



AN ORDINANCE: By the Public Services and Safety
Committee
Re: Amending Section 13-5 – Special Assessments
for Street Improvements

ORDINANCE NO. 2022-22
Introduced: _____
Committee/Commission Action: _____

AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, do ordain as follows:

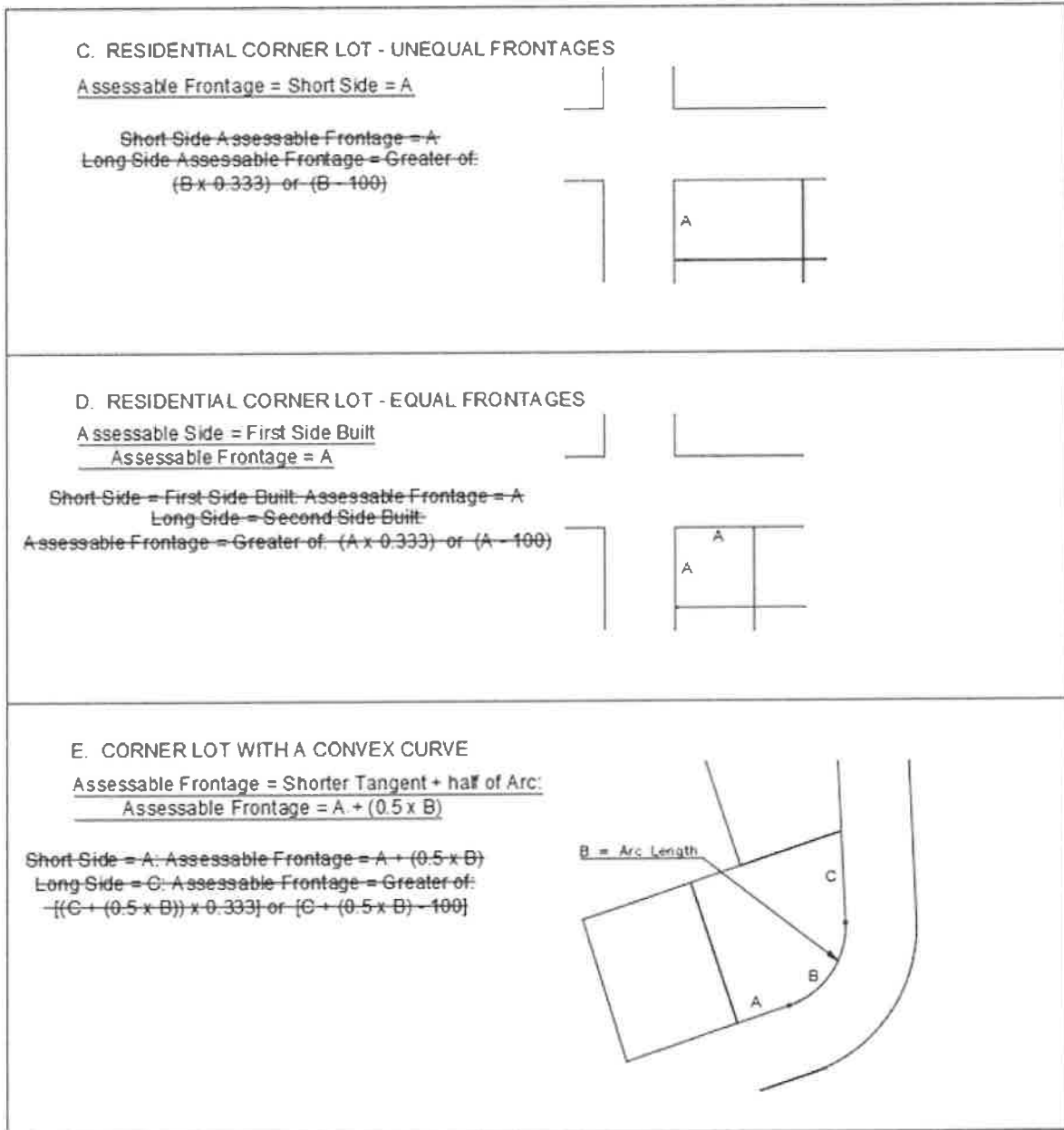
Section 1. Section 13-5 of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the underlined language to read as follows:

- (a) *General.* ~~All special assessments for street improvements shall be levied against abutting property on a centerline foot basis. For the purpose of having the cost of street construction improvements equitably apportioned between the city and the abutting property owners, the cost may be distributed in one of the following methods, as approved by the Neenah Common Council:~~
- (1) *Assessable Front foot.* The amount which the owner shall pay shall be based upon the ratio of each owner's number of assessable feet fronting upon the improvement to the entire number of feet assessable for such improvement.
 - (2) *Unit Basis.* When it has been determined to calculate the assessment by the "unit" method, all Parcels within the benefited area shall be assessed equally for the improvements. The "cost per unit" shall be defined as a quotient of the "assessable cost" divided by the total number of Parcels benefiting from the improvement. This method is best used when there is both uniformity of lots and uniformity of uses within a subdivision. Properties with residential and duplex residential land use, parks and other City-owned properties subject to reconstruction will be assessed on a per-unit basis, with one unit assessed to each property unless the property has the potential to be further subdivided into two or more lots that each meets City subdivision ordinance requirements. Such lots that may be so subdivided shall be assessed for the number of units that equals the number of such lots into which the property may be subdivided. However, residential properties that are subject to multiple unit assessments will have all but one of such unit assessments deferred at the time of the initial assessment. Such deferral will be made each year until such time as the property is subdivided. At the time of its subdividing, the deferred unit assessments shall then be due.

(b) *Standard of construction.* The standard of construction for streets shall be 30-inch Portland cement concrete curb and gutter on both sides of the street with a six-inch curb head, a 3.75 4-inch two-course bituminous concrete pavement on a 12-inch compacted crushed stone base with a 36-foot clear width, and 6.5 feet on each side for backfill topsoil, seed, fertilizer and mulch.

(i) *Special considerations.*

13-5(i)(1) Figure 1 - Comparative Lots



Section 2. Severability. In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is

the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 3. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Motion: Lendrum/Steenson, 9-0

Adopted: December 21, 2022

Published: January 17, 2023

Approved:

Jane B. Lang
Jane B. Lang, Mayor

Attest:

Charlotte K. Nagel
Charlotte K. Nagel, City Clerk

