

RESOLUTION NO. 2024-23

**VILLAGE OF YORKVILLE
RACINE COUNTY, STATE OF WISCONSIN**

**A RESOLUTION INCREASING THE BASE CHARGE AND EQUIVALENT RUNOFF
UNIT (ERU) CHARGE PURSUANT TO SECTION 54-280 OF THE CODE OF
ORDINANCES FOR THE VILLAGE OF YORKVILLE, RACINE COUNTY, STATE OF
WISCONSIN, AND IMPLEMENTING SPECIAL STORM WATER CHARGES
PURSUANT TO WISCONSIN STATUTES § 66.0627 TO COVER ASSESSMENTS
IMPOSED BY THE RACINE COUNTY BOARD OF DRAINAGE COMMISSIONERS**

The Village Board of the Village of Yorkville, Racine County, Wisconsin resolves as follows:

RECITALS

1. The Root River is the major surface water feature in the Village of Yorkville (“Village”). The East Branch of the Root River and West Branch of the Root River both span nearly the entire Village from south to north. These branches, which run primarily through agricultural areas which are largely undevelopable, are an important part of the Village’s overall storm water system.

2. The Yorkville-Raymond Drainage District (“District”), which is controlled and maintained by the Racine County Board of Drainage Commissioners (“RCBDC”), contains land that drains to the West Branch of the Root River Canal.

3. The Root River lies within the Pike-Root Watershed, which contains 25,001 acres. Most of the Village, about 12,612 acres, drains to the Pike-Root Watershed that lies within the Great Lakes Basin and ultimately drains to Lake Michigan. The District boundaries contain only 4,798 acres of land, of which 3,233 acres are within the Village of Yorkville.

4. The RCBDC has levied a five-year assessment totaling \$1,390,848.60 against the parcels within the boundaries of the Village that are also within the boundaries of the District for work that is to be carried out on the West Branch of the Root River.

5. Because the work to be undertaken by the RCBDC on the West Branch of the Root River provides a much-needed service to nearly all Village residents, the Village hereby determines that it is more equitable to spread the above-described assessment by the RCBDC against all Village parcels via the statutory special charge system, in lieu of the RCBDC’s drainage assessment against just those Yorkville parcels that happen to lie within the boundaries of the District. Moreover, the Village’s storm water ordinances authorize the special charges being implemented herein.

6. Wisconsin Statutes § 66.0627 authorizes the Village to impose a special charge for current services rendered by allocating all or part of the cost of the service to the property served. The statute's definition of service includes storm water management, including construction of storm water management facilities.

7. Pursuant to Section 54-280 of the Code of Ordinances, the Village Board is authorized to adjust the charges imposed on properties to recover the costs incurred by the Village for storm water purposes; further, after review and the recommendation of its consulting engineer, the Village Board has determined that an increase in said charges is warranted, fair and equitable.

NOW, THEREFORE, BE IT RESOLVED, that as authorized by Section 54-280 of the Code of Ordinances for the Village of Yorkville, Racine County, State of Wisconsin, the Base Charge is increased to \$125.00, and the ERU Charge is increased to \$7.50; and

BE IT FURTHER RESOLVED, that pursuant to Wisconsin Statutes § 66.0627, and for the reasons set forth above, the Village Board hereby directs that the first of a five-year assessment levied by the Racine County Board of Drainage Commissioners, totaling \$280,448.00, be imposed as a special charge against all parcels within the Village as set forth in the Village Engineer's schedule of special charges based upon an equitable methodology of allocating said charges, a copy of which is attached as Exhibit A and incorporated herein by reference; and

BE IT FURTHER RESOLVED, that the special charges shall be billed to the owners of each parcel within the Village at the same time and in the same manner as the Village tax bill, as a charge for storm water services. The full storm water charge shall be due with the first tax installment. If a charge remains unpaid after the date the first installment of tax payment is due, such bill shall be deemed a delinquent special charge as provided in Wisconsin Statutes § 66.0627(4) and shall be included in the current or next tax roll for collection and settlement under Wisconsin Statutes Chapter 74.

This Resolution was adopted by the Village Board of the Village of Yorkville, Racine County, State of Wisconsin, this 14th day of October, 2024.

VILLAGE OF YORKVILLE

Ayes: 4

By: /s/ Douglas Nelson
Douglas Nelson, President

Nays: 0

Attest: /s/ Janine Carls
Janine Carls, Clerk

Abstentions: 0

Absences: 1