

VILLAGE OF ALLOUEZ

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Department of Public Works

HOFFMAN ROAD PROJECT ASSESSMENTS

The Hoffman Road project is primarily a reconstruction project except for some construction east of Libal Street. For village reconstruction projects (especially since 2004) assessments have not been levied, rather the project cost has been handled as debt service on the tax levy to all residents.

There are two parts of the Hoffman Road project work that fall under Chapter 3 of the village ordinances.

1. Sidewalk is proposed to be added to both sides of Hoffman Road from East River Drive to the East River bridge. This is to connect the existing sidewalk at the Libal intersection to the bridge to allow pedestrian traffic to get to the bridge and also to provide access to the East River trail. Because this sidewalk is being added to provide access to the trail and to Bellevue it can be considered a public use sidewalk. As such the cost of the sidewalk construction may be paid for by the village and not assessed to the adjacent property owners (Article 3.08 A). The approximate cost of the new sidewalk is \$20,000 and would be about \$40 to \$45 per five-foot sidewalk slab if assessed.

Further, repairs to the existing sidewalk west of East River Drive could also be considered a public benefit and therefore the repair costs would be paid by the village (Article 3.08 B).

2. Curb and gutter is planned to be added from Libal St to the East River bridge. Curb is being added to improve the roadbed (eliminate edge of pavement raveling due to vehicle traffic), and to provide storm water collection from the roadway and routing the runoff to the storm sewer system for treatment at the Hoffman Road wet detention pond. The curb is being added as a design improvement to the road and not for a benefit to the adjacent property owners. The cost of the new curb is a shared cost between Brown County and the village, with the approximate cost to the village at \$50,000, or about \$7.00 to \$7.50 per foot of curb assessed.

New curb and gutter by ordinance is assessed against the properties as a public benefit. For Hoffman Road this includes a number of lots between Libal and East River Drive, and also a few lots east of East River Drive and the strip mall. Note that there a large number of corner lots with the side of the lot fronting Hoffman Road, so they have already been assessed curb when their street was constructed.

Article 3.01 E(3) provides that “no special assessment shall be levied against any property which shall exceed the reasonable benefit to that property of the improvement made.” Considering that the curb is being installed to maintain the road bed, and to control runoff, it may be acceptable to dedicate this new curb as a public use due to the road reconstruction, and not assess for this cost.

3. There are 12 sanitary sewer laterals that will be replaced on Hoffman Road. The replacement of the private property sewer laterals is recommended, and village financing of the private lateral replacements should be offered at has been done on the recent projects. Funds are available to support this. This is recommended to be offered to residents on Hoffman Road and the other streets to be reconstructed in 2014.

CHAPTER 3

STREETS AND SIDEWALKS

3.01 SPECIAL ASSESSMENTS.

A. Levy. Whenever:

- (1) Any street or public right-of-way in the Village is paved or improved, including cutting and graveling; or
- (2) Any curb, gutter, sanitary sewer, storm sewer catch basins and/or leads, water mains, or parts thereof, are laid, altered, repaired or replaced in any public right-of-way in the Village; or
- (3) Any storm sewer main is laid or installed in any presently existing unimproved and/or gravel roadway, or in or to any landlocked parcel of land, or in any street dedicated or platted after the enactment of this ordinance;

there shall be assessed against the property fronting or abutting the street or public right-of-way, or against any landlocked parcel benefitting from the improvement, the total cost of the work, except as provided in this section, including but not limited because of enumeration, materials, supplies, labor, engineering and administrative costs used or expended on the work or improvement.

B. Cost Computation.

The amount to be levied and charged against an abutting property shall be determined by dividing the front footage of the individual parcel abutting the street (or right-of-way) to be so improved, by the total number of feet or assessable frontage on both sides of the street in the block or blocks so improved, and multiplying the result by the total cost of the project.

The amount to be levied and charged against a land locked parcel shall be determined by the total cost of the project, including but not limited to the total number of feet of pipe from the closest reasonable point of access to sewer and water service, and the cost of easements to the benefitted parcel.

