

## **ORDINANCE 03-08-01**

### **AN ORDINANCE AMENDING TOWN OF RUTLAND ORDINANCES 83-12, 91-10 AND 96-08.**

**WHEREAS**, the Ordinances of the Town of Rutland include certain provisions requiring the payment of fees for the issuance of licenses and other services provided by the Town; and

**WHEREAS**, the Town Board has reviewed the various fees currently being charged by the Town and has determined that certain fees are insufficient to cover the Town's cost of providing such services; and

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

**WHEREAS**, the Town Board finds 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 various current ordinances which provide for the payment of fees in order to allow such fees to be established and amended by a single fee ordinance;

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

**Section 1.** Section 1.03 of Ordinance 83-12 is amended to read as follows:

1.03 Charges for Fire Suppression. In addition to any penalty that may be assessed pursuant to sec. 1.04, the owner of any property on which any fire is kindled, controlled, or handled in violation of this ordinance shall pay a fee to the Town for the services rendered by any fire department to investigate, contain, suppress, or extinguish such fire. The fee for such services shall be established, and may be amended from time to time, by the Town Board by ordinance or resolution. The fee provided for in this section shall be due and payable within thirty (30) days of the date upon which a bill for services is sent to the property owner by regular U.S. mail. If said fee is not paid within such period, the delinquent fee shall be charged against the property served as a special charge, shall become a lien on the property against which it is levied as of the date of such delinquency and shall automatically be extended upon the current or next tax roll as a delinquent tax.

**Section 2.** Section 1.07 of Ordinance 91-10 is amended to read as follows:

1.07 Fees. The fee for issuance of an Operator's License, Provisional Operator's License and Temporary Operator's License shall be established, and may be amended from time to time, by the Town Board by ordinance or resolution. Unless otherwise provided in the fee ordinance or resolution, the fee paid for issuance of a Provisional Operator's license shall be credited against the fee required for issuance of an Operator's License to that licensee for the same license year. In the event that an application for an Operator's license is denied or withdrawn, or a Provisional Operator's license is revoked, the fee paid for a Provisional Operator's license shall not be refundable.

**Section 3.** Section 4 of Ordinance 96-08 is hereby amended by adding subsection (3) thereto to read as follows:

(3) The fees for issuance of licenses required pursuant to this section shall be not less than the minimum license tax established by sec. 174.05(2), Wis. Stats. The Town Board may establish, and from time to time amend, an additional tax as authorized by sec. 174.05(3), Wis. Stats. by ordinance or resolution. In all cases, the total license tax established for unspayed and unneutered dogs shall be greater than the tax for spayed or neutered dogs.

**Section 4.** Nothing in this ordinance shall be construed to amend, repeal or otherwise affect the requirement or amount of any fees pursuant to any ordinance other than those specifically amended hereby.

**Section 5.** This ordinance shall take effect on the day after publication as provided by law.

Enacted this 5<sup>th</sup> day of August, 2003.

s/Dale Beske  
Dale Beske, Chairman

Attest: s/Dawn George  
Dawn George, Clerk