



Legislation Details (With Text)

File #: 74079 **Version:** 1 **Name:** Sidewalk, Curb, Gutter Special Assessment Procedures

Type: Ordinance **Status:** Passed

File created: 10/4/2022 **In control:** Attorney's Office

On agenda: 10/25/2022 **Final action:** 10/25/2022

Enactment date: 11/4/2022 **Enactment #:** ORD-22-00113

Title: Amending Sections 10.09(1) and (2) of the Madison General Ordinances to Address Changes to the Sidewalk, Curb and Gutter Special Assessment Procedures.

Sponsors: Grant Foster

Indexes:

Code sections:

Attachments: 1. Resolution74024MasterReport

Date	Ver.	Action By	Action	Result
10/25/2022	1	COMMON COUNCIL	Adopt Unanimously	Pass
10/17/2022	1	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
10/12/2022	1	BOARD OF PUBLIC WORKS	Return to Lead with the Recommendation for Approval	Pass
10/12/2022	1	COMMON COUNCIL	Refer	
10/12/2022	1	FINANCE COMMITTEE	Refer	
10/11/2022	1	COMMON COUNCIL	Refer	Pass
10/4/2022	1	Attorney's Office	Referred for Introduction	

Fiscal Note

No appropriation required for the proposed ordinance change. There is a companion resolution (Legistar file 74024) that provides additional details on the change in the special assessment policy.

Title

Amending Sections 10.09(1) and (2) of the Madison General Ordinances to Address Changes to the Sidewalk, Curb and Gutter Special Assessment Procedures.

Body

DRAFTER'S ANALYSIS: This amendment is being done contemporaneously with an amendment to the City's street improvement special assessment policy (File No. 74024). Under the updated street improvement special assessment policy, sidewalks and curbs will be assessable, but subject to a grant program that will pay for those costs. The City's current sidewalk repair program will be altered as well as part of these changes. To accommodate these changes in the City's assessment policy, it is necessary to remove this express assessment language in Sec. 10.09(1) and (2) since the formulas included in the ordinance would limit the City's options moving forward.

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

1. Subsection (1) entitled "Construction, Reconstruction, and Repair of Sidewalk" of Section 10.09 entitled "Construction, Reconstruction and Repair of Sidewalks, Terraces, Curbs and Gutters" of the Madison

General Ordinances is amended as follows:

- (1) Construction, Reconstruction, and Repair of Sidewalks . The provisions of Wis. Stat. § 66.0907 relating to the construction and repair of sidewalks are hereby adopted by reference thereto, ~~except that in every case of sidewalk repair or reconstruction the proportion of such cost shall be paid fifty percent (50%) by the City and fifty percent (50%) by the abutting property owners.~~

2. Subsection (2) entitled “Reconstruction, and Repair of Curbs and Gutters” of Section 10.09 entitled “Construction, Reconstruction and Repair of Sidewalks, Terraces, Curbs and Gutters” of the Madison General Ordinances is amended as follows:

- (2) Reconstruction, and Repair of Curbs and Gutters . The provisions of ~~Wis. Stat. § 66.0703(1)~~ or Wis. Stat. § 66.0701 and these ordinances shall be followed as a police power action in the case of reconstruction and repair of concrete curb and gutter ~~except that property deemed benefited by said reconstruction and repair shall be paid for fifty percent (50%) by the City and fifty percent (50%) by the benefited properties.~~