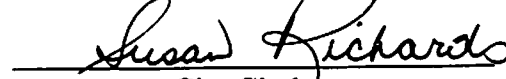


OFFICE OF THE CITY CLERK
Sheboygan, Wisconsin
CITY HALL

I hereby certify that this is a true copy of a
document from the Common Council
proceedings of the City of Sheboygan.


City Clerk

Gen. Ord. No. 42 - 16 - 17. By Alderpersons Belanger and Thiel.
February 6, 2017.

AN ORDINANCE repealing and recreating Section 110-37 of the Municipal Code relating to special assessments for street construction and resurfacing.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Section 110-37 of the Municipal Code is hereby repealed and recreated to read as follows:

"Sec. 110-37. Assessments.

In levying and collecting special assessments for public street improvements, the City shall proceed in the following manner:

(1) Whenever the Common Council shall deem it necessary in the best interest of the City to construct or cause to be constructed any such improvements, all or part of the cost of which is to be assessed against the property benefited, it shall follow the provisions of §66.0703, Wis. Stats., relating to the repaving and relating to the paving, resurfacing of streets and alleys and providing for the costs of constructing such and the manner of levying special assessments against the property benefited thereby. Said provisions are adopted by and for the city and shall be in full force and effect as ordinances of the city as if fully set forth in this section.

(2) Through the exercise of the city's police power, all special assessments for street improvements shall be levied against abutting property on a linear-foot basis. All assessments shall be based upon the full cost of each project levied per linear foot on the street or alley frontage.

(3) Each year, before introduction of the resolution authorizing letting of bids on public construction under this section, the Common Council shall, via resolution, establish a schedule of flat fees per foot to be levied. Multiple fees may be established related to different types of construction, including (but not limited to) construction, resurfacing, curb and gutter, etc. In no case may such flat fee exceed the maximum cost of construction allowed under §66.0703, Wis. Stats.

(4) Notwithstanding any other subsection of this section, the due date of any special assessment levied against property located within a general floodplain district (GFP) under the city's floodplain zoning ordinance or within a wetland area under the city's wetland ordinance

abutting on or benefited by the paving, repaving or resurfacing of a street or alley shall be deferred while no use of the street or alley is made in connection with the property. At such time as the property no longer qualifies for deferral of the special assessment, such expense may be paid in the manner and upon the terms provided in subsection (4)(d) and (e) of this section. Any such special assessment shall be a lien against the property from the date of the levy.

(5) Notwithstanding any other subsection of this section, the common council may, by resolution, permit the deferral of the due date of certain special assessments for grading and graveling streets in certain new residential subdivisions for five years and may permit payment thereafter in five equal annual installments, with interest at the rate in place at the commencement of the deferral accruing from the commencement of the deferral until paid in full, in accordance with guidelines established by resolution of the common council. However, any such certain special assessments for grading and graveling streets deferred under this subsection shall become due in full immediately upon sale of such lot. Any such special assessment for grading and graveling streets shall be a lien against the property from the date of the levy."

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

John B. X

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the 20th day of March, 2017.

Dated March 22, 2017. Susan Richards, City Clerk

Approved March 22, 2017. Michael J. Boudreau, Mayor

Proceedings Published March 27, 2017.

Ordinances Published March 27, 2017.

Certified March 27, 2017 to - Atty.; Ord. Book; Muni Code; Fin.
Dir./Treas.; CA