

thereof, regardless of the amount bid, the committee on finance and budget may consequently direct the county clerk to readvertise such lands for sale as hereinbefore provided, but the county clerk may cause the sale, subject to the approval of the county board, for an amount equal to or exceeding the appraised value of any lands, without readvertising of any lands previously advertised for sale. (Ord. 136-53, 1992; Ord. 27-78 Sec.2(part), 1978).

4.20.065 Earnest money deposit and forfeiture. No bids shall be accepted unless accompanied by an earnest money deposit in the amount of 10% of the bid. Successful bidders shall forfeit their earnest money deposits unless full payment is made to the county clerk within 2 weeks of the clerk's mailing notice of the bid award. (Ord. 129-73 Sec.3, 1986).

4.20.070 Examination of lands--Rejection of or absence of bids. It shall be the duty of the county clerk to have examined and appraised, any tax deeded lands proposed to be sold by Eau Claire County. In the event that any tax deeded lands so appraised and advertised for sale fail to draw bids or bids are rejected for any reason by the county board, the committee is authorized and empowered to determine a minimum bid of such tax deeded lands of the county. (Ord. 129-73 Sec.4, 1986; Ord. 27-78 Sec.2(part), 1978).

4.20.080 Conveyance by clerk. After the county board has duly accepted a bid for the purchase of tax deeded lands, the county clerk shall, under the clerk's name and seal, convey said land by way of a quit claim deed in accordance with the terms of such acceptance. (Ord. 27-78 Sec.2(part), 1978).

4.20.090 Per diem and mileage payments. The members of the committee on finance and budget shall receive the standard rate of per diem and mileage as established from time to time by the county board in accord with Wis. Stat. § 59.10(1)(c), and the provisions of 3.20.040 and 2.09.220 for such duties enumerated herein, the performance of which does not constitute a "committee meeting" as defined in 3.20.030. Such duties shall be limited to examination of properties for appraisal purposes and for ascertainment of the relative worth of retaining said property in the ownership of the county for park use or other public purposes. It is presumed that in the absence of other business which is proposed to be handled at such time as the above-stated duties, such duties may be undertaken by a subcommittee. (Ord. 147-80, Sec. 14, 2003; Ord.141-03, Sec.1, 1997; Ord. 133-28, Sec.9, 1989; Ord. 27-78 Sec.2(part), 1978).

4.20.100 Sale to former owners. Pursuant to Wis. Stat. § 75.35(3), the county clerk subject to the approval of the county board, is hereby empowered to supervise the sale of tax deeded lands to their former owners, or their heirs, who lost title through delinquent tax collection enforcement procedure, and is further authorized to grant to such former owners first preference and right to purchase said lands. Any sale made pursuant to this section shall be exempt from the operation of Wis. Stat. § 75.69. No such sale shall be approved by and authorized by the county board unless, as a minimum, the former owner or the owner's heirs pays to the county the taxes, the interest thereon and the applicable charges attributable to said lands. This section shall not apply to tax deeded lands which have been improved for or dedicated to the public use by Eau Claire County, subsequent to its acquisition thereof. (Ord. 133-28, Sec.10, 1989; Ord. 27-78 Sec.2(part), 1978).

4.20.110 Charge to former owners or their heirs on sale. In the event of tax deeded lands, where the former owners or their heirs are granted first preference and duly exercise such right to purchase such lands, subject to the approval and authorization of the county board, there shall be assessed against such owners or their heirs a charge to cover reasonable costs incurred by said county in processing said tax delinquent property. In addition, such owners or heirs shall be assessed a charge in an amount derived from the total current tax rate for the district wherein the property lies times the current assessed value, but not less than \$100. This amount shall be assessed for each year the property is off the tax roll. (Ord. 130-26 Sec.1, 1986; Ord. 27-78 Sec.2(part), 1978).

4.20.130 Special assessments--Tax deed sales. The committee on finance and budget is further authorized to supervise the sale of tax deeded lands taken pursuant to the issuance of tax sales certificates for special assessments, which certificates were issued in accord with the provisions of Wis. Stat. §§ 66.0703, 66.0717 and 66.0721. Such sales shall be made in compliance with all of the provisions of this chapter. (Ord. 151-21, Sec. 3, 2007; Ord. 133-28, Sec.11, 1989; Ord. 27-78 Sec.2(part), 1978).

4.20.140 Preference.

A. Any tax deeded lands taken pursuant to this chapter shall, subject only to the privilege afforded to former owners in 4.20.100, be reserved for examination by the committee on parks and forest as to the advisability or retaining said lands in county ownership as forest or park lands under the following conditions only:

1. Where such lands abut or adjoin or are partially or wholly contained within the county conservancy district; or
2. Where such lands abut or adjoin any existing or unimproved county park or are suitable for park purposes.

B. The committee on parks and forest shall report its finding to the county board. (Ord. 27-78 Sec.2 (part), 1978).

Chapter 4.25

PROPERTY ASSESSED CLEAN ENERGY FINANCING

Chapters:

- 4.25.001 Purpose.
- 4.25.010 Definitions.
- 4.25.020 Statutory authority.
- 4.25.030 Annual loan repayments as special charges.
- 4.25.040 Wisconsin Pace Commission.
- 4.25.050 Loan approval.
- 4.25.060 Supplemental agreement.
- 4.25.070 Annual installments added to tax rolls.
- 4.25.080 Remittance special charges.
- 4.25.090 Property tax foreclosure procedures.
- 4.25.100 Sale of foreclosed property.
- 4.25.110 Distribution of foreclosure proceeds.
- 4.25.120 Ordinance electing to proceed under Wis. Stat. § 75.521, in relation to enforcement of collection of tax liens.

4.25.001 Purpose. The County finds that renovations or additions to premises located in the County made to improve energy efficiency, improve water efficiency, and/or use renewable resource applications, increase property values, stimulate local economic activity, provide local and global environmental benefits, and promote the general welfare of County residents. The purpose of this Chapter is to facilitate loans arranged by property owners or lessees to make such improvements by treating loan principal and interest, fees, and other charges as special charges eligible for inclusion on the tax roll for these properties.

