

ORDINANCE NO. 2022-28

An Ordinance Updating Impact Fees

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

SECTION 1. Section 3-6-3 of the Municipal Code of the City of Cedarburg is hereby amended as follows:

SECTION 3-6-3 LIBRARY FACILITY

Any developer creating or constructing additional residential units within the City shall pay a fee to the City to provide for the capital costs necessary to accommodate the Library expansion needs of land development except as provided in subsection (8) below.

- (a) The amount of the fee shall be ~~\$1,464.36~~ \$1,546.36 per single-family residential dwelling unit to be constructed or created by the proposed development.
- (b) The amount of the fee shall be ~~\$972.60~~ \$1,027.07 per residential unit for a multi-family residential dwelling unit to be constructed or created by the proposed development. Multi-family includes Community Based Residential Treatment facilities.
- (c) The fee shall be imposed as a condition of the issuance of the building permit.
- (d) Such fees collected by the City shall be placed in a special fund which shall be separate from the General Fund of the City, and the special fund and all interest earned thereon shall be used exclusively for the capital costs of the library facilities within the City.
- (e) Such fees collected shall be expended by the City for the aforesaid purpose within eight (8) years of the date of payment, or such fee amount paid shall be refunded to the then owner(s) of the property upon which such fee was collected.

SECTION 2. Section 3-6-4 of the Code of Ordinances of the City of Cedarburg is hereby amended as follows:

SECTION 3-6-4 POLICE DEPARTMENT FACILITY

Any developer creating or constructing additional residential dwelling units or any commercial, industrial or institutional land development within the City shall pay a fee to the City to provide for the capital costs necessary to accommodate the Police Department Facility expansion needs of land development except as provided in subsection (8) below.

- (a) The amount of the fee shall be ~~\$1,421.87~~ \$1,501.49 per single-family residential dwelling unit, and ~~\$944.38~~ \$997.27 per multifamily residential dwelling unit and CBRF and ~~\$0.72~~ \$0.76 per square foot for commercial development and ~~\$0.43~~ \$0.45 per square foot for industrial and institutional development.
- (b) The fee shall be imposed as a condition of issuance of the building permit.
- (c) Such fees collected by the City shall be placed in a special fund which shall be separate from the General Fund of the City, and the special fund and all interest earned thereon shall be used exclusively for the capital costs of the police facilities within the City.
- (d) Such fees shall be expended by the City for the aforesaid purpose within eight (8) years of the date of payment, or such fee amount paid shall be refunded to the then owner(s) of the

property upon which such fee was collected.

SECTION 3. Section 3-6-5 of the Code of Ordinances of the City of Cedarburg is hereby amended as follows:

SEC. 3-6-5 WATER SUPPLY FACILITIES

Any developer creating or constructing additional residential dwelling units or commercial, industrial, or institutional land development within the City or any owner of property in the City that has a change in use that results in the use of additional water capacity shall pay a fee to the City to provide for the capital costs necessary to accommodate water supply expansion needs of land development except as provided in subsection (8) below.

2021 Water Impact Fee Based on Installed Meter Size

Meter Size	Meter Factor	Fee per Meter	
5/8"	1.0	\$1,945	\$2,053.92
3/4"	1.0	\$1,945	\$2,053.92
1"	2.5	\$4,863	\$5,134.80
1.5"	5.0	\$9,725	\$10,269.60
2"	8.0	\$15,560	\$16,431.36
2.5"	12.5	\$24,313	\$25,674.00
3"	15.0	\$29,175	\$30,808.80
4"	25.0	\$48,625	\$51,348.00
6"	50.0	\$97,250	\$102,696.00
8"	80.0	\$155,600	\$164,313.60
10"	120.0	\$233,400	\$246,470.40
12"	160.0	\$311,200	\$328,627.20

- (a) The Water Supply Facilities impact fee shall be \$2053.92 per equivalent meter.
- (b) The fee shall be imposed as a condition of the issuance of the building permit except if the total amount of impact fees due for a development will be more than \$75,000, a developer may defer payment of the impact fees for a period of 4 years from the date of the issuance of the building permit or until 6 months before the municipality incurs the costs to construct, expand, or improve the public facilities related to the development for which the fee was imposed, whichever is earlier. If the developer elects to defer payment under this paragraph, the developer shall maintain in force a bond or irrevocable letter of credit in the amount of the unpaid fees executed in the name of the municipality. A developer may not defer payment of impact fees for projects that have been previously approved.
- (c) Such fees collected by the Water Utility shall be placed in a special fund which shall be separate from the general fund of the Water Utility, and the special fund and all interest earned thereon shall be used exclusively for the capital costs of water supply facilities.

- (d) Such fees shall be expended by the Water Utility for the aforesaid purpose within eight (8) years of the date of payment, or such fee amount paid shall be refunded to the payer of fees for the property with respect to which the impact fees were imposed, along with any interest that has accumulated.
- (e) The impact fees imposed under this section shall be increased annually at the percent change of the U.S. Census Bureau Construction Price Index (CPI) for single-family houses under construction, for the twelve-month period preceding October of the prior year, with the adjustment effective January 1 of each year. The City Administrator or designee shall calculate the adjusted fees and maintain a copy of the calculation and the adjusted impact fees in the office of the City Clerk.

SECTION 4. Section 3-6-6 of the Code of Ordinances of the City of Cedarburg is hereby amended as follows:

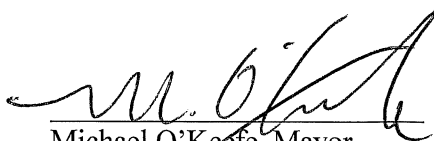
SECTION 3-6-6 PARK FACILITIES

Any developer creating or constructing additional residential units within the City shall pay a fee to the city to provide for the capital costs necessary to accommodate the Park facility expansion needs of land development except as provided in subsection (8) below.

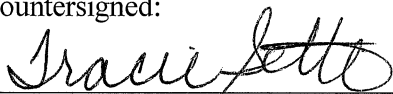
- (a) The amount of the fee shall be ~~\$1,362.29~~ \$1,438.58 per single-family residential dwelling unit to be constructed or created by the proposed development.
- (b) The amount of the fee shall be ~~\$904.80~~ \$955.47 per residential unit for a multi-family residential dwelling unit to be constructed or created by the proposed development. Multi-family includes Community Based Residential Treatment facilities.
- (c) The fee shall be imposed as a condition of the issuance of the building permit.
- (d) Such fees collected by the City shall be placed in a special fund which shall be separate from the General Fund of the City, and the special fund and all interest earned thereon shall be used exclusively for the capital costs of the park facilities within the City.
- (e) Such fees shall be expended by the City for the aforesaid purpose within eight (8) years of the date of payment, or such fee amount paid shall be refunded to the then owner(s) of the property upon which such fee was collected

SECTION 6. This ordinance shall take effect on January 1, 2023, upon publication as provided by law.

Passed and adopted this 12th day of December 2022.

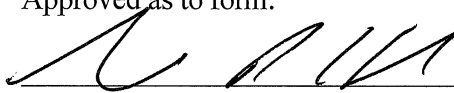

Michael O'Keefe, Mayor

Countersigned:



Tracie Sette, City Clerk

Approved as to form:



Michael P. Herbrand, City Attorney