

## TITLE 2

### Government and Administration

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### CHAPTER 1

#### Village Government and Elections

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#### SEC. 2-1-1 VILLAGE GOVERNMENT.

The Village of Iron Ridge is a body corporate and politic with the powers of a municipality at common law and governed by the provisions of Chapters 61 and 66 of the Wisconsin Statutes, laws amending those chapters, other acts of the legislature and the Constitution of the State of Wisconsin.

State Law Reference: Wis. Const., Art. XI, Sec. 3.

#### SEC. 2-1-2 ELECTION POLL HOURS.

The voting polls in the Village of Iron Ridge, Dodge County, Wisconsin shall be opened from 7:00 a.m. to 8:00 p.m. for all elections. (8-2009)

#### SEC. 2-1-3 ELECTION BOARD.

##### ELECTION BOARD

- a. Number - The election officials shall consist of 5 (five) inspectors. Members shall be appointed as provided in Section 7.30, Wisconsin Statutes, as amended.
- b. Work Hours - Shifts may be split as determined by the Municipal Clerk.
- c. Appointments - The Village President shall appoint election officials with confirmation by the Village Board as pursuant to Chapter 7.30, 7.31 and 7.32, Wis. Stats. Such election officials shall have all of the powers and perform all of the duties prescribed for such officers by the statutes. (2-2010)

#### SEC. 2-1-4 OFFICIAL NEWSPAPER.

The official newspaper of the Village of Iron Ridge shall be the Dodge County Pioneer.  
(2-2010)

SEC. 2-1-5 VILLAGE CAUCUS.

- (a) There shall be a Village caucus to nominate candidates for elective offices. The Village Board shall between December 1 and January 1 decide the date of the caucus. The date of the caucus may be established between the first Tuesday in January and the last Tuesday in January. When possible, preference should be given to having the caucus on the last Tuesday in January.
- (b) Whenever a caucus is held, the Village Clerk shall give notice of the time and date for the caucus by posting in his office and by one publication in a newspaper under Ch. 985, Wis. Stats., at least five (5) days before the date of the caucus.
- (c) The Village President together with the Village Clerk shall serve as caucus officials. If the President is a candidate, he shall call for the election of officials to conduct the caucus. The officials shall be elected by acclamation or ballot as the meeting directs. The electors attending the meeting shall select two (2) tellers to canvass the vote for each office at the caucus.
- (d) Names of candidates shall be placed in nomination either by motion made and seconded from the floor or by writing the candidate's name on a slip of paper distributed by the tellers to those electors attending the caucus. Only persons placed in nomination shall be voted on.
- (e) Nominations shall be made for one office at a time. Candidates for the office of Village Trustee shall be considered one office for purposes of nomination and election.
- (f) Before balloting the caucus chairman shall announce the names of all candidates placed on nomination.
- (g) The voting for each office shall be by ballot, but the caucus chairman may dispense with voting when only one (1) or two (2) persons are nominated for the same office.
- (h) Two (2) candidates receiving the highest number of votes cast for each office shall be nominated and certified by the caucus chairman and tellers to the Village Clerk.
- (i) Village Trustees, excluding the office of Village President, shall be nominated together and at large. Candidates, equal to twice the number of positions to be filled, who receive the most votes, shall be nominated and certified.
- (j) The Village Clerk shall notify in writing each candidate whose name is certified as a nominee under Subsection (h) of his or her nomination. Upon receipt of the notice, each candidate shall file a declaration of candidacy in the manner prescribed by Sec. 8.21, Stats., with the Village Clerk making the notification within five (5) days after the notification. If the candidate has not filed a registration statement under Sec. 11.05, Wis. Stats., at the time of the notification, the candidate shall file the statement with the declaration. Upon receipt of the declaration of candidacy and registration statement of each qualified candidate, the Village Clerk shall place the name of the candidate on the ballot.

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State Law Reference: Section 8.05, Wis. Stats.

## CHAPTER 2

### Village Board

Sec. 2-2-1	Village Board
Sec. 2-2-2	Trustees
Sec. 2-2-3	Village President
Sec. 2-2-4	Standing Committees
Sec. 2-2-5	General Powers of the Village Board
Sec. 2-2-6	Cooperation With Other Municipalities
Sec. 2-2-7	Internal Powers of the Board
Sec. 2-2-8	Salaries
Sec. 2-2-9	Meetings
Sec. 2-2-10	Special Meetings
Sec. 2-2-11	Open Meetings
Sec. 2-2-12	Quorum
Sec. 2-2-13	Presiding Officers
Sec. 2-2-14	Order of Business
Sec. 2-2-15	Introduction of Business, Resolutions and Ordinances; Disposition of Communications
Sec. 2-2-16	Publication and Effect of Ordinances
Sec. 2-2-17	Conduct of Deliberations
Sec. 2-2-18	Reconsideration of Questions
Sec. 2-2-19	Disturbances and Disorderly Conduct
Sec. 2-2-20	Amendment of Rules
Sec. 2-2-21	Suspension of Rules

#### SEC. 2-2-1 VILLAGE BOARD.

The Trustees of the Village of Iron Ridge shall constitute the Village Board. The Village Board shall be vested with all the powers of the Village not specifically given some other officer, as well as those powers set forth elsewhere throughout this Code.

State Law Reference: Sections 61.32 and 61.34, Wis. Stats.

#### SEC. 2-2-2 TRUSTEES.

- (a) ELECTION, TERM, NUMBER. The Village of Iron Ridge shall have four (4) Trustees in addition to the President, who is a Trustee by virtue of his or her office as President. The four (4) Trustees shall constitute the Village Board. Two (2) Trustees shall be elected at each annual spring election for a term of two (2) years, commencing on the third Tuesday of April in the year of their election.
- (b) APPOINTMENT AS PRESIDENT. A Village Trustee shall be eligible for appointment as Village President to fill an unexpired term.

State Law Reference: Section 61.20 and 61.325, Wis. Stats.

SEC. 2-2-3 VILLAGE PRESIDENT.

- (a) ELECTION. The Village President shall be elected at the annual spring election in odd-numbered years for a term of two years, commencing on the third Tuesday of April in the year of his or her election.
- (b) DUTIES. The Village President shall by virtue of his office be a Trustee and preside at all meetings of the Board and sign all ordinances, rules, bylaws, regulations and commissions adopted or authorized by the Board and all orders drawn on the treasury. He shall maintain peace and good order, see that the Village ordinances are faithfully obeyed, and in case of disturbance, riot or other apparent necessity appoint as many special marshals as he shall deem necessary, who for the time being shall possess all the powers and rights of constables.

State Law Reference: Section 61.24, Wis. Stats.

SEC. 2-2-4 STANDING COMMITTEES.

- (a) SPECIAL COMMITTEES.
  - (1) The Village President may declare the entire Board a committee of the whole for informal discussion at any meeting or for any other purpose, and shall ex officio be chairman of the same.
  - (2) The Village President may, from time to time, appoint such special committee or committees as may deem advisable or as provided for by motion or resolution stating the number of members and object thereof to perform such duties as may be assigned to them.
- (b) PRESIDENT TO DESIGNATE CHAIRMEN. The President shall designate the chairmen of each Board committee. All committee appointments except designation of chairmen shall be subject to confirmation by a majority vote of the Board.
- (c) COMMITTEE REPORTS. Each committee shall at the next regular Board meeting submit a report on all matters referred to it. Such report shall recommend a definite action on each item and shall be approved by a majority of the committee. Any committee may require any Village officer or employee to confer with it and supply information in connection with any matter pending before it.

SEC. 2-2-5 GENERAL POWERS OF THE VILLAGE BOARD.

- (a) GENERAL. The Village Board shall be vested with all the powers of the Village not specifically given some other officer. Except as otherwise provided by law, the Village Board shall have the management and control of the Village property, finances, highways, streets, navigable waters and the public service, and shall have the power to act for the government and good order of the Village, for its commercial benefit and for the health, safety, welfare and convenience of the public, and may carry its powers into effect by license, regulation, suppression, borrowing, taxation, special assessment, appropriation, fine, imprisonment and other necessary or convenient means. The powers hereby conferred shall be in addition to all other grants and shall be limited only by express language.
- (b) ACQUISITION AND DISPOSAL OF PROPERTY. The Village Board may acquire property, real or personal, within or without the Village, for parks, libraries, historic places, recreation, beautification, streets, waterworks, sewage or waste disposal, harbors, improvement of watercourses, public grounds, vehicle parking areas and for any other public purpose; may acquire real property within or contiguous to the Village, by means other than condemnation, for industrial sites; may improve and beautify the same; may construct, own, lease and maintain buildings on such property for instruction, recreation, amusement and other public purposes; and may sell and convey such property. Condemnation shall be as provided by the Wisconsin Statutes.
- (c) ACQUISITION OF EASEMENTS AND PROPERTY RIGHTS. Confirming all powers granted to the Village Board and in furtherance thereof, the Board is expressly authorized to

acquire by gift, purchase or condemnation under the Wisconsin Statutes, any and all property rights in lands or waters, including rights of access and use, negative or positive easements, restrictive covenants, covenants running with land, scenic easements and any rights for use of property of any nature whatsoever, however denominated, which may be lawfully acquired for the benefit of the public or for any public purpose, including the exercise of powers granted under Sections 61.35 and 62.23, Wis. Stats.; and may sell and convey such easements or property rights when no longer needed for public use or protection.

- (d) VILLAGE FINANCES. The Village Board may levy and provide for the collection of taxes and special assessments; may refund any tax or special assessment paid, or any part thereof, when satisfied that the same was unjust or illegal; and generally may manage the Village finances. The Village Board may loan money to any school district located within the Village or within which the Village is wholly or partially located in such sums as are needed by such district to meet the immediate expenses of operating the schools thereof, and the Board of the district may borrow money from such Village accordingly and give its note therefor. No such loan shall be made to extend beyond August 30 next following the making thereof or in an amount exceeding one-half (1/2) of the estimated receipts for such district as certified by the State Superintendent of Public Instruction and the local School Clerk. The rate of interest on any such loan shall be determined by the Village Board.
- (e) CONSTRUCTION OF POWERS. Consistent with the purpose of giving to villages the largest measure of self-government in accordance with the spirit of the home rule amendment to the Constitution, the grants of power to the Village Board in this Section and throughout this Code of Ordinances shall be liberally construed in favor of the rights, powers and privileges of villages to promote the general welfare, peace, good order and prosperity of the Village and its inhabitants.

State Law Reference: Art. XI, Sec. 3, Wis. Const.; Sec. 61.34, Wis. Stats.

#### SEC. 2-2-6 COOPERATION WITH OTHER MUNICIPALITIES.

The Village Board, on behalf of the Village, may join with other villages or cities in a cooperative arrangement for executing any power or duty in order to attain greater economy or efficiency, including joint employment of appointive officers and employees.

State Law Reference: Sections 61.34(2) and 66.30, Wis. Stats.

#### SEC. 2-2-7 INTERNAL POWERS OF THE BOARD.

The Village Board has the power to preserve order at its meetings, compel attendance of Trustees and punish nonattendance. Members of the Village Board shall be residents of the Village at the time of their election and during their terms of office.

State Law Reference: Section 61.32, Wis. Stats.

#### SEC. 2-2-8 SALARIES.

The President and other Trustees who make up the Village Board, whether operating under general or special law, may by majority vote of all the members of the Village Board determine that an annual salary be paid the President and Trustees. Salaries heretofore established shall so remain until changed by ordinance and shall not be increased or diminished during their terms of office.

State Law Reference: Section 61.32, Wis. Stats.

SEC. 2-2-9 MEETINGS.

- (a) REGULAR MEETINGS. Regular meetings of the Village Board shall be held on the first Monday of each calendar month at 7:00 p.m. local time, or at such other times as the Board may direct. Any regular meeting falling on a legal holiday shall be held on the following Monday at the same hour and place. All meetings of the Board shall be held at the Village of Iron Ridge Municipal Building, unless specified otherwise in the minutes of the preceding meeting or by written notice posted at the regular meeting place at least three (3) hours prior to any meeting. In any event, all Board meetings shall be held within the boundaries of the Village of Iron Ridge.
- (b) ANNUAL ORGANIZATIONAL MEETING. The Village Board shall hold an annual organizational meeting on the third Tuesday of April for the purpose of organization.

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State Law Reference: Section 61.32, Wis. Stats.

SEC. 2-2-10 SPECIAL MEETINGS.

Special meetings of the Board may be called by the Village President, or by two (2) Trustees by filing a written request with the Village Clerk at least twenty-four (24) hours prior to the time specified for such meeting. The Clerk shall immediately notify each Trustee of the time and purpose of such meeting. The notice shall be delivered or mailed to each Trustee personally or left at his usual place of abode. The Clerk shall cause an affidavit of such notice to be filed in his office prior to the time fixed for such special meeting. No business shall be transacted at a special meeting except for the purpose stated in the notice thereof. Notice to the public of special meetings shall conform to the open meeting requirements of Section 61.32 and Chapter 19, Subch. IV, Wis. Stats. Representatives of the media who have filed a request with the Clerk to receive notice of Board meeting shall be notified a minimum of twelve (12) hours before the meeting.

State Law Reference: Sections 61.32 and 985.02(2)(a), Wis. Stats.; Ch. 19, Subch. IV, Wis. Stats.

SEC. 2-2-11 OPEN MEETINGS.

All meetings shall be open to the public, unless falling within a lawful exception of the Wisconsin Open Meetings Law.

State Law Reference: Section 61.32 and Ch. 19, Subch. IV, Wis. Stats.

SEC. 2-2-12 QUORUM.

- (a) Two (2) Trustees and the Village President shall constitute a quorum, but a lesser number may adjourn or compel attendance of absent members if a majority is not present. The President shall be counted in computing a quorum.
- (b) When the presiding officer shall have called the members to order, the Village Clerk shall proceed to call the roll in alphabetical order, noting who are present, and who are absent, and if, after having gone through with the call, it shall appear that a quorum is not present, the fact shall be entered in the minutes, and the members present may adjourn to a later date in the month; if they do not establish the next meeting date, the Village Board shall stand adjourned to the time appointed for the next regular meeting unless a special meeting is called sooner.

State Law Reference: Section 61.32, Wis. Stats.

SEC. 2-2-13 PRESIDING OFFICERS.

- (a) THE VILLAGE PRESIDENT SHALL PRESIDE. The Village President shall preside over meetings of the Village Board. In case of absence of the President, the Clerk shall call the meeting to order and preside until the Trustees present select a Trustee to preside temporarily.
- (b) DUTIES. The presiding officer shall preserve order and decorum, decide all questions of order, and conduct the proceedings of the meeting in accordance with the parliamentary rules contained in Robert's Rules of Order, unless otherwise provided by statute or by these rules. Any member shall have the right to appeal from a decision of the presiding officer. Such appeal is not debatable and must be sustained by a majority vote of the members present excluding the presiding officer.
- (c) PARTICIPATION IN DEBATE. The presiding officer may speak upon any question or make any motion if he vacates the chair and designates a Trustee to preside temporarily.

State Law Reference: Section 61.32, Wis. Stats.

SEC. 2-2-14 ORDER OF BUSINESS.

- (a) ORDER OF BUSINESS. At all meetings, the following order may be observed in conducting the business of the Village Board:
  - (1) Call to Order by presiding officer;
  - (2) Roll call. (If a quorum is not present, the meeting shall thereupon adjourn, which may be to a specified date);
  - (3) Reading, correcting and approval of the minutes of the last preceding meeting or meetings; treasurer's report;
  - (4) Public appearances;
  - (5) Police Department report;
  - (6) Director of Public Works report;
  - (7) Building Inspector reports;
  - (8) Monthly bills;
  - (9) Ordinances and resolutions;
  - (10) Unfinished business;
  - (11) New and miscellaneous business;
  - (12) Adjourn.
- (c) ORDER TO BE FOLLOWED. No business shall be taken up out of order unless authorized by the Village President or by majority consent of all Trustees and in the absence of any debate whatsoever.

SEC. 2-2-15 INTRODUCTION OF BUSINESS, RESOLUTIONS AND ORDINANCES;  
DISPOSITION OF COMMUNICATIONS.

- (a) ORDINANCES TO BE IN WRITING. All ordinances, resolutions, bylaws or other communications submitted to the Board shall be in writing and shall include at the outset a brief statement of the subject matter, a title and the name of the Trustee introducing same and shall be referred to the appropriate committee by the President. The committee shall report back to the Board on the matter at the next Board meeting. Unless requested by a Trustee before a final vote is taken, no ordinance, resolution or bylaw need be read in full.
- (b) SUBJECT AND NUMBERING OF ORDINANCES. Each ordinance shall be related to no more than one (1) subject. Amendment or repeal of ordinances shall only be accomplished if the amending or repealing ordinance contains the number and title of the ordinance to be amended or repealed, and title of amending and repealing ordinances shall reflect their purpose to amend or repeal.

- (c) NOTICE.
  - (1) The Village Board may take action on an ordinance or resolution only if it appears on the written agenda for meeting at which action is requested.
  - (2) Resolutions or ordinances will be placed on the agenda for Board action only if they are submitted to the Village Clerk in written form a minimum of seven (7) days prior to the meeting at which action is requested.
- (d) DISPOSITION OF PETITIONS, COMMUNICATION, ETC. Every petition or other writing of any kind, addressed to the Village Board or to the Clerk or other Village officer for reference to the Village Board, shall be delivered by the Clerk or such other Village officer to the Village President or to the presiding officer of the Board as soon as convenient after receipt of same, and in any event, prior to or at the opening of the next meeting of the Village Board following the receipt of same. Every such petition, or other writing, and every paper, communication or other proceeding which shall come before the Board for action, may be referred by the Village President or presiding officer to the appropriate committee or commission, unless objected to by some member of the Board.