4.25.010 Definitions.

- A. "Annual installment" means the portion of the PACE loan that is due and payable for a particular year under the supplemental agreement.
- B. "Borrower" means the property owner or lessee of the subject property that borrows the proceeds of a PACE loan.
- C. "Default loan balance" means the outstanding balance, whether or not due, of a PACE loan at the time that the County receives foreclosure proceeds.
- D. "Foreclosure proceeds" means the proceeds received by the County from the disposition of a subject property through an in rem property tax foreclosure.
- E. "Loan amount" means the principal, interest, administrative fees (including the Program Administrator's fees) and other loan charges to be paid by the borrower under the PACE loan.
- F. "PACE" means the acronym for property assessed clean energy.

G. "PACE default provisions" means:

1. The delinquent annual installment(s) due when the County initiates the in rem property tax foreclosure on the subject property;
2. Any additional annual installment(s) that become due between the time that the COUNTY initiates in rem property tax foreclosure on the subject property and the date the County receives the foreclosure proceeds;
3. Any default interest charges applied to unpaid annual installments referenced in subs. (1) and (2) above, as provided in the supplemental agreement; and
4. Any default loan balance.

H. "PACE lender" means any person that makes a PACE loan, and which may include an affiliate of the borrower.

I. "PACE loan" means a loan made by a PACE lender to a borrower under this Chapter for energy efficiency improvements, water efficiency improvements, or renewable resource applications made to or installed on a subject property.

J. "Person" means any individual, association, firm, corporation, partnership, limited liability company, trust, joint venture or other legal entity, or a political subdivision as defined in Wis. Stat. § 66.0627.

K. "Program Administrator" means the person retained by the Wisconsin PACE Commission as provided in 4.25.040 B.

L. "Subject property" means any premises located in the County on which energy efficiency improvements, water efficiency improvements, or renewable resource applications are being or have been made and financed through an outstanding PACE loan.

M. "Supplemental agreement" means a written agreement among a borrower, a PACE lender and the County, as provided for in 4.25.060.

N. "Wisconsin PACE Commission" means the Wisconsin PACE Commission to be formed under Wis. Stat. § 66.0301, as amended, by the County and one or more other political subdivisions as defined in Wis. Stat. § 66.0627, pursuant to a Joint Exercise of Powers Agreement Relating to the Wisconsin PACE Commission dated [], as amended.

4.25.020 Statutory authority. This Chapter is enacted pursuant to Wis. Stat. § 66.0627, as amended, which authorizes a county to make a loan or enter into an agreement regarding loan repayments to a 3rd party for owner-arranged or lessee-arranged financing, to an owner or a lessee of a premises located in the County for making or installing an energy efficiency improvement, a water efficiency improvement or a renewable resource application to a premises.

4.25.030 Annual loan repayments as special charges. Any PACE loan made and secured pursuant to this Section shall be considered a special charge on the subject property. Any installment or portion of a PACE loan made and secured pursuant to the Section that becomes delinquent according to the terms of the PACE loan shall be a lien against the subject property and placed on the tax roll, as permitted pursuant to Wis. Stat. § 66.0627 as amended.

4.25.040 Wisconsin Pace Commission.

A. Any of the powers and duties of the County under this Chapter, except for those under 4.25.070 B. and 4.25.080, may (but are not required to) be delegated to the Wisconsin PACE Commission.

B. The Wisconsin PACE Commission is further authorized to retain a Program Administrator to act as its agent and administer the PACE program, subject to adherence with PACE program requirements consistent with this Chapter and in Wis. Stat. § 66.0627, as amended.

4.25.050 Loan approval.

A. A prospective borrower applying for a PACE loan shall comply with the loan application process set forth in the program manual approved by the County.

B. The County shall approve the financing arrangements between a borrower and PACE lender.

4.25.060 Supplemental agreement.

A. The County, the borrower and the PACE lender shall execute the supplemental agreement which, without limitation:

1. Shall inform the participants that the PACE loan amount shall be imposed as and considered a special charge, and each year's annual installment may be included on the property tax roll of the subject property as a special charge and an annual installment that is delinquent shall be a lien against the subject property pursuant to Wis. Stat. § 66.0627, as amended;

2. Shall recite the amount and the term of the PACE loan;

3. Shall provide for the amount, or a method for determining the amount, of the annual installment due each year;

4. Shall provide whether default interest may be applied to unpaid annual installments;

5. Shall require the PACE lender and the borrower to comply with all federal, state and local lending and disclosure requirements;

6. Shall provide for any fees payable to the County and/or Program Administrator;

7. Shall recite that the supplemental agreement is a covenant that runs with the land;

8. May provide for prepayments of annual installments by the borrower with a resulting reduction in the special charge for the prepayment, subject to any prepayment premium charged by the PACE lender, if any; and

9. May allow for amendment by the parties.

B. Prior to executing the supplemental agreement, the owner of the subject property, if different from the borrower, and any existing mortgage holder(s) on the subject property must have executed a separate writing acknowledging the borrower's use of PACE financing for the subject property and the special charge that will be imposed under this Chapter and its consequences, including the remedies for collecting the special charge.

C. Each PACE loan shall be amortized over the term of the PACE loan as provided in the supplemental agreement.

D. The annual payments of a PACE loan may be payable in installments as authorized by Wis. Stat. § 66.0627, as amended.

4.25.070 Annual installments added to tax rolls. Upon the request of the Program Administrator the County shall place each year's annual installment on the tax roll for the subject property as permitted pursuant to Wis. Stat. § 66.0627, as amended.

4.25.080 Remittance of special charges. The County shall promptly remit to the Wisconsin PACE Commission any payment(s) it receives in respect of any special charge imposed under this Chapter, including penalties and charges thereon, it may receive from any taxing district or the County treasurer pursuant to Wis. Stat. Ch. 74, as amended.

4.25.090 Property tax foreclosure procedures.

A. The County elects to utilize the provisions of Wis. Stat. § 75.521, as amended, for the purpose of enforcing tax liens if a subject property owner fails to pay any special charges imposed on the subject property under this Chapter as required.

B. The County shall begin an in rem property tax foreclosure proceeding on the subject property at the earliest time allowed under Wisconsin Statutes, unless the County determines that subject property is a “brownfield” (as defined in Wis. Stat. § 75.106, as amended) or that in rem property tax foreclosure is not in the best interests of the County due to the condition of the property or for other reasons.

