

TOWN OF GRAND CHUTE
ORDINANCE O-07-2019

AN ORDINANCE CREATING SECTION 57-2 (F) OF THE MUNICIPAL
CODE OF THE TOWN OF GRAND CHUTE RELATING TO REFUND OF CERTAIN
OVERPAYMENTS TO THE TOWN

WHEREAS, in the process of collecting payments of property taxes, permit fees and other monies on behalf of the Town, the Finance Director/Treasurer and other Town staff occasionally receive payment in excess of the amount owed to the Town through error, inadvertence or oversight; and

WHEREAS, the past policy of the Town has been to refund any such overpayments, regardless of amount, to the payor; and

WHEREAS, the Town Board recognizes that the cost to taxpayers to process such refunds often exceeds the amount of the refund; and

WHEREAS, the Town Board has determined that it is not cost effective to process refund of nominal overpayments in the absence of a demand for refund; and

WHEREAS, the Town Board determined that is in the interest of the Town to establish a policy to retain nominal overpayments absent demand by the payor for refund.

NOW THEREFORE, the Town Board of the Town of Grand Chute, Outagamie County, Wisconsin, does hereby ordain as follows:

SECTION 1. Section 57-2 (F) Created. Section 57-2 (F) of the Municipal Code of the Town of Grand Chute is hereby created to provide as follows:

57-2

F. Retention of Nominal Overpayments Absent Demand.

- (1) For purposes of this section a “Nominal Overpayment” shall be the overpayment of any tax, fee, or other obligation to the Town in an amount which does not exceed \$5.**
- (2) As an administrative convenience the Town shall retain any Nominal Overpayment and shall not process a refund of the same absent appropriate demand for refund by the payer of the overpayment.**
- (3) A Nominal Overpayment retained by the Town pursuant to the provisions of this section shall be credited to the general fund.**

END OF AMENDMENT

If any provision of this ordinance is invalid or unconstitutional, or the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the above provisions or applications of this ordinance, which can be given effect without the invalid or unconstitutional provision, or its application.

Approved and adopted this 1 day of October, 2019

TOWN OF GRAND CHUTE

VOTED FOR: 5

VOTED AGAINST: 0

New Language in bold

Approved as to Form

for Al Romisil
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David Schowalter

David Schowalter, Town Chairman

Angie Cain

Angie Cain, Town Clerk