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May 21, 2009

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

Re: CCFN 090003 - ordinance relating to the late renewal application fee for bed
and breakfast permits

Dear Council Members:

Insofar as this file addresses increases of special charges, the Council is reminded under Wis. Stats. § 66.0627 any charge is limited to either statutorily imposed limits, or recovering the actual cost of regulation. To that extent 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.

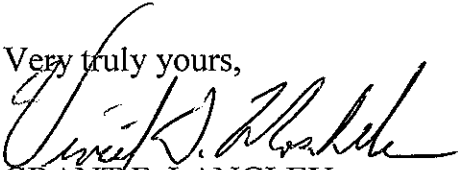
The Council must be satisfied that the increases in charges are either expressly permitted by law or are substantiated by a showing of a relationship to the actual cost of regulation. We do not have information as to the basis of the increases, but assume they reflect actual costs of regulation.


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Very truly yours,


for GRANT F. LANGLEY
City Attorney


BRUCE D. SCHRIMPE
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BDS:bw:146169

c: Ronald D. Leonhardt, City Clerk