

RESOLUTION 269

A RESOLUTION TO ESTABLISH AN ASSESSMENT POLICY

WHEREAS, the City Council of _____ finds it necessary to establish a fair and equitable written assessment policy, which covers street and curb & gutter construction, seal coating, and sanitary sewer and watermain construction.

NOW, THEREFORE, BE IT RESOLVED by the City Council of _____ Minnesota:

1) The current policy on street construction assessments is as follows:

- A. The 15 feet adjacent to the property owner is assessed on a square footage basis multiplied by the front footage of the property.
- B. On a corner lot, the owner is assessed for 100% of the long side and 1/2 of the short side.
- C. The middle of the street, intersections and radius' are paid for through ad valorem property taxes.
- D. Associated project costs, engineering and administrative fees, are assessed to property owners on a percentage basis, equal to the per cent of construction cost assessed to property owners.

2) The current policy on new curb & gutter construction assessments is as follows:

- A. Curb & gutter is assessed at 100% of the project cost, excluding the radius', and calculated by using front footage of the property.
- B. There is no allowance for corner or double fronting lots.
- C. Where curb, or curb & gutter need to be replaced, due to no neglect by the property owner, no assessment is made.

3) The current policy on seal coating project assessments is as follows:

- A. The City will have all paved roads within the City limits, seal coated every five years.
- B. 20% of the total project cost, including engineering and administrative fees, will be assessed to property owners on a front footage basis.
- C. On a corner lot, the owner is assessed for 100% of the long side and 1/2 of the short side.

4) The current policy on sanitary sewer and/or watermain construction assessments is as follows:

- A. 100% of the project cost of sanitary sewer and/or watermain construction, excluding hydrants, valves, manholes and catch basins, is assessed to benefited property on a front footage basis.
- B. The project cost will include actual construction work plus 50% of associated costs, including engineering and administrative fees.
- C. Corner or double fronting lots are assessed generally along one side only, unless the lot would benefit by the utility on two sides.

5) If assessments are not paid in full within 30 days after approval of the assessment roll, they will be certified to the County Auditor for collection with property taxes, at an interest rate of 1 1/2% over the bond rate.

6) Regarding deferral of assessments:

A. The Council, at its discretion, may defer payment of assessments for any property owned by a person 65 years or older, or retired by virtue of a permanent and total disability, for whom it would be a hardship to make the payment.

(M.S. 435.193-435.195)

B. The Council may also, at its discretion, defer payment of assessments (principal and interest) on those properties, platted or unplatted, where no residence exists or the residence is currently serviced by the constructed utility, for a period of no more than ten years, or such time as the property is sold, or the owner chooses to hook up to the new services, whichever comes first. Further, should the property abutting the improvement be unimproved, unplatted land zoned agricultural, the Council may defer payment of assessments (principal and interest) until such time as the property owner hooks up to the services, or the property is platted.

C. The Council may extend the ten year limitation stated in subdivision 6)B. until such time as the property owner connects to the services. This decision may become necessary to correct past situations, whereby City utility lines were not previously placed under street right-of-ways, and owners were allowed to extend private lines further than necessary, or to provide access for future development.