SEC. 2-2-16 PUBLICATION AND EFFECT OF ORDINANCES.

All general ordinances of the Village and all regulations imposing any penalty shall be published in the official paper of the Village once or posted according to state law, and shall be immediately recorded, with the affidavit of publication, by the Village Clerk in a book kept for that purpose. A printed copy of such ordinance or regulation in any book, pamphlet or newspaper and published or purporting to be published therein by direction of the Village Board shall be prima facie proof of due passage, publication and recording thereof.

State Law Reference: Section 61.32, Wis. Stats.

SEC. 2-2-17 CONDUCT OF DELIBERATIONS.

- (a) A roll call shall not be necessary on any questions or motions except as follows:
  - (1) When the ayes and noes are requested by any member.
  - (2) On confirmation and on the adoption of any measure assessing or levying taxes, appropriations or disbursing money, or creating any liability or charge against the Village or any fund thereof.
  - (3) When required by the state statutes of Wisconsin.
- (b) All aye and nay votes shall be recorded in the official minutes. The ayes and nays shall be ordered upon any question at the request of any member of the Village Board, or the President, and the Clerk shall call the roll in alphabetical order, and the Clerk shall call the roll starting with "A" and then in alphabetical order one time and then starting with "Z" and in reverse alphabetical order the next time.
- (c) Except as provided below, the Village Board shall in all other respects determine the rules of its procedure, which shall be governed by Robert's Rules of Order, which is hereby incorporated by reference, unless otherwise provided by ordinance or Statute, except when otherwise limited or modified by this Code of Ordinances:
  - (1) No Trustee shall address the Board until he has been recognized by the presiding officer. He shall thereupon address himself to the Board and confine his remarks to the question under discussion and avoid all personalities.
  - (2) When two (2) or more members simultaneously seek recognition, the presiding officer shall name the member who is to speak first.
  - (3) No person other than a member shall address the Board except under order of business, except the citizens may address the Board with the permission of the presiding officer as to matters which are being considered by the Board at the time.

SEC. 2-2-18 RECONSIDERATION OF QUESTIONS.

When a question has been once decided, any member of the majority, or in case of a tie, any member voting in the affirmative, may move a reconsideration thereof; but if a motion to reconsider be made on a day subsequent to that on which the ordinance question was decided, a vote of the majority of the entire Board shall be required to sustain it.

SEC. 2-2-19 DISTURBANCES AND DISORDERLY CONDUCT.

Whenever any disturbance or disorderly conduct shall occur in any of the meetings of the Board, the President may cause the room to be cleared of all persons guilty of such disorderly conduct except the Trustees.

SEC. 2-2-20 AMENDMENT OF RULES.

The rules of this Chapter shall not be rescinded or amended unless the proposed amendment or motion to rescind has laid over from a regular meeting, and then it shall require a vote of two-thirds of all the members of the Board.

SEC. 2-2-21 SUSPENSION OF RULES.

These rules shall not be suspended except by a two-thirds vote of all the members of the Board.

**VILLAGE CHARTER ORDINANCE**

A CHARTER ORDINANCE RELATING TO THE COMBINING OF THE OFFICES OF CLERK AND TREASURER AND PROVIDING FOR ANNUAL AUDIT OF ACCOUNTS OF THE VILLAGE OF IRON RIDGE

The Village Board of the Village of Iron Ridge do ordain as follows:

SECTION 1. The Village of Iron Ridge pursuant to Sections 61.195, 61.197 and 66.01 of the Wisconsin Statutes elects not to be governed by those portions of Sections 61.19 and 61.23 of the Wisconsin Statutes which relates to the tenure and selection of the Village Clerk and Village Treasurer and which are in conflict with this ordinance.

SECTION 2. In the absence of a recorded charter for the Village of Iron Ridge in either the office of the Secretary of State of the State of Wisconsin or in the office of the Register of Deeds of Dodge County, Wisconsin, this charter ordinance repeals and re-replaces Village of Iron Ridge Municipal Ordinances 2-3-2(a) and 2-3-3(a) which relates to the tenure and selection of the Village Clerk and Village Treasurer.

SECTION 3. The offices of Village Clerk and Village Treasurer are hereby consolidated and the duties of both offices shall be performed by the person appointed as Village Clerk-Treasurer commencing with the regular spring election in April 1991.

SECTION 4. Commencing with the spring election of April 1991 instead of being elected, the Village Clerk-Treasurer shall be appointed by the Village President, subject to confirmation by a majority vote of the Village Board.

SECTION 5. Said person so appointed to perform the duties of such offices shall hold office for an indefinite term, subject to be removed as provided in sections 17.13 (1) and (3) of the Statutes of the State of Wisconsin.

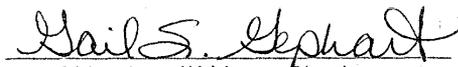
SECTION 6. This ordinance shall not in any way affect the right of any person whose term of office has begun but has not yet expired, either at the time of the passage of this ordinance or at the time it takes effect, to complete his/her term of office.

SECTION 7. Annual recurring audits shall be made of the records of such official and such audits shall be made by a certified public accountant, the designation to be made by the Village Board.

SECTION 8. This is a charter ordinance and shall take effect 60 days after its passage and publication unless within such 60 day period a referendum petition as provided by section 66.01 of the Wisconsin Statutes shall be filed, in which event this ordinance shall not take effect until it shall have been submitted to a referendum vote of the electors and approved by a majority of the electors voting thereon.

Passed and approved by the Village Board of the Village of Iron Ridge, Wisconsin, this 6<sup>th</sup> day of November, 1989.

  
Village President

  
Attest: Village Clerk

Attested: 1-16-90

Published and Posted: 11-19-89

**CHAPTER 3**

Municipal Officers and Employees

Sec. 2-3-1	General Provisions
Sec. 2-3-2	Village Clerk
Sec. 2-3-3	Village Treasurer
Sec. 2-3-4	Village Attorney
Sec. 2-3-5	Chief of Police
Sec. 2-3-6	Fire Chief and Fire Inspector
Sec. 2-3-7	Assessor
Sec. 2-3-8	Weed Commissioner
Sec. 2-3-9	Building Inspector
Sec. 2-3-10	Director of Public Works
Sec. 2-3-11	Eligibility for Office
Sec. 2-3-12	Oaths of Office
Sec. 2-3-13	Vacancies
Sec. 2-3-14	Removal from Office
Sec. 2-3-15	Custody of Official Property
Sec. 2-3-16	Official Bonds; Officers Not to be Sureties

SEC. 2-3-1 GENERAL PROVISIONS.

- (a) Officers shall have generally the powers and duties prescribed for like officers of towns and villages, except as otherwise provided, and such powers and duties as are prescribed by law and except as to the Village President, shall perform such duties as shall be required of him by the Village Board. Officers whose powers and duties are not enumerated in Chapter 61 of the Wisconsin Statutes, shall have such powers and duties as are prescribed by law for like officers or as are directed by the Village Board.
- (b) All officers and departments may make the necessary rules for the conduct of their duties and incidental proceedings.
- (c) The general laws for the punishment of bribery, misdemeanors and corruption in office, shall apply to Village officers.
- (d) Whenever a Village official in his official capacity proceeded against or obliged to proceed before any Court, Board or Commission, to defend or maintain his official position, or because of some act arising out of the performance of his official duties, and he has prevailed in such proceedings, or the Village Board has ordered the proceedings discontinued, the Board may provide for payment to such official such sum as it sees fit, to reimburse him for the expenses reasonably incurred for costs and attorney's fees.

SEC. 2-3-2 VILLAGE CLERK.

- (a) See Village Charter Ordinance No. 89-1.
- (b) DUTIES. The Clerk shall perform the following duties:
  - (1) To perform any duties prescribed by law relative to elections, to keep subject to inspection all election returns required to be filed in his office, and to notify persons elected or appointed to Village offices.

- (2) To transmit to the County Clerk, within ten (10) days after election or appointment and qualification, a certified statement of the name and term for which elected or appointed, of the President, Clerk, Treasurer and Assessor; and to the Clerk of the Circuit Court immediately after their election or appointment and qualification, a like statement of the time and term for which elected or appointed of every Municipal Judge, Chief of Police, Marshal or Constable of the Village.
- (3) To attend all meetings of the Village Board; to record and sign the proceedings thereof and all ordinances, rules, bylaws, resolutions and regulations adopted, and to countersign and keep a record of all licenses, commissions and permits granted or authorized by them, and for such purpose to keep the following books: A minute book, in which shall be recorded in chronological order full minutes of all elections, general or special, and the statements of the inspectors thereof; full minutes of all the proceedings of the Board of Trustees; the titles of all ordinances, rules, regulations and bylaws, with reference to the book and page where the same may be found. An ordinance book, in which shall be recorded at length, in chronological order, all ordinances, rules, regulations and bylaws. A finance book, in which shall be kept a full and complete record of the finances of the Village, showing the receipts, the date, amount and sources thereof, and the disbursements, with the date, amount and object for which paid out; and to enter in either such other matters as the board prescribes, and such other books as the board directs.
- (4) To countersign and cause to be published or posted every ordinance, bylaw or resolution as required by law, and to have proper proof thereof made and filed.
- (5) To be the custodian of the corporate seal, and to file as required by law and to safely keep all records, books, papers or property belonging to, filed or deposited in his office, and deliver the same to his successor when qualified; to permit any person with proper care to examine and copy any of the same, and to make and certify a copy of any thereof when required, on payment of the same fees allowed town clerks therefor.
- (6) To draw and countersign all orders on the Village treasury ordered by the board and none other.
- (7) To make a tax roll and deliver the same to the Village Treasurer; to make and transmit to the County Clerk a statement showing the assessed valuation of all the property in the Village and separately the amount of all taxes levied therein, including highway and street taxes, for the current year, and the purposes for which they were levied.
- (8) To perform all other duties required by law or by any ordinance or other direction of the Village Board.
- (9) To notify the Clerk of the County in which the Village is located by March 15, of the proportion of property tax revenue and of the credits under Sec. 79.10, Wis. Stats., that is to be disbursed by the County Clerk to each taxing jurisdiction location in the Village.

State Law Reference: Section 61.25, Wis. Stats.

SEC. 2-3-3 VILLAGE TREASURER.

- (a) See Village Charter Ordinance No. 89-1.
- (b) DUTIES. The Village Treasurer shall perform the following duties:
  - (1) Execute and file an official bond which may be furnished by a surety company as provided by Sec. 632.17(2), Wis. Stats.
  - (2) Receive all moneys belonging or accruing to the Village or directed by law to be paid to the Treasurer.

## Municipal Officers and Employees

- (3) Deposit upon receipt the funds of the Village in the name of the Village in the public depository designated by the Board. Failure to comply with this sub-section shall be prima facie grounds for removal from office. When the money is deposited, the Treasurer and bonders are not liable for the losses defined by Sec. 34.01(2), Wis. Stats., and the interest shall be paid into the Village treasury.
- (4) Pay money only on the written order of the President, countersigned by the Clerk and specifying the number thereof, the payee and the amount and the object for which drawn.
- (5) Keep just and accurate detailed accounts of all transactions under sub. (4) showing when, to whom and for what purpose all payments are made, in books provided by the Village Board, and preserve all vouchers filed in the office.
- (6) Render an account and settlement of all official transactions to the Board at its last meeting prior to the annual election, and at all other times when required by the Board.
- (7) Deliver to the successor when qualified all books of account, papers and property of the office and all money on hand as Treasurer.
- (8) Perform other duties as are required by law or the Village Board.
- (9) Keep but one fund in the treasury, except as otherwise provided.
- (10) Execute the bond required by Sec. 70.67, Wis. Stats., and take receipt therefor, which the Treasurer shall file in the office of the Village Clerk.
- (11) On receipt of the tax roll, and while acting as collector of taxes, exercise the same powers and perform the same duties as are by law conferred upon and required of town treasurers while acting in that capacity, and be subject to the same penalties and liabilities.
- (12) Perform those duties conferred upon town treasurers in Sec. 60.34(5), Wis. Stats. The Village Board may specify additional dates on which the Village Treasurer shall pay to the appropriate school district treasurer and vocational, technical and adult education district treasurer the proportion of the district's levy that the general property taxes collected in the Village, except collections for state trust fund loans, state tax and state special charges, up to the last day of the preceding month bears to the total general property tax levy in the Village for all purposes except levies for state trust fund loans, state tax and state special charges. The Village Treasurer may make the payments required under this Subsection without authorization by the Village Board.

State Law Reference: Section 61.26, Wis. Stats.

### SEC. 2-3-4 VILLAGE ATTORNEY.

- (a) ELECTION. The office of Village Attorney is an appointed position. The Village President shall appoint a Village Attorney at the first regular meeting of the Board in May of odd-numbered years, subject to confirmation by a majority of the members of the Village Board. The Village Attorney's term shall commence on the fifteenth (15th) day of May succeeding his appointment and shall be for two (2) years.
- (b) The Village Attorney shall have the following duties:
  - (1) The Attorney shall conduct all of the law business in which the Village is interested.
  - (2) He shall, when requested by Village officers, given written legal opinions, which shall be filed with the Village.
  - (3) He shall draft ordinances, bonds and other instruments as may be required by Village officers.
  - (4) He may appoint an assistant, who shall have power to perform his duties and for whose acts he shall be responsible to the Village. Such assistant shall receive no compensation from the Village, unless previously provided by ordinance.
  - (5) The Village Board may employ and compensate special counsel to assist in or take charge of any matter in which the Village is interested.

- (6) The Village Attorney shall perform such other duties as provided by State law and as designated by the Village Board.
- (7) The Village Attorney shall perform such other duties as provided by State law and as designated by the Village Board.

SEC. 2-3-5 CHIEF OF POLICE.

(a) APPOINTMENT:

- (1) The Chief of Police shall be appointed by the Village President, subject to confirmation by the Village Board. The Chief of Police shall hold office during good behavior, subject to suspension or removal by the Board. The Chief of Police shall serve a probationary period of one (1) year, unless otherwise approved for a different period by the Village Board, or if extended for a just cause by the Village Board. During the probationary period, the Village Board may, at its option, lay off, or terminate with or without cause, said probationary employee without recourse to any grievance and arbitration procedures.
- (2) The compensation to be paid the Chief of Police for their services, the hours of active duty, rest days, vacation periods and other involvement of his or her employment shall be such as may be determined by the Village Board from time to time.

(b) GENERAL DUTIES:

- (1) The Chief of Police shall have command of the Police Department. He shall have general administration and control of the Department and shall be responsible for the Department's government, efficiency and general good conduct. He shall perform all duties prescribed to him by laws of the State and the Ordinances of the Village and shall obey all lawful written orders of the Village President or Village Board.
- (2) The Chief of Police shall cause the public peace to be preserved and may arrest and with reasonable diligence take before the proper court every person found in the Village engaged in any disturbance of the peace or violating any law of the State or Ordinance of the Village. The Chief shall cooperate with other law enforcement officers in the arrest or apprehension of persons charged with crime.

SEC. 2-3-6 FIRE CHIEF AND FIRE INSPECTOR.

(a) APPOINTMENT. The Fire Chief shall be selected according to the bylaws of the Iron Ridge Volunteer Fire Department.

(b) POWERS AND DUTIES OF CHIEF.

- (1) The Chief shall have general supervision of the Department, subject to this Chapter and the bylaws of the Department and shall be responsible for the personnel and general efficiency of the Department.
- (2) It shall be the duty of the Chief to preside at all meetings of the Department, to call special meetings, to preserve order, to decide all points of order that may arise and to enforce a rigid observance of this ordinance and the bylaws.
- (3) It shall be the duty of the Chief to be present at all fires, to have complete command of and entire responsibility for all fire-fighting operations, to plan the control of the same, to direct the action of the companies when they arrive at a fire, to observe that every company does its duty, to grant leaves of absence at a fire when he may deem it proper and to see that the fire apparatus is kept in proper condition at all times.
- (4) The Chief shall have the power to demote or expel any officer or member of the Department for neglect or refusal to perform his departmental duties, such demotion or expulsion to be subject to an appeal to the Village Board.
- (5) Not later than October 1st of each year, the Chief shall file with the Village Clerk a

detailed estimate of the appropriations needed for the conduct of the Department during the ensuing fiscal year.

- (6) It shall be the duty of the Chief to submit a written report to the Village Board not later than February 1st of each year, and at such other times as he deems desirable, relating to the conditions of the various pieces of apparatus and appurtenances, the number of fires occurring since the previous report, the date of same and loss occasioned thereby, the number of members of each company, the total number of active members in the Department and resignations and expulsions from the Department. He shall also report upon the drill and training program of the Department, together with other pertinent information, including recommendations of such improvements as he deems proper and necessary for the operation of the Department.
- (7) He shall enforce all fire prevention ordinances of this Village and state laws and regulations pertaining to fire prevention and shall keep citizens informed on fire prevention methods and on the activities of the Department.
- (8) He shall keep a fire record book of every fire to which any company was called and shall enter in such book the locality of fire, time alarm was received, cause of fire, where fire started, cause of delay (if any) in responding, method of extinguishment and equipment used, amount of insurance carried on building and contents, estimated fire loss, time fire was extinguished, names of men responding and general remarks.
- (9) He shall keep an inventory of all apparatus and equipment and an inventory of all hose, showing dates and results of tests on each length, which shall be individually identified.
- (10) He shall perform such other duties as are incumbent on the commanding officer of the Fire Department.

