

Article I: Fees

Sec. 14-1-90 Administrative and Other Fees.

- (a) **General.** The Subdivision, Condominium or Certified Survey Map Developer (as applicable) shall pay a fee equal to the cost of any legal, planning, administrative or fiscal work which may be undertaken by the Village of Wausaukee in connection with the Subdivision Plat, Condominium Plat or Certified Survey Map. Legal work shall include the drafting of contracts between the Village of Wausaukee and the Subdivision, Condominium or Certified Survey Map Developer (as applicable). These fees may also include the cost of obtaining professional opinions including, but not limited to attorneys, engineers, landscape architects, and land planners, requested by the Village Board, Plan Commission, or Village staff in connection with the application being considered.
- (b) **Payment of Village's Consultant Costs.**
- (1) The Village may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts) to assist in the Village's review of a proposal coming before the Village Board.
 - (2) The submittal of a development proposal application or petition by a Subdivision, Condominium or Certified Survey Map Developer (as applicable), shall be construed as an agreement to pay for such professional review services applicable to the proposal. The Village generally charges the costs for these services to the Subdivision, Condominium or Certified Survey Map Developer (as applicable).
 - (3) The Village may delay acceptance of the application or petition as complete, or may delay final approval of the proposal, until such fees are paid by the Subdivision, Condominium or Certified Survey Map Developer (as applicable). Review fees which are charged to a Subdivision, Condominium or Certified Survey Map Developer (as applicable), but which are not paid, may be levied by the Village as a special assessment against the subject property. The Subdivision, Condominium or Certified Survey Map Developer (as applicable) shall be required to provide the Village with an executed copy of an Agreement as to Costs, as set forth in the Appendix, to pay for said consulting services as a prerequisite to the processing of the development application.
 - (4) At the time of submission of a Subdivision Plat, Certified Survey Map or other land development proposal, the Village Clerk shall require the Subdivision, Condominium or Certified Survey Map Developer (as applicable) to make an escrow deposit with the Village Clerk to cover, in all or part, the expenses anticipated to be incurred by the Village in reviewing or considering such proposal, per Subsection (1)(2) below. Unused portions of such fund may be refunded to the Subdivision, Condominium or Certified Survey Map Developer (as applicable).

- (c) **Engineering Fee.** The Subdivision, Condominium or Certified Survey Map Developer (as applicable) shall pay a fee equal to the actual cost to the Village for all engineering work incurred by the Village in connection with the Subdivision Plat, Condominium Plat or Certified Survey Map, including inspections required by the Village pursuant to this Chapter. The Subdivision, Condominium or Certified Survey Map Developer (as applicable) shall pay a fee equal to the actual cost to the Village for such engineering work and inspection as the Village Board and/or Village Engineer deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications and ordinances of the Village or any other governmental authority. Engineering work shall include the preparation of construction plans, standard specifications and administration of the engineering work.
- (d) **Administrative, Legal and Planning Fee.** The Subdivision, Condominium or Certified Survey Map Developer (as applicable) shall pay a fee reimbursing the Village equal to the cost of any legal, administrative or fiscal work which may be undertaken by the Village in connection with the Plat, Certified Survey Map or Condominium.
- (e) **Concept Plan.** There shall be no fee for the Village's review of a concept or sketch plan of a proposed land division. Such reviews shall be conducted only as staff time permits. The Village, however, reserves the right to require the payment of fees under this Article if the potential project under concept plan review involves above-average Village professional staff involvement or if a party submits several concept plans involving the same parcel.
- (f) **Preliminary Plat.**
 - (1) A Subdivision, Condominium or Certified Survey Map Developer (as applicable) who submits a Preliminary Plat for Village Plan Commission and the Village Board review shall file said Preliminary Plat with the Village Clerk and shall deposit with the Village Treasurer a fee to cover the costs of reviewing said application. The fee for a Preliminary Plat shall be as prescribed in Section 1-3-1 for up to and including six (6) lots plus an additional fee per each additional lot over six (6). If the plat is rejected, no part of the fee shall be returned to the petitioner.
 - (2) A reapplication fee as prescribed in Section 1-3-1 shall be paid to the Village Clerk at the time of reapplication for approval or amendment of any Preliminary Plat which has previously been reviewed.
- (g) **Final Plat Review Fee.**
 - (1) The Subdivision, Condominium or Certified Survey Map Developer (as applicable) shall pay a fee as prescribed in Section 1-3-1 per lot within the Final Plat to the Village Clerk at the time of first application for Final Plat approval of said plat to assist in defraying the cost of review.
 - (2) A reapplication fee as prescribed in Section 1-3-1 shall be paid to the Village Clerk at the time of a reapplication for approval or amendment of any Final Plat which has previously been reviewed.