C. If the County has determined that it will not commence an in rem property tax foreclosure proceeding, then the PACE lender may request that the County, pursuant to Wis. Stat. § 75.106, as amended, assign the County’s right to take judgment against the subject property, provided that the PACE lender and the County fully comply with all provisions of Wis. Stat. § 75.106, as amended, concerning the subject property and the PACE lender agrees to pay the amounts required by Wis. Stat. § 75.36(3)(a)1 and 1m, as amended.

4.25.100 Sale of foreclosed property. If the County prevails in an in rem property tax foreclosure action against a subject property, the County shall diligently proceed to sell the subject property pursuant to the procedures set forth in Wis. Stat. § 75.69, as amended.

4.25.110 Distribution of foreclosure proceeds. The County treasurer shall follow the procedures set forth in Wis. Stat. § 75.36, as amended, to distribute the proceeds from the sale of a subject property.

4.25.120 Ordinance electing to proceed under Wis. Stat. § 75.521, in relation to enforcement of collection of tax liens. From and after January 1, 2017 the County elects to adopt the provisions of Wis. Stat. § 75.521, as amended, for the purpose of enforcing tax liens in such County in the cases where the procedure provided by such Chapter is applicable.

Chapter 4.30

SALE OF COUNTY SERVICES

Sections:

<u>4.30.001</u>	Purpose.
<u>4.30.010</u>	Contractual provision of non-certified copies of documents filed with the register of deeds.
<u>4.30.020</u>	Register of Deeds fees for services.
<u>4.30.030</u>	Clerk of Court publication fees.
<u>4.30.050</u>	Marriage license, declaration of domestic partnership, termination of domestic partnership and waiver fees.
<u>4.30.060</u>	Sheriff's fees
<u>4.30.070</u>	Dog License Tax
<u>4.30.080</u>	Planning and development publications, photocopies, digital data on CD-ROM and paper copies from Plotter.
<u>4.30.090</u>	Vital record fees.
<u>4.30.100</u>	District Attorney-worthless check system case report by merchant.
<u>4.30.110</u>	Photocopies.
<u>4.30.120</u>	Facsimile copies.
<u>4.30.130</u>	Modem access fee.

4.30.001 Purpose. This chapter establishes a system for the sale of county services, where authorized by law, so as to guarantee that the cost of labor and materials and depreciation of equipment expended therein are recaptured on behalf of the taxpayer. (Ord. 80-81/376 Sec.1(part), 1981).

4.30.010 Contractual provision of noncertified copies of documents filed with the register of deeds.

A. Pursuant to Wis. Stat. § 59.43(2)(c), the register of deeds is authorized to enter into contracts with abstractors, appraisers, attorneys, surveyors and governmental units within the county for the purpose of providing them with, upon request, non-certified copies of documents which have been filed with or recorded in his or her office.

B. Contracts for the provision of non-certified photocopies of documents shall be entered into on a calendar year basis, for which there shall be a \$50.00 annual contract fee, except that governmental units within the county shall not be subject to the fee. The contracts shall specify that the copies provided are not to be resold and that resale thereof shall be cause for rescinding the agreement.

C. The following contract fees shall be charged for each copy of a document procured from the register of deeds under such contracts:

1. Legal and letter size photocopies: \$1.00 each;
2. Photo-reduced copies: \$1.00 each;
3. Photocopies from microfilm: \$1.00 each.

D. County government departments and the county circuit court shall be exempt from the provisions of this section. The register of deeds shall keep a record of all copies made by each agency exempt under this section and shall report same each month to the finance director who shall charge the appropriate agency account for the actual cost of each copy made as provided in this chapter. (Ord.141-03, Sec.1, 1997; Ord.137-46, Sec.1, 1993; Ord. 131-79 Secs.1&2 1988; Ord. 81-82/42 Sec.1, 1981; Ord. 80-81/376 Sec.1(part), 1981).

4.30.020 Register of Deeds fees for services. The register of deeds shall charge:

A. \$30.00 for recording certificates pursuant to the provisions of Wis. Stat. §§ 867.045 and 867.046.

B. \$20.00 for processing weatherization stipulations or waivers. (Ord. 154-24, Sec. 1, 2011; Ord. 152-022, Sec. 1, 2008; Ord. 147-68, 2003; Ord. 136-88, 1993; Ord. 135-33, 1991; Ord. 128-66, Sec.1, 1985).

4.30.030 Clerk of court publication fees. The clerk of courts shall charge for the production and sale of pamphlets and publications as follows:

- A. Divorce packet - \$28.44 + 1.56 tax/copy.
- B. Small Claims or Appeals Guide \$2.00 + .11 tax/copy.
- C. Name change packet \$2.00 + .11 tax/copy. (Ord 153-23, Sec. 1, 2009)

4.30.050 Marriage license, declaration of domestic partnership, termination of domestic partnership and waiver fees.

A. Pursuant to the authority granted under Wis. Stats. §§ 765.15 and 770.17, the total marriage license, declaration of domestic partnership and termination of domestic partnership fee shall be \$30.50 more than the statutorily mandated fee.

B. The county clerk shall charge an additional fee of \$10 for each marriage license or declaration of domestic partnership issued within less than 5 days after application under Wis. Stat. §§ 765.08 and 770.07(b)2.

C. The county clerk is directed to pay into the state treasury that portion of the marriage license, declaration of domestic partnership and termination of domestic partnership fee required by law, and to remit the balance thereof and any fees collected under B. to the county treasury pursuant to Chapter 4.05. (Ord. 153-10, Sec. 1, 2009; Ord 150-28, Sec. 2., 2006; Ord. 149-041, Sec. 1, 2005; Ord. 148-35, 2004; Ord. 148-32, 2004; Ord. 136-49, Sec. 1-2, 1992; Ord. 133-60, 1989; Ord. 129-28 Sec.1,2, 1985; Ord. 81-82/406 Sec.3, 1982; Ord. 81-82/302 Sec.1, 1981).