#### SEC. 2-3-7 ASSESSOR.

- (a) The Village of Iron Ridge hereby elects not to be governed by those portions of Section 61.19 of the Wisconsin Statutes relating to the method of selection of the Village Assessor which are in conflict with this Section. (Charter Ordinance.)
- (b) Hereafter, instead of being elected, the Assessor or assessing firm, shall be appointed by the Village President at the first regular meeting of the Board in May of odd-numbered years, subject to confirmation by a two-thirds vote of the members-elect of the Village Board. A corporation or an independent contractor may be appointed as the Village Assessor. The corporation or independent contractor so appointed shall designate the person responsible for the assessment. The designee shall file the official oath under Sec. 19.01, Wis. Stats., and sign the affidavit of the Assessor attached to the assessment roll under Sec. 70.49, Wis. Stats. No person may be designated by any corporation or independent contractor unless he or she has been granted the appropriate certification under Sec. 73.09, Wis. Stats. For purposes of this subsection, "independent contractor" means a person who either is under contract to furnish appraisal and assessment services or is customarily engaged in an independently established trade, business or profession in which the services are offered to the general public.
- (c) The term of said Assessor shall be for two (2) years, or until his successor is selected and qualifies. The term shall commence on May 15th following appointment.
- (d) An Ordinance relating to the confidentiality of information about income and expenses requested by the assessor in property assessment matters in the Village of Iron Ridge

WHEREAS, as part of the Budget Adjustment Act, 1997 Wisconsin Act 237, a number of significant changes regarding property tax assessment appeals and Board of Review procedures were enacted; and

WHEREAS, at Section 279(K) of 1997 Wisconsin Act 237, Section 70.47(7)(af) of the Wisconsin Statutes was created; and

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WHEREAS, Section 70.47(7)(af), Wis. Stats., requires that the municipality provide

by ordinance for the confidentiality of information about income and expenses that is provided to the Assessor under Section 70.47(7)(af), Wis. Stats., and shall provide exceptions for persons using the information in the discharge of duties imposed by law or of the duties of their office or by order of the court.

NOW, THEREFORE, the Village Board of the Village of Iron Ridge, Dodge County, Wisconsin, DO ORDAIN AS FOLLOWS:

(1) Whenever the Assessor, in the performance of the Assessor's duties, requests or obtains income and expense information pursuant to Section 70.47(7)(af), Wis. Stats., or any successor statute thereto, then, such income and expense information that is provided to the Assessor shall be held by the Assessor on a confidential basis, except, however, that the information may be revealed to and used by persons: in the discharging of duties imposed by law; in the discharge of duties imposed by office (including, but not limited to, use by the Assessor in performance of official duties of the Assessor's office and use by the Board of Review in performance of its official duties); or pursuant to order of a court. Income and expense information provided to the Assessor under Section 70.47(7)(af), unless a court determines that it is inaccurate, is, per Section 70.47(7)(af), not subject to the right of inspection and copying under Section 19.35(1), Wis. Stats.

(2) SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections-or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

(3) EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

3/00

State Law Reference: Public Officials' oaths and bonds, Section 19.01, Wis. Stats.; corporation as assessor, Section 61.197 and 61.27, Wis. Stats.; affidavit of assessor, Section 70.49, Wis. Stats.; assessor certification, Section 73.02, Wis. Stats.; assessors in cities, Section 70.05, Wis. Stats.

#### SEC. 2-3-8 WEED COMMISSIONER.

The Weed Commissioner shall be appointed by the Village President, subject to Village Board confirmation. The term of office of the Weed Commissioner shall commence on the first day of May following his or her appointment. The Weed Commissioner shall take the official oath, which oath shall be filed in the Office of the Clerk, and shall hold office for one year. The Weed Commissioner shall hold office pursuant to and fulfill the duties set out in state law.

State Law Reference: Sections 66.97 and 66.98, Wis.

#### Stats. SEC. 2-3-9 BUILDING INSPECTOR

(a) BUILDING INSPECTOR POSITION.

(1) There is hereby created the position of Building Inspector who shall be appointed by the Village President at the first regular meeting of the Village Board in May of odd-numbered years, subject to confirmation by the Village Board. He shall have a two (2) year term of office.

(2) During temporary absence or disability of the Building Inspector, the appointing authority shall designate an acting Building Inspector.

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(3) The manner and amount of compensation to be paid to the Building Inspector

shall be fixed by the Village Board.

(b) **POWERS AND DUTIES.**

- (1) It shall be the duty of the Building Inspector to see to the enforcement of all ordinance provisions relating to building permits and zoning.
  - (2) The Building Inspector shall make all inspections necessary for compliance and enforcement of the zoning code.
  - (3) The Building Inspector shall have the power to order all work stopped on construction, alteration or repair of buildings, plumbing equipment, gas piping or of electrical facilities in the Village when such work is being done in violation of any Village ordinance. Work shall not be resumed after the issuance of such an order except on written permission of the inspector.
  - (4) The Building Inspector shall issue or cause to be issued all proper permits for such work after payment of the fees required therefor. He shall process all applications, make all inspections and have the authority to issue or cause to be issued a certificate of completion.
- (c) **RIGHT OF ENTRY.** The Building Inspector shall have the power to make or cause to be made an entry into any building or premises where the work of altering, repairing or constructing any building or structure is going on, including plumbing and electrical work.

SEC. 2-3-10 DIRECTOR OF PUBLIC WORKS.

- (a) **QUALIFICATIONS.** The Director of Public Works shall be experienced in fields of construction, maintenance and/or municipal operations, having worked in such fields or combination of such fields, for a period of at least two (2) years. In the alternative, the Director shall be a professional engineer authorized to practice in the State of Wisconsin, or in the alternative shall have sufficient professional credits, to qualify as a Director of Public Works in the area of management thereof.
- (b) **SELECTION.** The Director of Public Works shall be selected by majority vote of the Village Board of Iron Ridge. Selection shall be made solely on merit and upon the basis of training, experience, administrative ability, efficiency and general qualifications and fitness for performing the duties of his position.
- (c) **TERM AND REMOVAL.** The Director of Public Works shall hold office for an indefinite term subject to removal for cause after a public hearing by a two-thirds (2/3) vote of the Village Board.
- (e) **DUTIES AND POWERS.** The Director of Public Works shall have the following duties and powers:
  - (1) He shall have general charge and supervision of all public works in the Village.
  - (2) He shall be responsible for the maintenance, repair and construction of streets, alleys, curbs and gutters, sidewalks, bridges, sewers, Village buildings and structures and all machinery, equipment and property used in any activity under his control.
  - (3) He shall have charge of all public services, including refuse disposal, snow and ice removal, street cleaning and flushing, mosquito and rodent control.
  - (4) He shall perform such other activities and duties as are imposed upon him from time to time by the Village board.
  - (5) He shall be responsible for the purchase of all public works supplies and materials as directed and approved by the various departments, utilities, and/or Village Board. He may make purchases on behalf of the Village up to the sum of Five Hundred (\$500.00) Dollars, without any prior approval of any department and/or Village Board. (7-2006)

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SEC. 2-3-11 ELIGIBILITY FOR OFFICE.

- (a) No person shall be elected by the people to a Village office, who is not at the time of his election, a citizen of the United States and of this State, and an elector of the Village, and in case of a ward office, of the ward, and actually residing therein.
- (b) An appointee by the Village President, requiring to be confirmed by the Village Board, who shall be rejected by the Board, shall be ineligible for appointment to the same office for one year thereafter.

State Law Reference: Section 62.09(2), Wis. Stats.

#### SEC. 2-3-12 OATHS OF OFFICE.

- (a) REQUIREMENT. Within five (5) days after the election or appointment of any Village officers, the Village Clerk shall notify the person so selected thereof unless he or she voted at the election. Every person elected or appointed to the office of Village President or Clerk shall within five (5) days after election or notice thereof, when required, take and file the official oath.
- (b) FORM, PROCEDURE. The form, filing and general procedure for the taking of oaths shall be governed by Ch. 19, subchapter I, Wis. Stats.

State Law Reference: Ch. 19, Subch. I, Wis. Stats.

#### SEC. 2-3-13 VACANCIES.

- (a) HOW OCCURRING. Except as provided in Subsection (c) below, vacancies in elective and appointive positions occur as provided in Sections 17.03 and 17.035, Wis. Stats.
- (b) HOW FILLED. Vacancies in elective and appointive offices shall be filled as provided in Sec. 17.23, Wis. Stats.
- (c) TEMPORARY INCAPACITATION. If any officer be absent or temporarily incapacitated from any cause, the Board may appoint some person to discharge his duties until he returns or until such disability is removed.

State Law Reference: Section 61.23, Wis. Stats.

#### SEC. 2-3-14 REMOVAL FROM OFFICE.

- (a) ELECTED OFFICIALS. Elected officials may be removed by the Village Board as provided in Sections 17.12(1)(a) and 17.16, Wis. Stats.
- (b) APPOINTED OFFICIALS. Appointed officials may be removed as provided in Section 17.12(1)(c) and 17.16, Wis. Stats.

Annotation: 62 Atty. Gen. Op. 97.

#### SEC. 2-3-15 CUSTODY OF OFFICIAL PROPERTY.

Village officers must observe the standards of care imposed by section 19.21, Wis. Stats., with respect to the care and custody of official property.

State Law Reference: Section 19.21, Wis. Stats.

#### SEC. 2-3-16 OFFICIAL BONDS; OFFICERS NOT TO BE SURETIES.

Every officer shall, if required by law or the Village Board, upon entering upon the duties of his office, give a bond in such amount as may be determined by the Village Board with such sureties as are approved by the Village President, conditioned upon the faithful performance of the duties of his office. Official bonds shall be filed with the office

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of the Village Clerk, except the Village Clerk who shall file his bond in the office of the

Village Treasurer. Any person re-elected or re-appointed to the same office shall take and file an official bond for each term of service.

State Law Reference: Section 61.22, Wis. Stats.

SEC. 2-3-17 RESIDENCY REQUIREMENT.

All full time employees for the Village of Iron Ridge must live within a fifteen (15) mile radius of or in the Village of Iron Ridge, Dodge County, Wisconsin. Residency must be established within 180 days after completion of probationary period. (Ord. 1-2004)

## CHAPTER 4

### Boards, Commissions and Committees

- Sec. 2-4-1 Board of Review
- Sec. 2-4-2 Board of Health
- Sec. 2-4-3 Zoning Board of Appeals
- Sec. 2-4-4 Plan Commission
- Sec. 2-4-5 General Provisions Regarding Meetings and Public Notice
- Sec. 2-4-6 Creating a Public Library for the Village of Iron Ridge.

#### SEC. 2-4-1 BOARD OF REVIEW.

- (a) COMPOSITION. The Board of Review shall consist of the Village President and the Trustees of the Village Board. 3/05
- (b) DUTIES.
  - (1) Duties. The duties and functions of the Board of Review shall be as prescribed in Sections 70.46 and 70.47, Wis. Stats.
  - (2) Compensation. Compensation for the members of the Board of Review, shall be as is established by the Board of Trustees, at the organizational meeting in April. Compensation shall include per diem, and may include a mileage quotation, if necessary.
- (c) MEETINGS. The Board of Review shall meet annually at any time during the 30-day period beginning on the second Monday of May, and notice of such meeting shall be published pursuant to the State Statutes. The Board, through the Clerk, shall establish its meeting hours pursuant to Sec. 70.47(3)(b), Wis. Stats. The Board may adjourn from day to day or from time to time, until such time as its business is completed, providing that adequate notice of each adjournment is so given. 8/00

State Law Reference: Sections 70.46 and 70.47, Wis. Stats.

#### SEC. 2-4-2 BOARD OF HEALTH.

- (a) COMPOSITION. The Board of Health shall consist of the members of the Village Board serving as a committee of the whole.
- (b) POWER OF APPOINTMENT. The Board of Health may appoint persons to aid them.
- (c) RESPONSIBILITIES.
  - (1) The Board of Health shall take such measures as shall be most effectual for the preservation of the public health. It shall be the duty of the Board of Health to assume the general administration of health and sanitation laws and regulations in the Village, to supervise the work of the Health Officer and to attend to the administration and enforcement of the health laws of the State and the rules and regulations prescribed by the State Board of Health and the ordinances of the Village.
  - (2) Powers: The Board shall take such measures and make such rules and regulations as shall be necessary and effectual for the preservation and promotion of the public health in the Village. All orders and regulations of the Board shall be published in the official newspaper and after publication, shall have the force and effect of ordinances, including penalty for violation.

State Law Reference: Section 141.015, Wis. Stats.

SEC. 2-4-3 ZONING BOARD OF APPEALS.

- (a) ESTABLISHMENT. A Zoning Board of Appeals shall be appointed as specified in Section 62.23(7)(e) of the Wisconsin Statutes. The Zoning Board of Appeals shall consist of five (5) members, appointed by the Village President subject to confirmation by the Village Board. The members shall serve without compensation and shall be removable by the Village Board for cause upon written charges and upon public hearing. The Village President shall designate one of the members chairman.
- (b) POWERS. The Zoning Board of Appeals shall have the following powers:
  - (1) To hear and decide appeals where it is alleged there is error in any order, requirement decision, or determination made by an administrative official in the enforcement of the Zoning Code, Floodplain Zoning Code or building code.
  - (2) To hear and decide special exceptions to the terms of the Village zoning and floodplain zoning regulations upon which the Board of Appeals is required to pass.
  - (3) To authorize, upon appeal in specific cases, such variance from the terms of the Village zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit of the zoning code shall be observed, public safety and welfare secured and substantial justice done; provided, however, that no such action shall have the effect of establishing in any district a use or uses not permitted in such district.
  - (4) To permit the erection and use of a building or premises in any location subject to appropriate conditions and safeguards in harmony with the general purposes of the zoning code, for such purposes which are reasonably necessary for public convenience and welfare.
  - (5) The Zoning Board of Appeals may reverse or affirm wholly or in part or may modify any order, requirement, decision or determination as in its opinion ought to be made in the premises. The concurring vote of three members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, decision or determination appealed from or to decide in favor of the applicant on any matter on which it is required to pass, or to effect any variation in the requirement of the Zoning Code. The grounds of every such determination shall be stated and recorded. No order of the Zoning Board of Appeals granting a variance shall be valid for a period longer than six (6) months from the date of such order unless the land use permit is obtained within such period and the erection or alteration of a building is started or the use is commenced within such period.
- (c) MEETING AND RULES. All meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. All hearings conducted by the said Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examination and other official actions, all of which shall be immediately filed in the office of the Clerk and shall be public record. The Board shall adopt its own rules of procedure not in conflict with this Section or with the applicable Wisconsin Statutes.
- (d) OFFICES. The Village Board shall provide suitable offices for holding for hearings and the presentation of records, documents, and accounts.
- (e) APPROPRIATIONS. The Village Board shall appropriate funds to carry out the duties of the Board and the Board shall have the authority to expend, under regular procedure, all sums appropriated to it for the purpose and activities authorized herein.

State Law Reference: Section 62.23(7)(e), Wis. Stats.

SEC. 2-4-4 PLAN COMMISSION.

- (a) COMPOSITION. The Village Plan Commission shall consist of the Village President, four (4) Trustees and six (6) citizens.

(b) APPOINTMENT.

- (1) Trustee Members. The four (4) Trustee members shall be annually appointed at the organizational meeting of the Village Board during the month of April of each year.
- (2) Citizen Members. The six (6) regular citizen members of the Commission shall be appointed by the Village President, subject to confirmation by the Village Board. The original citizen members shall be appointed upon creation of the commission and shall hold office for a period of one and two years, respectively, from the succeeding first day of May and thereafter annually during the month of April such member shall be appointed for a term of two (2) years.

(c) RECORD. The Plan Commission shall keep a written record of its proceedings to include all actions taken, a copy of which shall be filed with the Village Clerk. Four (4) members shall constitute a quorum but all actions shall require the affirmative approval of a majority of all of the members of the Commission.

(d) DUTIES.

(1) The Master Plan.

- a. The Plan Commission shall make, adopt and, as necessary, amend, extend or add to the master plan, subject to Village Board confirmation, for the physical development of the Village including areas outside of its boundaries which, in the Plan Commission's judgment, bear relation to the development of the Village. The master plan, with the accompanying maps, plats and descriptive and explanatory matter, shall show the Commission's recommendations for such physical development, and may include, among other things without limitation because of enumeration, the general location, character and extent of streets, highways, freeways, street grades, roadways, walks, parking areas, public places and areas, parks, parkways, playgrounds, sites for public buildings and structures, and the general location and extent of sewers, water conduits and other public utilities whether privately or publicly owned, the acceptance, widening, narrowing, extension, relocation, removal, vacation, abandonment or change of use of any of the foregoing public ways, grounds, places, spaces, buildings, properties, utilities, routes or terminals, the general location, character and extent of community centers and neighborhood units, and a comprehensive zoning plan.
- b. The Commission may adopt the master plan as a whole by a single resolution, or, as the work of making the whole master plan progresses, may from time to time by resolution adopt a part or parts thereof, any such part to correspond generally with one or more of the functional subdivisions of the subject matter of the plan. The adoption of the plan or any part, amendment or addition, shall be by resolution carried by the affirmative votes of not less than a majority of all the members of the Plan Commission, subject to confirmation by the Village Board. The resolution shall refer expressly to the maps, descriptive matter, and other matters intended by the Commission to form the whole or any part of the plan, and the action taken shall be recorded on the adopted plan or part thereof by the identifying signature of the secretary of the Commission, and a copy of the plan or part thereof shall be certified to the Village Board. -The purpose and effect of the adoption and certifying of the master plan or part thereof shall be solely to aid the Plan Commission and the Village Board in the performance of their duties.

