

Assembly Bill 167

Published
May 22, 1965.

CHAPTER 60

AN ACT to amend 289.70 (2) of the statutes, relating to maintenance assessments of certain corporations against the property under their jurisdiction.

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

289.70 (2) of the statutes is amended to read:

289.70 (2) (a) Upon the adoption and approval of the annual budget by a majority of the membership, at a regular meeting or adjournment thereof, the governing board of such corporation ~~shall be empowered to~~ *may* levy an assessment not in excess of 8 mills on each dollar of assessed valuation, to be known as a maintenance assessment, against all of the lots, the ownership of which entitles the owner thereof to the use and enjoyment of the properties controlled by such corporation, ~~provided that~~ *but* the limitation of 8 mills on each dollar of assessed valuation shall not apply in any case in which the property owners or their predecessors in title have, by written contract, or by the terms of their deeds of conveyance, assumed and agreed to pay the costs of maintaining those properties in which the owners have common rights of usage and enjoyment.

(b) The assessments so levied shall be equal in ~~amount~~ rate against the assessed valuation of all ~~of~~ such lots, except as provided in par. (c), and shall be levied at the same time once in each year, upon all lots. The assessment shall be computed on the value of the land comprising a lot and the improvements thereon.

(c) The governing board shall apportion the cost of operating water or sewer plants and facilities thereof and separate such costs from the other expenses of the budget and shall include the expenses of water and sewer plant maintenance only in the levy against those lots which may be improved with a dwelling house on the date when the levy is ordered, and no portion of such cost shall be assessed against the vacant lots or the owners thereof. In computing the cost of operating water or sewer line facilities thereof, reasonable reserves may be set up for depreciation of facilities.

Approved May 18, 1965.
