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2003 ASSEMBLY BILL 885

February 23, 2004 – Introduced by Representatives Vruwink, Gronemus and Staskunas, by request of Wood County Planning and Zoning Committee. Referred to Committee on Urban and Local Affairs.

1 AN ACT to amend 145.20 (4); and to create 145.20 (2m) of the statutes; relating

to: treating certain local government fees relating to private sewage systems as special charges.

Analysis by the Legislative Reference Bureau

With certain exceptions, current law requires county governments to regulate private sewage systems (in Milwaukee County, these regulatory duties must be performed by the city, village, or town where the private sewage system is located). Current law allows a city, village, town, or county that is responsible for the regulation of private sewage systems (regulator) to assess the owner of a private sewage system for costs related to the pumping of a septic or holding tank. Any such assessment that remains unpaid becomes a lien on the applicable property and is placed on the tax roll as a delinquent tax.

This bill permits a regulator to adopt ordinances for the monitoring and maintenance of private sewage systems. The bill allows the regulator to impose a fee, as a special charge, against the owner of a private sewage system for costs related to any services provided by the regulator under the ordinances. The bill also allows the regulator to impose a special charge for costs related to the pumping of a septic or holding tank that is part of that private sewage system. Like other special charges and special assessments, those imposed under this bill become a lien on the property against which they are imposed and are placed on the tax rolls if they remain unpaid.

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For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Section 1. 145.20 (2m) of the statutes is created to read:

145.20 (2m) Governmental unit responsible for the regulation of private sewage systems may adopt ordinances for the monitoring and maintenance of private sewage systems. The governmental unit responsible for the regulation of private sewage systems may impose, as a special charge using the procedure under s. 66.0627, a fee against the owner of a private sewage system for costs related to any services provided by the governmental unit under the ordinances concerning that private sewage system.

Section 2. 145.20 (4) of the statutes is amended to read:

145.20 (4) Special assessment or special charge for holding and septic tank pumping. A governmental unit may assess the owner of a private sewage system for costs related to the pumping of a septic or holding tank that is part of that private sewage system. The governmental unit shall make any such assessment in the same manner that a city, village or town makes an assessment under s. 66.0703. A governmental unit may impose, as a special charge using the procedure under s. 66.0627, a fee against the owner of a private sewage system for costs related to the pumping of a septic or holding tank that is part of that private sewage system.

18 (END)