- (2) Matters referred to Plan Commission. The Village Board or officer of the Village having final authority thereon, shall refer to the Plan Commission, for its consideration and report before final action is taken by the Board, public body or officer, the following matters: the location of any statue or other memorial; the location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of land for any street, alley or other public ways, park, playground, airport, area for parking vehicles, or other memorial or public grounds; the location, extension, abandonment or authorization for any public utility whether publicly or privately owned; all plats of lands in the Village or within the territory over which the Village is given platting jurisdiction by Chapter 236, Wis. Stats.; the location, character and extent or acquisition, leasing or sale of lands for public or semi-public housing, slum clearance, relief of congestion, or

vacation camps for children; and the amendment or repeal of any land use ordinance. Unless such report from the Commission is made within 30 days, or such longer period as may be stipulated by the Village Board, the board or other public body or officer, may take final action without it.

- (3) Miscellaneous Powers. The Commission may make reports and recommendations relating to the plan and development of the Village to public officials and agencies, public utility companies, civic, educational, professional and other organizations and citizens. It may recommend to the Village Board, programs for public improvements and the financing thereof. All public officials shall, upon request, furnish to the Commission, within a reasonable time, such available information as it may require for its work. The Commission, its members and employees, in the performance of its functions, may enter upon any land, make examinations and surveys, and place and maintain necessary monuments and markers thereon. In general, the Commission shall have such powers as may be necessary to enable it to perform its functions and promote municipal planning in cooperation with the Village Board.

State Law References: Secs. 61.35, 62.23, and Chapter 236, Wis. Stats.

#### SEC. 2-4-5 GENERAL PROVISIONS REGARDING MEETINGS AND PUBLIC NOTICE.

- (a) REGULAR MEETINGS; PUBLIC NOTICE. Every Board, Committee and Commission created by or existing under the ordinances of the Village of Iron Ridge shall:
  - (1) Fix a regular date, time and place for its meetings;
  - (2) Publish notice in the official Village newspaper in advance of each such regular meeting of the date, time, and place thereof; and
  - (3) Post, on the front door of the Village Hall, an agenda of the matters to be taken up at such meeting.
- (b) SPECIAL MEETINGS. Nothing in Subsection (a) shall preclude the calling of a special meeting or with dispensing with the publication of notice or such posting of the agenda, for good cause, but such special meetings shall nonetheless comply in all respects with the provisions of Sections 19.81 to 19.89, Wis. Stats.
- (c) MINUTES. The secretary of each Board, Committee and Commission shall file a copy of the meeting minutes of such Board or Commission with the Village Clerk.

#### SEC. 2-4-6 CREATING A PUBLIC LIBRARY FOR THE VILLAGE OF IRON RIDGE

- (a) Pursuant to Section 43.52 of the Wisconsin Statutes there is hereby created a public library for the Village of Iron Ridge, Dodge County, Wisconsin and creating a Library Board pursuant to Section 43.54 of the Wisconsin Statutes.
- (b) Such Library Board shall consist of five members to be appointed as follows:
  - (1) One member shall be the superintendent of the Horicon School District, or his representative.
  - (2) Four members shall be appointed by the Village President with the approval of the Village Board. Such members shall be residents of the Village of Iron Ridge.
  - (3) Not more than one member of the Library Board may be a member of the Village Board at any one time.
  - (4) Each appointment is for a term of three years, excepting the first appointments which shall be: two members shall serve two year terms, two members shall serve three year terms and one member shall serve a four year term.
  - (5) As soon as practicable after the first appointment, at a date and place fixed by the Village President, and annually thereafter within thirty days after the third Tuesday in April, the Library Board shall organize by electing from among its members a president, secretary and such other officers as they deem necessary.
  - (6) No compensation shall be paid to members of the Library Board. Members may be

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reimbursed for actual and necessary expenses incurred in performing duties outside the village if so authorized by the Library Board.

- (7) Members may receive per diem, mileage, and other necessary expenses incurred in performing their duties if so authorized by the Library Board and the Village Board.
- (c) The powers and duties of the Library Board pursuant to Section 43.58 of the Wisconsin Statutes are:
- (1) The Library Board has exclusive control over the expenditures of all monies collected, donated or appropriated to the library fund.
  - (2) The Library Board has charge, control and custody of all property acquired or leased for library purposes.
  - (3) The Library Board must audit and approve all expenditures for the library and forward them to the Village Treasurer for payment by the Village Board.
  - (4) The Library Board must supervise administration of the library, appoint a librarian and approve appointments of library assistants made by the librarian.
  - (5) The Library Board must make an annual report to the Village Board as required by state statutes.
  - (6) The Library Board shall, by October 1 of each year, present to the Village Board a proposed budget for the following year to aid the Village Board in determining the appropriation to the library fund from the budget.
- (d) Annual appropriation of funds to the public library fund shall be as follows:
- (1) The Village of Iron Ridge shall pay an amount at least equal to the amount the village would be required to pay toward the county tax levy if the village were not exempted from such levy by the terms of Section 43.64(2) of the Wisconsin Statutes.
- (e) In the event of the dissolution of the public library, all property held by the Library Board shall be the property of the Village of Iron Ridge.
- (f) This ordinance shall be in full force and effect on the first day of June after its passage.
- (g) Any other ordinance or resolution or parts thereof inconsistent or conflicting with this ordinance, that had been previously enacted by the Village Board of the Village of Iron Ridge, is hereby repealed.

## CHAPTER 5

### Finance

Sec. 2-5-1	Preparation of Tax Roll and Tax Receipts
Sec. 2-5-2	Duplicate Treasurer's Bond Eliminated
Sec. 2-5-3	Village Budget
Sec. 2-5-4	Changes in Budget
Sec. 2-5-5	Village Funds to be Spent in Accordance with Appropriation
Sec. 2-5-6	Fiscal Year
Sec. 2-5-7	Public Depositories
Sec. 2-5-8	Claims Against Village
Sec. 2-5-9	Temporary Investment of Funds Not Immediately Needed
Sec. 2-5-10	Facsimile Signatures
Sec. 2-5-11	Receiving Money; Receipt for Same
Sec. 2-5-12	Statement of Real Property Status

#### SEC. 2-5-1 PREPARATION OF TAX ROLL AND TAX RECEIPTS.

- (a) AGGREGATE TAX STATED ON ROLL. Pursuant to Sec. 70.65(2), Wis. Stats., the Village Clerk shall, in computing the tax roll, insert only the aggregate amount of state, county, school and local taxes in a single column in the roll opposite the parcel or tract of land against which the tax is levied, or, in the case of personal property, in a single column opposite the name of the person against whom the tax is levied.
- (b) RATES STAMPED ON RECEIPTS. Pursuant to Sec. 74.08(1), Wis. Stats., in lieu of entering on each tax receipt the several amounts paid respectively for state, county, school, local and other taxes, the aggregate amount of such taxes shall be combined in a single column on the tax receipt issued by the Village Treasurer. The Treasurer shall cause to be printed or stamped on the tax receipt the separate proportion or rate of taxes levied for state, county, school, local or other purposes.

State Law Reference: Sections 70.65 and 74.08, Wis. Stats.

#### SEC. 2-5-2 DUPLICATE TREASURER'S BOND ELIMINATED.

- (a) BOND ELIMINATED. The Village of Iron Ridge elects not to give the bond on the Village Treasurer provided for by Sec. 70.67(1), Wis. Stats.
- (b) VILLAGE LIABLE FOR DEFAULT OF TREASURER. Pursuant to Sec. 70.67(2), Wis. Stats., the Village shall be obligated to pay, in case the Treasurer shall fail to do so, all state and county taxes required by law to be paid by such Treasurer to the County Treasurer.

State Law Reference: Section 70.67, Wis. Stats.

SEC. 2-5-3 VILLAGE BUDGET.

- (a) DEPARTMENTAL ESTIMATES. When requested by the Village President, Village Board or Clerk, each officer, department and committee shall annually file with the Clerk an itemized statement of disbursements made to carry out the powers and duties of such officer, department or committee during the preceding fiscal year, and a detailed statement of the receipts and disbursements on account of any special fund under the supervision of such officer, department or committee during such year, and of the conditions and management of such fund; also detailed estimates of the same matters for the current fiscal year and for the ensuing fiscal year. Such statements shall be presented in the form prescribed by the Clerk and shall be designated as "Departmental Estimates," and shall be as nearly uniform as possible for the main division of all departments.
- (b) VILLAGE PRESIDENT TO PREPARE BUDGET. It shall be the duty of the Village President, with the assistance of the Village Clerk, to have estimates prepared of the expenditures that will be incurred by the Village for the ensuing year. On or before the 20th day of October, each year, the Village President shall prepare a proposed budget presenting a financial plan for conducting the affairs of the Village for the ensuing year.
- (c) FORM OF PROPOSED BUDGET.
  - (1) The actual expenditures of each department and activity for the expired portion of the current year, and last preceding fiscal year, and the estimated expense of conducting each department and activity of the Village for the remainder of the current year and ensuing fiscal year, with reasons for any proposed increase or decrease as compared with actual and estimated expenditures for the current year.
  - (2) An itemization of all anticipated income of the Village from sources other than general property taxes and bonds issued, with a comparative statement of the amounts received by the Village from each of the same or similar sources for the last preceding and current fiscal year.
  - (3) An estimate of the amount of money to be raised from general property taxes which, with income from other sources, will be necessary to meet the proposed expenditures.
  - (4) All existing indebtedness of the Village, including the amount of interest payable and principal to be redeemed on any outstanding general obligation bonds of the Village and any estimated deficiency in the sinking fund of any such bonds during the ensuing fiscal year.
  - (5) Such other information as may be required by the Board and by state law.
- (d) COPIES OF BUDGET. The Village shall provide a reasonable number of copies of the budget thus prepared for distribution to citizens.
- (e) REPORT AND HEARING.
  - (1) The Village President shall make a report to the Village Board at the first November meeting which shall include the estimated cost of improvements as well as the estimated cost of operating the various departments and all other costs, including interest charges, for which money will have to be raised by taxation during the following year. The Village President shall submit to the Board at the time the annual budget is submitted the draft of an appropriation ordinance providing for the expenditures proposed for the ensuing fiscal year. Upon the submission of the proposed appropriation ordinance to the Board it shall be deemed to have been regularly introduced therein.
  - (2) A summary of such budget and notice of the time and place where such budget and detail is available for public inspection and notice of the time and place for holding the public hearing thereon, shall be published in a newspaper of general circulation in the Village at least ten (10) days prior to the time of such public hearing.

- (3) Not less than ten (10) days after the publication of the proposed budget and the notice of hearing thereon, the public hearing shall be held at the time and place stipulated, at which time any resident or taxpayer of the Village shall have an opportunity to be heard on the proposed budget. The budget hearing may be adjourned from time to time. Following the public hearing, the proposed appropriation ordinance may be changed or amended and shall take the same course in the Village Board as other ordinances.

#### SEC. 2-5-4 CHANGES IN BUDGET.

The amount of the tax to be levied or certified, the amounts of the various appropriations, and the purposes thereof shall not be changed after approval of the budget except upon the recommendation of the Village President and upon a 2/3 vote of the entire membership of the Village Board. Notice of such transfer shall be given by publication within eight days thereafter in the official Village newspaper.

#### SEC. 2-5-5 VILLAGE FUNDS TO BE SPENT IN ACCORDANCE WITH APPROPRIATION.

No money shall be drawn from the treasury of the Village, nor shall any obligation for the expenditure of money be incurred, except in pursuance of the annual appropriation in the adopted budget or when changed as authorized by Section 2-5-4 of this Chapter. At the close of each fiscal year any unencumbered balance of an appropriation shall revert to the general fund and shall be subject to reappropriation; but appropriations may be made by the Board, to be paid out of the income of the current year, in furtherance of improvements or other objects or works which will not be completed with-in such year, and any such appropriation shall continue in force until the purpose for which it was made shall have been accomplished or abandoned.

#### SEC. 2-5-6 FISCAL YEAR.

The calendar year shall be the fiscal year.

State Law Reference: Section 61.51(3), Wis. Stats.

#### SEC. 2-5-7 PUBLIC DEPOSITORIES.

The Village Board shall designate the public depository or depositories within this state within which Village funds shall be deposited, and when the money is deposited in such depository in the name of the Village, the Village Treasurer, and bondsman shall not be liable for such losses as are defined by state law. The interest arising therefrom shall be paid into the Village treasury. A copy of the resolution designating public depositories shall be filed with the State Commissioner of Banking. Pursuant to state law, designated public depositories shall be required to pledge U.S. Treasury notes equal in amount to any uninsured balance of the Village's deposit.

State Law Reference: Section 62.12(7), Wis. Stats.

SEC. 2-5-8 CLAIMS AGAINST VILLAGE.

- (a) CLAIMS TO BE CERTIFIED. Prior to submission of any account, demand or claim to the Village Board for approval of payment, the Village Clerk shall certify, or cause to be endorsed thereon or on attached papers, that the following conditions have been complied with:
- (1) That funds are available therefor pursuant to the budget.
  - (2) That the item or service was duly authorized by the proper official or agency and has been received or rendered in accordance with the purchasing agreement.
  - (3) That the claim is accurate in amount and a proper charge against the treasury.
- (b) VILLAGE BOARD TO AUDIT ACCOUNTS.
- (1) No account or demand against the Village, except as provided in Subsection (c) of this Section, shall be paid until it has been passed upon by the Village Board or that the item or service covered by such claim has been duly authorized by the proper official, department head or board or commission and an order drawn on the Village Treasurer therefore. Every such account shall be itemized and certified as provided in Subsection (a).
  - (2) After auditing, the Village Board shall cause to be endorsed by the Clerk, on each account, the words "allowed" or "disallowed", as the fact is, adding the amount allowed or specifying the items or parts of items disallowed. If the Village Board shall approve the same it shall direct the Treasurer to issue a Village order for the amount of the claim approved. All money paid out of the Village treasury shall be paid upon an order signed by the Village President and countersigned by the Clerk, except that payments of regular wages or salaries shall be as provided in Subsection (c) below. The minutes of the proceedings of the Board, or a statement attached thereto, shall show to whom, and for what purpose, every such account was allowed and the amount.
- (c) PAYMENT OF REGULAR WAGES OR SALARIES. Regular wages or salaries of Village officers and employees shall be paid by payroll, verified by the proper Village official, department head, board or commission and filed with the Village Clerk in time for payment on the regular pay day.
- (d) METHOD OF INCURRING CLAIMS. All actions of the Village Board appropriating money or creating a charge against the Village, other than claims for purchases or work previously authorized by the Board, shall only be acted upon at the next regular meeting after introduction, provided that this rule may be suspended by affirmative vote of three-fourths (3/4) of all members of the Board. A roll call vote shall be taken and recorded on all appropriations.

State Law Reference: Section 61.51, Wis. Stats.

SEC. 2-5-9 TEMPORARY INVESTMENT OF FUNDS NOT IMMEDIATELY NEEDED.

The Village Treasurer may invest any Village funds not immediately needed, pursuant to Sections 66.04(2) and 219.05, Wis. Stats.

State Law Reference: Sections 66.04(2) and 219.05, Wis. Stats.

SEC. 2-5-10 FACSIMILE SIGNATURES.

In lieu of the personal signatures of the Village Clerk and Village President, there may be affixed on order checks the facsimile signatures of such persons adopted by them and approved by the Village President, but the use of the facsimile signature shall not relieve such official from any liability to which he is otherwise subject, including the unauthorized use thereof.

SEC. 2-5-11 RECEIVING MONEY; RECEIPT FOR SAME.

- (a) The Village Treasurer or his deputies shall not receive any money into the treasury from any source except on account of taxes levied and collected during the fiscal year for which he or she may then be serving, without giving a receipt therefor in the manner specified by the Village Board.
- (b) Upon the payment of any money (except for taxes as herein provided), the Village Treasurer shall make out a receipt in duplicate for the money so received. The Treasurer shall charge the amount thereof to the treasury and credit the proper account. The payment of the money to any receiving agent of the Village or to the Village or to the Treasurer shall be safeguarded in such manner as the Village Board shall direct.

State Law Reference: Section 66.113, Wis. Stats.

SEC. 2-5-12 STATEMENT OF REAL PROPERTY STATUS.

The Village Clerk is authorized to prepare a Statement of Real Property Status form to be used to provide information often requested for transfers of real property such as the amount of outstanding special assessments, deferred assessments, changes in assessments, amount of taxes, outstanding water, electric, and sewer bills, current water, electric and sewer bills, contemplated improvements, floodplain status, violations of the building and health codes and similar information. Any such information sought shall be provided to the person requesting it on said form. The Village Clerk shall collect a fee of Fifteen (\$15.00) Dollars for furnishing such information on said form.