- (h) **Certified Survey Map.**
- (1) The Subdivision, Condominium or Certified Survey Map Developer (as applicable) shall pay an application fee as prescribed in Section 1-3-1 for each Certified Survey Map.
 - (2) Should the Subdivision, Condominium or Certified Survey Map Developer (as applicable) submit an amended or revised Certified Survey Map, the resubmittal fee shall be as prescribed in Section 1-3-1 for each amended or revised certified survey map.
- (i) **Objecting Agency Review Fees.** The Subdivision, Condominium or Certified Survey Map Developer (as applicable) shall transmit all fees required for state agency review to the Village Clerk at the time of application. Said review fees shall be retransmitted to the proper state review agency by the Village Clerk. Said fees shall be applicable, where appropriate, to review fees required by the Wisconsin Department of Transportation, Wisconsin Department of Administration and the Wisconsin Department of Natural Resources.
- (j) **Public Site Fee.** If the land development project does not contain lands to be dedicated as required in this Chapter, the Village Clerk shall require a fee pursuant to Section 14-1-81(f) for the acquisition and development of public sites to serve the future inhabitants of the proposed subdivision.
- (k) **Assessments.** All outstanding assessments due to the Village of Wausaukee shall be due prior to the signing of the Final Plat or Certified Survey Map by the Village.
- (l) **Administrative Costs.**
- (1) **Cost Determination.** The Subdivision, Condominium or Certified Survey Map Developer (as applicable) of land divisions within the Village shall reimburse the Village for its actual cost of design, inspection, testing, construction and associated legal, real estate and other fees incurred by the Village in connection with the preliminary plat, final plat, replat or certified survey. The Village's costs shall be determined as follows:
 - a. The cost of Village employees' time engaged in any way with the land development project based on the hourly rate paid to the employee multiplied by a factor determined by the Village Treasurer to represent the Village's cost for expenses, benefits, insurance, sick leave, holidays, vacation and similar benefits.
 - b. The cost of Village equipment employed.
 - c. The cost of mileage reimbursed to Village employees which is attributed to the land development project.
 - d. The actual costs of Village materials incorporated into the work, including transportation costs plus a restocking and/or handling fee not to exceed ten percent (10%) of the cost of the materials.
 - e. All consultant fees, including but not limited to legal, planning and engineering fees, at the invoiced amount plus administrative costs. Unless the amount totals less than Fifty Dollars (\$50.00), the Village shall draw against the escrow account

or bill the Subdivision, Condominium or Certified Survey Map Developer (as applicable) monthly for expenses incurred by the Village. Statements outstanding for more than thirty (30) days shall accrue interest at the rate of one and one-half percent (1-1/2%) per month. Bills outstanding for more than ninety (90) days shall be forwarded to the applicant's surety agency for payment. Amounts less than Fifty Dollars (\$50.00) shall be held for billing by the Village until amounts total more than Fifty Dollars (\$50.00) or until the conclusion of project activities.

(2) **Escrow for Fees.**

- a. At such time as the applicant submits a Preliminary Plat, Certified Survey Map or other land development project for review by the Village, it shall deposit with the Village Treasurer, in escrow, the sum required by the following schedule to guarantee the timely payment of the Village's administrative costs:
 1. Minor Subdivision (Certified Survey Map): Five Hundred Dollars (\$500.00).
 2. Subdivisions: One Thousand Dollars (\$1,000.00) for each five (5) lots or units, up to a maximum of Five Thousand Dollars (\$5,000.00).
- b. In the event the amount deposited with the Village Treasurer falls below twenty-five percent (25%) of the amount required to be deposited, the applicant agrees, as a condition of application, to replenish the escrow to the original amount required hereunder. The applicant agrees to deposit such additional sum within fifteen (15) days of written demand by the Village Treasurer or the consideration and/or approval of the proposed land division may be delayed or rejected. The Village is not under any obligation at any time to provide notice to the applicant that the escrow funds under this provision are insufficient. Statements outstanding for more than thirty (30) days shall accrue interest at the rate of one and one-half percent (1-1/2%) per month. In the event the applicant withdraws his/her plat or certified survey map, or the same is approved, and money remains in escrow over and above the Village's fees, the excess shall be refunded to the Subdivision, Condominium or Certified Survey Map Developer (as applicable). The escrow account shall not draw interest for the benefit of the Subdivision, Condominium or Certified Survey Map Developer (as applicable). The Village Treasurer, with the approval of the Village Board, shall have the right to draw upon the escrow to reimburse the Village for the fees it has incurred in reviewing the Subdivision, Certified Survey Map or other land development project on a periodic basis.
- c. An accounting of all fees incurred by the Village and the status of the escrow shall also be provided to the Subdivision, Condominium or Certified Survey Map Developer (as applicable) periodically. The Village will provide the Subdivision, Condominium or Certified Survey Map Developer (as applicable) with amounts paid from any such escrow account and copies of invoices it receives for any professional review services for the Subdivision, Condominium or Certified

Survey Map Developer's (as applicable) proposed subdivision. In the event the Subdivision, Condominium or Certified Survey Map Developer (as applicable) defaults in establishing or replenishing the escrow, the Village shall not be required to act further upon the Subdivision, Condominium or Certified Survey Map Developer's (as applicable) request. Failure to replenish the escrow shall be sufficient cause to reject the Subdivision, Certified Survey Map or other land development project subject to this Chapter

- (m) **Payment of Impact Fees.** Unless otherwise expressly provided herein, all required impact fees shall be paid one hundred percent (100%) at the time of *issuance of the building permit* by the Village of Wausaukee. The impact fee amount due shall be that amount in effect at the time payment of the impact fee is due. Impact fee payments shall be assumed to be the responsibility of the owner of record of the property *for which a building permit is sought*. All fees shall be paid at the Village of Wausaukee Village Hall.

Sec. 14-1-91 through Sec. 14-1-99 Reserved for Future Use.

APPENDIX

**Sample Agreement as to Costs
With the Village of Wausaukee**

_____ The applicant/petitioner

for _____ dated _____, _____.
(nature of application/petition)

agrees, in addition to those normal costs payable by an applicant/petitioner (e.g. filing, or permit fees, publication expenses, recording fee, etc.), that in the event the action applied or petitioned for requires the Village of Wausaukee, in the judgment of its staff, to obtain additional professional services(s) (e.g. engineering, surveying, planning, environmental, recreational, legal) than normally would be routinely available "in house" to enable the Village to properly address, take appropriate action on, or determine the same, applicant/petitioner shall reimburse the Village for the costs thereof.

Dated this _____ day of _____, _____.

(Signature of Applicant/Petitioner)