any additional assessment to the properties.
(Ord. 143A, passed 12-6-93)

§ 153.042 NONPROFIT PROPERTY OWNERS.

Present use of property by nonprofit organizations does not reduce or eliminate assessments

because the property itself is benefitted directly and the use of property may change.

(Ord. 143A, passed 12-6-93)

§ 153.043 EXTRATERRITORIAL EXTENSIONS.

Normally, the city will not consider extensions of sewer or water facilities to areas outside the city limits. Following receipt of an acceptable annexation petition, the city will consider a request for improvements under the normal procedures set forth in this policy.

(Ord. 143A, passed 12-6-93)

PAYMENT OF ASSESSMENT

§ 153.055 DUE DATE.

Special assessments shall be paid prior to the first December 1 following receipt of billing of the assessable improvement. Assessments not paid prior to December 1 will be placed on the tax rolls for collection over a three-year period with an interest rate of 8% per year charged beginning December 1.

(Ord. 143A, passed 12-6-93)

§ 153.056 EXCEPTIONS.

In certain special instances or in cases of hardship, the Common Council may authorize payment in five equal annual installments with 8% interest per annum on the unpaid balance.

(Ord. 143A, passed 12-6-93)

§ 153.057 EXTENSIONS OR DEFERRED PAYMENTS.

When the total assessment for various improvements exceeds \$1,000 and when the property is undeveloped or unplatted, the owner may petition

the city for an extension of time for repayment not to exceed ten years. Payments may be deferred by a majority vote of the Common Council. Deferred payments may be made in five equal annual installments at the end of five years or in a lump sum at the end of ten years. The assessment shall bear an interest rate of 8% per annum from the date of billing. The interest on the unpaid balance shall become due annually.

(Ord. 143A, passed 12-6-93)

§ 153.058 WAIVER OF INTEREST ON DEFERRED PAYMENTS.

The city may waive the interest on deferred payments providing the property owners dedicate the necessary right-of-way for construction purposes.

(Ord. 143A, passed 12-6-93)

§ 153.059 DEFERMENT OF PAYMENT OF SPECIAL ASSESSMENTS.

(A) Upon application to the City Clerk, within 30 days of the date of the special assessment notice, the due date of any special assessment levied under this section may be deferred on such terms and in such manner as prescribed by the Common Council in the final resolution.

(B) Such deferment may be approved for the following situations:

(1) Assessments levied for sanitary sewer, water main, storm sewer, street grading and base construction, bituminous surfacing, concrete paving, curb and gutter and sidewalk improvements abutting undeveloped and vacant properties that are 2½ acres or more in area or have 330 feet or more of frontage served by the improvement.

(2) Properties that are 2½ acres or more in area and have on residential dwelling so located on the parcel that the dwelling site is an excessive distance from the street or right-of-way in which the improvements are installed or the extension of services

to the dwelling is impractical shall, upon determination of the Common Council after an investigation and report by the City Engineer, be considered undeveloped and vacant for the purpose of this section.

(3) A deferment on the principal and interest of a special assessment for the installation of water for up to 300 feet of the assessable frontage of a single parcel when the property abuts a transmission line, the property is used for residential purposes, the property has an existing and adequate water supply and until such time as the property owner connects to the water system or ten years from adoption of the resolution levying the special assessment, whichever is sooner.

(C) The City Clerk shall keep a record of all deferred assessments. The annual tax bill for each property subject to a deferred special assessment shall indicate this is by inserting the word "DEFERRED" under the special assessment column and listing the type of improvement by the assessment code on the bill.

(D) Prior to the issuance of any building or plumbing permit, the Building Inspector or the Plumbing Inspector shall refer the application for a permit to the City Clerk and the City Engineer to determine if a deferred assessment is outstanding against the parcel involved.

