

SPECIAL ASSESSMENTS

- 22.01 Introduction and Purpose
- 22.02 General
- 22.03 Storm Sewers
- 22.04 Sanitary sewers
- 22.05 Water Mains
- 22.06 Grading
- 22.07 Alley Paving
- 22.08 Curb and Gutters
- 22.09 Street Paving
- 22.10 House Laterals
- 22.11 Sidewalks
- 22.12 Special Assessment Payments
- 22.13 Improvement Life – Reassessment

22.01 INTRODUCTION AND PURPOSE. In order to provide for the equitable distribution an assessment of costs incurred in the installation of various public works projects within the City of South Milwaukee, under authorization granted by Section 66.60, Wisconsin Statutes, the Common Council of the City of South Milwaukee ordains these regulations, all subject to, and in conformance with, the latest revisions of the said Section 66.60, Wisconsin Statutes.

22.02 GENERAL. For the purposes of this ordinance, the assessable benefits accruing to any given property from public improvements shall be determined as relating directly to the frontage thereof, as explained hereinafter for the specific improvement. Side frontage, in the case of corner lots, shall refer to that side of the lot which has the most frontage on an improvement. If the long side of a platted lot abuts on any alley paving improvements, whether or not this lot has alleys on two sides thereof, said frontage shall be considered to be side frontage.

Where so provided herein, certain improvements may be assessed on an actual cost basis, or some percentage thereof, as specified in the Preliminary Resolution for the particular improvement program.

None of the improvements described herein shall be used by any property for which the applicable assessment has not been paid or payment provided for. Any assessments for such use shall be based on the assessment rate used at the time of the improvement, if known, or it shall be based on the average of the last three known assessment rates for like improvements.

None of the requirements of this ordinance shall prohibit the Common Council from making adjustments in assessment rates, assessable costs, or in assessable frontages, when, in the opinion of said Common Council, a standard assessment will prove to be excessive or otherwise unreasonable, and not in conformity with the intent of this ordinance.

**22.03 STORM SEWERS.** No special assessments are to be levied for the construction of storm sewers except as provided in Chapter 14 of the South Milwaukee Code, entitled Land Subdivision Regulations.

**22.04 SANITARY SEWERS. (1) ASSESSABLE COSTS.** The assessable portion of the installation of sanitary sewers shall consist of the equivalent cost of laying an 8-inch sewer with sand bedding and gravel backfill, manholes, manhole frames and covers, road surface replacement and other incidental costs, but shall not include the cost of mains on non-assessable frontages, as provided in Subsection (4) hereof.

(2) **ASSESSMENT BASIS.** The total assessable cost for all sanitary sewer work constructed in the same public works program, when divided by the assessable frontage, will result in the assessment rate to be applied to frontages.

- (a) **Direct frontage.** Every lot or parcel of land, when abutting the installation of sanitary sewers on any street side thereof, shall pay a minimum assessment based on the frontage of said lot or parcel on the street having the smallest frontage, whether or not the sewer is on that side.
- (b) **Side frontage.** No assessment shall be levied for side frontage, except that a direct frontage assessment shall apply to that side frontage in excess of 150 feet.

(3) **ENGINEERING AND ADMINISTRATIVE COSTS.** All engineering and administrative costs of the installation shall be included in the assessment rate and computed in the amount of 7% of such assessment rate. Am. 10/8/69, 882

(4) **EXCLUSIONS.** When sanitary sewers are installed in and through easements, alleys, pedestrian or public walks, and when they do not constitute a direct benefit to the abutting properties, such installation shall not be considered to be a part of the entire assessable cost of the program.

CITY OF SOUTH MILWAUKEE

22-3

22.05

22.05 WATER MAINS. (1) ASSESSABLE COSTS. The assessable portion of the installation of water mains shall consist of the equivalent cost of laying an 8-inch water main with sand bedding and gravel backfill, hydrants, valves and valve boxes, road surface replacement and other such incidental costs, and shall exclude the cost of mains and non-assessable frontages. Am. 4/16/85, 1299

(2) ASSESSMENT BASIS. The total assessable cost for all water main installations in the same public works program, when divided by the assessable frontage, will result in the assessment rate to be applied to frontages.

