

LIBERTY GROVE UTILITY DISTRICT NO. 1
ORDINANCE NO. 6-24
AN ORDINANCE TO RESCIND ORDINANCE NO. 1-2006, ESTABLISHING IMPACT FEES, AND TO
DIRECT REFUNDING OF HELD IMPACT FEES

WHEREAS, on February 1, 2006, the Commission of the Liberty Grove Utility District #1 adopted Ordinance No. 1-2006, creating Sections 100.00 through 100.70 of the District Code and establishing an impact fee for water tower and system improvements, in the amount of Two Thousand Ninety-Eight Dollars (\$2,098,00) for every residential meter equivalent; and

WHEREAS, the impact fees collected by the Utility District to date pursuant to Ordinance No. 1-2006 have not been used and are not planned to be used in the near future; and

WHEREAS, in accordance with Wis. Stat. § 66.0617(9), which preempts conflicting Utility District ordinances, impact fees held and not used within eight years after they are collected must be refunded to the payer of fees for the property with respect to which the impact fees were imposed, along with any interest that has accumulated.

NOW THEREFORE, the Commission of the Liberty Grove Utility District #1, Door County, Wisconsin does hereby ordain as follows:

- A. Liberty Grove Utility District #1 Ordinance No. 1-2006 regarding the establishment of impact fees is hereby repealed in its entirety.
- B. District Code Sections 100.00 through 100.70, reflecting the repealed Ordinance No. 1-2006, are hereby repealed and removed from the District Code in their entirety.
- C. The Treasurer, with the assistance of the Secretary, of Liberty Grove Utility District #1 are ordered to refund all impact fees, along with any interest that has accumulated, held by the Utility District in accordance with Wis. Stat. § 66.0617(9).
- D. If any portion of this Ordinance or its application on any person or circumstances is held invalid, the validity of this Ordinance as a whole or any other provision herein or its application shall not be affected.
- E. The Clerk of the Liberty Grove Utility District #1 shall publish this ordinance or a summary of this ordinance as provided by Wis. Stat. § 60.77(5m).
- F. The provisions of this Ordinance shall be in full force and effect from and after its passage and publication.

Adopted at a regular meeting of the Liberty Grove Town Board on June 5th, 2024. Motion to adopt: Nancy Goss, Second: Cathy Ward. Town Board Supervisors Appel, Watts, Ward, Goss, and Johnson all voted aye. There were no nays. Motion carried 5 – 0.

I, Pamela Donart-Welcome, Clerk of the Liberty Grove Utility District #1, and Town of Liberty Grove, Door County Wisconsin hereby certify that the above is a true and correct copy of an ordinance which was adopted at a properly noticed meeting of the Liberty Grove Town Board on the 5th day of June, 2024.

Dated this 6th day of June 2024.

*Pamela Donart-Welcome,
Liberty Grove Utility District #1 Clerk*

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