(E) (1) If assessments are deferred under this subsection, the first installment of that portion deferred shall be due and payable upon and interest at the rate prescribed in the final resolution shall start to accrue from:

(a) The date of the granting of a building permit to build upon any portion of the premises against which a special assessment is outstanding;

(b) The date of the granting of a permit for connection of any portion of such premises to the city's sanitary sewer, storm sewer, or water mains;

(c) The date of the approval by the Common Council of a final plat or certified survey map of any portion of the premises against which a special assessment is outstanding;

(d) The date that the premises against which a special assessment is outstanding is put to any use other than an agricultural one.

(2) The first installment if not paid on the due date shall be entered on the property tax bill for the year in which a permit was granted or plat or certified survey map was approved.

(3) The remaining annual installments shall be entered on the annual property tax bill and be due and payable each year thereafter with the property taxes, unless otherwise provided in the resolution.

(F) If the property against which the special assessments are levied is subdivided, the Common Council may, prior to approval of the final plat or certified survey map, determine that portion of the assessment for which the subdivided parcel or parcels is liable, and adopt a resolution amending the Engineer's report as confirmed to reflect such determination.

(Ord. 143A, passed 12-6-93)

§ 153.060 TAX DELINQUENT LAND.

If a tax certificate is issued under Wis. Stats. § 74.57, as amended, for property which is subject to a special assessment that is deferred, the amount of any deferred special assessment shall be due on the date that the tax certificate is issued and shall be payable as are other delinquent special assessments from any monies received under Wis. Stats. §§ 75.05 or 75.36, as amended.

(Ord. 143A, passed 12-6-93)

§ 153.061 PROCEDURE FOR ANNUAL INSTALLMENTS.

Any special assessments payable in annual installments shall be ordered under the procedure of Wis. Stats. § 66.0715(3), as amended. (Ord. 143A, passed 12-6-93)

WATER MAIN EXTENSIONS**§ 153.075 GENERAL.**

Extensions of water mains shall be allowed when it is determined by the city to be in the best interest of the public or necessary for public health and safety. Extensions and construction of water mains shall be in accordance with the rules of the water utility. (Ord. 143A, passed 12-6-93)

Cross-reference:

City water regulations, see Ch. 51

§ 153.076 ASSESSMENT RATE.

Special assessments for water mains shall be determined according to benefits and levied on a front foot basis. The amount levied for each front foot of benefitting abutting property on each side of the street shall be determined as follows: the total estimated assessable cost of the extension, including legal services, finance carrying charges, engineering, inspection, grading, and the necessary street resurfacing and other direct and indirect costs shall be determined. Such amount shall be divided by the total number of assessable front feet of property served by the main.

(Ord. 143A, passed 12-6-93)

§ 153.077 COSTS NOT ASSESSABLE.

(A) *Water main.* The portion of any water main in excess of eight inches in diameter except when service required is more than normally required as in

the case of "sprinklered" buildings. When more than normal services are requested by the customer, the customer shall pay all additional costs incurred as a result of the special service. For purposes of this policy, normal service shall be considered to be 500 g.p.m. at a residual pressure of 20 p.s.i.

(B) *Fire hydrants.* Appurtenances installed for fire protection such as hydrants, hydrant valves, and hydrant leads shall be unassessable.

(C) *Excessive nonassessable frontage.* When the nonassessable frontage exceeds 20% of the total frontage for the project, the city shall be responsible for the amount of assessment that would be levied against the properties in excess of 20%.

(D) *Replacement of existing water mains.*

(1) Property not previously assessed for existing mains, which are presently inadequate, will be assessed for new mains at one-half the regular assessment rate. Property previously assessed for water service will not be assessed for main replacement.

(2) Property presently served by a water main not fronting on the property shall be assessed for new extensions fronting on the property at one-half the regular assessment rate.

(3) Property presently served by private lines will be assessed for new mains at one-half the regular assessment rate. The Utility Commission shall determine whether existing lines classify as private lines.

(E) *Replacement of existing water services.* When existing services are deemed inadequate because of deterioration, the cost of replacement shall be nonassessable.

