

# APPLICATION FEES

#6-5-06-1

## FEE ORDINANCE

### AN ORDINANCE OF THE TOWN OF VIENNA RELATING TO APPLICATION FEES

The Town Board of the Town of Vienna, Dane County, Wisconsin, pursuant to authority vested in it, does hereby ordain as follows:

#### SECTION I: REQUESTS

A. Commercial Developments. At the time any applicant requests and/or applies for a land division, zoning change, site plan review, license, or request relating to commercial property and/or improvements, including apartment buildings, such applicant shall, as a part of such request and/or application, complete a Development Application (Exhibit 1 attached hereto and made a part hereof) and pay a Twenty-five Dollars (\$25.00) application fee to the Town of Vienna. This fee shall be in addition to a Type <sup>3</sup>A<sup>2</sup> or Type <sup>3</sup>B<sup>2</sup> review fee as set forth in the Development Application and shall be in addition to any other fees required by any pre-development agreement, development agreement, or law, including fees required under any town, village, county, or state or the purpose of reimbursing the Town of Vienna for its administrative and personnel costs for the Town officers reviewing and processing the request made. There shall be a separate fee of One Hundred Dollars (\$100.00) per meeting or public hearing of the Town Plan Commission for any Plan Commission meetings other than the preliminary informational meeting and one (1) public hearing, provided, however, that the applicant's request is on the agenda for presentation, discussion, review, and/or action.

B. Residential Developments (More Than One (1) Lot Split). At the time any applicant requests and/or applies for a land division, zoning change, site plan review, license, or request relating to residential property for more than one (1) lot split and/or improvements (except a request for a building permit), such applicant shall, as a part of such request and/or application, complete a Development Application and pay an application fee of Twenty-five Dollars (\$25.00) to the Town of Vienna.

This fee shall be in addition to a Type <sup>3</sup>A<sup>2</sup> or Type <sup>3</sup>B<sup>2</sup> review fee as set forth in the Development Application and shall be in addition to any other fees required by any pre-development agreement, development agreement, or law, including fees required under any town, village, county, state ordinance or the purpose of reimbursing the Town of Vienna for its administrative and personnel costs for the Town officers reviewing and processing the request made.

There shall be a separate fee of One Hundred Dollars (\$100.00) per meeting or public hearing of the Town Plan Commission for any Plan Commission meetings other than the preliminary informational meeting and one (1) public hearing, provided, however, that the applicant's request is on the agenda for presentation, discussion, review, and/or action.

#### SECTION II: PAYMENT

In the event the payment required under SECTION I is not made at the time of the request and/or

application, neither the Town Plan Commission, Town Board, nor Town officers shall be required to take action and/or process the applicant's request and/or application.

### SECTION III: PAYMENT FOR ALL SERVICES

In the event that either the Town Plan Commission or the Town Board determines that it is in need of consulting, engineering, legal, or other services to review any request and/or application made under subsections SECTION I.A. or SECTION I.B. of this ordinance, the Town may retain such consultant, engineer, attorney, or other professional person. In such event, the applicant making the request and/or application shall reimburse the Town for all costs and expenses so incurred. If the applicant making the request and/or application fails to pay and/or reimburse the Town for such services, in addition to any other remedies provided by law, the Town Board, Town Plan Commission, and/or Town officers may immediately stop any process involved and may refuse to grant the request and/or application sought. In the event the services are not paid and/or reimbursed to the Town, the Town may elect to collect its costs and all costs of collection, including attorneys<sup>1</sup> fees and costs, as a special charge upon the next tax roll on lands owned by the applicant making the request and/or application pursuant to the authority of sec. 66.0627, Wis. Stats. In the event the consulting services are paid in full after the action has been stopped, it shall be in the sole discretion of the Town as to whether to decide to renew the application process and/or grant the request and/or application.

### SECTION IV: SEVERABILITY

The various provisions of this ordinance are intended to be severable. If any provision of this ordinance is invalid or unconstitutional or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any of the remaining provisions or applications of this ordinance which shall continue in full force and effect.

### SECTION V: EFFECTIVE DATE

This ordinance shall take effect upon its passage and publication as provided by law.

The foregoing ordinance was duly adopted at a regular meeting of the Town Board of the Town of Vienna on June \_\_\_\_\_, 2006.

Carlton Hamre, Chairperson

Daniel Muxfeld, Supervisor

Shawn Haney, Supervisor

I hereby certify that the foregoing ordinance relating to application fees within the Town of Vienna was published as a Class 1 notice under ch. 985, Wis. Stats., on the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Dated: \_June 5\_, 2006 Robert Pulvermacher, Clerk