

# Land Division Application Fees

## ORDINANCE 03-10-03\_

### AN ORDINANCE AMENDING SECTION 1.14 OF THE TOWN OF RUTLAND GENERAL CODE RELATING TO LAND DIVISION APPLICATION FEES.

**WHEREAS**, the section 1.14 of the Town of Rutland General Code includes certain provisions requiring the payment of application fees and escrows for expenses incurred by the Town in connection with requests for approval of plats and certified survey maps; and

**WHEREAS**, the Town Board has further determined that the applicable fees should be reviewed periodically to assure that those benefiting from the specific services pay the full cost thereof, rather than requiring the costs to be subsidized by the Town's general tax levy; and

**WHEREAS**, the Town Board has previously determined that such periodic review and revision will be facilitated by providing for a separate fee schedule which may be periodically reviewed and amended without individual amendment of the several ordinances providing for the fees; and

**WHEREAS**, the Town Board intends by this ordinance to amend section 1.14 of the General Code in order to allow the fees required by that section to be established and amended as part of a single fee ordinance;

**NOW, THEREFORE**, the Town Board of Rutland, Wisconsin, does ordain as follows:

**Section 1.** Section 1.14(2) of the General Code is amended to read as follows:

(2) Preliminary Plat and Certified Survey Review Fee.

- (A) The subdivider shall pay a fee as determined from time to time, by the Town Board by ordinance or resolution. The applicable fee shall be paid to the Treasurer at the time of application for approval of a preliminary plat or certified survey map and the application shall not be deemed filed until the fee is paid.
- (B) A reapplication fee shall be paid to the Treasurer at the time any preliminary plat or certified survey map which has previously been reviewed is submitted for approval. The amount of the fee shall be determined from time to time by the Town Board by ordinance or resolution.

**Section 2.** Section 1.14(3)(B) of the General Code is amended to read as follows:

- (B) To guarantee payment of the engineering, inspection and attorney fees, the subdivider shall deposit with the Town Clerk a deposit amount as determined by the Town Board from time to time by ordinance or resolution. The deposit shall be made at the time of filing of the initial application for approval and the application shall not be deemed filed until the fee is paid. The balance of the deposit not applied by the Town to engineering, inspection and/or attorney fees shall be refunded to the applicant the after the first town Board meeting following the receipt by the Town Clerk of a copy of the recorded plat or certified survey and a copy of

any applicable deed restrictions or, if the preliminary or final plat or certified survey map is rejected thirty, (30) days after such rejection. The Town may apply the deposited funds to reimburse the Town for any amounts invoiced to the applicant as provided in sub. (1) which are not paid within fourteen (14) days of the date of the invoice.

**Section 3.** This ordinance shall take effect on the day after publication as provided by law.

Enacted this 2<sup>nd</sup> day of October, 2003.

\_\_\_\_s/Dale Beske\_\_\_\_  
Dale Beske, Chairman

Attest: s/Dawn George\_\_\_\_  
Dawn George, Clerk