

ORDINANCE

An Ordinance to create Section 23.200 and amend Section 7.280 of the Manitowoc Municipal Code creating a municipal vehicle registration fee and amending the City’s special assessment policy and repealing 7.320 and 7.330 of the Manitowoc Municipal Code.

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

**Section 1.** Section 23.200 is created to read as follows:

- “23.200 Motor Vehicle Registration Fee.**
- (1) Purpose.** The purpose of this ordinance is to provide the City of Manitowoc a source of funds to be used to assist with transportation related purposes and to fund repair, reconstruction, and resurfacing of roads in lieu of special assessments.
- (2) Authority.** This section is adopted pursuant to the authority granted in Wis. Stats. § 341.35, as amended from time to time.
- (3) Definition.** For purposes of this section, a “motor vehicle” means an automobile or motor truck registered under Wis. Stat. § 341.25(1)(c) at a gross weight of not more than 8,000 pounds that is registered in Wisconsin and customarily kept in the City of Manitowoc.
- (4) Annual Registration Fee.** An annual flat City registration fee in the amount of \$20 is hereby imposed on all motor vehicles registered in the State of Wisconsin and customarily kept in the City of Manitowoc. At the time a motor vehicle is first registered and at the time of each registration renewal, the registration applicant shall pay a City vehicle registration fee of \$20 in addition to any fees set by the state and required by Wis. Stats. ch. 341. The City registration fee shall be paid as provided in Wis. Stat. § 341.35(5), as amended from time to time. The Wisconsin Department of Transportation shall collect the City registration fee.
- (5) Exemption.** The following motor vehicles are exempt from the annual vehicle registration fee:
- (a) All vehicles exempted by Wis. Stats. ch. 341 from payment of a state vehicle registration fee.
  - (b) All vehicles registered by the state for a fee of \$5 under Wis. Stats. § 341.26(2).
  - (c) Any vehicle which is replacing a vehicle for which the annual City vehicle registration fee has already been paid.
- (6) Administrative Costs.** The Department of Transportation shall retain a portion of the moneys collected under this section equal to the actual administrative costs related to the collection of these fees, as provided in Wis. Stat. § 341.35(6m), as amended from time to time.
- (7) Reporting.** Each December the Director of Public Infrastructure shall provide an annual report of the expenditures made from the motor vehicle registration fee fund.
- (8) Segregated Fund for Revenues.** All revenue collected from the motor vehicle registration fee shall be placed in a segregated account for the purposes of repair, reconstruction, and resurfacing of roads.”

**Section 2.** Section 7.280 is amended and renumbered to read as follows:

**“(1) Method of Payment for Street Improvements.** All road repair, reconstruction, and resurfacing shall be funded through use of the municipal vehicle registration fee established in MMC §23.200. This does not apply to any project where assessments have been levied by resolution or agreement. Assessments for new construction will be levied pursuant to Wis. Stat. § 66.0701 and shall be made as follows:

	Concrete	Hot Mix Asphalt
City Share	20%	10%
Property Share	80%	90%

- (2) General Provisions.**
- (a) Pursuant to Wis. Stat. § [66.0701](#), all special assessments for street improvements shall be levied against abutting private property on a front foot basis. All assessment rates shall be based upon the total cost of the project per foot with the following limitations:
- 1. The City shall pay 100 percent of the cost of the intersections.
  - 2. All assessments for frontage zoned exclusively for agricultural, single-family residential or two-family residential, or any combination of the above, with a use conforming to such zoning, or frontage from developed property used exclusively for agricultural, single-family residential or two-family residential purposes, or any combination of the above, whether



zoned agricultural or residential or neither, shall be based upon and have the following reductions:

- A. A maximum 37-foot width between the backs of the curbs.
  - ~~B. A maximum of 120 percent of the previous year's rate for a similar street.~~
  - B. A corner lot reduction for the long side shall be computed as follows: two-thirds the frontage on the long side but not to exceed 100 feet.
    - i. Corner lot reductions apply to a lot with more than one fronting side adjacent to an alley, a street or both.
    - ii. A lot adjacent to a curved street does not qualify for a corner lot reduction unless it abuts another street or alley.
  - C. A maximum depth for concrete pavement of seven inches.
  - D. An additional five percent reduction for concrete pavements on arterial streets.
  - E. If a lot abuts a street or alley on both the front yard and the back yard, the second side paved shall receive a 66 and two-thirds percent reduction on the footage assessed not to exceed 100 feet.
  - F. The fully assessed short side shall not be an alley.
  - G. A 15 percent reduction for those streets, established by ordinance, as being on truck routes.
  - H. On paved streets which are less than 37 feet in width between the backs of the curbs, the City's participation shall decrease at the rate of one percent per foot of width less than 37 feet.
  - I. A five percent reduction for those streets on the Maritime Metro Transit Route at the time of construction. This reduction shall not be applicable to streets that receive a reduction for either arterial or truck routes.
3. If financial aid for the improvement of a street is received from any other governmental unit, that aid shall be applied first to the City's share of the cost of the street. Any aid in excess of the City's share will be used to reduce the property owner's assessment.
- ~~4. Any nonresidential property that abuts an alley shall receive the same reduction as the residential properties for all alley paving improvements.~~
- (b) Curb and Gutter. Full cost of the curb and gutter shall be assessed to the property and an inspection fee may be assessed.

~~(3) Pavement Life.~~ The life expectancies of high-type pavements are determined to be as follows:

- 1. Concrete 40 years
- 2. Hot Mix Asphalt 20 years
- 3. Hot Mix Asphalt Resurfacing 10 years

~~In subdivisions or annexed areas accepted by the City after the date of the ordinance codified in this section or any newly opened street, high-type pavements shall be installed within three years. Assessments for new construction shall be made as follows:~~

	Concrete	Hot Mix Asphalt
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City Share	20%	10%
Property Share	80%	90%

~~(4) Reconstruction.~~

~~(a) After Life Expectancy. Assessments shall be made the same as new construction. The foregoing assessment subsection will expire on December 31, 2002. Commencing on January 1, 2003, assessments shall be made as follows:~~

	Concrete	Hot Mix Asphalt
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City Share	40%	10%
Property Share	60%	90%

- ~~(b) Prior to Life Expectancy. Assessments to the abutting properties shall be on a prorated basis from zero percent at one-half life expectancy to 100 percent of new construction assessment at full life expectancy.~~
- ~~(c) Arterial and Collector Streets. When concrete pavement on classified arterial or collector streets is reconstructed with new concrete pavement, but no financial aid is received from another governmental unit to reduce the cost of the project, the assessment shall be calculated under methods which reflect City experience for similar projects which have been assigned with aid from other governmental sources.~~

~~(5) Resurfacing.~~



- (a) ~~After life expectancy, the assessment shall be made to the abutting property based on 100 percent of the project cost.~~
- (b) ~~Prior to life expectancy, the assessment shall be made on a prorated basis of life expectancy to 100 percent at full life expectancy.~~
- (c) ~~All general provisions listed in subsection (1) of this section are applicable to this resurfacing subsection.”~~

**Section 3.** Section 7.320 on seal coating is repealed in its entirety as follows:

~~“7.320 Seal Coating. (1) Seal coating of streets shall be assessed at a per foot per side rate set by resolution of the Common Council. Assessment rates shall be based on 80 percent of the actual expenditures, including annual bid results and related labor, material and equipment costs.~~

~~(2) Corner Lot Reduction Computation. There shall be a corner lot reduction computed pursuant to MMC 7.280(1)(a)(2)(C). ”~~

**Section 4.** Section 7.330 is repealed in its entirety as follows:

~~“7.330 Assessments for Asphalt Overlays on Macadam Base Streets.~~

~~(1) Asphalt overlays applied to existing streets with macadam base shall be assessed at full project cost. This shall be considered a temporary assessment as are other surface treatments.~~

~~(2) Corner Lot Reduction Computation. There shall be a corner lot reduction computed pursuant to MMC 7.280(1)(a)(2)(C).”~~

**Section 5.** This ordinance shall take effect March 1, 2019.

INTRODUCED \_\_\_\_\_ ADOPTED \_\_\_\_\_

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Justin M. Nickels, Mayor

APPROVED \_\_\_\_\_

<b>Fiscal Impact:</b>	neutral
<b>Funding Source:</b>	removing special assessments for new construction and replacing with municipal vehicle registration fee
<b>Finance Director Approval:</b>	/sc
<b>Approved as to form:</b>	/kmm

This resolution was drafted by Kathleen M. McDaniel