(a) Direct frontage. Every lot or parcel of land, when abutting the installation of water mains on any street side thereof, shall pay a minimum assessment based on the frontage of said lot or parcel on the street having the smallest frontage, whether or not the water main is on that side.

(b) Side frontage. No assessment shall be levied for side frontage, except that a direct frontage assessment shall apply to that side frontage in excess of 150 feet.

(3) ENGINEERING AND ADMINISTRATION COSTS. All engineering and administrative costs of the installation of water mains shall be included in the assessment rate and computed in the amount of 7% of such assessment rate. Am. 10/8/69, 882

(4) EXCLUSIONS. When water mains are installed in or through easements, alleys, pedestrian or public walks, and when they do not constitute a direct benefit to the abutting properties, such installation shall not be assessed against these frontages, except as it may be considered to be a part of the entire assessable cost of the program.

22.06 GRADING. (1) ASSESSABLE COSTS. All grading of land for streets, alleys, sidewalks and curbs, except such as result from a grade change for the convenience of the City, shall be assessed on the basis of the actual computed cost of such grading for each frontage abutting thereon.

(2) ASSESSMENT BASIS. The actual costs of grading shall be computed as applying to all frontages of property abutting thereon.

(3) ENGINEERING AND ADMINISTRATIVE COSTS. All engineering and administrative costs of grading shall be included in the assessment rate and computed in the amount of 7% of such assessment rate. Am. 10/8/69, 882

CITY OF SOUTH MILWAUKEE

22-4

22.07

22.07 ALLEY PAVING. (1) ASSESSABLE COSTS. The assessable portion of the installation of the alley paving shall be limited to 85% of the total costs of paving an alley 14 feet in width along all frontages in the program, including incidental grading work required and the construction of alley approaches.

(2) ASSESSMENT BASIS. The total assessable cost of the particular type of alley paving, when divided by the total frontage, will result in the assessment rate to be applied to frontages. Am. 6/4/74, 991

- (a) Direct frontage. Every lot of parcel of land, when abutting the installation of alley paving, shall pay an assessment for all frontage thereon, except that in the case an alley abuts on two connecting sides, the direct assessment shall apply only to the short side thereof.
- (b) Side frontage. Side frontage shall be assessed at a rate of 1/3 of the normal rate for all side frontage up to 150 feet in length, the excess over 150 feet being assessable as direct frontage.

(3) ENGINEERING AND ADMINISTRATIVE COSTS. All engineering and administrative costs of alley paving shall be included in the assessment rate and computed in the amount of 7% of such assessment rate. Am. 10/8/69, 882

22.08 CURB AND GUTTER. (1) ASSESSABLE COSTS. The assessable portion of the installation of curb and gutter shall consist of the total cost of all such work done on assessable frontages, including incidental grading work and curb radii, but shall exclude curbs on median strips and other areas not related to property frontages.

(2) ASSESSMENT BASIS. The total assessable cost of the curb and gutter installation, when divided by the assessable frontage, will result in the assessment rate to be applied to frontages.

- (a) Direct frontage. Every lot or parcel of land, when abutting the installation of curb and gutter, shall pay an assessment for all frontage thereon, except that in the case a curb and gutter abuts on two connecting sides, the direct assessment shall apply only to the short side thereof.
- (b) Side frontage. Side frontage shall be assessed on the same basis as direct frontage.

CITY OF SOUTH MILWAUKEE

22-5

22.08

(3) ENGINEERING AND ADMINISTRATIVE COSTS. All engineering and administrative costs of the installation of curb and gutter shall be included in the assessment rate and computed in the amount of 7% of such assessment rate. Am. 10/8/69, 882

22.09 STREET PAVING. (1) ASSESSABLE COSTS. The assessable portion of the installation of street paving shall consist of the total cost of all such work done on assessable frontages, including incidental grading work and intersection paving, and shall be limited to the cost of paving the equivalent of ½ of a 36 foot wide residential roadway.