(F) *Connection of existing services to new mains.* The city will connect existing services to new water mains during replacement of private lines or

inadequate mains. All related costs for this construction shall be nonassessable.
(Ord. 143A, passed 12-6-93)

§ 153.078 WATER SERVICES REQUIRED.

Water services shall be extended to the property line in platted areas and to all improved properties:

- (A) When new water extensions are completed;
- (B) Before curb and gutter is installed in the street;
- (C) Before any street is paved or reconstructed;
- (D) One service shall be extended for each lot or building to be served.
(Ord. 143A, passed 12-6-93)

§ 153.079 WATER SERVICES NOT REQUIRED.

Water services will not be required on the following unimproved properties.

- (A) Vacant lot or portion of a lot which is too small for a building lot under the City Building Code and zoning code and including where the present dwelling is located on a portion of two or more lots precludes the possibility of another dwelling being placed thereon;
- (B) Heavy industrial areas;
- (C) Light industrial areas; and
- (D) Properties which, in the judgment of the Common Council, will not likely develop in the foreseeable future or where the pattern of development cannot be determined.
(Ord. 143A, passed 12-6-93)

§ 153.080 CHARGES FOR SERVICES.

The entire cost of installing and maintaining water services shall be paid by the lot owners. The city may install services where necessary and charge the cost to the property owners.
(Ord. 143A, passed 12-6-93)

§ 153.081 WATER BOOST STATIONS.

(A) *Costs to be assessable.* The entire costs of providing water pressure booster stations and related appurtenances shall be assessable to the benefitting properties.

(B) *Assessment for water main lateral.* The assessment for water main laterals installed from the water main to the private property line shall be based upon an accepted contract bid price quotation plus 16% for administrative, engineering, and inspection fees. The owner, his or her agent, or heirs of such property shall be assessed a lump sum for each lateral installed.

(C) *Determination of assessment.* The Director of Public Works shall make an annual estimate of the service charges for fire protection service to such district to be included in the annual tax roll.

(D) *Special fund.* All monies collected for fire service protection by the Treasurer shall be deposited in a special account set aside for that purpose.

(E) *Withdrawals from special fund.* The Common Council shall approve claims for fire service charges, and payments shall be made by the City Clerk from the special fund.
(Ord. 143A, passed 12-6-93)

SANITARY SEWER EXTENSIONS**§ 153.090 GENERAL.**

Extensions of sanitary sewers shall be allowed when it is determined by the Common Council to be in the best interest of the public or necessary for public health and safety.

(Ord. 143A, passed 12-6-93)

§ 153.091 ASSESSMENT RATE.

Special assessments for sanitary sewers shall be determined according to benefits and levied on a front foot basis. The amount levied for each front foot of benefitting abutting property on each side of the street shall be determined as follows: the total estimated assessable cost of the extension, including legal services, finance carrying charges, engineering, inspection, grading and the necessary street resurfacing, and other direct and indirect costs shall be determined. Such amount shall be divided by the total number of assessable front feet of property served by the sewer.

(Ord. 143A, passed 12-6-93)

§ 153.092 COSTS NOT ASSESSABLE.

(A) *Sanitary sewers.* The portion of any sewer main except when service required is more than normally provided, as in the case of "wet" industries. When more than normal service is requested by a consumer, the consumer shall pay all additional costs incurred as a result of the special service.

(B) *Excessive nonassessable frontage.* When the nonassessable frontage exceeds 20% of the total frontage for the project, the city shall be responsible for the amount of assessment that would be levied against the property in excess of 20%.

(C) Replacement of existing sewers.

(1) Property not previously assessed for existing sewers which are presently inadequate shall be assessed at one-half the regular assessment rate. Properties previously assessed for sewer services shall not be assessed for sewer replacement.

(2) Property presently served by sewers not fronting on the property shall be assessed for new extensions fronting on the property at one-half the regular assessment rate.

(3) Property presently served by private lines will be assessed for new services at one-half the regular assessment rate. The city shall determine whether existing lines classify as private lines.