4.30.060 Sheriff's fee.

A. Sheriff's bond processing fee. Pursuant to Wis. Stat. § 814.705 (1), any person posting a bond on a charge from an agency outside of Eau Claire County shall be required to pay a \$10.00 service fee.

B. Records provided through joint law enforcement center. The fees established by the sheriff's department and Eau Claire Police Department for public records requested through the joint law enforcement center shall be as stated in the City of Eau Claire Fees and Licenses Schedule. The schedule shall be reviewed annually by sheriff and police department staff.

C. Jail medical expense collections. Pursuant to Wis. Stat. § 302.38 (1), any prisoner requesting to be seen by the jail nurse or doctor shall be charged \$5.00 per visit by the sheriff. If the prisoner has an account in the jail, the \$5.00 shall be deducted automatically from that account.

D. Sheriff's sale of real estate. Pursuant to Wis. Stat. §§ 814.70 (9) and 814.705 (2), the sheriff shall charge a fee of \$150, which shall be prepaid and nonrefundable for the posting of and conducting of a real estate sale.

E. Advance fee payment for services of sheriff. The sheriff is authorized to require advance payment, for any service provided by the sheriff under Wis. Stat. § 59.32 (1), from any person who has twice previously failed to pay the county treasurer in full within 45 days of billing by the sheriff for any service rendered under Wis. Stat. § 59.32 (1).

F. Sheriff's fees-service of process/warrant service.

1. Service of process. The sheriff, pursuant to Wis. Stat. § 814.705 (1), shall charge a fee of \$75.00 which shall be prepaid and nonrefundable for up to three service attempts of a paper for each defendant or person. The sheriff shall charge a \$75.00 fee, which shall be prepaid and nonrefundable for each additional service attempt requested.

2. Warrant service. The sheriff, pursuant to Wis. Stat. § 814.705 (1) shall charge \$50 for each warrant served.

G. Special events, security, traffic enforcement and escort services fees. The sheriff shall charge fees for special events, security, traffic enforcement and escort services which cover all necessary and reasonable costs incurred including, b

ut not limited to, wages, benefits, mileage and equipment costs as enumerated in the sheriff's department policy manual.

H. Huber drug test fee. A Huber prisoner serving a sentence of at least 30 days shall be charged \$20.00 for a baseline urinalysis test plus \$20.00 for any positive test.

I. Sheriff's fees-seizure of property or eviction. The sheriff shall charge fees in an amount to fully cover the actual costs incurred in performing the seizure or eviction. The sheriff shall provide an estimated bill, which shall be prepaid prior to performing the seizure or eviction. If actual costs exceed the estimate, then the sheriff will bill the difference and if actual costs are less, than the estimate the sheriff will issue a refund.

J. The sheriff shall charge \$100/year/individual user for law enforcement agencies to use the Eau Claire County Range which can be waived in exchange for a comparable amount of in-kind services. All monies collected shall be placed in the general fund.

K. Huber prisoner costs.

1. Statutes adopted. The statutory provisions of sections 303.08 with respect to Huber Law prisoners and 302.372 regarding prisoner reimbursement are hereby adopted and by reference made part of this ordinance as if fully set forth herein.

2. Each prisoner housed in the Eau Claire County jail, who is gainfully employed or who receives unemployment compensation, or employment training benefits while in the custody of the Eau Claire County jail, shall be liable for charges equal to 65% of net income not to exceed the full per person maintenance and cost of the prisoner's board in the jail at the rate of \$147.00 per week. Each prisoner housed in the Eau Claire County jail Huber center, who is not gainfully employed, shall be charged a daily rate of \$5.00 for each day of incarceration in the Eau Claire County Jail Huber Center. The \$5.00 fee will be waived for each prisoner who is fully complying with the prisoner's written program or treatment plan.

3. A \$50.00 transfer processing fee will be charged to each out-of-county Huber prisoner transferred to the Eau Claire County Jail to serve the prisoner's sentence.

L. Electronic monitoring fee. The rate for electronic monitoring for Eau Claire County prisoners is \$21.00 per day.

M. Non-county prisoner rates. The rate for boarding non-Eau Claire County residents as prisoners in the Eau Claire County jail is \$57.00 per day.

N. Federal prisoner rates. The rate for boarding federal prisoners in the Eau Claire County jail is \$57.00 per day.

O. Vehicle storage fee. The rate for storing vehicles no longer being held by the sheriff's office is \$20.00 per day up to 30 days. (Ord. 158-20, Sec. 1, 2014; Ord. 157-39, Sec. 1, 2014; Ord. 157-27, Sec. 1 & 2, 2013; Ord. 156-33, Sec. 2, 2012)

4.30.070 Dog License Tax.

The county clerk shall charge \$5.00 for a neutered male dog or spayed female dog, upon presentation of evidence that the dog is neutered or spayed, and \$15.00 for an un-neutered male dog or un-spayed female dog, or one half of these amounts if the dog became 5 months of age, after July 1 of the license year. The county clerk shall charge the statutory rate for a kennel license. (Ord. 156-33, Sec. 4, 2012; Ord. 144-85, 2001; Ord. 141-78, 1997; Ord. 141-59, 1997; Ord. 136-49, Sec. 3, 1992; Ord. 133-27, 1989, Ord. 129-47, Sec. 1,2, 1985).

4.30.080 Planning and development publications, photocopies, digital data on CD-ROM and paper copies from Plotter.

A. The department of planning and development shall charge for the publications and photocopies enumerated below as follows:

1. Zoning and subdivision ordinance \$15.00
2. County or Local Comprehensive Plans \$60.00
3. Computer-generated reports - \$.25/page.
4. Mailing labels - \$.05/label, \$6.00 minimum charge.