Assessments shall be based on the cost of the following:

- (1) 8" Diameter pipe for sanitary sewer
- (2) 12" Diameter pipe for storm sewer
- (3) 8" Diameter pipe for water main

C. Percentage Levied.

Whenever any improvements are made as specified hereby, the owner or owners of each individual property and parcel abutting the street or right-of-way, and of each benefitted landlocked parcel, shall pay the special assessment levied and charged against such property and parcel, as determined under subsections A. and B. above, for the following:

- (1) Pavement (based on a residential 32 foot wide, curb to curb, street).
- (2) Curb and gutter (including catch basins and leads which are a necessary part of the curb).
- (3) Sanitary sewer (main).
- (4) Storm sewer (main) - presently existing unimproved and/or gravel roadways, and streets dedicated or platted after the enactment of this ordinance, only.
- (5) Storm sewer (catch basins and leads).
- (6) Water service (main).

D. Total Cost Levied.

The owner or owners of each individual property and parcel affected, shall pay the total cost of the following:

- (1) Sanitary sewer lateral
- (2) Storm sewer lateral
- (3) Water service lateral
- (4) Maintenance and repairs to sanitary and storm sewer laterals, and to water lateral and service, except as provided in Section 15.24 of this code.
- (5) Any other improvement ordered by the Village in exercise of its police power.

In the event of failure by the owner or owners to pay such charges within the time allotted by the Village, such charges shall be levied as a special assessment and become a lien against the property affected.

E. Special Provisions.

- (1) The assessment for sanitary sewer, storm sewer and water mains to a corner lot in a platted subdivision shall be

based on the frontage of the first side improved; and a 60 foot reduction shall be allowed from the frontage of the second side of said lot when it is improved. No other reductions (ie. pavement, curb and gutter, sidewalks, laterals) shall be allowed corner lots, except as may be provided by Section 3.01E.(5).

- (2) The assessment to a parcel on un-platted land, or against any landlocked parcel benefitting from the improvements, may be made on a formula or other basis which shall be determined by the Village Board.
- (3) Other provisions of this Ordinance notwithstanding, no special assessment shall be levied against any property which shall exceed the reasonable benefit to that property of the improvement made.
- (4) Special assessments shall be levied pursuant to the provisions of Section 66.0703, Wisconsin Statutes, and as may otherwise be permitted by law.
- (5) The assessment for any improvements made to a lot in a platted subdivision, which lot fronts on both of two non-intersecting streets and which lot shall contain only one primary purpose building, shall be as follows:
 - (a) 100% based on the length of the first frontage side which is improved, and
 - (b) 50% based on the length of the opposite frontage side when it is improved.

If such double-frontage lot is also a corner lot, an additional assessment shall be made for the non-frontage side of the lot as provided in Sec. 3.01.E.(1), when such improvements are made in the street which abuts such side.

F. Special Assessments.

- (1) The due date of any special assessments levied against property abutting on or benefitted by a public improvement may be deferred on such terms and in such manner as may be prescribed by the Village Board, except that any such deferment shall exist only:
 - (a) During such period of time while no use of the improvement is made in connection with the property; or

- B. When no special order as to width of a sidewalk has been made by the Village Board new sidewalks in blocks where no sidewalks previously existed shall be:
 - (1) Five feet wide on streets which are 60 feet or more in width.
 - (2) Four feet wide on streets which are less than 60 feet in width.
- C. With written permission from the Village Board, the sidewalk abutting property located in a business or commercial zone may be extended to the curb where concrete curbing has been installed. Such sidewalk extension shall be only of concrete and constructed according to the specifications of the Village.

3.07 SIDEWALK LOCATIONS.

Sidewalks are deemed to be a public improvement. The Village Board of Allouez may order sidewalks to be constructed where none previously existed along any street, irrespective of whether the abutting lands have been improved, wherever in the judgement of the Board the safety and welfare of the public requires it.

3.08 COST OF SIDEWALK CONSTRUCTION.

- A. New Sidewalk Construction and Repair and Maintenance of Existing Sidewalks
 For new sidewalk installation on high volume routes, school routes, public purpose routes and other public benefit routes designated and deemed necessary by the Board, including the repair and the replacement of sidewalks, the costs thereof shall be paid one hundred percent (100%) by the Village.
- B. Repair and Maintenance of Existing Sidewalks
 On high volume routes, school routes or other routes designated and deemed necessary by the Board, abutting property owners would pay nothing for the cost of maintaining, reconstructing, removing and repairing existing sidewalks, but in all other areas the abutting property owners would pay one-hundred (100%) percent for the cost of maintaining, reconstructing, removing and repairing existing sidewalks.

After the Director of Public Works has determined the final cost to each affected property owner, the Village Clerk-Treasurer shall invoice the affected property owners as a special tax and they shall have thirty (30) days in which to pay the invoice in full without interest. If not paid in thirty (30) days the cost



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