

ORDINANCE V22-21

**AN ORDINANCE CREATING CHAPTER 2, ARTICLE 2-V, SECTION 2-169
OF THE MUNICIPAL CODE OF ORDINANCES,
RELATING TO REFUNDING OF CERTAIN OVERPAYMENTS AND
DISCHARGING OF CERTAIN UNDERPAYMENTS**

WHEREAS, in the process of collecting payments of property taxes, permit fees, utility fees, and other monies on behalf of the Village of Harrison or Harrison Utilities, the treasurer and other staff occasionally receive payment in excess of the amount owed through error, inadvertence, or oversight; and

WHEREAS, in the process of collecting payments of property taxes, permit fees, utility fees, and other monies on behalf of the Village of Harrison or Harrison Utilities, the treasurer and other staff occasionally receive payment less than the amount owed through error, inadvertence, or oversight; and

WHEREAS, the past policy of the Village and Utilities has been to refund any such overpayments and pursue collection of any such underpayments, regardless of amount or effort involved; and

WHEREAS, the Village Board recognizes that the expense to process such refunds or pursue collections often exceeds the amount in question; and

WHEREAS, the Village Board has determined that it is not cost effective to process refunds of nominal overpayments in the absence of a demand for refund, nor pursue collection efforts of nominal underpayments; and

WHEREAS, the Village Board determined that it is in the interest of the Village to establish a policy to retain nominal overpayments absent demand by the payor for refund and to discharge nominal underpayments on debts owed to the Village or Utility.

NOW THEREFORE, the Village Board of the Village of Harrison, Calumet County, Wisconsin, does hereby ordain as follows:

SECTION I. Created. Section 2-169 in Article 2-V in Chapter 2 of the Municipal Code of the Village of Harrison is hereby created to provide as follows:

**CHAPTER 2 – ADMINISTRATION
ARTICLE 2-V – FINANCE**

2-169 Retention of Nominal Overpayments Absent Demand and Discharge of Nominal Underpayments


- (a) For purposes of this section a "Nominal " Overpayment or Underpayment shall be an amount which does not exceed a \$5.00 difference toward any tax, fee, or other obligation to the Village or Utility.

- (b) As an administrative convenience, the Village or Utility 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.
- (c) As an administrative convenience, the Village or Utility may opt to not pursue any Nominal Underpayment owed by a resident or utility customer or vendor.
- (d) A Nominal Overpayment or Underpayment pursuant to the provisions of this section shall be credited or debited to the General Fund for Village transactions and to the Customer Accounts Funds for Utility transactions pursuant to any regulations by the Public Service Commission.

SECTION 2. Severability. Each section, subsection, paragraph, sentence, clause, phrase, and provision of the foregoing Ordinance is, and the same as, hereby declared to be severable and if any portion of any provision thereof is duly determined to be invalid for any reason, such determination shall not invalidate any other portion of any other provision thereof.

SECTION 3. Effective Date. This Ordinance shall take effect and be enforced from and after its passage and posting as required by law.

INTRODUCED, APPROVED AND ADOPTED by the Village Board of the Village of Harrison, Calumet County, Wisconsin this 13th day of December 2022.

By: 
Allison Blackmer, Village President

Attest: 
Vicki L. Tessen, Clerk-Treasurer