

CHAPTER 45
CITY OF MAPLE LAKE

ORDINANCE DEFERRING ASSESSMENTS

45.01 DEFERMENT OF SPECIAL ASSESSMENTS FOR SENIOR CITIZENS

1. The City Council may defer the payment of any special assessment for any homestead property owned by a person 65 years of age or older for whom it would be a hardship to make the payments. The following factors shall be considered relevant for the purpose of determining hardship:
 - A. Income of the applicant from all sources including gifts.
 - B. Income of all the persons occupying the property.
 - C. Extraordinary expenses of the applicant such as medical bills.
 - D. Eligibility of the applicant for governmental assistance such as food stamps, welfare, etc.

The council may grant the deferment whenever the applicant's income is less than \$4,000.00 per year.

2. **Application**

Application for deferred payment of special assessments shall be made on forms prescribed by the Wright County Auditor and shall be made within 30 days after the adoption of the assessment by the council. The council may require that the applicant submit such additional information as it requires to determine if a hardship exists. If the council grants the deferred assessment, the city clerk shall notify the auditor who shall record a notice thereof with the county recorder which shall set forth the amount of the assessment and interest. When payment of an assessment is deferred pursuant to this section, interest thereon for the period of the deferment, at the same rate according to the resolution adopting the assessment as is payable on assessments which are not deferred, shall be added to the principal amount of the assessment when it becomes payable. The deferment, if granted, shall be effective for the following one calendar year only. Application for the renewal of any deferment shall be submitted to the council not later than September 30 of any year.

3. **Termination**

The council's option to defer the payment of special assessments shall terminate and all amounts accumulated plus applicable interest, shall become due upon the occurrence of any of the following events:

- A. The death of the owner, provided that the spouse is otherwise not eligible for the benefits hereunder;
- B. The sale, transfer or subdivision of the property or any part thereof;

- C. If the property should for any reason lose its homestead status;
- D. If for any reason the council shall determine that there would be no hardship to require immediate or partial payment; or
- E. The failure of the owner to file a renewal application within the time prescribed in 45.02.

Upon the happening of any of these events the city clerk shall notify the auditor of the termination of the deferment.

45.02 DEFERMENT OF SPECIAL ASSESSMENTS FOR UNPLATTED AND UNIMPROVED LANDS SUBDIVISION

1. Deferment

The city council may defer the payment of any special assessment for property which is both unplatted and unimproved at the time of the adoption of the assessment. Before deferring any special assessment pursuant to this Section, the council must determine that the deferment will promote the health, safety and general welfare of the citizens of Maple Lake. In addition, the council must determine that the deferment will not unreasonably diminish or encumber the financial resources of the city. No deferment pursuant to this Section shall be for a period exceeding 30 years. If the council grants the deferred assessment, the city clerk shall notify the auditor who shall record a notice thereof with the county recorder which shall set forth the amount of the assessment and interest.

2. Termination

Upon the subdivision, platting or construction of improvements upon the property or any part thereof, the deferment shall immediately terminate. Upon the termination of the deferment, the assessment shall be payable upon the same conditions, over the same number of years and at the same interest rate, according to the resolution adopting the assessment, as if no deferment had occurred. In any event, however, when payment of an assessment is deferred pursuant to this Section, it shall be divided, when payable, into a number of installments so that the last installment thereof will be payable not more than 30 years after the adoption of the assessment. When payment of an assessment is deferred pursuant to this section, interest thereon for the period of the deferment, at the same rate according to the resolution adopting the assessment as is payable on assessments which are not deferred, shall be added to the principal amount of the assessment when it becomes payable if ordered by the Council. The City Clerk shall notify the Auditor of the termination of the deferment.

3. Homestead

For the purposes of this Section, unimproved lands shall include a homestead. For the purposes of this Section, construction of improvements shall not include improvements to a homestead.