B. The department of planning and development shall charge for digital data on CD-ROM or DVD as follows:

- | | | |
|----|--|---|
| 1. | Full parcel polygon shapefile | \$115.00 |
| 2. | Orthophotography by township | \$115.00 per township
5.00 per section |
| 3. | Complete GIS Geo Data Base | \$520.00 |
| 4. | Custom data CD or DVD | \$115.00 minimum,
\$ 60.00 per half hour
after the 1 st hour of
production time |
| 5. | Custom data CD/DVD – LIDAR/Aerial Data | \$400.00 per section |

C. The department of planning and development shall charge for paper copies of orthophotography air photos, building/site plans and parcel maps from the plotter or printer as follows:

- | | | |
|----|--------------|------------------------------|
| 1. | 8.5" x 11" | \$ 5.00 |
| 2. | 11" x 17" | \$ 7.00 |
| 3. | 24" x 36" | \$15.00 |
| 4. | Custom Order | \$30.00
\$ 5.00 per sheet |

(Ord. 159.18, Sec. 3, 2015; Ord. 158-23, Sec. 2, 2014; Ord. 157-28, Sec. 1, 2013; Ord. 156-33, Sec. 4, 2012; Ord. 156-25, Sec. 1, 2012; Ord 155-22, Secs. 1, 2 & 3, 2011; Ord 150-28, Secs. 3 & 4, 2006; Ord. 149-038, Sec. 1, 2005; Ord. 148-102 Sec. 6 & 7, 2004; Ord. 147-56, Sec. 1, 2003; Ord. 146-53, Sec. 1 2002; Ord. 144-68, Sec. 1, 2000; Ord. 144-68, Sec. 2, 2000; Ord.142-76 Sec.1, 1999).

4.30.090 Vital record fees.

A. The register of deeds shall collect \$7.00 for a search of vital records when no record is found and in addition shall collect such other fees as outlined in Wis. Stat. § 69.22.

B. The register of deeds shall remit any fees collected to the county treasurer pursuant to Chapter 4.05 or to the state treasurer as specified in Wis. Stat. § 69.22. (Ord. 156-33, Sec 4, 2012; Ord. 151-32, Sec. 8, 2007; Ord.134-81, Sec. 1, 1991).

4.30.100 District Attorney-worthless check system case report by merchant. The district attorney shall charge \$2.00 for each worthless check listing provided to local merchants. (Ord. 156-33, Sec. 4, 2012; Ord.132-29 Sec.1, 1988).

4.30.110 Photocopies. Except as otherwise authorized by state statutes or this code, there is established a uniform fee of \$.25 per photocopy made for the public on all coin operated or non-coin operated county photocopy equipment except as noted below.

A. Non-county agencies who run their own copies on county photocopiers and are billed during the normal course of the month's business shall be charged the rate charged to county departments.

B. For copies to be mailed out on request, there shall be a flat \$2.00 fee to be prepaid for a report of up to 10 pages, and each additional page shall be \$.25.

C. For law enforcement reports there shall be a flat \$2.00 fee if picked up and a \$4.00 fee if mailed out. (Ord. 156-33, Sec. 4, 2012; Ord. 151-24, Sec. 1, 2007; Ord. 148-102, Sec. 8 & 9, 2004; Ord.143-88, 2000; Ord.137-46, Sec.4, 1993).

4.30.120 Facsimile copies. A uniform fee of \$1.00 per incoming or outgoing facsimile/per page is established for the public on all county operated facsimile equipment. Sales tax is included in the \$1.00 fee. (Ord. 156-33, Sec. 4, 2012; Ord.139-102, 1996; Ord.139-77, 1995).

4.30.130 Modem access fee. A uniform hook-up fee of \$50.00 plus \$35.00 per month shall be charged for any person, partnership or corporation utilizing the Eau Claire County computer system for the purpose of retrieving information from the tax master and land information system via remote modem access. (Ord. 156-33, Sec. 4, 2012; Ord.140-66, 1996).

Chapter 4.35

GENERAL USER FEES

Sections:

<u>4.35.001</u>	Purpose.
<u>4.35.010</u>	County treasurer--research charges.
<u>4.35.030</u>	Register of Deeds--additional page fee.
<u>4.35.050</u>	Extension education--garden plot rental fee.
<u>4.35.070</u>	Computer analysis of a farm statement.
<u>4.35.090</u>	Permit, variance, rezoning, special exception, sign and land use fees.
<u>4.35.095</u>	Airport zoning fees.
<u>4.35.100</u>	Telecommunications facility fees.
<u>4.35.110</u>	Subdivision control code review fees.
<u>4.35.120</u>	Videoconference equipment rental.
<u>4.35.130</u>	Condominium instrument review fee
<u>4.35.135</u>	Condominium plat review.
<u>4.35.140</u>	Real property listing system manual entry fee.
<u>4.35.150</u>	Clerk of court payment plan fee.
<u>4.35.160</u>	Storm water management and erosion control fees.
<u>4.35.165</u>	Land conservation fees.
<u>4.35.170</u>	Property addressing fee.
<u>4.35.180</u>	Representative payee service fee.
<u>4.35.190</u>	NSF service fee.
<u>4.35.200</u>	Overpayments and underpayments.
<u>4.35.500</u>	Deposit of fees.

4.35.001 Purpose. The purpose of this chapter shall be to set forth user fee schedules adopted in accord with 4.02.050, which schedules relate to fees not covered in other provisions of this code. (Ord. 81-82/317 Sec.1(part), 1981).

4.35.010 County treasurer--Research charges. The treasurer shall assess and collect a charge of \$10 if prepaid and \$15 if billed for each year researched on back taxes. (Ord. 137-110, 1994; Ord. 81-82/317 Sec.1(part), 1981).

4.35.030 Register of Deeds--additional page fee. Pursuant to Wis. Stat. § 59.43(2)(a)2. and (2m) 3, the register of deeds shall, whenever an instrument is submitted without the required blank space of 3.0 x 3.0 inches, add an additional page and charge \$2.00 for such additional page. (Ord. 144-24, Sec. 22, 2000; Ord.141-03, Sec.1, 1997; Ord. 129-10 Sec.1, 1985).

