

Section 2.06 Land Use Fees

2.06(A) Title/Purpose

The title of this Section is Land Use Fees. The purpose of this Section is to authorize the Town to impose fees and costs in connection with land use related applications.

2.06(B) Authority

This Section is adopted and enacted pursuant to the Town of Leeds' exercise of village powers as provided in Wis. Stats. § 60.22(3).

2.06(C) County Zoning Fees

All applications for approval of rezoning amendments, variances or conditional use permits shall be heard by the Town Board with a recommendation by the Plan Commission and shall be accompanied by a fee as established under this Section.

2.06(D) Actual Costs

(1) In addition to paying the applicable processing or filing fee established by the Town Fee Schedule under any Section of this Code, an applicant shall pay the actual cost of the Town's administrative and consultant costs incurred in reviewing the application, which costs shall be paid to the Town within thirty (30) days of billing by the Town. If the applicant is in default with respect to payment of any costs incurred by the Town, the Town shall not be required to take any further action with respect to any pending or future application from the applicant.

(2) Administrative costs include, but are not necessarily limited to, costs associated with meetings and for things such as staff time and disbursements for accounting, fiscal work, publication, copies or reproductions, mailings, public hearings, and special inspections.

(3) Consultant costs include, but are not necessarily limited to, costs incurred from legal counsel, engineers or planners in the course of their review, analysis of relevant materials, attending meetings and inspections.

2.06(E) Escrow Accounts

Applicants seeking approval from the Town under certain Sections of this Code shall deposit an amount as set forth in the Town Fee Schedule in escrow to cover payment of the Town's actual costs of review. Until the Town has taken final action on the application, upon depletion of the escrow to twenty-five (25) percent of the total amount,

the Town Clerk shall notify the applicant that the account shall be replenished to its full amount unless the Town Board determines it is unlikely that remaining review or action does not require replenishment. All surplus escrow funds, within forty-five (45) days of final Town action on the application, shall be returned to the applicant. No interest shall be paid.

2.06(F) Recovery of Costs by Special Charge

Notwithstanding any other provision in the Code, the Town may recover any cost or fee authorized by or incurred pursuant to the administration of this Code by special charge pursuant to Wis. Stats. § 66.0627. The Town Board may cause notice to be mailed by regular mail to the owner of property relating to the cost or fee detailing the charge and purpose therefor and giving said owner no less than thirty (30) days from the date of the notice to pay. The notice shall further provide that if timely payment is not made, the charge will be placed on the tax roll as a special charge pursuant to Wis. Stats. § 66.0627.