

**ORDINANCE NO. 2015-5**

**AN ORDINANCE REGARDING PAYMENT OF ENGINEERING,  
LEGAL AND OTHER FEES BY BENEFITTED PARTIES**

The Village Board of the Village of Bristol, Wisconsin, do ordain as follows:

**SECTION I. ADOPTION OF PROVISIONS.**

Section 3-1-24 of the Village of Bristol Code of Ordinances is adopted to read as follows:

**Sec. 3-1-24 Payment of Engineering, Attorney and Other Fees by Benefitted Parties.**

- (a) **Purpose.** The Village Board of the Village of Bristol has authorized at various times the using of the Village of Bristol's professional staff or consultants to help various private parties resolve issues involving street and highway access questions, property line disputes, non-zoning or non-land division matters concerning property and other matters of concern to property owners and residents in the Village of Bristol. While it may be in the public interest to assist property owners and residents with such matters, it is not equitable for the other taxpayers in the Village to have to absorb these professional fees where the fees were incurred to benefit specific land owners or private parties.
- (b) **Fees of Village Professionals Charged Back.** Whenever either the Village Board, Village Clerk, Village Administrator or other Village official has authorized a property owner in the Village of Bristol or private party to contact the Village Attorney, Village Engineer or any other of the Village's professional staff or the Village Board, Village Clerk, Village Administrator, or other Village official contacts said Village Attorney, Village Engineer or any of the Village's professional staff or a property owner contacts the Village Attorney, Village Engineer or any other of the Village's professional staff, if said contact results in a charge to the Village of Bristol for that professional's time and services and said service is not a service supplied to the Village of Bristol as a whole, then and in that event the Village Clerk

shall, pursuant to the provisions of Sec. 66.0627, Wis. Stats., charge that service to said property owner for the fees incurred by the Village.

- (c) **Property Owner Allowed Time to Pay.**
- (1) The Village Clerk or Administrator shall give each property owner or private party billed for professional or current services as provided for herein a period of time not to exceed thirty (30) days to pay and thereafter if that charge remains unpaid, the Village Clerk shall charge that delinquent bill against the current or next tax roll as a special charge or delinquent tax against the property as provided by law. In the event the statement rendered to the property owner or the time given for the property owner to pay is too late in the current year for the charge, when it becomes delinquent, to be extended on that year's tax roll, then the delinquent charge shall be extended to the following year's tax roll.
  - (2) In the alternative, the Village may require pre-payment for such professional assistance.
  - (3) Applicants for a land division under Title 14 of this Code of Ordinances shall comply with the escrow account requirements therein regarding the cost of the Village's professionals and consultants involved in reviews and inspections associated with the land division.
- (d) **Fees Charged for Permits Issued to Municipalities, Agencies or Other Governmental Organizations.** Whenever it is requested that the Village of Bristol grant approvals to any other municipality, agency or other governmental body and that permit process requires the assistance of the professional staff of the Village, those fees shall be charged back to the municipality, agency or governmental body seeking the permit.

## **SECTION II. SEVERABILITY.**

If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

## **SECTION III. EFFECTIVE DATE.**

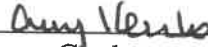
This Ordinance shall take effect upon passage and publication/legal posting as provided by law.

ADOPTED this 12<sup>th</sup> day of October, 2015.

VILLAGE OF BRISTOL, WISCONSIN



\_\_\_\_\_  
President



\_\_\_\_\_  
Village Clerk

INTRODUCED: 10/12/15

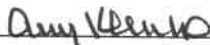
PASSED: 10/12/15

PUBLISHED: \_\_\_\_\_

State of Wisconsin:  
County of Kenosha:

I hereby certify that the foregoing Ordinance is a true, correct, and complete copy of an Ordinance duly and regularly enacted by the Village Board of the Village of Bristol on the 12<sup>th</sup> day of October, 2015, and that said Ordinance has not been repealed or amended and is now in full force and effect.

Dated the 12<sup>th</sup> day of October, 2015



\_\_\_\_\_  
Amy Klemko, Village Clerk

