



MEMO

Engineering Department

To: Board of Public Works
From: John Neumeier, Director of Public Works/City Engineer
Date: 6/2/2025
Re: **2b. Public Works Policy Review - 8.03(2) Assessments**

Background information:

Staff has received requests from Alders to review the current street assessment policies. We will discuss areas we see as successes and areas for possible changes in the ordinance. Alders are encouraged to come to the meeting with comments, questions, or suggestions, or contact me ahead of time, if possible, with the same for better discussion during the meeting.

A copy of the current 8.03(2) is included with this memo.

Strategic Plan:

NA

Budget:

NA

Staff Recommended Action:

Discuss current policy and direct staff to come back with recommendations for any updates to be considered at a future meeting.

8.03 Street Construction

1. Specifications.

- a. A standard residential street shall consist of curb and gutter and a road bed consisting of nine inches of crushed compacted stone, a three-inch asphalt surface, or six inches of concrete in a four-inch salvage road mat.
- b. A standard residential street shall be 37 feet back-to-back of curb, where possible.
- c. *Acceptance.* All roads in newly developed areas in the city shall be set at a standard width of 37 feet, having a base of eight inches of coarse stone and a two-inch topping of fine stone. All sewer laterals shall be installed by the developers before the street will be accepted by the city.
- d. *Sidewalks.*
 - (1) Building permits issued for new construction or relocated buildings between January 1 and September 1 shall have sidewalks installed during the same construction season as the building permit was issued. The person, company, or authorized agent to whom the building permit was issued shall be responsible for causing the sidewalk to be installed within the same construction season, but not later than November 1 of that construction season.
 - (2) Building permits issued for new construction or relocated buildings between September 2 and December 31 shall have sidewalks installed during the following construction season, but not later than November 1 of that construction season. The person, company, or authorized agent to whom the building permit was issued shall be responsible for causing the sidewalk installation.
 - (3) Building permits issued for new construction in subdivisions created after January 1, 1991, may have sidewalks installed per subsections (1)(d)1 and 2 of this subsection or shall have sidewalks installed per subsection (1)(d)4 of this section.
 - (4) All properties, whether vacant or improved, abutting streets that are planned for new pavement and curb and gutter, or replacement of same, shall have sidewalks installed in conjunction with the street improvement.
 - (5) At such time that two-thirds of the properties on any block face or on any entire block have had sidewalks installed, the remaining properties shall have sidewalks installed at the property owner's expense.
 - (6) Sidewalks, when damaged or removed due to construction, shall be replaced in new condition by the general contractor. All walks subject to the subsections (1)(d)1 through 4 of this section, shall receive approval of the building inspector before a certificate of occupancy will be issued.
 - (7) When curb and gutter or sidewalks are undermined to install sewer laterals, water services, gas piping, or electric services to such an extent that, in the opinion of the building inspector, backfilling and backtamping under curbing or sidewalks would not restore the soil to the original condition, the inspector shall order one or more stones removed and shall advise the technique of ditching to be used to install such utilities.
 - (8) Where extraordinary hardship may result from strict compliance with this subsection due to physical features of the site, an appeal for a variance may be requested in writing to the board of public works.

- (9) The building inspector shall take necessary action to see to it that violations of this subsection are prosecuted in the city court. The building inspector, in the performance of his duties, shall receive the assistance of all other appropriate city officials, including the city attorney, in prosecuting violations hereof.
- (10) Any person who violates any provision of this section, upon conviction thereof, shall forfeit not less than \$100.00 for the first offense, not less than \$200.00 for the second offense and, for any subsequent offense, not less than \$300.00, together with the cost of prosecution or, in default of payment thereof, by imprisonment in the county jail for a period not to exceed 30 days. Each and every day during which such violation occurs shall be deemed a separate offense.
- e. *Fill*. All fill removed in preparing for paving shall remain the property of the city.
- f. *Underground street improvements*. No street shall be improved by high-type surfacing unless water, sanitary sewer, and storm sewers are first installed pursuant to Wis. Stats. § 62.16.
- g. *Determination*. Need for road improvements shall be determined by either the petition of abutting property owners or by order of the board of public works.

2. Assessments.

- a. All assessments in residential districts will be based on a street not to exceed 37 feet in width. All costs of paving, widening, and resurfacing streets in residential districts in excess of the cost of 37 feet shall be paid by the city.
- (1) *Residential streets*. The cost of paving with asphalt or concrete for a standard residential street, and the cost of resurfacing or reconstructing a standard residential street shall be assessed by the lineal footage of street frontage for such property abutting the street.
- (A) *Corner lots, double frontage and three-sided lot credits*. For the following property and frontage configurations, a credit shall be deducted from the assessment. The cost of such credit shall be borne by the City of Kaukauna. All such credits under this section 8.03(2)(b)1 apply only to street frontages, and do not apply to alley frontages. No additional credit shall be given for prior years' assessments.
- (a) Corner lots, defined as lots with two side yard lot lines that intersect at an angle of less than 110 degrees, shall be credited an amount equal to 30 percent of the frontage on each side, with a maximum such credit of 50 feet on each side. If either side of the lot is deemed non-assessable because of access restrictions, no such credit shall be applied.
- (b) Double frontage lots, defined as lots with non-contiguous assessable frontage, shall be credited an amount equal to 30 percent of the frontage on each side, with a maximum such credit of 50 feet on each side. If either side of the lot is deemed non-assessable because of access restrictions, no such credit shall be applied.
- (c) Three-sided lots, defined as lots with only one side-yard setback, shall be credited an amount equal to 30 percent of the frontage on each side, with a maximum such credit of 50 feet on each side. If

two of the sides of the lot are deemed non-assessable because of access restrictions, no such credit shall be applied.