4.35.050 Extension education--garden plot rental fee. The extension education office shall assess and collect an annual garden plot rental fee of \$15.00. (Ord.139-48, Sec.2, 1995; Ord. 131-51 Sec.1, 1987)

4.35.070 Computer analysis of a farm statement. The UW-Extension office shall charge \$20.00 for the computer analysis of a farm statement. (Ord.138-58, 1994)

4.35.090 Permit, Variance, Rezoning, Special Exception, Sign and Land Use Fees. The following fee schedule shall apply:

A.	Residential, forestry and agriculture districts.	
1.	Principal uses:	\$ 225.00
2.	Accessory uses and additions:	
a.	0 to 200 sq. ft.	\$ 40.00
b.	200+ sq. ft.	\$.25/sq. ft.
c.	Maximum fee	\$ 225.00
B.	Commercial and industrial uses.	
1.	Principal uses:	
a.	0-1,000 sq. ft.	\$ 225.00
b.	1,000 + sq. ft.	\$.25/sq. ft.
c.	Maximum fee	\$ 3200.00
2.	Accessory uses:	
a.	0-500 sq. ft.	\$ 105.00
b.	500 + sq. ft.	\$.25/sq. ft.
c.	Maximum fee	\$ 3200.00
3.	Additions: See principal and accessory fees.	
C.	Change of Use.	\$ 180.00
D.	Signs	
1.	All signs	\$ 75.00
2.	Billboards	\$ 225.00
E.	Variances	\$ 500.00
F.	Appeals	\$ 500.00
G.	Conditional use permits	\$ 500.00
H.	Rezoning	\$ 500.00
I.	One time temporary use fee per site	\$ 45.00
J.	Rezoning and Comprehensive Plan	\$ 65.00
	Surcharge for mapping	
K.	Home Businesses	\$ 180.00

L.	Text Amendments	\$ 500.00
M.	Wind Energy Systems	\$ 250.00

When construction begins prior to the issuance of a land use permit or when a use precedes the application for a rezoning or conditional use permit, a double fee will be assessed.(Ord. 159-18, Sec. 4, 2015; Ord. 158-23, Sec. 3, 2014; Ord. 157-37, Sec. 1, 2014; Ord. 157-28, Sec. 2, 2013; Ord. 156-25, Sec. 2, 2012; Ord. 155-22, Secs. 5 & 6, 2011; Ord. 155-19, Sec. 7, 2011; Ord. 154-17, Sec. 1, 2010; Ord. 153-23, Sec. 2, 2009; Ord. 153-14, Sec. 1, 2009; Ord. 152-30, Sec. 3, 2008; Ord. 151-32, Sec. 10, 2007; Ord. 150-28, Sec. 5, 2006; Ord. 149-038 Sec. 3, 2005; Ord. 148-102 Sec. 11, 2004; Ord. 147-70, 2003; Ord. 147-56, Sec. 2, 2003; Ord. 146-53, Sec. 2, 2002; Ord. 146-02, Sec. 6, 2002; Ord. 145-83, Sec. 1, 2002; Ord. 144-68, Sec. 3, 2000; Ord. 143-55, Sec. 1, 1999).

4.35.095 Airport Zoning fees. The following schedule shall apply:

A.	Principal Structures:	
	1. Zones A, 1, & 2	\$ 190.00
	2. Zone 3 (over 35 ft. in height)	190.00
B.	Accessory Structures and additions:	
	1. Zones A, 1, & 2	\$.25/sq.ft. (Maximum \$90.00) (Minimum \$ 30.00)
	2. Zone 3 (over 35 ft. in height)	\$.24/sq.ft. (Maximum \$90.00) (Minimum \$30.00)
C.	Variances/Appeals	\$ 500.00
D.	Conditional Use	\$ 500.00

(Ord. 159-18, Sec. 5, 2015; Ord. 158-23, Sec. 4, 2014; Ord. 157-36, 2014; Ord. 157-28, Sec. 3, 2013; Ord. 156-25, Sec. 3, 2012; Ord. 155-22, Sec. 7, 2011; Ord. 154-17, Sec. 2, 2010; Ord 153-23, Sec. 3, 2009; Ord. 152-30, Sec. 4, 2008, Ord. 151-32, Sec. 11, 2007; Ord. 150-28, Sec. 6, 2006; Ord. 149-38, Sec. 4, 2005; Ord. 147-56, Sec. 3, 2003; Ord. 146-53, Sec. 3, 2002; Ord. 145-96, Sec. 1, 2002).

(Repealed Section 4.35.100, Ord. 157-28, Sec. 4, 2013)

4.35.110 Subdivision Control Code Review Fees. The following fee schedule shall apply:

A.	Plat Review	\$465.00 plus \$85.00 per lot
B.	Certified Survey Map Review	\$235.00 plus \$85.00 per lot
C.	Mapping	\$110.00 per lot
D.	Final Plat	\$260.00
E.	Variance/Appeal/Committee Review	\$210.00

When a land division is recorded with the register of deeds office that requires review under the subdivision control code and precedes approval of the subdivision (certified survey map or plat) by the department of planning and development or the committee on planning and development, a double fee shall be assessed. (Ord. 159-18, Sec. 6, 2015; Ord. 158-23, Sec. 5, 2014; Ord. 157-28, Sec. 5, 2013; Ord. 156-25, Sec. 5, 2012; Ord. 155-22, Sec. 9, 2011; Ord. 154-17, Sec. 4, 2010; Ord 153-23, Sec. 5, 2009; Ord. 152-30, Sec. 6, 2008; Ord. 151-32, Sec. 13, 2007; Ord. 150-46, Sec. 1, 2007; Ord. 150-28, Sec. 8, 2006; Ord. 149-038, Sec. 6, 2005; Ord. 149-008, 1, 2005; Ord 148-102, Sec. 12, 2004; Ord. 147-56, Sec. 5, 2003; Ord. 146-53, Sec. 5, 2002).

4.35.120 Videoconference equipment rental. All non-court and non-county users shall pay a daily fee of \$200.00 for videoconference equipment plus \$50.00 for a meeting room. The videoconference equipment fees shall be deposited in account number 100-02-46145. (Ord. 159-18, Sec. 7, 2015; Ord. 146-82, 2003; Ord. 146-61, 2002).

