

**SPECIAL ASSESSMENTS
R-09-83**

**POLICIES AND PROCEDURES RELATING TO SPECIAL ASSESSMENTS OF
PUBLIC WORKS PROJECTS INSTALLED BY DEVELOPERS**

WHEREAS, there have been some problems and confusion relating to special assessments policies and procedures in public works projects installed by developers; and

WHEREAS, it is in the best interest of the City of Stoughton to have these policies and procedures set forth,

NOW, THEREFORE, BE IT RESOLVED, that the following policies and procedures be adopted and utilized in the administration of special assessments of public works projects installed by developers.

POLICIES:

1. The City of Stoughton will not finance such projects nor act as “banker” for developers or individuals.
2. The only exception would be where the City makes certain public improvements which by necessity benefit properties not within its territorial jurisdiction. Then the statutory assessment procedure shall be used to determine benefit to the property outside the City. The City shall pay that portion of the assessment retaining the right to collect that amount together, with interest at the rate set forth in the final assessment resolution, at the time the property may be annexed.
3. All public works project improvements shall be done pursuant to any existing plans, specifications and ordinances under the direction and supervision of the City Engineer.
4. All public works project improvements must receive prior approval from the Planning Commission, the Public Works Committee and when required, by the Common Council.

PROCEDURES

1. The City Clerk is to be notified in writing when public works projects are proposed by a developer or an individual.
2. The City Engineer is to be notified by the Clerk and referred to the Planning Commission and to the Public Works Committee by the Clerk and they are to report their recommendations to the City Council.
3. If it is determined that the public works project improvement involves the installation of oversized facilities for future development, then the normal statutory assessment procedure should be followed.
4. The property being developed directly as a result of this improvement shall be required to pay the assessment as set forth in these procedures while the other benefited properties may be allowed to defer the assessment for the period allowed for by law and provided for in the final assessment resolution.

5. Collection of deferred special assessments (whether project is paid for by City or individuals) will take place as follows:
 - a. At annexation, dollar amounts to be included in annexation ordinance.
 - b. Proposed plat, prior to Council approval of the final plat.
 - c. At sale of property—the resolution to be recorded and ultimately noticed during title search since we are not always aware of sales.
 - d. Prior to issuing building permits for new construction (ordinance required).
 - e. Invoicing and legal action for property not in tax roll, such as owned by railroads.
6. Penalties shall be assessed to those individuals who hook on the City mains illegally, and payments of special assessments to be made within thirty (30) days (or other agreement made) or face disconnection.

This resolution was adopted on August 9, 1983.