

**RESOLUTION 121509B
VILLAGE OF ELM GROVE
ASSESSMENT POLICY
FOR CONSTRUCTION OF WATER MAINS**

WHEREAS, the basis for water main assessments shall be the unit assessment, for each benefited unit within Water District 1 (assessment district 1, as shown in Exhibit A), computed as per the following requirements:

Water main and appurtenances assessable and non-assessable costs.

- A. Water mains in public right-of-ways (ROW) and within easements shall be assessed back to the respective assessment district 1 as directed by the Village.
- B. Assessable water main costs shall include the total costs for water mains, valves, and hydrants. Costs involving inspection, engineering, legal, borrowing and interest expense, restoration costs such as pavement repair and landscaping and necessary administration costs to complete a project shall also be assessed back to the respective assessment district 1.
- C. Water laterals leading to the ROW boundary will be assessed as part of the overall construction costs.

In the event that water mains are extended to serve new development and that the length of the water laterals for the development creates a higher than normal cost for existing parcels, the development shall be assessed for the additional costs of the laterals. The costs shall be based upon a unit or lump sum basis for each lot to be developed. This policy shall apply when the development causes the installation of longer than normal laterals in cul-de-sacs or in areas where the cost of water lateral service to the existing parcels and each lot to be developed is greater than 10 per cent of the average cost of all water laterals for the project.

- D. Non-assessable costs shall be determined on a project by project basis, taking into consideration the nature of the project and the scope of those properties being served.
- E. Pressure booster systems or pressure reducer systems for individual residences or commercial properties are to be paid for by the property which is served by the individual system; and

WHEREAS, An assessable unit shall be defined as one Residential Equivalent Unit (REU). A REU shall be defined as the average annual use of a single family dwelling which is estimated at 64,400 gallons. All individual residential units shall be assessed one REU. All commercial properties shall be assessed based on the number of REUs utilized for sanitary sewer purposes at the time of assessment. All assessments are due, but may be deferred, and will cause a lien to be placed upon the property per WI Stat 66.0717 within Water District 1 until such time as the assessment is paid in full; and

WHEREAS, each parcel will be assessed with a lien placed upon the property per WI Stat 66.0717 and is responsible for the payment under one of the methods below.

- A. Connection or payment of assessment within the initial start up period of Water District 1.
For property owners connecting to and/or beginning payment of the special assessment prior to the first November 1st after the date of the Final Assessment Resolution, assessments may be paid in cash in full or in annual installments of principal plus monthly interest for twenty (20) years to the Village Treasurer. Installment payments shall bear interest at the rate established in the Final Assessment Resolution on the unpaid balance commencing on November 1st and said first installment being due on the date when real estate taxes are due and annually thereafter. All assessments or installments which are not paid by the date specified shall be extended upon the tax roll as a delinquent tax against the property and all proceedings in relation to the collection, return and sale of property for delinquent real estate taxes shall apply to such special assessment, except as otherwise provided by statute.
- B. Connection or payment of assessment after the initial start up period of Water District 1.
For property owners connecting to and/or beginning payment of the special assessment after the first November 1st after the date of the Final Assessment Resolution, assessments may be paid in cash in full or in annual installments of principal plus monthly interest for five (5) years to the Village Treasurer. Installment payments shall bear interest at the rate established in the Final Assessment Resolution on the unpaid balance commencing on November 1st and said first installment being due on the date when real estate taxes are due and annually thereafter. All assessments or installments which are not paid by the date specified shall be extended upon the tax roll as a delinquent tax against the property and all proceedings in relation to the collection, return and sale of property for delinquent real estate taxes shall apply to such special assessment, except as otherwise provided by statute.
- C. Deferral of connection and payment of assessment.
If no connection to Water District 1 is requested, assessments may be deferred. Deferrals shall end upon any portion of payment or connection to Water District 1 and the responsibility for payment of the assessment shall apply to all of the parcel or property subject to the deferral.
- (i) All deferred assessments shall not bear interest at the rate established in the Final Assessment Resolution on the unpaid balance from the first November 1st after the date of the Final Assessment Resolution. When the deferral of an assessment ends, the option of paying pursuant to section 4B is available.
 - (ii) All deferred assessments shall accrue deferment charges of \$150 per REU per year, not to exceed \$1,500 per year.
- D. In the event the entire property is sold, the assessment levied on the property may remain deferred, if deferred prior to sale, per section 4C or may remain on the payment plan utilized prior to the sale, per section 4A or 4B; and

WHEREAS, The Village Board may make reasonable exceptions to the above requirements to address unusual situations;

NOW THEREFORE BE IT RESOLVED, that the Village of Elm Grove Board of Trustees does hereby approve the Special Assessment Policy as set forth above.

Approved this 15th day of December 2009.

VILLAGE OF ELM GROVE

Neil H. Palmer, Village President

Mary S. Stredni, Village Clerk