

**VILLAGE OF LITTLE CHUTE**

**ORDINANCE NO. 5, SERIES 2021**

**AN ORDINANCE CREATING A COOPERATIVE AGREEMENT  
WITH KAUKAUNA UTILITIES FOR COLLECTION OF  
DELINQUENT ELECTRIC UTILITY BILLS USING TAX  
COLLECTION PROCESS AS PER  
WIS. STATUTES 66.0809(4) AND WIS. STATUTES 66.0627**

The Village Board of the Village of Little Chute does hereby ordain as follows:

Chapter 16, Article VI, Section 16-172 of the Village of Little Chute Code of Ordinances set forth below is hereby created and adopted as follows.

**WHEREAS**, the Village Board of the Village of Little Chute recognizes that a portion of the Village has electricity provided by Kaukauna Utilities; and

**WHEREAS**, the Village Board of the Village of Little Chute recognizes that delinquent electric utility bills impose a burden upon all users of this public utility; and

**WHEREAS**, Wisconsin Statutes 66.0809(4) expressly grants authority to municipal utilities, and Wis Statutes 66.0627 grants authorities to municipalities, to enact such legislation; and

**WHEREAS**, the Village Board of the Village of Little Chute wishes to cooperate with Kaukauna Utilities and the City of Kaukauna in providing another means to collect delinquent accounts to help protect all of the users of this public utility; and

**WHEREAS**, the City of Kaukauna Municipal Code includes provisions making delinquent electric utility service charges a lien upon real property, and allowing uncollected accounts to be placed on the property tax roll for the following year; and

**WHEREAS**, the City of Kaukauna has enacted an ordinance making electric utility service charges a lien upon real property, and allowing uncollected amounts to be placed upon the property tax roll for the following year and asks Village of Little Chute to enact a similar ordinance; and

**WHEREAS**, Wisconsin Statute 66.0809 requires Kaukauna Utilities to give a notice on October 15<sup>th</sup> each year to the owner or occupant of the lots or parcels of real estate for which payment for utility services are owing and in arrears; and

**WHEREAS**, Wisconsin Statute 66.0809 states that unless the taxes and arrears, with any added penalty are paid by November 15<sup>th</sup>, the arrears and penalty will be levied as a special charge against the lot or parcel of real estate for which the parcel is serviced, and for which payment is delinquent; and

**WHEREAS**, Wisconsin Statute 66.0809 also states that the officer or department from Kaukauna Utilities that issues the notice shall file with the Village of Little Chute Clerk on November 16<sup>th</sup> a list of all lots or parcels of real estate, giving the legal description for which notice of arrears is given, and for which arrears remain unpaid stating the amount of arrears and penalty;

**NOW, THEREFORE, BE IT ORDAINED** by the Village Board of the Village of Little Chute, that said Village Board does hereby create Ordinance Chapter 16, Article VI, Section 16-172 of the Little Chute Municipal Code as follows:

## **Sec. 16-172 - Electric Utility Cooperation with Kaukauna Utilities**

- (a) Collection of delinquent electric utility accounts on behalf of Kaukauna Utilities
  - (1) The procedures set forth under Sections 66.0809(3) and 66.0627 of the Wisconsin Statutes may be used for the collection of arrearages for electric service provided to Little Chute residents by Kaukauna Utilities.
  - (2) That the officer or department from Kaukauna Utilities, that issues the notice of delinquency to owners and occupants, shall file with the Village of Little Chute Clerk on November 16<sup>th</sup> a list of all lots or parcels of real estate, giving the legal description for which notice of arrears was given, and for which arrears remain unpaid stating the amount of arrears and penalty.
  - (3) Kaukauna Utilities staff is responsible for creating an accurate billing file compatible with Outagamie County's requirements for special charges and special assessments.
  - (3) If the billing file is rejected by Outagamie County for any reason, it is the responsibility of Kaukauna Utilities to correct the file and resend it to Little Chute.
  - (4) Any billing errors are the responsibility of Kaukauna Utilities to resolve.
  - (5) The Village of Little Chute will not advance any funds for the delinquent account balances; amounts will be paid to Kaukauna Utilities only when fully collected by the Village of Little Chute through the tax collection process.
  - (6) The Village of Little Chute will provide such further cooperation, to the extent allowed by law, for placing special charges constituting liens on the tax bills of Village residents for unpaid electric utility services provided by Kaukauna Utilities, and upon collection of said amounts the Village of Little Chute will reimburse Kaukauna Utilities for such previously unpaid charges.

Introduced, approved, and adopted, by requisite vote of the Village of Little Chute Board of Trustees this 19<sup>th</sup> day of May, 2021.

VILLAGE OF LITTLE CHUTE

BY: \_\_\_\_\_

Michael Vanden Berg, Village President

BY: \_\_\_\_\_

Laurie Decker, Village Clerk