## CHAPTER 6

### Special Assessments

Sec. 2-6-1	Village Board May Levy Special Assessments
Sec. 2-6-2	Resolution and Report Required
Sec. 2-6-3	Costs That May Be Paid By Special Assessment
Sec. 2-6-4	Exemptions; Deductions
Sec. 2-6-5	Notice of Proposed or Approved Project
Sec. 2-6-6	Board Actions After Hearing
Sec. 2-6-7	Combined Assessments
Sec. 2-6-8	Board's Power to Amend, Cancel or Confirm Special Assessment
Sec. 2-6-9	Where Cost of Improvement is Less Than Assessment
Sec. 2-6-10	Appealed Assessments Payable When Due
Sec. 2-6-11	Special Assessment a Lien on Property
Sec. 2-6-12	Special Charges Permissible
Sec. 2-6-13	Miscellaneous Provisions

#### SEC. 2-6-1 VILLAGE BOARD MAY LEVY SPECIAL ASSESSMENTS.

- (a) The Village of Iron Ridge by resolution of its Village Board may levy and collect special assessments upon property in a limited and determinable area for special benefits conferred upon such property by any municipal work or improvement and may provide for the payment of all or any part of the cost of the work or improvement.
- (b) The amount assessed against any property for any work or improvement which does not represent an exercise of the police power shall not exceed the value of the benefits accruing to the property therefor, and for those representing an exercise of the police power, the assessment shall be upon a reasonable basis as determined by the Village Board.

State Law Reference: Section 66.62, Wis. Stats.

#### SEC. 2-6-2 RESOLUTION AND REPORT REQUIRED.

- (a) Prior to making any such special assessments, the Village Board shall declare by preliminary resolution its intention to exercise such powers for a stated municipal purpose. Such resolution shall describe generally the contemplated purpose, the limits of the proposed assessment district, the number of installments in which the special assessments may be paid or that the number of installments will be determined at the hearing required under Section 2-6-5 of this Chapter and direct the proper municipal officer or employee to make a report thereon. Such resolution may limit the proportion of the cost to be assessed.
- (b) The report required by Subsection (a) shall consist of:
  - (1) Preliminary or final plans and specifications.
  - (2) An estimate of the entire cost of the proposed work or improvement.
  - (3) An estimate, as to each parcel of property affected, of:
    - a. The assessment of benefits to be levied.
    - b. The damages to be awarded for property taken or damaged.
    - c. The net amount of such benefits over damages or the net amount of such damages over benefits.

- (4) A statement that the property against which the assessments are proposed is benefited, where the work or improvements constitute an exercise of the police power. In such case the estimates required under subsection (3) shall be replaced by a schedule of the proposed assessments.
  - (5) A copy of the report when completed shall be filed with the Village Clerk for public inspection.
- (c) When the Village Board determines by resolution that the hearing on the assessments be held subsequent to the completion of the work or improvement or the rendering of the service, the report required by Sec. 66.60(3), Wis. Stats. and Subsections (a) and (b) above, shall contain a statement of the final cost of the work, service or improvement in lieu of an estimate of the cost.

SEC. 2-6-3 COSTS THAT MAY BE PAID BY SPECIAL ASSESSMENT.

The cost of any work or improvement to be paid in whole or in part by special assessment on property may include the direct and indirect cost thereof, the damages occasioned thereby, the interest on bonds or notes issued in anticipation of the collection of the assessments, a reasonable charge for the services of the administrative staff of the Village and the cost of any architectural, engineering and legal services, and any other item of direct or indirect cost which may reasonably be attributed to the proposed work or improvement. The amount to be assessed against all property for any such proposed work or improvement shall be apportioned among the individual parcels in the manner designated by the Village Board.

SEC. 2-6-4 EXEMPTIONS: DEDUCTIONS.

- (a) If any property deemed benefited shall by reason of any provision of law be exempt from assessment therefor, such assessment shall be computed and shall be paid by the Village.
- (b) A parcel of land against which has been levied a special assessment for the sanitary sewer or water main laid in one of the streets upon which it abuts, shall be entitled to such deduction or exemption as the Village Board determines to be reasonable and just under the circumstances of each case, when a special assessment is levied for the sanitary sewer or water main laid in the other street upon which such corner lot abuts. Under any circumstance the assessment will not be less than the long way of such lot. The Village Board may allow a similar deduction or exemption from special assessments levied for any other public improvement.

SEC. 2-6-5 NOTICE OF PROPOSED OR APPROVED PROJECT.

On the completion and filing of the report required in Section 2-6-2(5) of this Chapter, the Village Clerk shall give notice stating the nature of the proposed or approved work or improvement, the general boundary lines of the proposed assessment district, the place and time at which the report may be inspected and the place and time at which all interested persons, their agents or attorneys may appear before the Village Board or committee thereof and be heard concerning the matters contained in the preliminary resolution and report. Such notice shall be given either by publication in the official Village newspaper or posted in not less than three (3) public places within the Village and a copy of said notice shall be mailed to each interested person whose post office address is known. The hearing shall commence not less than ten (10) days and not more than forty (40) days after the publication or posting of said notice.

SEC. 2-6-6 BOARD ACTIONS AFTER HEARING.

- (a) After the hearing, the Village Board may approve, disapprove, modify or re-refer the report to the designated officer or employee with such directions as it deems necessary to change the plans and specifications so as to accomplish a fair and equitable assessment.
- (b) If an assessment be made against any property and an award of compensation or damage be made in favor of the property, the Village Board shall assess only the difference between such assessment of benefits and the award of compensation or damage.
- (c)
  - (1) If the work or improvement has not been previously authorized or approved, the Village Board shall approve the work or improvement and by resolution direct that the same be done and paid for in accordance with the report finally approved.
  - (2) If the work or improvement has been approved by the Village Board or work commenced or completed prior to the filing of the report or prior to the hearing, then the Village Board shall by resolution confirm the report as made or modified and provide for payment in whole or in part by assessment.
- (d) The Village Clerk shall publish the final resolutions as required in Section 2-6-5 of this Chapter.
- (e) After the publication of the final resolution, any work or improvement provided for and not yet authorized, shall be deemed fully authorized and all awards of compensation or damage and all assessments made shall be deemed duly and properly made, subject to the right of appeal by Section 66.60(12), Wisconsin Statutes, or any other applicable provision of law.

SEC. 2-6-7 COMBINED ASSESSMENTS.

If more than a single improvement is undertaken, the Village Board may combine the assessments as a single assessment on each property affected except that the property owner may object to any one or more of said improvements.

SEC. 2-6-8 BOARD'S POWER TO AMEND, CANCEL OR CONFIRM SPECIAL ASSESSMENT

If after completion or after the receipt of bids, the actual cost of any work or improvement is found to vary materially from the original estimate, or the assessment is void or invalid for any reason, or if the Village Board determines to reconsider an assessment, it is empowered, after giving notice as required in Section 2-6-5 to amend, cancel or confirm any prior assessment and notice of this amending, canceling or confirming be given by the Village Clerk as provided in Section 2-6-6 of this chapter.

SEC. 2-6-9 WHERE COST OF IMPROVEMENT IS LESS THAN ASSESSMENT.

If the cost of the work or improvement is less than the assessment levied, the Village Board without notice or hearing shall reduce each assessment proportionately. If the assessment has been paid either in part or in full the Village shall refund the property owner such overpayment.

SEC. 2-6-10 APPEALED ASSESSMENTS PAYABLE WHEN DUE.

Pursuant to subsection (I2)(F) of Section 66.60, Wisconsin Statutes, it shall be a condition to the maintenance of any appeal that any assessment appealed shall be paid when due and payable and upon default in payment any such appeal shall be dismissed.

SEC. 2-6-11 SPECIAL ASSESSMENT A LIEN ON PROPERTY.

Pursuant to subsection (13) of Section 66.60, Wisconsin Statutes, any special assessment levied under this chapter shall be a lien on the property against which it is levied on behalf of the Village. The Village Board shall provide for the collection of such assessments and may establish penalties for payment after the due date. The Village Board shall provide that all assessments not paid by the date specified shall be extended upon the tax roll as a delinquent tax against the property and all proceedings in relation to the collection of such delinquent taxes shall apply to such assessment, except as otherwise provided by statute.

SEC. 2-6-12 SPECIAL CHARGES PERMISSIBLE.

- (a) In addition to all other methods provided by law, special charges for current services may be imposed by the Village Board by allocating all or part of the cost of the property served. Such may include snow and ice removal, weed elimination, street sprinkling oiling or tarring, repair of sidewalks or curb and gutter, garbage and refuse disposal, sewer service and tree care or removal. The provision for notice of such charges shall be optional with the Village Board except that in the case of street, sidewalk, curb or gutter repair, twenty (20) days notice published in the Village newspaper, or by posting such notice in three (3) places in the Village and a copy of such notice mailed to every interested person whose post office address is known, at least ten (10) days before the hearing or proceeding. Such notice shall specify that on a certain date a hearing will be held by the Village Board as to whether the service in question shall be performed.
- (b) Such special charges shall not be payable in installments. If not paid within the period fixed by the Village Board, such delinquent charge shall become a lien as provided in Section 2-6-11 of this Chapter.
- (c) Section 2-6-2(a) of this Chapter shall not be applicable to proceedings-under this section.

SEC. 2-6-13 MISCELLANEOUS PROVISIONS.

- (a) If any assessment or charge levied under this chapter is invalid because such statutes are found to be unconstitutional, the Village Board may thereafter reassess such assessment or charge pursuant to the provisions of any applicable law.
- (b) The Village Board may, without notice or hearing, levy and assess all or any part of the cost of any work or improvement upon the property benefited if notice and hearing is waived in writing by property owners affected.
- (c) Notwithstanding any other provision of law, or this or other ordinance or resolution, it is specifically intended and provided by this ordinance that the Village may levy special assessments for work or improvement against the property benefited either before or after the approval of the work plans and specifications, contracting for the work or completing the work or improvement.

## CHAPTER 7

### Ethical Standards

Sec. 2-7-1	Ethical Standards of Public Officials
Sec. 2-7-2	Responsibilities of Public Office
Sec. 2-7-3	Dedicated Service
Sec. 2-7-4	Use of Public Property; Obligations of Citizens
Sec. 2-7-5	Conflict of Interest
Sec. 2-7-6	Specific Conflicts of Interest
Sec. 2-7-7	Outside Employment
Sec. 2-7-8	Advisory Opinion
Sec. 2-7-9	Sanctions

#### SEC. 2-7-1 ETHICAL STANDARDS OF PUBLIC OFFICIALS.

- (a) The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people. The purpose of this chapter is to establish ethical standards of conduct for all such officials and to direct disclosure by such officials of private financial or other interests in matters affecting the Village.
- (b) The municipal officials and employees of the Village, whether elected or appointed, are "public officials and employees" within the meaning and intent of this chapter.

#### SEC. 2-7-2 RESPONSIBILITIES OF PUBLIC OFFICE.

- (a) Public officials and employees are bound to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct in both their official and private affairs shall be above reproach.
- (b) Public officials are bound to uphold the Constitution of the United States and the Constitution of the state and to carry out impartially the law of the nation, state and municipality.

#### SEC. 2-7-3 DEDICATED SERVICE.

Public officials and employees shall not exceed their authority or breach law or ask others to do so, and they shall work in full cooperation with other public officials and employees unless prohibited from doing so by law or by officially recognized confidentiality of their work.

#### SEC. 2-7-4 USE OF PUBLIC PROPERTY; OBLIGATIONS OF CITIZENS.

- (a) **USE OF PUBLIC PROPERTY.** No public official or employee shall request, use or permit the use of Village-owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such official or employee in the conduct of official business.
- (b) **OBLIGATION OF CITIZEN.** No public official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

SEC. 2-7-5 CONFLICT OF INTEREST.

- (a) No Trustee or other public official or employee, whether paid or unpaid, shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties in the public judgment or will tend to impair his independence or judgement or action in the performance of his official duties. Personal as distinguished from financial interest includes an interest arising from blood or marriage relationships or close business or political association.
- (b) The provisions of this Section shall not apply to the designation of public depositories for public funds, nor to the publication of legal notices required to be published by the Village, or by any Village officer, at a rate not higher than that prescribed by law; nor to contracting for the sale of printed matter or any other commodity not exceeding One Hundred (\$100.00) Dollars in any one (1) year.

SEC. 2-7-6 SPECIFIC CONFLICTS OF INTEREST.

Specific conflicts of interest are enumerated below for the guidance of officials. The following list is illustrative merely and not exclusive:

- (a) INCOMPATIBLE EMPLOYMENT. No Trustee or other public official or employee shall engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of his official duties or tends to impair his independence of judgment or action in the performance of his official duties. In the event a Trustee, official or employee possesses a financial or personal interest in any business or transaction, any presumption of conflict of interest with his public duties shall be removed by his disclosure of the nature and extent of such investment to the Village Board for the records of that authority.
- (b) DISCLOSURE OF CONFIDENTIAL INFORMATION. No Trustee, other public official or employee, shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the Village, nor shall he use such information to advance the financial or other private interest of himself or others.
- (c) GIFTS AND FAVORS. No Trustee or other public official or employee shall accept any gift having a value greater than five dollars, whether in the form of service, loan, thing or promise, from any person who to his knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the Village; nor shall any such official or employee accept any gift, favor or thing of value that may tend to influence him in the discharge of his duties, or grant in the discharge of his duties any improper favor, service or thing of value. Any Trustee or other public official or employee who accepts any gift, favor or thing of value shall, in the case of a Trustee, disclose the matter in the minutes of the next Board meeting, and in the case of other officials or employees, report the matter to the Board for disclosure in the minutes of the next meeting.
- (d) REPRESENTING PRIVATE INTERESTS BEFORE VILLAGE AGENCIES OR COURTS. No Trustee or other public official or employee whose salary is paid in whole or in part by the Village shall appear in behalf of private interests before any agency of the Village. He shall not represent private interests in any action or proceeding against the interest of the Village in any litigation to which the Village is a party.

- (e) **CONTRACTS WITH THE VILLAGE.** Any Trustee or other public official or employee who has substantial financial interest in any business entity, entering into or proposing to enter into, any transaction or contract with the Village for the sale of real estate, material supplies or services to the Village shall disclose such interest to the Village Board to be reported in the minutes of the appropriate Board meeting. And in the case of a Trustee, he shall refrain from voting upon or other-wise participating (except in the performance of a ministerial act) in the transaction or the making of such contract or sale.
- (f) **DISCLOSURE OF INTEREST IN LEGISLATION.**
  - (1) A Trustee who has a financial or other private interest in any legislation shall disclose on the records of the Board the nature and extent of such interest. This provision shall not apply if the Trustee disqualified himself from voting.
  - (2) Any other public official or employee who has a financial or other private interest, and who participates in discussion with or gives an official opinion to the Board shall disclose on the record of the Board the nature and extent of such interest.

SEC. 2-7-7 OUTSIDE EMPLOYMENT.

No full-time officer or employee of the Village shall engage in any other remunerative employment within or without the Village; provided that the Village Board may approve such outside employment or activity if it finds that it does not interfere or conflict with such officer's ability to perform his duties in an efficient and unbiased manner. Violation of this provision shall be grounds for removal from office of any such officer.

SEC. 2-7-8 ADVISORY OPINION.

Any questions as to the interpretation of any provisions of the Code of Ethics Chapter shall be referred to the Village Attorney for an Advisory Opinion and such opinion shall be given to the Village Attorney for its action, if any.

SEC. 2-7-9 SANCTIONS.

Violation of any provision of this section should raise conscientious questions for the Trustees or any other official or employee concerned as to whether voluntary resignation or other action is indicated to promote the best interest of the Village. Violation may constitute a cause for suspension, removal from office or employment, or other disciplinary action.

## CHAPTER 8

### Review of Administrative Determinations

Sec. 2-8-1	Review of Administrative Determinations
Sec. 2-8-2	Determinations Reviewable
Sec. 2-8-3	Determinations Not Subject to Review
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#### SEC. 2-8-1 REVIEW OF ADMINISTRATIVE DETERMINATIONS.

- (a) Any person aggrieved by an administrative determination of the Village Board or a board, commission, committee, agency, officer or employe of the Village or agent acting on its behalf may have such determination reviewed as provided in this Chapter. The remedies under this Chapter shall not be exclusive, but an election to proceed hereunder shall be an election of remedies.

State Law Reference: Section 68.01, Wis. Stats.

#### SEC. 2-8-2 DETERMINATIONS REVIEWABLE.

The following determinations are reviewable under this Chapter:

- (a) The grant or denial in whole or in part after application of an initial permit, license, right, privilege or authority, except a fermented malt beverage or intoxicating liquor license.
- (b) The suspension, revocation or nonrenewal of an existing permit, license right, privilege or authority, except as provided in Section 2-8-3(d).
- (c) The denial of a grant of money or other thing of value under a statute or ordinance prescribing conditions of eligibility for such grant.
- (d) The imposition of a penalty or sanction upon any person except a municipal employee or officer, other than by a court.
- (e) The suspension or removal of a Village officer or employee except as provided in Section 2-8-3(b) and (g).

State Law Reference: Section 68.02, Wis. Stats.

SEC. 2-8-3 DETERMINATIONS NOT SUBJECT TO REVIEW.

The following determinations are not reviewable under this Chapter:

- (a) A legislative enactment A legislative enactment is an ordinance, resolution or adopted motion of the Village Board.
- (b) Any action subject to administrative or judicial review procedures under state statutes or other provisions of this Code.
- (c) The denial of a tort or contract claim for money required to be filed with the Village under sec. 62.25, Wis. Stats.
- (d) The grant, denial, suspension or revocation of a fermented malt beverage license under sec. 66.054(13)(b), Wis. Stats., or intoxicating liquor license under ss. 176.11 or 176.12, Wis. Stats.
- (e) Judgments and orders of a court.
- (f) Determinations made during municipal labor negotiations.
- (g) Determinations subject to grievance, arbitration or other procedures provided in collective bargaining agreements.

