

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMDKOWICZ
PATRICIA A. FRICKER
HEIOI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

January 14, 2009

To the Honorable Common Council of the
City of Milwaukee
Room 205 - City Hall

Re: CCFN 081237 - relating to adjusting the certified
survey map filing fee and street and alley vacation
application fees

Dear Council Members:

Insofar as this file addresses increases of fees charged for permits issued by the City of Milwaukee, the Council is reminded that under applicable state law any fee charged for a license or permit is limited to either statutorily imposed limits, or recovering the actual cost of regulation of the industry involved. To the extent the license and permit fees either are specifically permitted by state law, or reflect the actual costs of regulation, the increases are legal and enforceable. To the extent that such increases are done for purposes of generating revenue in excess of the actual costs of regulation, they are neither legal nor enforceable.

The Council must be satisfied that the increases in permits and fees are either expressly permitted by law or are substantiated by a showing of a relationship to

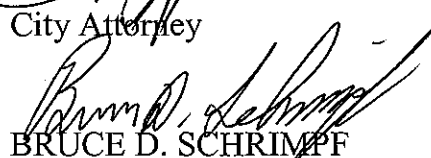
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the actual cost of regulation. We do not have information as to the basis of the increases, but assume they reflect actual costs of regulation.

Very truly yours,



GRANT E. LANGLEY
City Attorney



BRUCE D. SCHRIMPF
Assistant City Attorney

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c: Ronald D. Leonhardt, City Clerk