(2) ASSESSMENT BASIS. The total assessable cost of the particular type of street paving, when divided by the total frontage will result in the assessment rate to be applied to frontages. Am. 6/4/74, 991

(a) Direct frontage. Every lot or parcel of land, when abutting the installation of street paving, shall pay an assessment for all frontage thereon, except that in the case a street abuts on two connecting sides, the direct assessment shall apply only to the short side thereof.

(b) Side frontage. Side frontage shall be assessed at a rate of 1/3 of the normal rate of all side frontage up to 150 feet in length, the excess over 150 feet being assessable as direct frontage.

(3) ENGINEERING AND ADMINISTRATIVE COSTS. All engineering and administrative costs of street paving shall be included in the assessment rate and computed in the amount of 7% of such assessment rate.

(4) EXCLUSIONS. A 5-inch asphalt roadway over a 6-inch stone base shall be considered to be the standard residential roadway. Road installations of a different type or greater thickness or cost shall be assessed at the rate for the described standard roadway. Am. 3/5/91, 1491

22.10 HOUSE LATERALS. (1) ASSESSABLE COSTS. All sewer and water laterals installed to abutting properties shall be assessed on the basis of the actual cost of such installation for each lateral.

(2) ASSESSMENT BASIS. The assessment basis for house laterals shall be the actual cost per installation.

(3) ENGINEERING AND ADMINISTRATIVE COSTS. All engineering and administrative costs shall be included in the assessment rate and computed in the amount of 3% of such assessment rate. Am. 10/8/69, 882

CITY OF SOUTH MILWAUKEE

22-6

22.11

22.11 SIDEWALKS. (1) ASSESSABLE COSTS. The assessable portion of the installation of sidewalks shall consist of the total cost of all such work done in a program, including incidental grading work, but shall exclude sidewalk paving at the radius of intersections.

(2) ASSESSMENT BASIS. The total assessable cost of the sidewalk paving, when divided by the assessable frontage, will result in the assessment rate to be applied to frontages.

(a) Direct frontage. Every lot or parcel of land, when abutting the installation of sidewalks, shall pay an assessment for all frontage thereon.

(b) Side frontage. Assessment shall be paid as in direct frontage.

(3) ENGINEERING AND ADMINISTRATIVE COSTS. All engineering and administrative costs shall be included in the assessment rate and computed in the amount of 7% of such assessment rate. Am. 10/8/69, 882

22.12 SPECIAL ASSESSMENT PAYMENTS. Special assessment payments provided for herein may be paid in cash until the due date of the billing, therefore, or annual installments, the maximum terms of which, except as otherwise provided herein, shall be as follows:

(a) Street paving – 10 years.

(b) Sanitary sewers, water mains, house laterals – 5 years.

(c) Alley paving, curb and gutter, sidewalks, grading, resurfacing – 3 years.

The unpaid balance of any special assessment levied hereunder shall bear interest from the original due date thereof at a rate which shall be determined by the Common Council prior to the publication of the notice required by Section 66.54 (7)(e), Wisconsin Statutes, relative to the payment of annual installments of special assessments and such rate shall be specified in said notice.

In the event that the total special assessments levied against any lot or parcel or land during the calendar year shall exceed the sum of \$400.00. the owner of such lot or parcel may elect to pay the same in 10 annual installments, notwithstanding the maximum installment terms hereinabove provided.

CITY OF SOUTH MILWAUKEE

22-7

22.13

22.13 IMPROVEMENT LIFE – REASSESSMENT. Due to the uncertainty connected with estimating the life expectancy of a given improvement and due to the many extraneous factors which can contribute to the reduction in the useable life thereof, the Common Council shall, at the time reconstruction of the specific improvement becomes necessary, weigh the factors which contributed to this necessity and determine what portion of the cost, if any, shall be reassessed against the abutting properties according to the assessment basis previously outlined for the improvement. Cr. 3/3/64, 750

////