

**CITY OF KAUKAUNA
ORDINANCE 1883-2023**

ORDINANCE CREATING SECTION 3.18 SPECIAL CHARGES

WHEREAS, the City of Kaukauna appointed a Code Enforcement Officer in 2022 and there has been an increase in abatements due to code violations and the property owner refusing to take action on their own; and

WHEREAS, Wisconsin State Statutes do not allow for special charges to be transferred to the tax roll for collection of abatements;

WHEREAS, the City of Kaukauna acknowledges that some property owners are unable to pay lump sum charges and believes that it is most advantageous for both parties to adopt a special charges ordinance to collect said charges;

NOW THEREFORE, be it ordained by the Common Council of the City of Kaukauna, in the State of Wisconsin, as follows:

SECTION 1: **ADOPTION** “3.18 Special Charges” of the City of Kaukauna Municipal Code is hereby *added* as follows:

BEFORE ADOPTION

3.18 Special Charges (Non-existent)

AFTER ADOPTION

3.18 Special Charges(*Added*)

1. **Special Charge Payment Plan Program** -This program pertains to all City Special Charges that cannot be transferred to the tax roll for collection Per the statutes. This program offers the property owner an option to establish a payment plan with the City that will allow for a payment term of up to 10 years depending on the special charge amount per the table listed below.

Terms and Rate Table

Tiered Amount	Term	Rate*
Less than \$1,000	1-year term	Unison Home Equity Line of Credit +0.5%
Between \$1,000 and \$5,000	3-year term	Unison 3-year arm rate +0.5%
Between \$5,000 and \$7,000	5-Year term	Unison 5-year arm rate +0.5%
Greater than \$7,000	10-year term	Unison 7-year arm rate +0.5%

*Rates posted on Unison's website at the time of application. A payment plan will be used. Unison is one of the approved financial institutions for City Business.



2. Special Charge invoicing process and timing.

- a. Once a special charge is issued, the property owner will have 30 days to pay the invoice in full or establish a payment plan per the schedule listed above. If invoice goes unpaid or owner fails to establish a payment plan, a lien will be placed on the subject property. Finance charges of 1% per month 12% APR will also begin on unpaid invoices that do not have a payment plan established.
- b. After 90 days, the City will submit all outstanding and unresponsive debt holders' files to the State Debt Collection (SDC) agency for collection. Note, additional collection service fees will apply to the outstanding balances if SDC becomes the collection agency.
- c. Once payment plan is established, a lien documenting the voluntary payment plan will be recorded against the property with details on the payment plan that is established. Once paid in full, the recording will be removed from the property.

3. Payment method option- All payment plans must have an established bank account whereby the owner allows the City to draw funds monthly in accordance with the payment plan established. It is the property owner's responsibility to notify the City of any change in bank account information. All payments will be withdrawn on the 5th of the month.

4. Uninterrupted payments- If property owner fails to ensure monthly payments continue per established plan, a notice will be given to the owner of the failed monthly payment draw. If issue is not remedied within 10 days of dated notice, City will issues notice to property owner of transferring debt to SDC. If still no response, the remaining balance will be sent to the State Debt Collection Agency (SDC) for collection.

5. Recorded Lien (Adding and Removal)- Liens will be recorded 30 days from Invoice. The liens will be removed from the property within 30 days of receipt of full payment through the way of a satisfaction letter.

PASSED AND ADOPTED BY THE CITY OF KAUKAUNA COMMON COUNCIL

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Presiding Officer

Attest

Anthony J. Penterman, Mayor, City of
Kaukauna

Sally Kenney, Clerk, City of Kaukauna