

ORDINANCE NO. 2013-35

An Ordinance Designating Fees in Lieu of Park Land

The Common Council of the City of Cedarburg, Wisconsin, does hereby ordain as follows:

SECTION 1. Section 14-1-84 of the Code of Ordinances of the City of Cedarburg is hereby amended as follows:

SEC. 14-1-84 FEES IN LIEU OF LAND.

If the proposed subdivision does not encompass a proposed public park, parkway or other open space lands, or if the Plan Commission requires the reservation of land as set forth in this Section, a fee for the acquisition of public sites to serve the future inhabitants of the proposed subdivision or certified survey map shall be paid to the City Clerk at the time of first application for approval of a final plat of said subdivision, or certified survey map, or part thereof, in the amount of ~~\$750.63~~ \$771.03 for each proposed single-family dwelling unit within the plat and ~~\$498.56~~ \$512.11 for each proposed multi-family dwelling unit. For Community Based Residential Facilities (CBRFs) the fee for acquisition of public sites shall be ~~\$498.56~~ \$512.11 per unit. Public site fees collected by the City Treasurer under the provisions of this Article shall be placed in nonlapsing special funds for City parks and shall be separate from the General Fund of the City, and said special fund shall be used exclusively for the acquisition and development of park, recreation and other open space areas.

SECTION 2. Section 14-1-100(g) entitled **ADMINISTRATIVE AND OTHER FEES** of the Code of Ordinances is hereby amended as follows:

- (g) **Public Site Fee.** If the subdivision does not contain lands to be dedicated as required in this Chapter, the Common Council shall require a fee for the acquisition and development of public sites to serve the future inhabitants of the proposed subdivision. Said fee shall be paid to the City Clerk at the time of first application for approval of a final plat of said subdivision in the amount of ~~\$750.63~~ \$771.03 for each single-family dwelling unit within the plat and ~~\$498.56~~ \$512.11 for each multi-family dwelling unit. For Community Based Residential Facilities (CBRFs) the fee for acquisition and development of public sites shall be four hundred ninety dollars and ninety-three cents; ~~\$498.56~~ \$512.11 per unit. Public site fees shall be placed in a separate Service District Fund by the City Clerk to be used only for the acquisition and development of park sites which will serve the proposed subdivision. Said fund shall be established on the basis of the service area of existing or proposed park facilities.

SECTION 3. This ordinance shall take effect on January 1, 2014 upon publication as provided by law.

Passed and adopted this 9th day of December, 2013.

Kip Kinzel, Mayor

Attest:

Constance K. McHugh, City Clerk

Approved as to form:

Kaye K. Vance, City Attorney