State Law Reference: Section 68.03, Wis. Stats.

SEC. 2-8-4 MUNICIPAL AUTHORITY DEFINED.

"Municipal authority" includes the Village Board, commission, committee, agency, officer, employee or agent of the Village making a determination under Section 2-8-1, and every person, committee or agency of the Village to make an independent review under Section 2-8-8(b).

State Law Reference: Section 68.05, Wis. Stats.

SEC. 2-8-5 PERSONS AGGRIEVED.

A person aggrieved includes any individual, partnership, corporation, association, public or private organization; officer, department, board, commission or agency of the Village, whose rights, duties or privileges are adversely affected by a determination of a municipal authority. No department, board, commission, agency, officer or employe of the Village who is aggrieved may initiate review under this chapter of a determination of any other department, board, commission, agency, officer or employee of the Village, but may respond or intervene in a review proceeding under this Chapter initiated by another.

State Law Reference: Sections 68.01 and 68.06, Wis. Stats.

SEC. 2-8-6 REDUCING DETERMINATION TO WRITING.

If a determination subject to this Chapter is made orally or, if in writing, does not state the reasons therefore, the municipal authority making such determination shall, upon written request of any person aggrieved by such determination made within ten (10) days of notice of such determination, reduce the determination and the reasons therefore to writing and mail or deliver such determination and reasons to the person making the request. The determination shall be dated, and shall advise such person of his right to have such determination reviewed, that such review may be obtained within thirty (30) days, and the office or person to whom a request for review shall be addressed.

State Law Reference: Section 68.07, Wis. Stats.

SEC. 2-8-7 REQUEST FOR REVIEW OF DETERMINATION.

Any person aggrieved may have a written or oral determination reviewed by written request mailed or delivered to the municipal authority which made such determination within thirty (30) days of notice to such person of such determination. The request for review shall state the grounds upon which the person aggrieved contends that the determination should be modified or reversed. A request for review shall be made to the officer, employee, agent, agency, committee, board, commission or body who made the determination, but failure to make such request to the proper party shall not preclude the person aggrieved from review unless such failure has caused prejudice to the municipal authority.

State Law Reference: Section 68.08, Wis. Stats.

SEC. 2-8-8 REVIEW OF DETERMINATION.

- (a) INITIAL DETERMINATION. If a request for review is made under Section 2-8-7, the determination to be reviewed shall be termed an initial determination.
- (b) WHO SHALL MAKE REVIEW. A review under this Section may be made by the officer, employee, agent, agency, committee, board, commission or body who made the initial determination. However, an independent review of such determination by another person, committee or agency of the Village, appointed by the Village President without confirmation, shall be provided if practicable.
- (c) WHEN TO MAKE REVIEW. The municipal authority shall review the initial determination within 15 days of receipt of a request for review. The time for review may be extended by agreement with the person aggrieved.
- (d) RIGHT TO PRESENT EVIDENCE AND ARGUMENT. The person aggrieved may file with his request for review, or within the time agreed with the municipal authority, written evidence and argument in support of his position with respect to the initial determination.
- (e) DECISION ON REVIEW. The municipal authority may affirm, reverse or modify the initial determination and shall mail or deliver to the person aggrieved a copy of the municipal authority's decision on review which shall state the reasons for such decision. The decision shall advise the person aggrieved of his right to appeal the decision, that appeal may be taken within thirty (30) days, and the office or person with whom notice of appeal shall be filed.

State Law Reference: Section 68.09, Wis. Stats.

SEC. 2-8-9 ADMINISTRATIVE APPEAL.

- (a) FROM INITIAL DETERMINATION OR DECISION ON REVIEW.
  - (1) If the person aggrieved had a hearing substantially in compliance with Section 2-8-10 when the initial determination was made, he may elect to follow Sections 2-8-6 through 2-8-8, but is not entitled to a further hearing under Section 2-8-10 unless granted by the municipal authority. He may, however, seek judicial review under Section 2-8-12.
  - (2) If the person aggrieved did not have a hearing substantially in compliance with Section 2-8-10 when the initial determination was made, he shall follow Sections 2-8-6 through 2-8-8 and may appeal under this Section from the decision made under Section 2-8-8.

- (b) TIME WITHIN WHICH APPEAL MAY BE TAKEN UNDER THIS SECTION. Appeal from a decision on review under Section 2-8-8 may be taken within thirty (30) days of notice of such decision.
- (c) HOW APPEAL MAY BE TAKEN. An appeal under this Section may be taken by filing with or mailing to the office or person designated in the municipal authority's decision on review, written notice of appeal

State Law Reference: Section 68.10, Wis. Stats.

SEC. 2-8-10 HEARING ON ADMINISTRATIVE APPEAL.

- (a) TIME OF HEARING. The Village shall provide the appellant a hearing on an appeal under Section 2-8-9 within fifteen (15) days of receipt of the notice of appeal and shall serve the appellant with notice of such hearing by mail or personal service at least 10 days before such hearing. The office or person with whom a notice of appeal is filed shall immediately notify the Village Attorney, who shall forthwith advise the Village President of such appeal
- (b) CONDUCT OF HEARING. At the hearing the appellant and the municipal authority may be represented by counsel and may present evidence and call and examine witnesses and cross-examine witnesses of the other party. Such witnesses shall be sworn by the person conducting the hearing. The Village President shall appoint, without confirmation, an impartial decision maker who may be an officer, committee, board or commission of the Village or the Village Board who did not participate in making or reviewing the initial determination, who shall make the decision on administrative appeal. The decision maker may issue subpoenas. The hearing may, however, be conducted by an impartial person, committee, board or commission designated by the Village President to conduct the hearing and report to the decision maker.
- (c) RECORD OF HEARING. The person conducting the hearing or a person employed for that purpose shall take notes of the testimony and shall mark and preserve all exhibits. The person conducting the hearing may, and upon request of the appellant, shall, cause the proceedings to be taken by a stenographer or by a recording device, the expense thereof to be paid by the Village.
- (d) HEARING ON INITIAL DETERMINATION. Where substantial existing rights are affected by an initial determination, the municipal authority making such determination shall, when practicable, give any person directly affected an opportunity to be heard in accordance with this Section before making such determination.

State Law Reference: Section 68.11, Wis. Stats.

SEC. 2-8-11 FINAL DETERMINATION.

- (a) Within twenty (20) days of completion of the hearing conducted under Section 2-8-10 and the filing of briefs, if any, the decision maker shall mail or deliver to the appellant its written determination stating the reasons therefor. Such determination shall be a final determination.
- (b) A determination following a hearing substantially meeting the requirements of Section 2-8-10 or a decision on review under Section 2-8-8 following such hearing shall be a final determination, judicial review of which may be obtained under Section 2-8-12.

State Law Reference: Section 68.12, Wis. Stats.

SEC. 2-8-12 JUDICIAL REVIEW.

- (a) Any party to a proceeding resulting in a final determination may seek review thereof by writ of certiorari within thirty (30) days of receipt of the final determination.
- (b) The record of the proceedings shall be transcribed at the expense of the person seeking review. A transcript shall be supplied to anyone requesting the same at his expense. If the person seeking review establishes impecuniousness to the satisfaction of the reviewing court, the court may order the proceedings transcribed at the expense of the Village and the person seeking review shall be furnished a free copy of the transcript. By stipulation, the court may order a synopsis of the proceedings in lieu of a transcript. The court may otherwise limit the requirement for a transcript.

State Law Reference: Section 68.13, Wis. Stats.

SEC. 2-8-13 LEGISLATIVE REVIEW.

- (a) Seeking review pursuant to this Chapter does not preclude a person aggrieved from seeking relief from the Village Board or any of its boards, commissions, committees or agencies which may have jurisdiction.
- (b) If in the course of legislative review under this Section a determination is modified, such modification and any evidence adduced before the Village Board, board, commission, committee or agency shall be made part of the record on review under Section 2-8-12.
- (c) The Village Board, board, commission, committee or agency conducting a legislative review under this Section need not conduct the type of hearing required under Section 2-8-10.

State Law Reference: Section 68.14, Wis. Stats.

## CHAPTER 9

### Public Records

Sec. 2-9-1	Definitions
Sec. 2-9-2	Duty to Maintain Records
Sec. 2-9-3	Legal Custodian(s)
Sec. 2-9-4	Public Access to Records
Sec. 2-9-5	Access Procedures
Sec. 2-9-6	Limitations on Right to Access
Sec. 2-9-7	Destruction of Records
Sec. 2-9-8	Preservation Through Microfilm

#### SEC. 2-9-1 DEFINITIONS.

- (a) "Authority" means any of the following Village entities having custody of a Village record: an office, elected official, agency, board, commission, committee, council, department or public body corporate and politic created by constitution, law, ordinance, rule or order; or a formally constituted subunit of the foregoing.
- (b) "Custodian" means that officer, department head, division head, or employe of the Village designated under Section 2-9-3 or otherwise responsible by law to keep and preserve any Village records or file, deposit or keep such records in his or her office, or is lawfully in possession or entitled to possession of such *public* records and who is required by this section to respond to requests for access to such records.
- (c) "Record" means any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. "Record" includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), and computer printouts. "Record" does not include drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent or bequest; and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.
- (d) "Village" shall mean the Village of Iron Ridge and its administrative subunits.

#### SEC. 2-9-2 RETENTION AND DESTRUCTION OF PUBLIC RECORDS

- (a) The purpose of this ordinance is to:
  - 1. Establish a Village of Iron Ridge Record Retention & Disposition Schedule.
  - 2. Provide the legal custodians of the Village of Iron Ridge public records with the authority to destroy certain obsolete public records in the possession of the Village of Iron Ridge in accordance with Sec. 19.21(4), Wis. Stats.
- (b) Definitions
  - (1) Record Retention & Disposition Schedule. A list of village records attached to and made a part of this ordinance, which specifies the legal custodians and the period of time the records must be kept until destruction or transfer to the Wisconsin State Historical Society.
  - (2) Legal Custodian. Each elected official is the legal custodian of his or her records and the records of his or her office as defined in Sec. 19.33, Wis. Stats. The official may designate the town clerk to act as the legal custodian of his or her records.

- (3) Record. The meaning as defined in Sec. 19.32 (2), Wis. Stats.
- (4) Disposition/Destruction. Physical destruction of obsolete records by shredding, burning, or in the case of electronic records, by deleting from a computer hard drive and reformatting or destroying the tape(s)/disk(s).
- (5) SHSW. State Historical Society of Wisconsin

## (c) Provisions

- (1) Historical Society Notification. As required by Sec. 19.21 (4)(a), Wis. Stats., the State Historical Society of Wisconsin shall be notified at least 60 days prior to the destruction of any records.
- (2) Destruction Pending Litigation. No record subject to pending litigation shall be destroyed until the litigation is resolved and permission is obtained from the Village of Iron Ridge attorney.

All references to the Wisconsin Statutes refer to the Wisconsin Statutes 2009-2010, as modified from time to time subsequent to 2009-2010.

This ordinance shall not be construed to authorize the destruction of any public record after a period less than prescribed by statute or state administrative rules.

<b>VILLAGE OF IRON RIDGE RECORD RETENTION &amp; DISPOSITION SCHEDULE</b>		
<b>ADMINISTRATIVE RECORDS</b>		
<b>Custodian</b>	<b>Record</b>	<b>Retention Period</b>
Clerk	Minute Book	Permanent or transfer to SHSW
Clerk	Ordinance Book with attached affidavits of ordinance publication	Permanent or transfer to SHSW
Clerk	Resolutions	Permanent or transfer to SHSW
Clerk	Legal Opinions (Town Attorney interpretation of statutes & ordinances kept for future reference)	Permanent
Clerk	Village-owned real property records	Permanent
Clerk	Agendas	7 years and destroy
Clerk	Board meeting audio tapes	90 days after approval of written minutes then destroy or erase (if only purpose to assist in minute writing)
Clerk	Fidelity bonds, Fidelity Bond Book	5 years after expiration and destroy
County	Treasurer's fidelity bond	5 years after expiration and destroy
Clerk	Oaths of Office (excluding Clerk's oath)	5 years after term and destroy
Treasurer	Clerk's Oath of Office	5 years after term and destroy
<b>LICENSE/PERMIT RECORDS</b>		
<b>Custodian</b>	<b>Record</b>	<b>Retention Period</b>
Treasurer	Liquor, beer, and cigarette license receipts	7 years and destroy
Clerk	Liquor, beer, cigarette license applications,	4 years and destroy*

	records	
Treasurer	Monthly Dog License Reports	3 years and destroy
<b>MUNICIPAL BORROWING RECORDS</b>		
<b>Custodian</b>	<b>Record</b>	<b>Retention Period</b>
Clerk	Bond procedure records, registers, cancelled bonds, promissory notes, cancelled bonds, coupons, promissory notes, certificates of destruction	7 years after bond issue has expired and destroy
<b>ELECTION RECORDS</b>		
<b>Custodian</b>	<b>Record</b>	<b>Retention Period</b>
Clerk	All Election materials and records	This ordinance follows the retention period defined by the Government Accountability Board in the current "Election Administration Manual"

<b>FINANCIAL RECORDS</b>		
<b>Custodian</b>	<b>Record</b>	<b>Retention Period</b>
Clerk	Annual Reports, Annual CT Financial Reports	Permanent or transfer to SHSW
Clerk	Final Budget	Permanent
Clerk	Voucher Journal (record of original entry)	15 years and destroy
Treasurer	Receipts Journal (record of original entry)	15 years and destroy
Clerk	Purchase invoices, purchase orders, voucher stubs, bank statements and reconciliations	7 years and destroy
Treasurer	Accounts receivable invoices	7 years and destroy
Treasurer	Receipts, bank statements and reconciliations, investment records	7 years and destroy
Clerk	Budget worksheets	3 years and destroy
Treasurer	Duplicate deposit slips	1 year and destroy
<b>ASSESSMENT RECORDS</b>		
<b>Custodian</b>	<b>Record</b>	<b>Retention Period</b>
Assessor	Master Property Record Folders	5 years beyond structure life, then transfer to SHSW
Assessor	Index to owners, aerial photographs	Retain until superseded and destroy.
Clerk	Assessment Roll, Statement of Assessment PA-521, Final Statement of Assessment PA-521C	Permanent
Assessor	Plats, certified surveys, Assessor's plats	Permanent
Clerk	Special Assessment final resolutions	Permanent
Clerk	Tax Exemption Reports	10 years and destroy
Assessor	Certificate of ORAP Valuations PC-219	10 years and destroy
Assessor	Notice of Increased Assessment	7 years and destroy
Clerk	Board of Review Minute Book	7 years and transfer to SHSW
Clerk	Form of Objection to Property Assessment, BOR audio tapes, BOR Notices of Determination	7 years after completion and destroy
Clerk	Special Assessment records (except resolutions)	7 years and destroy
Assessor	Occupational tax returns, Merchants', Professions' Statement of Property, Personal Property Worksheets/Farmers & Personal Property Not Used for the Production of Income, Report of Inventory Location (Form 10)*,	5 years and destroy

	Assessor's Personal Property Summary Worksheet	
Assessor	Assessor's Final Report Supplement, Assessor's Final Report	5 years and destroy
Assessor	Wisconsin Real Estate Transfer Returns	5 years after info has been transferred to the Master Property Record Folder and destroy
Assessor	List of Beekeepers, Request for Exemption of Merchandise in Storage, Statement of Merchandise Exempted	3 years and destroy
Assessor	Deeds (copies)	1 year after transfer to Master Property Record Folder and destroy
Clerk	Building permit applications (copies)	1 year after transfer to Master Property Record Folder and destroy

<b>TAX RECORDS</b>		
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<b>Custodian</b>	<b>Record</b>	<b>Retention Period</b>
Clerk	Final Statement of Taxes PA-632A	Permanent or transfer to SHSW
Treasurer	Real & Personal Property Tax Roll	15 years and transfer to SHSW if postponed or delinquent taxes are not transferred to the county treasurer
Treasurer	Statement of Taxes remaining unpaid	Retain with Tax Roll
Treasurer	Escrow Account List	Retain until superseded and destroy
Treasurer	Tax collection receipts	15 years and destroy
Treasurer	State Shared Revenue notices Other State and County revenue notices	6 years and destroy
Clerk	Final Levy Worksheet SL-202	5 years and destroy
Treasurer	Statements of New Special Assessments PC-506, Tax Credit Certifications PC-201 & PC-201A, Tax Settlement Receipt PC-502, Municipal Treasurer's Settlement PC-501	5 years and destroy
Clerk	Tax levy certifications of school district clerks, Certificates of Apportionment	3 years and destroy

<b>PUBLIC WORKS RECORDS</b>		
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<b>Custodian</b>	<b>Record</b>	<b>Retention Period</b>
Clerk	Maps, map indexes, surveying records, excavation plans	Permanent
Clerk	Final subdivision plats, annexation plats, fire number and address change file	Permanent
Clerk	Preliminary subdivision plats	Retain until superseded by the final plat and destroy.
Clerk	Aerial photographs	Retain until superseded and destroy
Clerk	Inventory of Town Hall & Garage	Retain until superseded and destroy
Clerk	Structure plans for municipal buildings & bridges	Retain for life of the structure and transfer to the SHSW
		Retain for active reference life

Clerk	Street vacations and dedications, copies	and destroy
Clerk	Street maintenance and repair records	25 years and destroy
Clerk	Tree planting, inspection, trimming, & removal records	25 years and destroy
Clerk	State Highway Aids program records	7 years and destroy
Clerk	Bid notices and affidavits of publication (if required), all bids successful and unsuccessful, all contracts, all certificates of insurance, all other related records	7 years after contract expiration and destroy
Clerk	Permits for excavation of streets by private utility companies	3 years and destroy
Clerk	Petitions for street and sanitary systems, Vehicle usage reports	2 years and destroy

<b>PAYROLL RECORDS</b>		
<b>Custodian</b>	<b>Record</b>	<b>Retention Period</b>
Clerk	Employee time sheets	2 years and destroy
Clerk	Dept of Revenue WT-6,WT-7 records	5 years and destroy*
Clerk	IRS W-4 records, IRS W-9 records	5 years after being superseded and destroy*
Clerk	IRS I-9 records, IRS 1099 records	5 years and destroy*
Clerk	IRS W-2,W-3, 941 records	5 years and destroy*
Clerk	Wisconsin Unemployment Tax and Wage reports	5 years and destroy*
Clerk	All other Payroll related records	5 years and destroy*
<b>Utility Records (Sewer &amp; Water)</b>		
<b>Custodian</b>	<b>Record</b>	<b>Retention Period</b>
Clerk	Water/Sewer stubs	3 years and destroy
Clerk	Receipts of current bills	6 years and destroy
Clerk	All other utility records	7 years and destroy*
Clerk	Water quality laboratory tests (Deep well and landfill well water analyses detail and summary reports; chemical and bacteriological analyses of municipal drinking water detail and summary reports;	Retain individual sample records 5 yrs, and destroy. If information has been transferred to a permanent test site location file, retain for 1 yr. and destroy
<b>OTHER RECORDS</b>		
<b>Record</b>	<b>Retention Period</b>	
Any record subject to litigation, claim, audit or other action	Until permission to destroy obtained by Town Attorney	
Unlisted Records	7 years and destroy (unless added by amendment)	
Correspondence	3 years and destroy	
SHSW-State Historical Society of Wisconsin		
*Records require security if they contain personal identity information.		