(D) *Replacement of existing laterals.* When existing laterals are deemed inadequate because of deterioration, the costs of replacement shall be nonassessable.

(E) *Connection of existing laterals to new sewers.* The city will connect existing laterals to new sewers during replacement of private lines or inadequate sewers. All related costs for this construction shall be nonassessable.

(Ord. 143A, passed 12-6-93; Am. Ord. 143B, passed 10-5-95)

§ 153.093 LATERALS REQUIRED.

Laterals shall be extended to the property line in platted areas and all improved properties:

(A) When new sewer extensions are completed;

(B) Before curb and gutter is installed in the street;

(C) Before any street is paved or reconstructed;

(D) One lateral shall be extended for each lot or building to be served.
(Ord. 143A, passed 12-6-93)

§ 153.094 LATERALS NOT REQUIRED.

Laterals will not be required on the following unimproved properties:

(A) Vacant lot or portion of a lot which is too small for a building lot under the City Building Code and zoning ordinance and including where the present dwelling is located on a portion of two or more lots precludes the possibility of another dwelling being placed thereon;

(B) Heavy industrial areas;

(C) Light industrial areas;

(D) Properties which, in the judgment of the Common Council, will not likely develop in the foreseeable future or where the pattern of development cannot be determined.
(Ord. 143A, passed 12-6-93)

§ 153.095 CHARGES FOR LATERALS.

The entire cost of installing and maintaining sewer laterals shall be paid by the lot owners. The city may install laterals where necessary and charge the cost to the property owners.
(Ord. 143A, passed 12-6-93)

§ 153.096 SEWAGE LIFT STATIONS.

The entire costs of sewage pumping stations and appurtenances shall be assessable to the benefitting properties.
(Ord. 143A, passed 12-6-93)

STREET AND SIDEWALK IMPROVEMENTS

§ 153.110 GENERAL.

The city improves streets and sidewalks at the request, by petition, of adjacent property owners and where it becomes necessary to facilitate the movement of traffic. Normally, the city will improve segments of one block in length or more. Smaller units will be allowed only by special consideration of the Council.
(Ord. 143A, passed 12-6-93)

§ 153.111 RIGHT-OF-WAY.

The right-of-way is dedicated in all plats. No street will be improved unless adequate right-of-way has been established.
(Ord. 143A, passed 12-6-93)

§ 153.112 GRADING.

When requested or necessary, the city will grade streets. The total cost of this grading shall be paid for entirely by the adjoining property owners. The total estimated apportionable cost of the improvement, including legal services, finance carrying charges, engineering and inspection, and other direct and indirect costs shall be determined. Such amount shall be divided by the total number of assessable front feet of property served by the street.
(Ord. 143A, passed 12-6-93)

§ 153.113 GRAVEL BASE COURSE.

When requested or necessary to facilitate the movement of traffic, the city will provide gravel base course on streets only after grading has been completed. The total cost of this gravel base course shall be paid for entirely by the adjoining property owners. The total estimated apportionable cost of the improvement, including legal services, finance carrying charges, engineering and inspection, and

other direct and indirect costs shall be determined. Such amount shall be divided by the total number of assessable front feet of property served by the street. Graveled surfaces previously assessed shall be maintained and replaced as necessary by the city. (Ord. 143A, passed 12-6-93)

§ 153.114 CURB AND GUTTER.

(A) Curb and gutter shall be installed only after a petition has been approved by the Common Council. The Common Council of the city reserves the right to construct curb and gutter at the expense of the abutting property owners as a part of any street improvement project and to authorize the construction of said curb and gutter as part of the contract for the street improvements.

(B) New curb and gutter shall be installed in units of one block or more and shall be installed only after adequate storm sewers or surface drainage facilities have been provided for.

(C) The total cost of curb and gutter shall be paid by adjacent property owners. The method of determining the assessment rate shall be as follows: the total estimated apportionable cost of the improvement, including legal services, finance carrying charges, engineering, inspection, grading and the necessary street resurfacing and other direct and indirect costs shall be determined. The amount shall be divided by the total number of assessable front feet of property served by the new curb and gutter.