4.35.130 Condominium Instrument Review Fee. Pursuant to Wis. Stat. § 703.115, the planning and development department shall charge \$150.00 for county surveyor review of each condominium instrument before recording. (Ord. 159-18, Sec. 8, 2015; Ord. 158-23, Sec. 6, 2014; Ord. 157-28, Sec. 6, 2013; Ord. 156-25, Sec. 6, 2012; Ord. 155-22, Sec. 10, 2011; Ord. 154-17, Sec. 5, 2010; Ord. 153-23, Sec. 6, 2009; Ord. 151-32, Sec. 14, 2007; Ord. 150-28, Sec. 9, 2006; Ord. 149-043, Sec. 1, 2005)

4.35.135 Condominium Plat Review Fees.

The following fee schedule shall apply:

- A. Plat Review \$465.00 + \$85/unit
- B. Mapping \$110.00 per unit/parcel

(Ord. 159-18, Sec. 9, 2015)

4.35.140 Property Listing System Manual Entry Fee. The real property lister shall charge towns, cities or villages employing or contracting with assessors \$1.25 per parcel to manually enter data into the county real property listing system prior to open book in any calendar year. (Ord. 159-18, Sec. 10, 2015; Ord. 158-23, Sec. 7, 2014; Ord. 151-32, Sec. 15, 2007; Ord. 149-044, Sec. 1, 2005)

4.35.150 Clerk of Court Payment Plan Fee. Pursuant to Wis. Stat. § 59.40(5) the Clerk of Court shall charge up to \$15.00 for the establishment and monitoring of a payment plan. The fee shall be on a sliding scale based on the person's ability to pay. (Ord. 150-006, Sec. 1, 2006)

4.35.160 Storm water management and erosion control fees. The following fee schedule shall apply:

- A. Preliminary erosion control \$280.00
- B. Small site construction erosion control \$280.00
(Payment for preliminary erosion control for the same site will be subtracted)
- C. Large site construction erosion control \$280.00 + \$0.50/4,000 sq. ft. disturbance
(Payment for preliminary erosion control for the same site will be subtracted)
- D. Preliminary storm water review \$480.00
- E. Final storm water review \$480.00 + \$40/4,000 sq. ft. of impervious surface
(Payment for preliminary storm water for the same site will be subtracted)
- F. Permit amendment, extension, or transfer
 - 1. \$80.00 for small site erosion control.
 - 2. \$180.00 plus \$0.25/4,000 sq. ft. disturbed for large site erosion control.
 - 3. \$280.00 plus \$20/4,000 sq. ft. of impervious for storm water.
- G. Administrative Waiver Review \$80.00
- H. Reinspection fee \$140.00

(Ord. 159-18, Sec. 11, 2015; Ord. 158-23, Sec. 8, 2014; Ord. 157-36, Sec. 2, 2014; Ord. 157-28, Sec. 7, 2013; Ord. 157-6, Sec. 1, 2013; Ord. 156-26, Sec. 1, 2012; Ord. 156-25, Sec. 7, 2012; Ord. 156-002, Sec. 3, 2012; Ord. 155-22, Sec. 11, 2011; Ord. 154-17, Sec. 6, 2010; Ord. 153-23, Sec. 7, 2009; Ord. 152-49, Sec. 7, 2009; Ord. 152-30, Sec. 8, 2008; Ord. 151-32, Sec. 16, 2007; Ord. 151-19, Sec. 1, 2007; Ord. 150-46, Sec. 2, 2007)

4.35.165 Land conservation fees. The following fee schedule shall apply:

- A. Farmland preservation compliance late fee \$50.00
- B. Animal waste storage permit fee
 - 1. Manure storage permit fee \$540.00
 - 2. Abandonment permit fee \$220.00
- C. Technical service fee \$ 50.00 per hour

(Ord. 159-18, Sec. 12, 2015; Ord. 158-23, Sec. 9, 2014; 157-28, Sec. 8, 2013; 157-6, Sec. 2, 2013)

4.35.170 Property Addressing Fee. The planning and development department shall charge \$40.00 for application review and issuance of each new property address. This fee shall be in addition to any fee collected by the planning and development department on behalf of any town for property addressing purposes. (Ord. 158-23, Sec. 10, 2014; Ord. 157-28, Sec. 9, 2013; Ord. 151-32, Sec. 17, 2007)

4.35.180 Representative payee service fee. Pursuant to Social Security Act. 42 USC 405(j)(4)(A) the department of human services shall charge representative payee customers a monthly fee on a graduated basis to those individuals with a total monthly income from all sources in excess of 100% of the federal poverty level.

4.35.190 NSF service fee. A uniform fee of \$30 shall be charged for any check tendered to make any payment to the county that is not paid by the bank on which it is drawn. If such a check is tendered for payment of real property taxes, this \$30 service fee shall be collected prior to payment of real property taxes and, if not paid, shall constitute a special charge on the tax roll.(157-32, Sec. 1, 2014)

4.35.200 Overpayments and underpayments. Unless otherwise provided by law, pursuant to Wis. Stat. §§59.54(24)(b) and 20.905, county departments and the clerk of circuit court may retain overpayments of fees, licenses, and similar charges when the overpayment is \$2 or less, unless such refund is specifically requested in writing. Underpayments of not more than \$2 may be waived when the administrative cost of collection would exceed the amount of the underpayment. (Ord. 158-14, Sec. 1, 2014)

4.35.500 Deposit on fees. Unless otherwise specified, all fees collected shall be deposited in the general fund. (Ord. 81-82/317 Sec.1(part), 1981).

Chapter 4.40

CASH ON HAND-TREASURER

Sections:

- 4.40.001 Purpose.
- 4.40.010 Cash on hand.
- 4.40.020 Cash Refunds.

4.40.001 Purpose. To regulate the amount of cash on hand in the county treasurer's office and establish policy for cash refunds. (Ord. 137-02, 1993).

4.40.010 Cash on Hand. The maximum amount of cash maintained in the county treasurer's office shall not exceed \$20,000 in any one day after daily balancing. (Ord. 159-46, Sec. 1, 2016; Ord. 137-02, 1993).

4.40.020 Cash Refunds.

- A. Cash refunds for overpayments by individuals for their property taxes shall be allowed to the individual making payment over the counter.
- B. Overpayments made through the mail shall be refunded by check by the 25th of the month during the regular county bill paying schedule.
- C. Collections made for other municipalities shall be forwarded to them by bank wire or by check. No cash refunds are authorized. (Ord. 137-02, 1993).