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SEC. 2-9-3 LEGAL CUSTODIAN(S).

- (a) Each elected official is the legal custodian of his or her records and the records of his or her office, but the official may designate an employee of his or her staff to act as the legal custodian.
- (b) Unless provided in Subsection (c), the Clerk or the Clerk's designee shall act as legal custodian for the Village Board and for any committees, commissions, boards, or other authorities created by ordinance or resolution of the Village Board. The following offices or authorities shall have as a legal custodian of records the individual so named:

<u>Authority</u>	<u>Designated Legal Custodian</u>
General Records (including Board Records)	Village Clerk
Financial Records	Village Treasurer
Building Inspector's Office Fire Department	Building Inspector Fire Chief
Police Department	Chief of Police
Village Attorney's Office	Village Attorney

- (c) For every authority not specified in subsections (a) and (b), the authority's chief administrative officer is the legal custodian for the authority, but the officer may designate an employee of his or her staff to act as the legal custodian.
- (d) Each legal custodian shall name a person to act as legal custodian in his or her absence or the absence of his or her designee, and each legal custodian shall send notice of the designated deputy to the Clerk.
- (e) The legal custodian shall have full legal power to render decisions and to carry out the duties of an authority under Subch. 11 of Ch. 19, Wis. Stats., and this chapter. The designation of a legal custodian does not affect the powers and duties of an authority under this section.

SEC. 2-9-4 PUBLIC ACCESS TO RECORDS.

- (a) Except as provided in Section 2-9-6 any person has a right to inspect a record and to make or receive a copy of any record as provided in Sec. 19.35(1), Wis. Stats.
- (b) Records will be available for inspection and copying during all regular office hours.
- (c) If regular office hours are not maintained at the location where records are kept, the records will be available for inspection and copying upon at least 48 hours' advance notice of intent to inspect or copy.
- (d) A requester shall be permitted to use facilities comparable to those available to Village employees to inspect, copy or abstract a record.
- (e) The legal custodian may require supervision during inspection or may impose other reasonable restrictions on the manner of access to an original record if the record is irreplaceable or easily damaged. No original public records of the Village shall be removed from the possession of the legal custodian.

- (f) A requester shall be charged a fee to defray the cost of locating and copying records as follows:
- (1) The cost of photocopying shall be \$ .25 per page, excluding accident reports. Said cost has been calculated not to exceed the actual, necessary and direct cost of reproduction. The cost of vehicle accident reports shall be Three (\$3.00) Dollars.
  - (2) If the form of a written record does not permit copying, the actual and necessary cost of photographing and photographic processing shall be charged.
  - (3) The actual full cost of providing a copy of other records not in printed form on paper, such as films, computer printouts and audio- or video-tapes, shall be charged.
  - (4) If mailing or shipping is necessary, the actual cost thereof shall also be charged.
  - (5) There shall be no charge for locating a record unless the actual cost therefor exceeds Fifty (\$50.00) Dollars, in which case the actual cost shall be determined by the legal custodian and billed to the requester. The Village will determine the cost of locating a record by using the hourly rate of Twenty (\$20.00) Dollars per hour for employees involved in attempting to locate the record.
  - (6) The legal custodian shall estimate the cost of all applicable fees and may require a cash deposit adequate to assure payment, if such estimate exceeds Five (\$5.00) Dollars.
  - (7) Elected and appointed officials of the Village shall not be required to pay for public records they may reasonably require for the proper performance of their official duties.
  - (8) The legal custodian may provide copies of a record without charge or at a reduced charge where he or she determines that waiver or reduction of the fee is in the public interest.
- (g) Pursuant to Sec. 19.34, Wis. Stats., and the guidelines therein listed, each authority shall adopt, prominently display and make available for inspection and copying at its offices, for the guidance of the public, a notice containing a description of its organization and the established times and places at which, the legal custodian from whom, and the methods whereby, the public may obtain information and access to records in its custody, make requests for records, or obtain copies of records, and the costs thereof. Each authority shall also prominently display at its offices, for the guidance of the public, a copy of Section 2-9-4 through 2-9-6 of this Chapter. This subsection does not apply to members of the Village Board.

SEC. 2-9-5 ACCESS PROCEDURES.

- (a) A request to inspect or copy a record shall be made to the legal custodian. A request shall be deemed sufficient if it reasonably describes the requested record or the information requested. However, a request for a record without a reasonable limitation as to subject matter or length of time represented by the record does not constitute a sufficient request. A request may be made orally, but a request must be in writing before an action to enforce the request is commenced under Sec. 19.37, Wis. Stats. Except as provided below, no request may be refused because the person making the request is unwilling to be identified or to state the purpose of the request. No request may be refused because the request is received by mail, unless prepayment of a fee is required under Section 2-9-4(f)(6). A requester may be required to show acceptable identification whenever the requested record is kept at a private residence or whenever security reasons or federal law or regulations so require.

- (b) Each custodian, upon request for any record, shall, as soon as practicable and with-out delay, either fill the request or notify the requester of the authority's determination to deny the request in whole or in part and the reasons therefor. If the legal custodian, after conferring with the Village Attorney, determines that a written request is so general as to be unduly time consuming, the party making the request may first be required to itemize his or her request in a manner which would permit reasonable compliance.
- (c) A request for a record may be denied as provided in Section 2-9-6. If a request is made orally, the request may be denied orally unless a demand for a written statement of the reasons denying the request is made by the requester within five business days of the oral denial. If a written request is denied in whole or in part, the requester shall receive a written statement of the reasons for denying the request. Every written denial of a request shall inform the requester that if the request for the record was made in writing, then the determination is subject to review upon petition for a writ of mandamus under Sec. 19.37(1), Wis. Stats., or upon application to the attorney general or a district attorney.

SEC. 2-9-6 LIMITATIONS ON RIGHT TO ACCESS.

- (a) As provided by Sec. 19.36, Wis. Stats., the following records are exempt from inspection under this Chapter.
  - (1) Records specifically exempted from disclosure by state or federal law or authorized to be exempted from disclosure by state law;
  - (2) Any record relating to investigative information obtained for law enforcement purposes if federal law or regulations require exemption from disclosure or if exemption from disclosure is a condition to receipt of aids by the state;
  - (3) Computer programs, although the material used as input for a computer program or the material produced as a product of the computer program is subject to inspection; and
  - (4) Pursuant to Sec. 905.08, Wis. Stats., a record or any portion of a record containing information qualifying as a common law trade secret. "Trade secrets" are defined as unpatented, secret, commercially valuable plans, appliances, formulas, or processes, which are used for making, preparing, compounding, treating or processing articles, materials or information which are obtained from a person and which are generally recognized as confidential
- (b) As provided by Sec. 43.30, Wis. Stats., public library circulation records are exempt from inspection under this section.
- (c) In responding to a request for inspection or copying of a record which is not specifically exempt from disclosure, the legal custodian, after conferring with the Village Attorney, may deny the request, in whole or in part, only if he or she determines that the harm to the public interest resulting from disclosure would outweigh the public interest in full access to the request record. Examples of matters for which disclosure may be refused include, but are not limited to, the following:
  - (1) Records obtained under official pledges of confidentiality which were necessary and given in order to obtain the information contained in them.
  - (2) Pursuant to Sec. 19.85(1)(a), Wis. Stats., records of current deliberations after a quasi-judicial hearing.
  - (3) Pursuant to Sec. 19.85(1)(b) and (c), Wis. Stats., records of current deliberations concerning employment, dismissal, promotion, demotion, compensation, performance, or discipline of any Village officer or employee, or the investigation of charges against a Village officer or employee, unless such officer or employee consents to such disclosure.

- (4) Pursuant to Sec. 19.85(1)(d), Wis. Stats., records concerning current strategy for crime detection or prevention.
  - (5) Pursuant to Sec. 19.85(1)(e), Wis. Stats., records of current deliberations or negotiations on the purchase of Village property, investing of Village funds, or other Village business whenever competitive or bargaining reasons require nondisclosure.
  - (6) Pursuant to Sec. 19.85(1)(f), Wis. Stats., financial, medical, social or personal histories or disciplinary data of specific persons which, if disclosed, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such history or data.
  - (7) Pursuant to Sec. 19.85(1)(g), Wis. Stats., communications between legal counsel for the Village and any officer, agent or employee of the Village, when advice is being rendered concerning strategy with respect to current litigation in which the Village or any of its officers, agents or employees is or is likely to become involved, or communications which are privileged under Sec. 905.03, Wis. Stats.
  - (8) Pursuant to Sec. 19.85(1)(h), Wis. Stats., requests for confidential written advice from an ethics board, and records of advice given by such ethics board on such requests.
- (d) If a record contains information that may be made public and information that may not be made public, the custodian of the record shall provide the information that may be made public and delete the information that may not be made public from the record before release. The custodian shall confer with the Village Attorney prior to releasing any such record and shall follow the guidance of the Village Attorney when separating out the exempt material. If in the judgment of the custodian and the Village Attorney there is no feasible way to separate the exempt material from the nonexempt material without unreasonably jeopardizing nondisclosure of the exempt material, the entire record shall be withheld from disclosure.

#### SEC. 2-9-7 DESTRUCTION OF RECORDS.

- (a) Village officers may destroy the following nonutility financial records of which they are the legal custodians and which are considered obsolete, after completion of any required audit by the bureau of municipal audit or an auditor licensed under Chapter 442 of the Wisconsin Statutes, but not less than seven years after payment or receipt of any sum involved in the particular transaction, unless a shorter period has been fixed by the State Public Records Board pursuant to Sect 16.61(3)(e), Wis.-Stats., and then after such shorter period:
  - (1) Bank statements, deposit books, slips and stubs.
  - (2) Bonds and coupons after maturity.
  - (3) Canceled checks, duplicates and check stubs.
  - (4) License and permit applications, stubs and duplicates.
  - (5) Payrolls and other time and employment records of personnel included under the Wisconsin Retirement Fund.
  - (6) Receipt forms.
  - (7) Special assessment records.
  - (8) Vouchers, requisitions, purchase orders and all other supporting documents pertaining thereto.
- (b) Village officers may destroy the following utility records of which they are the legal custodians and which are considered obsolete after completion of any required audit by the bureau of municipal audit or an auditor licensed under Chapter 442 of the Wisconsin Statutes, subject to State Public Service Commission regulations, but not less than seven years after the record was effective unless a shorter period has been

fixed by the State Public Records Board pursuant to Sec. 16.61(3)(e), Wis. Stats., and then after such a shorter period, except that water stubs, receipts of current billings and customers' ledgers may be destroyed after two years.

- (1) Contracts and papers relating thereto;
  - (2) Excavation permits;
  - (3) Inspection records.
- (c) Village officers may destroy the following records of which they are the legal custodian and which are considered obsolete, but not less than seven years after the record was effective unless another period has been set by statute, and then after such a period, or unless a shorter period has been fixed by the State Public Records Board pursuant to Sec. 16.61(3)(e), Wis. Stats., and then after such a shorter period.
- (1) Contracts and papers relating thereto.
  - (2) Correspondence and communications.
  - (3) Financial reports other than annual financial reports.
  - (4) Justice dockets.
  - (5) Oaths of office.
  - (6) Reports of boards, commissions, committees and officials duplicated in the 'Village Board proceedings.
  - (7) Election notices and proofs of publication.
  - (8) Canceled voter registration cards.
  - (9) Official bonds.
  - (10) Police records other than investigative records.
  - (11) Resolutions and petitions.
- (d) Unless notice is waived by the State Historical Society, at least sixty (60) days' notice shall be give the State Historical Society prior to the destruction of any record as provided by Sec. 19.21(4)(a), Wis. Stats.
- (e) Any tape recordings of a governmental meeting of the Village may be destroyed, erased or reused no sooner than ninety (90) days after the minutes of the meeting have been approved and published, if the purpose of the recording was to make minutes of the meeting.

#### SEC. 2-9-8 PRESERVATION THROUGH MICROFILM.

Any Village officer, or the director of any department or division of Village government may, subject to the approval of the Village Board, keep and preserve public records in his or her possession by means of microfilm or other photographic reproduction method. Such records shall meet the standards for photographic reproduction set forth in Sec. 16.61(7)(a) and (b), Wis. Stats., and shall be considered original records for all purposes. Such records shall be preserved along with other files of the department or division and shall be open to public inspection and copying according to the provisions of state law and of Section 2-9-4 through 2-9-6 of this Chapter.

## CHAPTER 10

### Public Assistance

- Sec. 2-10-1 Policy on Public Assistance
- Sec. 2-10-2 Organization and Definitions
- Sec. 2-10-3 General Standards and Status Requirements
- Sec. 2-10-4 Health and Medical Assistance
- Sec. 2-10-5 Schedules of Assistance
- Sec. 2-10-6 Applications for Public Assistance
- Sec. 2-10-7 Investigation
- Sec. 2-10-8 Budget and Distribution of Aid
- Sec. 2-10-9 Denials of Relief
- Sec. 2-10-10 Proration of Assistance
- Sec. 2-10-11 Appeals
- Sec. 2-10-12 Election Not to be Governed by Chapter 68, Wis. Stats.
- Sec. 2-10-13 Penalties

#### SEC. 2-10-1 POLICY ON PUBLIC ASSISTANCE.

- (a) The Village shall comply with the requirements of Chapter 49, Wis. Stats., to ensure that all eligible dependent persons within the Village are provided food, housing, clothing, fuel, light, water, and medical attention for themselves or for their school-age children, of a kind and quality adequate to support life, health, and welfare at a level commensurate with the standards of decency, safety and sanitation expected by the citizens of the Village of Iron Ridge, Dodge County, Wisconsin.
- (b) All applicants for and recipients of public assistance shall be guaranteed their rights under the Constitution and laws of the United States and the State of Wisconsin.

State Law Reference: Chapter 49, Wis. Stats.

#### SEC. 2-10-2 ORGANIZATION AND DEFINITIONS.

- (a) ORGANIZATION.
  - (1) The Director of the program shall be the Village Clerk unless provided otherwise by resolution of the Village Board. The Village Clerk shall be responsible for the maintenance of all required records of the program.
  - (2) The Public Assistance Board of Review shall be the Budget and Finance Committee of the Village Board, unless otherwise provided by the Village Board.
- (b) DEFINITIONS.
  - (1) Applicant means any person who is or may be eligible for general relief from the Village under these standards and Chapter 49 of the Wisconsin Statutes.
  - (2) Village means the Village of Iron Ridge.
  - (3) Denial means refusal to approve or grant benefits to an applicant and includes the termination or modification of previously approved benefits or reduction of a public assistance recipient's benefit levels.
  - (4) Board of Review means the board responsible for making the determination on an appeal from a denial of public assistance.
  - (5) County means Dodge County.

