

**ORDINANCE 1029**

**AMENDING IMPACT FEES**

THE CITY COUNCIL OF THE CITY OF LAKE MILLS, JEFFERSON COUNTY, WISCONSIN, DOES ORDAIN AS FOLLOWS:

Section 1. Section 7-11-2-E of the Lake Mills Municipal Code, which lists the types of public facilities for which impact fees may be imposed, is amended by adding "other recreational facilities, if those facilities have been substantially completed by June 14, 2006."

Section 2. Section 7-11-4 of the Lake Mills Municipal Code is repealed and recreated as follows:

7-11-4: **IMPACT FEE REVENUE ADMINISTRATION:** All revenues from impact fees that have been or will be imposed or collected under this impact fee chapter, and any future amendments thereto, shall be collected and expended and refunded as specified in Wis. Statutes § 66.0617.

Section 3. Section 7-11-6 is repealed and recreated as follows:

7-11-6: **PAYMENT OF IMPACT FEE:** All required impact fees shall be payable in full by the developer or the property owner to the City Clerk-Treasurer prior to the issuance of a building permit.

Section 4. Section 7-11-8 is amended by repealing and recreating it as follows:

7-11-8: **SEWER IMPACT FEES:** The basis for the imposition of sewer impact fees is the facilities needs assessment report and its attachments, "Wastewater Treatment and Sanitary Sewer Facilities Need Assessment," which is on file in the office of the City Clerk. The sewer impact fees, which were originally imposed in 1996, and which are subject to annual adjustments based on the consumer price index, are to be paid in accordance with section 7-11-6. The original, unadjusted sewer impact fees are shown in paragraph A, and are updated each July by resolution of the Council.

A.	<u>Meter Sizes</u>	<u>Impact Fee</u>
	1.0 inch	\$1,234
	1.25 inches	\$2,870
	1.5 inches	\$4,506
	2.0 inches	\$7,778
	Greater than 2.0 inches	As determined by the Public Works Board

Each dwelling unit in a multi-family structure shall be treated as an individual one-inch connection.

B. These fees do not apply in cases where an existing building is being hooked up to an existing sewer lateral or to a sewer lateral that has been replaced or repaired, unless the size of the meter is increased. In cases where an increase in the meter occurs, the differential between the existing sewer service and the expanded sewer service shall be the basis for determining the applicable impact fee, and such determination shall be made by the Public Works Board. If such fee becomes applicable, it shall be payable prior to the issuance of a building permit. If no building permit is issued, then such fee shall be payable prior to the issuance of any other required permits from the City of Lake Mills.

C. These fees shall be increased by resolution on July 1 of each year by a percentage amount equal to the Consumer Price Index from the previous calendar year.

- D. These impact fees shall be collected until all capital costs associated with specified projects in the "Wastewater Treatment and Sanitary Sewer Facilities Needs Assessment" report have been incurred and satisfied, unless such time period for collection or expenditure has been varied through Wis. Statutes § 66.0617.
- E. These impact fees shall be applicable to those properties which are located in the unincorporated areas identified in the City of Lake Mills sewer service area and which are required under sec. 4-7-10-1 to connect to sanitary sewer.

Section 5. Section 7-11-9 is amended by repealing and recreating as follows:

7-11-9: **WATER IMPACT FEES:** The basis for the imposition of water impact fees is the facilities needs assessment report and its attachments, "Water Facilities Needs Assessment," which is on file in the office of the City Clerk. The water impact fees, which were originally imposed in 1996, and which are subject to annual adjustments based on the consumer price index, are to be paid in accordance with section 7-11-6. The original, unadjusted sewer impact fees are shown in paragraph A, and are updated each July by resolution of the Council. Such unadjusted water impact fees are as follows:

A.	<u>Meter Sizes</u>	<u>Impact Fee</u>
	1.0 inch	\$1,596
	1.25 inches	\$3,711
	1.5 inches	\$5,826
	2.0 inches	\$10,055
	Greater than 2.0 inches	As determined by the Public Works Board

Each dwelling unit in a multi-family structure shall be treated as an individual one-inch connection.

