

ORDINANCE NO. 81

FEES FOR EXTRAORDINARY SERVICES

An ordinance to create fees for extraordinary services provided by the Town.

WHEREAS, the Town provides police response services for the protection of the public health, safety and welfare, the costs of which are funded from the general tax revenue of the Town; and

WHEREAS, such services may involve property which is not owned by a property taxpayer of the Town such as a utility or hospital, or may involve property owned by a taxpayer of the Town, but which requires extraordinary police response services; and

WHEREAS, such response services benefit the owner or person in charge of such property and the public health, safety, and welfare; and

WHEREAS, the Town has adopted Village Powers and pursuant to Section 61.34, Wis. Stats., and its police powers, the Town may collect the costs of such response services from the owner or person in charge of the property if it is deemed proper and in the best interest of the public health, safety, and welfare;

NOW, THEREFORE, the Town Board of the Town of Geneva, does ordain as follows:

Fees for Extraordinary Services

1. Definitions.

- a. "Property" means the personal property or real estate directly involved in the response services, including, but not limited to, utility companies or hospitals.
- b. "Town response services" means Town of Geneva police response services.

2. Responsibility for Costs.

- a. In the event the Chief of Police determines the costs incurred for Town response services are extraordinary in amount or the services for which the costs are incurred are extraordinary in type, the Chief of Police shall refer said matter to the Town Board.
- b. Upon referral, the Town Board shall review and determine whether to seek reimbursement for the extraordinary costs from the owner of the property. The Board shall consider the amount of the costs involved, the nature of the response services, the impact of the response on other Town services, and such other factors it deems appropriate in making its determination.

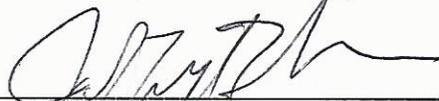
- c. The Board may direct the Town Clerk to issue an invoice for the costs of labor and materials, or a portion thereof, to the owner or person in charge of the property. The invoice shall include an itemization of the costs and a requirement for payment within thirty (30) days. Costs of police personnel shall be charged at \$250.00 for the initial response plus \$250.00 for each hour or fraction thereof following the first hour together with the costs of any materials provided.

3. Severability.

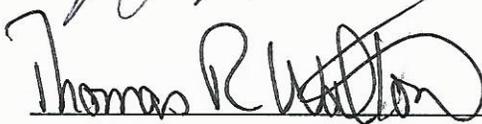
The provisions of this ordinance are severable. In the event any portion hereof is found to be unconstitutional, void, or otherwise unenforceable by a court of competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

Effective Date. The repeal of the existing Ordinance and the passage of this Ordinance shall take effect from and after its adoption by the Town Board and upon posting or publication thereof as provided by the Statutes of the State of Wisconsin.

Adopted this 4th day of December, 2017.

  
\_\_\_\_\_  
Jeff Monroe – Supervisor No.1

Absent  Aye  Nay  Abstain  Preside

  
\_\_\_\_\_  
Tom Walton – Supervisor No.2

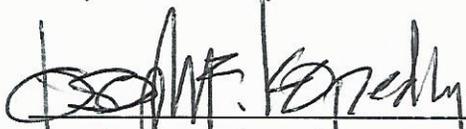
Absent  Aye  Nay  Abstain  Preside

\_\_\_\_\_  
David Stolow – Supervisor No.3

Absent  Aye  Nay  Abstain  Preside

\_\_\_\_\_  
Andy Schmidt – Supervisor No.4

Absent  Aye  Nay  Abstain  Preside

  
\_\_\_\_\_  
Joseph F. Kopecky – Chairperson

Absent  Aye  Nay  Abstain  Preside

  
\_\_\_\_\_  
Debra L. Kirch – Clerk/Treasurer

Attest