



Legislation Details (With Text)

**File #:** 20909      **Version:** 1      **Name:** Nonmetallic Mining Sites annual fees  
**Type:** Ordinance      **Status:** Passed  
**File created:** 12/27/2010      **In control:** BOARD OF PUBLIC WORKS  
**On agenda:** 2/1/2011      **Final action:** 2/1/2011  
**Enactment date:** 2/11/2011      **Enactment #:** ORD-11-00018

**Title:** Amending Sec. 21.33 of the Madison General Ordinances to increase the annual fees for nonmetallic mining sites.

**Sponsors:** Lauren Cnare

**Indexes:**

**Code sections:**

**Attachments:** 1. Nonmetallic Mining Annual Fee Estimate .2010.pdf

Date	Ver.	Action By	Action	Result
2/1/2011	1	COMMON COUNCIL	Adopt	Pass
1/19/2011	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
1/4/2011	1	COMMON COUNCIL	Referred	
12/27/2010	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

The new permit and annual fee requirement of non-metallic mine operations would result in an anticipated revenue increase of approximately \$1,064 per year. No appropriation is required.

**Title**

Amending Sec. 21.33 of the Madison General Ordinances to increase the annual fees for nonmetallic mining sites.

**Body**

DRAFTER'S ANALYSIS: This ordinance amends Sec. 21.33, MGO, to increase the annual fees for nonmetallic mining sites by \$85 above those set forth by the State Department of Natural Resources. The reason for this amendment is that the current fee structure does not adequately cover the actual costs to the City of administering the nonmetallic mining reclamation program. This adjustment will bring the annual fee in line with the actual costs incurred by the City for this program and will be effective February 1, 2011. \*\*\*\*\*

The Common Council of the City of Madison do hereby ordain as follows:

Section 21.33 entitled "Annual Fees" of the Madison General Ordinances is amended to read as follows:

**"21.33 ANNUAL FEES.** Operators of all nonmetallic mining sites subject to reclamation permits issued under this chapter shall pay annual fees to the City of Madison. Fees paid under this section shall include both a share for the Wisconsin Department of Natural Resources and a share for the City of Madison. Fees shall be calculated based on the number of unreclaimed acres of each site according to Wis. Admin. Code § NR 135.39(1)(a). The annual fee under this section shall be as set forth in Table 2 of Wis. Admin. Code § NR 135.39(4), plus an additional eighty-five dollars (\$85). Such fees apply to a calendar year or any part of a year in which nonmetallic mining takes place, until final reclamation is certified as complete under Sec. 21.35. Fees shall be paid no later than January 31 for the previous year. Fees paid under this section shall include a share for the Wisconsin Department of Natural Resources equal to the amount specified in Wis. Admin. Code § NR 135.39(3) and shall be forwarded to the Wisconsin Department of Natural Resources by March 31. For sites

on which no nonmetallic mining has taken place during a calendar year, fees to be paid under this section for the following year shall be \$15.00. ~~If the annual fee is greater than that established in Wis. Admin. Code § NR 135.39(4)(c), the City Engineer shall document in writing its estimated program costs and the need for its annual fees on or before June 1, 2001. This documentation shall be available for public inspection. This ordinance shall be effective February 1, 2011.~~