- B. These fees do not apply in cases where an existing building is being hooked up to an existing water lateral or to a water lateral that has been replaced or repaired, unless the size of the meter is increased. In cases where an increase in the meter occurs, the differential between the existing water service and the expanded water service shall be the basis for determining the applicable impact fee, and such determination shall be made by the Public Works Board. If such fee is found to be applicable, it shall be payable prior to the issuance of a building permit, or if no building permit is issued or required, then prior to any other necessary permit.
- C. These fees shall be increased by resolution on July 1 of each year by a percentage amount equal to the Consumer Price Index from the previous calendar year.
- D. These impact fees shall be collected until all capital costs associated with specified projects in the "Water Facilities Needs Assessment" report have been incurred and satisfied, unless such time period for collection or expenditure has been varied through Wis. Statutes § 66.0617.

Section 6. Section 7-11-10 is amended by repealing and recreating as follows:

7-11-10: **PARK FACILITIES IMPACT FEES:** Nothing in this section shall limit the authority of the City to impose land dedication requirements contained elsewhere in the Code on developers as part of plat and certified survey map approvals under ch. 236, Wis. Stats. Notwithstanding the intent to impose land dedication requirements on developers, separate park impact fees shall be imposed on property owners in accordance with § 66.0617, Wis. Stats. Any dedication of land required by the developer shall be credited to land owners who shall be required under this chapter to pay park facilities impact fees if any such impact fee would be used to pay for the same capital costs for which the land dedication is required of the developer under ch. 236.

- A. The basis for the imposition of a Parks Facilities Impact Fee is the Facilities Needs Assessment report and its attachments, "Park Facility Needs Assessment", which is on file in the office of the City Clerk. The Parks Facility Impact Fee was originally computed in 1996 to be \$543.00 per residential dwelling unit. The park facilities impact fee is to be paid prior to the issuance of a building permit. Each unit in a multi-family structure shall be treated as an individual dwelling unit for the purposes of determining the impact fee.
- B. These fees shall be increased by resolution by July 1 of each year by a percentage amount equal to the Consumer Price Index from the previous calendar year.
- C. These impact fees shall be collected until all capital costs associated with specified projects in the "Parks Facilities Needs Assessment" report have been incurred and satisfied, unless such time period for collection or expenditure of individual fees has been varied Wis. Statutes § 66.0617.

Section 7. Sections 7-11-11, which was section 7-11-13 under Ordinance 738, is recreated as follows:

7-11-11: **COMMUNITY CENTER IMPACT FEE:** A Community Center is defined as a recreational facility and is therefore subject to funding through impact fees under the provisions of Wis. Stats. §66.0617. The basis for the imposition of a Community Center Impact Fee is the Facilities Report for the City of Lake Mills, dated February 27, 1995, and its attachments, which is on file in the office of the City Clerk. The Community Center Impact Fee originally imposed in 1996 was \$167.00 per residential dwelling unit and is to be paid prior to the issuance of applicable building permits. Each unit in a multifamily structure shall be treated as an individual dwelling unit for the purposes of determining this impact fee.

- A. These fees have been and will continue to be increased by resolution on July 1 of each year by a percentage amount equal to the Consumer Price Index from the previous calendar year.
- B. This impact fee shall be collected until all capital costs associated with specified projects in the "Facilities Assessment" report have been satisfied. The Community Center was constructed in 1998 and was substantially complete in 1999, and the fees may be collected no later than permitted under Wis. Stats. § 66.0617.

Section 8. This ordinance was not sponsored by a Council member under section 1-5B-5, because no sponsor was required as this ordinance was made necessary by the passage of 2007 Wisconsin Act 44.

Section 9. All ordinances or parts of ordinances inconsistent with or contravening the provisions of this ordinance are hereby repealed.

Section 10. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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Ed Grunden, Council President

Attest:

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James E. Heilman, City Clerk