Chapter 4.90

CLAIMS, DEMANDS AND CAUSES OF ACTION

Sections:

<u>4.90.001</u>	Exclusive claims remedy.
<u>4.90.005</u>	Definitions.
<u>4.90.010</u>	Claims procedure.
<u>4.90.020</u>	Findings and settlement.
<u>4.90.030</u>	Notice of claim settlement.
<u>4.90.040</u>	Departments to cooperate.
<u>4.90.050</u>	Specialized claims.
<u>4.90.060</u>	Bar upon further action.
<u>4.90.070</u>	Committee authorization for contingency fund transfer.

4.90.001 Exclusive claims remedy.

A. All claims, demands or causes of action against the county or any public official thereof for acts done in their official capacity or in the course of their agency or employment shall be commenced, examined, allowed or disallowed in accord with this chapter and Wis. Stat. § 893.80. No action may be brought against the county except as provided in this chapter.

B. All claims shall be in writing and in the form prescribed by Wis. Stat. § 893.80, and this chapter.

C. All specialized claims shall be processed as provided under 4.90.050. (Ord. 126-57 Sec.6(part), 1983).

4.90.005 Definitions. In this chapter:

A "Claim" includes any claim, demand or cause of action brought under 4.90.001 or 4.90.010.

B. "Committee" means the committee on finance and budget. (Ord. 126-57 Sec.6(part), 1983).

4.90.010 Claims procedure.

A. All claims shall be filed with the county clerk who shall immediately file the original claim and transmit copies thereof to corporation counsel.

B. The corporation counsel shall ascertain whether insurance coverage is available and, if so, shall take the steps necessary to apprise the insurance carrier and to secure its representation. In the absence of insurance coverage, the corporation counsel shall, with the assistance of the county officials involved, investigate the claim and recommend the denial or approval thereof.

C. When a claim has been referred to the committee, it shall be placed on a future agenda for action. (Ord. 155-11, Sec. 7, 2011; Ord. 131-86 Sec.17 1988, Ord. 126-57 Sec.6(part), 1983).

4.90.020 Findings and settlement.

A. The committee shall keep a record in its minutes of all claims proceedings. The committee may require sworn testimony and may summon and compel attendance of witnesses and the production of documents and records, pursuant to Wis. Stat. § 885.01(4).

B. The committee shall report its findings and recommendations on all claims referred to it in excess of \$2,500 to the county board for action by resolution allowing the claim, disallowing the claim, or allowing the claim in part. The committee shall report therein its rationale and conclusions as to the liability or nonliability of the county for the claim.

C. The committee shall settle all claims of not more than \$1,000 in the manner in B., without submission to the county board. The committee chair and committee clerk shall immediately notify the county clerk of such settlements. Amounts allowed shall be orderly paid by the county clerk and treasurer upon the written certification of the committee chair and committee clerk. In no case may the committee allow a claim for attorney fees or expenses for a claimant without county board approval.

D. Failure to take action upon a claim by the county board or committee as provided in this section shall be deemed to be a disallowance thereof as of 120 days after filing of the claim.

E. The action of the committee under C. shall be considered final, unless otherwise ordered by the county board by resolution. (Ord. 145-99, 2002; Ord. 145-48, 2001; Ord. 126-57 Sec.6(part), 1983).

4.90.030 Notice of claim settlement. Immediately after settlement of any claim under 4.80.020, the county clerk shall notify the claimant in writing via certified mail of the action taken thereon. (Ord. 126-57 Sec.6(part), 1983).

4.90.040 Departments to cooperate. County departments shall cooperate with the committee and county board in settlement of all claims, and shall make their personnel and records available upon the request thereof. (Ord. 126-57 Sec.6(part), 1983).

4.90.050 Specialized claims.

A. Forest Fire Fighting Claims. Upon receipt of a claim for the county share of a forest fire fighting billing from the Department of Natural Resources under Wis. Stat. § 26.14(4), the county treasurer shall immediately refer the claim as provided in 4.90.010. The committee shall act on the claim within 60 days of receipt thereof.

B. Fire Call Claims on County Trunk Highways. Upon receipt of a claim by any town for fire calls for vehicles on county trunk highways, the county clerk shall refer the claim as provided in 4.90.010. Settlement shall be in accord with Wis. Stat. § 60.557(1).

C. Dog Damage Claims. Upon receipt of dog damage claims under Wis. Stat. § 174.11., the county clerk shall refer the claim as provided in 4.90.010.

D. Automobile Accident Claims. Claims occurring from the alleged negligent operation of a motor vehicle owned and operated by the county shall be filed with the county clerk and referred and processed under 4.90.010 except that the limitations expressed at Wis. Stat. § 893.80(3), are applicable except as to the amount recoverable by any person as covered by Wis. Stat. § 345.05(3). (Ord. 151-021, Sec. 6, 2007; Ord.139-74, 1995; Ord 131-62, Sec.1, 1987, Ord. 126-57, Sec.6(part), 1983).

4.90.060 Bar upon further action.

A. The decision of the board or committee under 4.90.020 in disallowing, in whole or in part, any claim duly presented for its consideration shall bar any further proceedings by the said claimant for collection unless an action be commenced against the county within 6 months after service of notice of disallowance upon the claimant by the clerk. (Ord. 126-57 Sec.6(part), 1983).

4.90.070 Committee authorization for contingency fund transfer. The committee is authorized to transfer moneys from the contingency fund in order to settle accounts under 4.90.020 C. (Ord. 126-57 Sec.6(part), 1983).

CHAPTER 4.100

COUNTY SALES AND USE TAX

Sections:

4.100.010 County sales and use tax.

4.100.020 Utilization of sales and use tax revenue.

4.100.010 County sales and use tax. Pursuant to Wis. Stat. § 77.70, there is hereby imposed upon all retailers a sales and use tax at the rate of 0.5% of the gross receipts from the sale, lease or rental of personal property, as set forth in Wis. Stat. ch. 77, subch. V. and Wis. Stat. § 77.71. Such sales and use tax shall be imposed in their entirety according to the requirements of Wis. Stat. ch. 77, subch. V. (Ord. 142-23, 1998).

4.100.020 Utilization of sales and use tax revenue. 100% of the revenue from the county sales and use tax shall be applied to property tax relief by reducing dollar-for-dollar the amount of the property tax as established annually by the county board.(Ord.142-23, 1998).