



Legislation Details (With Text)

**File #:** 51858      **Version:** 1      **Name:** 25-year installment payments for certain Special Assessments

**Type:** Ordinance      **Status:** Passed

**File created:** 5/25/2018      **In control:** FINANCE COMMITTEE

**On agenda:** 7/10/2018      **Final action:** 7/10/2018

**Enactment date:** 7/20/2018      **Enactment #:** ORD-18-00071

**Title:** Amending Sec. 4.08(1) to allow for 25-year installment payments for certain Special Assessments.

**Sponsors:** Paul R. Soglin, Paul E. Skidmore, Mark Clear

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
7/10/2018	1	COMMON COUNCIL	Adopt	Pass
6/25/2018	1	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
6/20/2018	1	BOARD OF PUBLIC WORKS	Return to Lead with the Recommendation for Approval	Pass
6/5/2018	1	FINANCE COMMITTEE	Refer	
6/5/2018	1	COMMON COUNCIL	Refer	Pass
5/25/2018	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

The proposed resolution updates MGO 4.08(1) to allow developers to pay special assessments for Water Utility and Sewer Utility improvements over a 25 year period when certain conditions and approval are met. The proposed conditions within the ordinance would allow a 25 period pay back only pertain to water main and sanitary sewer main that serves the bennefitting properties; no impact to the assessable revolving fund balance is anticipated.

**Title**

Amending Sec. 4.08(1) to allow for 25-year installment payments for certain Special Assessments.

**Body**

DRAFTER'S ANALYSIS: This ordinance will establish a new maximum installment period for certain special assessments that apply to projects where City water and sewer is being extended into developed neighborhoods that are on private well and septic systems. The assessable portion of such projects is substantial and this will allow the property owner to spread out the costs over a longer period of time. This will also lower the up-front costs that accompany such a project for the property owner, including connecting service to the new mains and abandoning the private well and septic systems. It is not expected that this new category will apply to many projects and will be very limited in scope. This ordinance also reorganizes this subsection and clearly establishes the statutory authority for the City's use of installment payments for special assessments. It also eliminates a shorter installment period for street light installations as those costs are now substantial and should have the longer installment period available to them in order to be consistent with the rest of the project. In addition, it limits the 8-year assessment period for sidewalk repair and street tree installation to situations where those are the only assessable costs in a project. This will make overall project

accounting more consistent by allowing for a uniform installment period for the whole project. Following these changes, actual installment periods will still be determined by policy, with the final decision being made by the Common Council.

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

Subsection (1) of Section 4.08 entitled "Special Assessments-Payment in Installments" of the Madison General Ordinances is amended to read as follows:

- "(1) Whenever any special assessments shall be levied to defray the cost of any public improvement, except sprinkling or oiling streets, such special assessments may be paid in annual installments ~~of not more than as determined by the Common Council pursuant to Wis. Stat. § 66.0715(3). The installment period established by the Common Council may not exceed fifteen (15) in number for major improvements nor more than~~ except as follows:
- (a) ~~e~~Eight (8) for sidewalk repair and installation of street lights and street trees, if such public improvements are the only assessable costs in a public improvement project; as determined by the Common Council. However, the number of installments may not exceed t
  - (b) Ten (10) if the special assessments are for subdivision improvements made pursuant to Sec. 16.23(9) of these ordinances;
  - (c) Twenty-five (25), where the following conditions are met:
    - 1. The special assessments are being levied to fund the full cost of the installation of both a public water main and a public sanitary sewer main to serve the benefitting properties; and,
    - 2. The majority of the benefitting properties within the special assessment district are developed and, prior to the improvements being made, are served by both a private well and a private septic system."