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9-15-14

14-1859

## ORDINANCE

An Ordinance to amend Chapter 12 of the Manitowoc Municipal Code to revise the water main assessment rate.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

**Section 1.** Section 12.090 (2) is amended to read as follows:

**“12.090 Water Main Extension and Assessment Policy.**

**(2) Assessment Policy Rules and Regulations.** For reference purposes, following are the current assessment rules and regulations which have been approved by the Wisconsin Public Service Commission following approval by the Manitowoc Common Council:

Water mains within the corporate limits of the City of Manitowoc, Wisconsin, shall be extended in accordance with the following rules and regulations as filed with the Public Service Commission of Wisconsin, and approved by the Common Council of said City under Section 12.050 of the Municipal Code.

The Manitowoc Public Utilities Commission shall approve the extension of water mains according to need and necessity and shall disapprove any water main extension or petition for just cause.

When the City of Manitowoc extends a sanitary sewer on its own initiative and in situations when it is deemed expedient to the best interest of the City, the Manitowoc Public Utilities Commission may order water main extension in the same area without a Water Petition. The cost of installing such water mains shall be assessed to the abutting property owners along the said street at the assessment rate in effect at the time of the water main extension.

When a water main extension has been installed, all assessments shall be paid in full before the property sale closing date except in those instances when the new property owner agrees to assume an existing installment payment agreement.

The Utility shall determine the size of the main to be installed in any location and the schedule of installations.

All water mains within the City limits of the City of Manitowoc shall be sole property of the Water Utility.

### **Plan “A”**

The Utility may approve the installation of water mains on any street upon the presentation of a petition signed by the owners of 51 percent of the assessable front footage of

abutting property owners along said street. The cost of installing mains shall be assessed at ~~\$20.00~~ 27.00 per front foot of property for each side of the street where water mains are being installed, except for corner lots. Corner lots shall be exempt one-half of the total lot frontage, up to a maximum exemption of 100 feet. When a water main is simultaneously laid on both sides of a corner lot, the assessment shall be ~~\$20.00~~ 27.00 per foot installed subject to the above exemption. Where the main is to be laid on one side of a corner lot, the assessment shall be ~~\$20.00~~ 27.00 per foot installed up to the maximum footage as specified by the above exemption. When a main is subsequently installed on the other side of a corner lot the assessment shall be at ~~\$20.00~~ 27.00 per foot for that total corner lot frontage which exceeds the sum of the exemption stated above and that frontage previously assessed. Any property other than a corner lot fronting on two or more streets shall be assessed only for the water main installed which will serve that property, provided such property is not of sufficient depth to be divided into two lots of reasonable size or provided a dwelling is located upon the property so as to prevent such division. Sufficient depth shall be considered to be any depth in excess of 200 feet.”

**Section 2.** This Ordinance shall take effect the day after publication.

Introduced SEP 15 2014 \_\_\_\_\_

Adopted \_\_\_\_\_

Approved \_\_\_\_\_

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Justin M. Nickels, Mayor

This instrument drafted by Kathleen M. McDaniel, City Attorney