(D) Curb and gutter previously assessed shall be maintained and replaced as necessary by the city. (Ord. 143A, passed 12-6-93)

§ 153.115 STREET SURFACES.

Graded and graveled streets in all improved areas as required for the movement of traffic will be provided under §§ 153.112 and 154.113. Additional improvements to the street surface will be considered

by the city as requested by petition of adjacent property owners if underground improvements and curb and gutter have been installed. These additional improvement of street surfaces shall be paid for entirely by the city.

(Ord. 143A, passed 12-6-93)

§ 153.116 ALLEYS.

Alleys are generally not acceptable in new subdivisions. Dedicated alleys will be graded and graveled subject to the same condition for streets in §§ 153.112 and 153.113.

(Ord. 143A, passed 12-6-93)

§ 153.117 DRIVEWAYS.

Property owners are responsible for construction and maintenance of driveways. Driveway openings are installed for existing homes when curb and gutter is installed. New driveway entrances must be concrete in the curb area and conform to the grade of a curb. Adequate provision shall be made to prevent debris from entering the street. The design, construction, and contractor qualifications for all driveway entrances shall be subject to approval of the Street Committee.

(Ord. 143A, passed 12-6-93)

§ 153.118 SIDEWALKS.

(A) Sidewalks shall be installed, repaired, or replaced as requested by petition by either the Street Committee or by the adjacent property owners and as ordered by the Common Council.

(B) The design, construction and contractor qualifications for all sidewalk improvements shall be subject to approval of the Street Committee.

(C) The method of determining the assessment rate shall be as follows: the total estimated apportionable cost of the improvement including legal services, finance carrying charges, engineering,

inspection, grading, and other direct and indirect costs shall be determined. Such amount shall be divided by the total number of assessable front feet of property benefitted.

(D) The cost of sidewalk installation repair or replacement shall be paid as follows:

(1) Repair or replacement of existing sidewalks shall be paid 50% by adjacent property owners and 50% by the city;

(2) Cost of new sidewalks in areas where there was no previous sidewalk shall be paid entirely by the adjacent property owners.
(Ord. 143A, passed 12-6-93)

SPECIAL CHARGES FOR CURRENT SERVICES AND HEARINGS

§ 153.130 SPECIAL CHARGES FOR CURRENT SERVICES MAY BE IMPOSED.

In addition to all other methods provided by law or by this chapter or any ordinance of the city, special charges for current services rendered may be imposed by the city by allocating all or part of the cost to the property served. Special charges for current services may include, without limitation because of enumeration, snow and ice removal, weed elimination, street sprinkling, oiling and tarring, repairing of sidewalk or curb and gutter, garbage and refuse disposal, sewer service, and tree care.
(Ord. 143A, passed 12-6-93)

§ 153.131 HEARING PROCEDURE.

The city shall hold a hearing on any proposed special charge for current services as to whether the service in question shall be performed at the cost of the property owner, at which hearing anyone interested will be heard. Notice of the hearing shall be

published at least 20 days before the hearing or proceeding as a Class 1 notice under Wis. Stats. Ch. 985, and a copy of the notice shall be mailed at least ten days before the hearing or proceeding to every interested person whose post office address is known or can be ascertained with reasonable diligence. Notice and hearing may be waived in writing by all owners of the property affected by these special charges for current services.

(Ord. 143A, passed 12-6-93)

§ 153.132 DELINQUENT SPECIAL CHARGES.

Special charges for current services shall not be payable in installments. If not paid within the period fixed by the Common Council, such a delinquent special charge shall become a lien as provided in Wis. Stats. § 66.0703(13) and shall automatically be extended upon the current or next tax roll as a delinquent tax against the property and all proceedings in relation to the collection, return in sale of property for delinquent real estate taxes shall apply to such special charge.

(Ord. 143A, passed 12-6-93)