(2) *Cul-de-sac, bump out, mouse ear, and eyebrow lot assessments.* Lots on the outside of the described curve where more than 75 percent of the platted frontage is concave shall be assessed 130 percent of the platted frontage. If less than 75 percent of the platted frontage is concave, the entire frontage shall be assessed.

- b. *Alley reconstruction.* The cost of alley reconstruction shall be assessed by the lineal footage of alley frontage for such property abutting the alley. The owners of property with such frontage shall be assessed one-third of all costs of paving, widening, or resurfacing and the city shall pay one-third, regardless of the width of the alley.
- c. *Sidewalk and driveway apron installation and replacement.* Abutting property owners shall pay 100 percent of the cost of installing or replacing sidewalks and installing or replacing driveway aprons that abut their property. Such cost shall be assessed according to the lineal footage of sidewalk abutting the property that is installed or replaced and the actual cost of the driveway apron installed or replaced.
- d. The owners of property zoned as commercial core district, commercial highway district, central business district, and commercial shopping center district shall be assessed 2/3 of all costs of paving, widening, or resurfacing and the city shall pay 1/3, regardless of the width of the street.
- e. Property zoned for industrial park district or industrial district shall be assessed 100 percent of all costs of paving, widening, or resurfacing regardless of the width of the street.
- f. *Sanitary sewer assessments.*
 - (1) *New sanitary sewer main installation.* Abutting property owners shall be assessed for 100 percent of the cost of new sanitary sewer main installed by the city, and shall be assessed according to the lineal footage of frontage of such property abutting the sanitary sewer main installation. Corner lots shall be assessed only on that side to which service is provided.
 - (2) *Reconstructed sanitary sewer main.* There shall be no assessment for reconstructed sanitary sewer mains.
 - (3) *New sanitary sewer laterals.* Property owners will be assessed 100 percent of the cost of installation of sanitary sewer laterals from the sewer main to the property lot line. Property owners are responsible for installation of sanitary sewer laterals from the lot line to their building(s).
 - (4) *Reconstructed sanitary sewer laterals.* If the property owner authorizes city contractor to reconstruct the lateral from the lot line to the building(s) when the sewer main in front of the property is reconstructed, the property owner shall be assessed for 100 percent of the costs of reconstruction from the lot line to the building(s). There shall be no assessment for reconstruction of sanitary sewer laterals from the sanitary sewer main to the property line except in the case of collapse or serious defect.
- g. *Storm sewer and mini-storm sewer assessments.*
 - (1) *New storm sewer main installation.* Abutting property owners shall be assessed for 100 percent of the cost of new storm sewer mains installed by the city, and

shall be assessed according to the lineal footage of frontage of such property abutting the storm sewer main installation. Corner lots shall be assessed only on that side to which service is provided.

- (2) *Reconstructed storm sewer mains.* There shall be no assessment for reconstructed storm sewer mains.
 - (3) *Storm sewer extensions.* Property owners will be assessed 50 percent of the cost of installation of storm sewer main extensions, if such installation is for the sole purpose of providing private lateral service to such property.
 - (4) *New storm sewer laterals.* Property owners will be assessed 100 percent of the cost of installation of storm sewer lateral from the sewer main to the property lot line. Property owners are responsible for all costs of installation of sewer laterals from the lot line to their building(s).
 - (5) *Reconstructed storm sewer laterals.* If the property owner authorizes city contractor to reconstruct the lateral from the lot line to the building(s) when the sewer main in front of the property is reconstructed, the property owner shall be assessed for 100 percent of the costs of reconstruction from the lot line to the building(s). There shall be no assessment for reconstruction of storm sewer laterals from the storm sewer main to the property line except in the case of collapse or serious defect.
 - (6) *New mini-storm sewer main installation.* Abutting property owners shall be assessed for 50 percent of the cost of new mini-storm sewer mains installed by the city, and shall be so assessed according to the platted frontage whether or not a main is extended across the entire benefitting lot's frontage.
 - (7) Project costs attributable to main installation include but are not limited to, terrace remediation, sidewalk replacement, catch-basin, etc.
- h. The cost per foot for such assessments shall be set based on current bid prices and include reasonable engineering fees. If the city does all or part of the work, the cost per foot for that portion done by the city shall be set based on the total cost of the work including reasonable engineering fees.
- i. All special assessments under this section 8.03(2) shall be paid over a period of ten years or less. If the cost of the project was included as part of the city budget, interest on the unpaid special assessments shall be charged at the current interest rate being charged for loans from the Wisconsin Trust Fund plus one percent. If the city borrowed the money for the project, the interest rate shall be the interest rate paid by the city on the borrowed funds plus one percent.
- j. When the city receives aid from any governmental unit for paving, widening, resurfacing or for curb and gutter, the aid received will apply toward the city's share of the cost of the project. Any balance will apply toward the property owner's share of the cost of the project.

(Code 2011, § 8.03; Ord. No. 1713, 6-16-2015; Ord. No. 1791, 8-20-2019)