

Chapter 81

CHARGE TO BENEFITING OWNERS FOR PROFESSIONAL SERVICES

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ARTICLE I General Provisions (Adopted July 6, 2006)

§81-1. Professional Fees Charged Back

The Town Treasurer shall charge property owners fees for services, pursuant to Wisconsin Statutes Section 66.0627, in the following circumstances:

- A. Whenever a property owner contacts the Town Attorney, Town Engineer, Town Planner and/or other of the Town's professional staff, whether such professional staff is employed by the Town or independently contracted, if said contact and subsequent service results in any charge to the Town of Pleasant Springs for professional time and services and said services are not a service supplied to the Town of Pleasant Springs as a whole, the Town Treasurer shall charge all such professional charges incurred by the Town to such property owner(s) pursuant to Wis. Stat. §66.0627; or
- B. Whenever the Town Chairman, Town Board, Town Clerk, or other Town official contacts the Town Attorney, Town Engineer, Town Planner, or any other professional on the Town's behalf, whether such professional(s) is/are employed by the Town or independently contracted, regarding an application received from a property owner, if said contact and subsequent service results in any charge(s) to the Town of Pleasant Springs for professional time and services and said service(s) are not supplied to the Town of Pleasant Springs as a whole, the Town Treasurer shall charge the professional charges incurred by the Town to such property owner(s) pursuant to Wis. Stat. §66.0627; or
- C. Whenever the Town incurs professional fees in considering any certified survey map(s), subdivision plat(s), re-zoning petition(s), conditional use permit petition(s) variances, site development application(s), and/or any other petition(s) and/or application(s) related to

the development, use, or improvement of land in the Town, the Town Treasurer shall charge the professional charges incurred by the Town to such property owner(s) pursuant to Wis. Stat. § 66.0627. For purposes of this subsection, "professional fees" shall include any charge(s) incurred by the Town from the Town Engineer, the Town Attorney, Town Planner or any other professional whether such professional is employed by the Town or independently contracted.

§ 81-2. Property Owner Allowed Time to Pay or Appeal.

The Town Treasurer shall give the property owner(s) invoiced for current services as provided for herein notice that they shall have a specified period of time not more than thirty (30) days from the date of invoice to pay. Said notice shall include an itemized statement of the professional services fees being charged to the property owner(s), and shall also state that the property owner has 15 days from the date of the notice to request a hearing before the Town Board regarding such itemized professional service fees. Thereafter, if the property owner requests a hearing within the proper time period, the matter shall proceed as described in subsection D below, entitled "Appeal to Town Board". If no hearing is requested within the required time period and any charge remains unpaid after 30 days, the Town Treasurer shall automatically charge all delinquent amounts, together with any interest and penalties, against the property on the tax roll as provided by law. In the event the statement rendered to the property owner becomes delinquent too late in the year to be extended on that year's tax roll, then the delinquent charges shall be extended to the following year's tax roll together with any interest and penalties.

§81-3. Establishing Interest and Penalty for Delinquent Amounts.

The rate of interest charged for delinquent amounts shall be 1% per month or portion thereof, and the penalty charged for delinquent amounts shall be 0.5% per month or portion thereof, for each month any balance remains unpaid after 30 days from the date of invoice.

§81-4. Appeal to Town Board.

Upon receipt of a timely request for hearing, the Town Board shall hold a hearing regarding the property charges at its next scheduled meeting or as soon thereafter as is feasible. Such hearing shall be preceded by posted public notice and reasonable notice, via first class mail, to the property owner. In the event a hearing is requested, no charges shall be placed on the tax roll unless and until such hearing has been held and a decision has been rendered by the Town Board approving the itemized professional service charges in whole or in part. Only that part of the itemized charges for special services approved by the Town Board may be placed on the tax roll after the property owner has been given 30 days to pay from the date of the Town Board hearing.

81-5. Collection Options.

The Town, in addition to, or instead of the above, may follow any other legal means to collect amounts due and owing under this Ordinance.

ARTICLE II Severability (Adopted July 6, 2006)

The several sections of this ordinance are declared to be severable. If any section or portion hereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or

unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

ARTICLE III Effective
Date (Adopted July 6,
2006)

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.