

ORDINANCE NO. 185

AN ORDINANCE TO AMEND ORDINANCE NO. 143 ENTITLED
AN ORDINANCE TO UTILIZE SECTION 66.60(16), WIS. STATS.,
TO CHARGE BACK ENGINEERING, ATTORNEY AND OTHER FEES
TO LANDOWNERS BENEFITTING
TO PROVIDE AN APPEAL PROCEDURE
IN THE VILLAGE OF OCONOMOWOC LAKE

The Village Board of the Village of Oconomowoc Lake, Waukesha County, Wisconsin DO ORDAIN AS FOLLOWS:

SECTION 1. Village of Oconomowoc Lake Ordinance No. 143 entitled "An ordinance to Utilize Section 66.60(16), Wisconsin Statutes to Charge Back Engineering, Attorney and Other Fees to Landowners Benefitting", Section 2 entitled "Property Owner Allowed Time to Pay" is hereby repealed and recreated as follows:

PROPERTY OWNER ALLOWED TIME TO PAY OR APPEAL. The Village Clerk shall give each property owner billed for current services as provided for herein notice that they shall have a specified period of time not less than thirty (30) days to pay. Said notice shall also state that within 15 days of the date of the notice, the property owner may request a hearing before the Village Board regarding the charges against the property. Said notice shall also include an itemized statement of the professional service fees to be charged. Thereafter, if the property owner requests a hearing within the proper time period, the matter shall proceed as described in the following section, below entitled "Appeal to Village Board". If a hearing is not requested within the required time period, if that charge remains unpaid, the Village Clerk shall automatically charge the same as a delinquent tax against the property as provided by law. In the event the statement rendered to the property owner or the time given for the property owner to pay or following a hearing if the Village Board approves all or part of the charge, it is too late in the current year for the charge, when it becomes delinquent, to be extended on that year's tax roll, then the delinquent charge shall be extended to the following year's tax roll.

SECTION 2. Village of Oconomowoc Lake Ordinance No. 143 entitled "An ordinance to Utilize Section 66.60(16), Wisconsin Statutes to Charge Back Engineering, Attorney and Other Fees to Landowners Benefitting", Section 3 entitled "Appeal to Village Board" is hereby repealed and recreated as follows:

APPEAL TO VILLAGE BOARD. Upon receipt of a timely request for hearing, the Village Board shall hold a hearing regarding the property charges at its next scheduled meeting or as soon as feasible. Such hearing shall be preceded by posted public notice and reasonable notice, via first class mail, to the property owner. In the event a hearing is requested, no charges shall be placed on the tax roll unless and until such hearing has been held and a decision has been rendered by the Village Board to approve the charges against the tax roll in whole or in part. If approved only in part, only that part of the charges that are approved may be charged against the tax roll.

SECTION 3: SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 2nd day of August, 2000.

VILLAGE OF OCONOMOWOC LAKE:

Raymond O. Foster, Jr.
RAYMOND O. FOSTER, JR.
VILLAGE PRESIDENT

ATTEST:

Barbara Stern
BARBARA STERN, VILLAGE CLERK

STATE OF WISCONSIN)
)
COUNTY OF WAUKESHA)

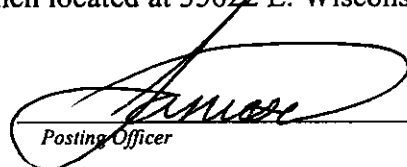
AFFIDAVIT OF POSTING

ORD No. 185 - Amends No 143

The undersigned, being first duly sworn, on oath deposes and states that on August 2, 2000, at the direction of the Clerk of the Village of Oconomowoc Lake, he posted copies of the foregoing proceedings of the Village Board in the following public places in said Village:

to-wit:

- (1) Opposite the entrance to the Oconomowoc Lake Club on the northern side of the road in front of the Club;
- (2) At the entrance to the Village Hall on West Pabst Road;
- (3) At the Village Boat Launch located at 35622 E. Wisconsin Avenue.


Posting Officer

Subscribed and sworn to before me

This 2nd day of August, 2000

Barbara Stern

Notary Public, Waukesha County, Wisconsin

My Commission expires: 4-20-03