

CITY OF PLYMOUTH, WISCONSIN
Ordinance No. 14 of 2018

AN ORDINANCE AMENDING TITLE 1 CHAPTER 3 OF THE CODE OF ORDINANCES, CITY OF PLYMOUTH, WISCONSIN RELATED TO ANNEXATIONS TO THE CITY

WHEREAS, the City of Plymouth receives petitions for unanimous direct annexation from electors and property pursuant to Wis. Stats. 66.0217(2); and

WHEREAS, the Common Council has reviewed Title 1 Chapter 3 of the code of ordinances related to annexations and has determined that the code should be updated;

NOW, THEREFORE, the Common Council of the City of Plymouth, Wisconsin, does hereby ordain as follows:

Section 1. Amending Code. Title 1 Chapter 3 is hereby amended as follows (deletions shown by strikeout, additions shown by underscore):

Sec. 1-3-1 ANNEXATION OF TERRITORY.

Annexation of territory contiguous to the City of Plymouth shall be in accordance with Sec. 66.0217, Wis. Stats. A petition for annexation shall be filed with the City Clerk and shall contain the following:

- (a) Names and addresses of all electors residing within the territory to be annexed.
- (b) Names and addresses of all owners of record of the territory to be annexed.
- (c) Full correct legal description of territory to be annexed.
- (d) Scale map showing boundaries of territory to be annexed and the relationship of such territory to the City of Plymouth municipal boundary, and to all other lands owned by the petitioners that are contiguous to the lands described in such annexation petition.
- (e) ~~Affidavit showing mailing of a~~ **A** copy of the petition of annexation, with scale map attached, **that will be provided to** the Clerk of the Township and to the Division of Intergovernmental Relations Wisconsin Department of Administration, Municipal Boundary Review, at 101 E. Wilson Street, 10th Floor, Madison, WI 53702-0001, or the then address thereof.
- (f) The Aldermanic ~~District~~ **Election Ward** in which **the annexed property** is proposed to be included.
- (g) The proposed zoning district **in which the annexed property** is proposed to be included.

- (h) The population of the territory to be annexed, as defined in Sec. 66.0217(5), Wis. Stats.

SEC. 1-2-2 STATEMENT OF POLICY.

~~It is the policy of the City of Plymouth to consider only those parcel for annexation which include all contiguous lands owned by the petitioner, unless specific exception be made upon recommendation of the Plan Commission and approved by the Common Council.~~ Only those parcels that are contiguous to the City of Plymouth may be annexed through a petition for direct annexation by unanimous approval. All deferred special assessments and costs for the installation of water mains, sanitary sewer mains, storm sewer mains, sidewalks, and other assessable municipal improvements of benefit to such premises shall be paid in full as a condition of annexation unless specific exception be made by the Common Council, in which event such charges not paid in ~~full~~ full shall be a lien by special assessment procedure pursuant to Sec. 66.0703, Wis. Stats., and to which said lien all owners of the annexed territory shall consent in writing prior to adoption of an annexation ordinance.

SECTION 1-3-3 CONDITIONS REQUIRED PRIOR TO ANNEXATION.

Prior to **consideration of the** adoption of an annexation ordinance by the Common Council, the following shall occur ~~be furnished by the petitioner.~~

- (a) A pre-annexation petition meeting shall occur between the petitioner(s) and city representatives including but not limited to the City Administrator/Utilities Manager, Director of Public Works/City Engineer, Building Inspector/Zoning Administrator, and/or other designees.
- (b) A warranty deed for all portion of such lands sought to be annexed within a current or proposed public right-of-way conveying the same to the City of Plymouth for right-of-way purposes, if deemed necessary by the Plan Commission or Common Council.
- (c) Full payment of any and all deferred special assessments levied by Resolution of the Common Council as may be applicable, outstanding and unpaid against said parcel sought to be annexed.
- (d) Payment of any ~~park dedication~~ **municipal** fees as may be required by the Plan Commission **or Common Council. This may include reimbursement of legal costs associated with the annexation and/or other administrative costs.**
- (e) Full payment of all annexation petition review fees as are required by Wisconsin Statutes § 16.53 (14) or suitable proof that such fees have in fact been paid to the Department of Administration and provided thereto together with the ~~mailing of a copy of the annexation petition and the "Request for Annexation Review" form thereto.~~ The Common Council shall review the determination of the Department

of Administration as to whether the annexation is in the public interest prior to enacting an ordinance annexing the petitioned property. Such fees are as follows as of October 1, 2007, subject to change:

Initial File Fee:	2 acres or less	\$200
	2.01 acres or more	\$350
Review Fee:	2 acres or less	\$200
	2.01 - 10 acres	\$600
	10.01 - 50 acres	\$800
	50.01 - 100 acres	\$1,000
	100.01 - 200 acres	\$1,400
	200.01 - 500 acres	\$2,000
	Over 500 acres	\$4,000

- (f) Full payment In addition petitioner shall make payment to the City Clerk or Building Inspector/Zoning Administrator or other designee of any required re-zoning fee. A "Request for Annexation Review" form must accompany the petition copy mailed to the Division of Intergovernmental Relations, Municipal Boundary Review, at 101 E. Wilson Street, 10th Floor, Madison, WI 53702-0004.

SECTION 1-3-4 COMPULSORY CONNECTION TO CITY UTILITIES.

Upon annexation all properties with building improvements shall connect to city electric, water, and sewer services whenever such services are available to the annexed property. The provisions of Section 8-1-8, Compulsory Connection to Sewer and Water, shall apply to all annexed properties with building improvements, regardless of whether such improvements are commercial or residential in nature.

Section 2. Severability. Should any portion of this Ordinance or the affected Municipal Code Section be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

Section 3. Effective Date. This Ordinance shall take effect the day after publication.

Enacted on July 31, 2018.

CITY OF PLYMOUTH
DONALD O. POHLMAN, Mayor
PATRICIA HUBERTY, Clerk