- (6) Dependent Person or Dependent means a person without the present available money, income, property, credit or other means by which the same can be presently obtained, sufficient to provide necessary commodities and services for decent, safe and sanitary living in the municipality under Sec. 49.01(4), Wis. Stats., and this Chapter.
- (7) Director means the relief director or his designee.
- (8) Eligible means a person who is dependent as defined in Subsection (6) above.
- (9) Employment means full-time or part-time work for compensation.
- (10) Relief, Assistance or Public Assistance mean such services, commodities or money as reasonable and necessary under the circumstances to provide food, housing, clothing, fuel, light, water, medicine, medical, dental and surgical treatment (including hospital care), optometrical services, nursing, transportation and funeral expenses and includes wages for work relief.
- (11) Group means all eligible person listed on an application for assistance, who reside with the primary applicant and are dependent on the primary applicant for financial support.
- (12) Shelter Cost means rent payments and mortgage payments, exclusive of -interest, escrow accounts required by the lender, principal payments made on mortgages and land contracts and reasonable charges for utilities.
- (13) Work Relief means any monies paid to dependent persons entitled to relief who have been required by the Village to work on any work relief project.
- (14) Work Relief Project means any undertaking performed in whole in part by persons receiving work relief.

#### SEC. 2-10-3 GENERAL STANDARDS AND STATUS REQUIREMENTS.

- (a) **GENERALLY.**
  - (1) Relief shall be granted to any eligible dependent person by the proper authorities of the municipality in accordance with the standards in this Section. Age or transient status or student status of any applicant shall not in itself be a bar to receiving relief from the municipality. The Relief Director may approve prorated daily payments of assistance until such time as arrangements have been completed for relief under another program administered by the County or State.
  - (2) The Village Clerk shall be responsible for receiving all initial documentation from applicants and verifying same.
  - (3) The Finance and Budget Committee is designated as the Committee which approves all Village-eligible applications. This Committee shall convene as soon as practical, but not later than seven (7) working days, after the request is filed with the Clerk.
  - (4) The Village Clerk shall process all non-resident applications and forward documentation to the applicable municipality or county as required by law.
- (b) **ELIGIBILITY REQUIREMENTS.**
  - (1) All eligibility definitions shall be as defined in Section 49.01, Wis. Stats.
  - (2) All legal settlement determinations shall be in accordance with Section 49.10, Wis. Stats.
- (c) **INCOME STANDARDS.** Persons whose monthly incomes equal or exceed the applicable total of the schedules in Section 2-10-4 shall be presumed to be nondependent and ineligible for aid unless the Director determines that special facts and circumstances exist which pose an immediate threat to life, health or safety. All income on hand or readily available, without regard to deductions for debt payments, must be considered in determining financial eligibility for relief under this program, including any public assistance readily available under other relief programs of the State, Federal or County governments.

- (d) **ASSET STANDARDS.** Except as otherwise specifically provided in this subsection, all assets which are readily convertible into cash shall be considered in determining financial eligibility for public assistance:
- (1) Home Ownership. Owning the home and furnishings where the applicant lives shall not act as a bar to receipt of assistance.
  - (2) Insurance. An insurance policy with a cash or loan value of Three Hundred (\$300.00) Dollars or less shall not act as a bar to receipt of assistance.
  - (3) Motor Vehicles. Ownership of an automobile or truck shall not be a bar to receipt of assistance from the Village except that debt payment on motor vehicles shall not be deducted from income in determining financial eligibility. No payments shall be made for purchases of automobiles or other motor vehicles. No assistance shall be granted for use of unregistered vehicles or for use of a vehicle by persons not holding a valid vehicle operator's license. Assistance for use of automobiles, motorcycles or trucks will be granted when that use is necessary to provide transportation for the following reasons: medical treatment, employment and purchase of basic needs. Liability insurance is recommended. Assistance for the use of privately owned vehicles will only be provided in those cases where mass transit is unavailable or in cases of exceptional hardship. Only one vehicle per person or family shall be deemed necessary.
  - (4) Failure to apply or to take necessary steps to apply non-exempt assets to the support of applicant and applicant's dependents shall be cause for the denial or termination of assistance.
- (e) **EMPLOYMENT STANDARDS.**
- (1) Employable Applicants. Employable applicants shall register with Wisconsin Job Service. Persons determined by the Director to be employable but who refuse to seek employment shall not receive public assistance. An employable applicant or recipient who fails or refuses to register for employment at Wisconsin Job Service and actively seek employment at Job Service by reporting weekly, shall be presumed to be ineligible for assistance under this standard, except initial start-up relief shall not be denied for failure to register for employment prior to application unless the applicant has been given notice and opportunity to register prior to application. Any change of employment status or Job Service registration shall be immediately reported to the Director, who may recommend the termination of benefits if efforts to seek employment are not maintained by an employable recipient.
  - (2) Work Relief. The Finance and Budget Committee, through the Director may offer work relief to any applicant for employment directly by the Village or other governmental unit under any program established by the County. Persons accepting work relief shall be compensated for such work relief in accordance with the applicable assistance schedule and budget established by the Director under Sections 2-10-5 and 2-10-8, but not less than the prevailing federal minimum wage rate. Part-time work relief shall be prorated as provided in Section 2-10-7. Any applicant or person receiving assistance from the Village who refuses work relief offered by the Director without a compelling reason, such as physical incapacity verified by a physician's statement, shall be denied or terminated from assistance. The provisions of Section 49.05, Wis. Stats., shall apply to work relief granted by the Village.
- (f) **ELIGIBILITY FOR OTHER PROGRAMS.** An applicant who is awaiting income sufficient to meet basic needs or whose age or other condition qualifies him or her for Social Security or other benefits shall be eligible for relief on an interim basis if other eligibility requirements for this program are met; provided all applicants who upon initial interview appear eligible for resources other than general relief shall be

referred immediately by the Director to the proper resources, including, but not necessarily limited to:

- (1) The County Department of Social Services
  - (2) Veterans Service Offices
  - (3) Wisconsin Department of Vocational Rehabilitation
  - (4) Social Security Administration
  - (5) Unemployment Compensation Division of Wisconsin Department of Industry, Labor and Human Relations
  - (6) Wisconsin Job Service
- (g) ACTUAL RECEIPT OF OTHER ASSISTANCE. The receipt of public assistance from another agency or program shall not, in itself, act as a bar to receipt of public assistance from the Village provided the applicant demonstrates to the Director or the reviewing authority the existence of needs which are not being met by such other public assistance agencies or program and that the benefit levels received by the applicant do not exceed the benefit levels in Section 2-10-5.
- (h) REIMBURSEMENT AGREEMENTS. Applicants shall be allowed to consult with their attorneys or other counsel before signing a reimbursement agreement pursuant to Section 49.65 Wisconsin Statutes. Aid may be paid on an interim basis not exceeding two (2) weeks pending execution of such agreement. If the applicant fails or refuses to sign such agreement within the time allowed, no further aid may be paid until such agreement is signed.

SEC. 2-10-4 HEALTH AND MEDICAL ASSISTANCE.

- (a) NONEMERGENCY ASSISTANCE. Nonemergency relief in the nature of medicine, medical, dental and surgical treatment (including hospital care), optometrical services, nursing and funeral expenses shall require prior written authorization from the Director and shall be given in amounts that are reasonable and necessary under the circumstances. In determining whether to approve any particular request for nonemergency health services, the Director shall contact the professional involved, if appropriate, to ascertain directly whether such services are reasonable and necessary.
- (b) EMERGENCY ASSISTANCE. The provisions of Ch. 49, Wis. Stats., with respect to liability for hospitalization and medical care rendered to eligible dependent persons having legal settlement within the municipality without previous authorization, shall apply to granting of emergency assistance by the municipality. The municipality shall not be liable for such care or hospitalization beyond what is reasonably required by the circumstances of each case and liability shall not attach unless, within seven (7) days after furnishing of the first care or hospitalization, written notices by attending physicians and the hospital are mailed or delivered to the Director reciting the name and address of the patient, so far as known, and the nature of the illness or injury and the probable duration.
- (c) LIMITATION ON LIABILITY FOR MEDICAL AND DENTAL CARE. Chapter 317, Laws of 1981, contains provisions which authorize a municipality to limit its liability for medical and dental care furnished as general relief, including emergency care as provided under Section 49.02(5) to the amount payable by medical assistance for similar care. The Village does therefore limit its liability for all medical and dental care furnished as general relief to the amount of medical assistance for similar care. All Health and Dental Care Providers shall certify that the amount billed in a particular case is not greater than the amount they would be reimbursed for by Medical Assistance.

SEC. 2-10-5 SCHEDULES OF ASSISTANCE.

- (a) The Director shall grant assistance based on consideration of the following schedule, subject to adjustments or prorations permitted or required under this Chapter.

MONTHLY ALLOWANCE	
<u>Group Size</u>	<u>Maximum Allowance</u>
1	\$241
2	\$428
3	\$503
4	\$600
5	\$689
6	\$745
7	\$807
8	\$855
9	\$895
10	\$916
11	\$938
12	\$959
13	\$980
14	\$1,001
15	\$1,023
16	\$1,044
17	\$1,065
18	\$1,086

- (b) The allowances provided above are maximum allowances, and a lesser allowance may be provided, based on the budget deficit determined.
- (c) These schedules shall be reviewed at least annually by the Village Board to adjust for increases or decreases in the cost of living.
- (d) Funeral and burial expense shall not exceed necessary and reasonable charges authorized by the Director on an "as needed" basis.

SEC. 2-10-6 APPLICATIONS FOR PUBLIC ASSISTANCE.

Each applicant shall complete a written application for public assistance on a form or forms supplied by the Village. Such application shall be signed, sworn to and dated by the applicant. The completed application shall be retained by the Director and shall be available for inspection by the applicant and the staff or designated representative of a public assistance agency filed upon by nonresident notice or directly involved.

SEC. 2-10-7 INVESTIGATION.

Upon receiving an application for relief, the Director shall examine the applicant regarding the factual circumstances supporting the claim to eligibility and needs and the corresponding amounts and thereafter shall make such other investigation as he or she deems reasonably necessary under the circumstances. As a condition to receiving assistance under this Chapter, the applicant shall be required to cooperate fully with the investigation of the Director. The cooperation of the applicant shall include but not be limited to completing necessary waivers or release forms sufficient to allow the Director to obtain necessary information to complete his or her investigation.

SEC. 2-10-8 BUDGET AND DISTRIBUTION OF AID.

- (a) ASSISTANCE BUDGET. The Director shall prepare a budget for each applicant which provides for meeting the various categories of need. All income and non-exempt assets on hand or readily available to the applicant shall be subtracted from the budgeted needs. The amount of the resulting budget deficit, if any, shall be the amount of assistance to which the applicant is entitled.
- (b) ASSISTANCE LIMITED TO NEED. In determining the amounts of the budgetary deficit, allowance shall be provided for each category unless no demonstrated need exists, or for the category of assistance.
- (c) ASSISTANCE PRORATED. The assistance allowed of any applicant or recipient may be prorated on the basis of any part-time work relief received, or on the basis of any support received from nondependent persons because of a shared living arrangement.
- (d) EXCESS AID. Aid based on amounts greater than approved benefit levels shall be granted by the Director only when he or she determines that circumstances and facts, exist which impose significant additional burdens that are not otherwise being met. The Director shall maintain records for any deviation from the schedule of aids set forth herein and shall make such records available for inspection by the designated representative of a public assistance agency filed upon by non-resident notice or directly involved.
- (e) FORM OF GRANT. Assistance may be granted in cash or by the vendor/voucher system payable directly to the merchant, medical facility, physician, grocery store, furnishing merchant or other vendor. Cash grants of assistance may be made for use of Laundromats, to persons in transit who are returning to their place of legal settlement and for such other cases as the Director deems necessary. Cash grants of assistance shall be made to persons for work relief.

SEC. 2-10-9 DENIALS OF RELIEF.

- (a) BASIS FOR DENIAL. Except when an application is withdrawn, the Director shall not deny public assistance at the level and in accordance with these guidelines except for one or more of the following reasons:
  - (1) Ineligible Under Standards. Applicant does not meet the standards of eligibility set forth herein.
  - (2) Refusal to Submit Application. Applicant has refused to submit a written application or to complete any portion of the application form, refused to sign his or her application, or has failed or refused to sign a reimbursement agreement as required by these guidelines.
  - (3) Insufficient Information. Applicant has failed or refused to supply sufficient information from which the Director can form a good faith belief as to the applicants identity, residence history or eligibility for public assistance.
  - (4) Failure to Seek Employment. Recipient/applicant has failed or refused to seek or obtain employment or to register for employment with the Wisconsin Job Service after applicant has been given notice and opportunity to do so. Notice and opportunity to seek or obtain employment shall be deemed to mean the recipient/applicant has been notified of at least two (2) suitable job opportunity commensurate with his or her physical ability, training and skills, and has failed or refused to contact the prospective employer or to make application for such job opportunity or to accept the position, if offered.
  - (5) Failure to Assign Claim. Recipient/applicant has failed to sign an assignment of claim for third party liability agreement as provided by Sec. 49.65, Wis. Stats.

- (6) False Representation. Recipient/applicant's eligibility or need is dependent on the truth of a representation which the Director has reasonable cause to believe was a false representation.
- (7) Refusal of Employment. Recipient/applicant has refused a bona fide offer of employment or training without good cause, or has accepted and subsequently given inadequate performance through wilful neglect.
- (8) Failure to Utilize Resources. Applicant/recipient has refused to or failed to take full advantage of other resources available.
- (9) Failure to Cooperate. Applicant/recipient has refused or failed to cooperate with the Director's investigation of the validity of his or her application. (b) DENIALS.
- (1) Denials to be Written. Denials shall be in writing stating the specific reasons for the denial in plain language. Written denials shall be mailed by first class mail to the address given in the application within five (5) working days of the date of application. Denial shall be deemed delivered if mailed within such five (5) working-day period.
- (2) Written Denials to be Filed. The Director shall maintain a file of all written denials and supporting reasons.
- (3) Denials to Include Notice of Appeal Rights. Each written denial shall include a notice to the applicant of his or her right to appeal such denial as set forth in these standards and policies.
- (4) Failure to Respond Deemed Denial. Failure of the Director to respond to a written application for assistance within ten (10) working days shall be deemed a denial of the applicant's request. The Director shall nevertheless provide the applicant with the notice of his or her right to appeal such denial as set forth in these standards and policies.

#### SEC. 2-10-10 PRORATION OF ASSISTANCE.

The Director may, in his discretion, provide assistance on a daily, weekly, bimonthly or monthly schedule prorating the benefits furnished. Grants made on a weekly basis shall be prorated on the basis of 7/30th of the monthly allowance. Bimonthly grants shall be fifty (50%) percent of the monthly allowance set forth in Sec. 2-10-5.

#### SEC. 2-10-11 APPEALS.

Any applicant denied relief by the Director shall have the right of appeal as provided below:

- (a) **INITIATING APPEAL.** Appeals may be taken from the Director's denial of relief by filing a written appeal in the office of the Village Clerk. Appeal forms will be provided by the municipality upon request.
- (b) **APPEAL HEARING.** The appeal shall be heard by the Committee of the Whole which shall be comprised of the Village Board of the Village of Iron Ridge. Said appeal shall be heard at the next regularly scheduled Village Board meeting unless the particular facts require an appeal hearing at an earlier date. The appeal shall be heard at a time fixed by the Clerk which will, whenever practicable, be convenient to the applicant. The Clerk shall give at least two (2) days written notice to the applicant by first class mail of any such appeal hearing.

- (c) CONDUCT OF HEARING. Either party to the appeal may be represented by counsel, present evidence by testimony or otherwise, cross-examine witnesses and make argument either in person or by an agent of his or her choosing. Proceedings may and, upon request of the applicant, shall be recorded. All witnesses shall be sworn.
- (d) DECISION ON APPEAL. The decision of the Committee of the Whole on an appeal shall be in writing and shall state the reasons for the decision. Decisions shall be rendered solely on the evidence presented at the hearing, except that the Committee may take official notice of statutes, ordinances of the municipality, these policies and procedures, and administrative rules of the County Department of Health and Social Services and of the State, and facts, which are generally recognized as established. The decision of the Committee shall be rendered within seven (7) working days of the close of the hearing and the Committee shall immediately upon rendering the decision mail a copy thereof by first class mail to the applicant at the current post office address given in his or her application.
- (e) DECISION TO BE FINAL. The decision of the Committee on appeal shall be a final determination and shall be subject to judicial review as provided in Sec. 68.13, Wis. Stats.

SEC. 2-10-12 ELECTION NOT TO BE GOVERNED BY CHAPTER 68, WIS. STATS.

The Village of Iron Ridge determines that the appeal procedures in these standards shall constitute the exclusive method for administrative review of determinations of the Director relating to granting of general relief under Ch. 49, Wis. Stats., and elects not to be governed by the provisions of Ch. 68, Wis. Stats., except as expressly provided herein. The appeal procedures contained in these standards shall apply equally to initial determinations of eligibility; the level of public assistance determined to be granted; and to subsequent determinations which terminate or reduce assistance.

SEC. 2-10-13 PENALTIES.

Any person shall be subject to the penalties stated in Section 49.12, Wis. Stats., if any of the following conditions apply:

- (a) Willfully makes a false representation on an application.
- (b) Does any act designed to interfere with the proper administration of public assistance.
- (c) Sells or exchanges supplies or articles furnished him/her as assistance or who disposes of such supplies or articles in any way other than as directed.
- (d) Sends or brings or causes to be sent or brought or advises any dependent person to go to any municipality for the purpose of making him a charge upon such municipality.
- (e) Receives or solicits any commission or derives or seeks to obtain any personal financial gain through the administration of public assistance.
- (f) Fails to notify the Village Clerk of receipt of income or assets.
- (g) Uses money, checks, vouchers or other things of value as relief for purposes other than as directed.
- (h) Makes any statement in a written application for aid not correct or valid.
- (i) Obtains for himself/herself or any other person or dependents or both, assistance when the facts as originally stated have changed.

