

**CODE OF GENERAL ORDINANCES
OF THE
TOWN OF DOTY
OCONTO COUNTY, WISCONSIN**

CHAPTER 2: TOWN GOVERNMENT

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CHAPTER 2: TOWN GOVERNMENT

2.0100 TOWN GOVERNMENT AND ELECTIONS

2.0101 Town Board

A. Authority and Powers

The town board has the specific authority, powers and duties to manage and direct the affairs of the town as set forth in Wis. Stats. ch. 60 and other provisions of the Wisconsin Statutes, including powers conferred on village boards by Wis. Stats. ch. 61, the exercise of which does not conflict with the duties and powers of town boards set forth elsewhere in the Wisconsin Statutes, granted by resolution of town electors at the annual town meeting pursuant to Wis. Stats. §§ 60.10(2)(c) and 60.22(3). The town board shall have charge of all of the affairs of the town not otherwise delegated by law to the annual town meeting or other town officers.

B. Membership Compensation

The town board shall consist of the supervisors of the town. The town board shall be composed of three (3) supervisors, one of which shall be designated as the town board chairperson. The supervisors shall be elected in the odd-numbered years. One of the supervisors shall be designated on the ballot as town board chairperson. The town board chairperson and the other supervisors shall receive such compensation as established at a town meeting.

C. Vacancies

Vacancies in elective offices shall be filled by appointment by a majority vote of the town board and town clerk-treasurer for the remainder of the unexpired term.

D. Meetings

The town board shall meet each month in the town hall or such other place or place as the town board shall designate and notice pursuant to the Wisconsin Open Meetings Law. Any regular meeting of the town board falling upon a legal holiday shall be held on the day designated by the town board. Special meetings may be called by the town board chairperson or any supervisor by requesting the town clerk-treasurer to call such meeting, stating the time and place for the meeting, by notifying each supervisor and the public in accordance with Wis. Stats. § 19.84. Notice of all town board meetings shall be given in compliance with the Wisconsin Open Meeting Law, by posting written notice of the time, place and purpose thereof in two (2) physical locations in the town and the official town website, and by written or oral notice to the media which has requested such notice at least 24 hours prior to the meeting, unless in an emergency, when proper notice shall be posted and given to the media at least two (2) hours prior to the meeting. No business shall be transacted at a special meeting except for the purpose which was stated in the notice thereof.

E. Quorum

Two (2) supervisors shall constitute a quorum of the town board and the only business to be undertaken in the absence of a quorum shall be to adjourn from time to time or to compel the attendance of absent members.

F. Conduct of Meetings

The order of business at meetings shall be substantially as follows:

1. Call to order.
2. Roll call and declaration of a quorum. If a quorum is not present, the meeting shall be adjourned.
3. Certificates and announcement of compliance with Wisconsin Open Meeting Law posting and the notice and publication procedures of this Code.
4. Approval of agenda.
5. Reading, correction, and approval of minutes of previous meetings.
6. Reports.
 - (a) Clerk-treasurer's report.
 - (b) Town committee and commission reports.
 - (c) Town staff reports.
 - (d) Emergency department reports.
 - (e) Town officials reports.
7. Public comments.
8. Communications.
9. Old business.
10. New business.
11. Resolutions and ordinances.
12. Schedule next meeting.
13. Adjournment.

G. Notice

1. Agendas

The town clerk-treasurer or person designated by the town board chairperson shall prepare a written agenda for each town board or committee meeting and distribute and post or publish the same as provided by the Wisconsin Open Meeting Law, Wis. Stats. ch. 19, and this Code.

2. Ordinances and Resolutions

All ordinances, resolutions or bylaws shall be reduced to writing before final action by the town board. Unless requested by a supervisor or

town board chairperson before final vote is taken, no ordinance, resolution, bylaw or communication need be read in full.

H. Rules of Order

Town board meetings shall be conducted in accordance with the parliamentary rules contained in *Robert's Rules of Order Newly Revised*, or the most recent version thereof, except as otherwise specifically provided in this Code or by written bylaw adopted by the town board.

I. Suspension of Rules

These rules or any part thereof may be temporarily suspended in connection with any matter under consideration by a recorded vote of the majority of the supervisors present.

2.0200 TOWN MEETINGS AND TOWN BOARD MEETINGS

2.0201 Town Meetings

A. Annual Town Meeting

The annual town meeting shall be held on the 3rd Tuesday in April unless a later date is set by the previous annual town meeting, but not later than 10 days after the 3rd Tuesday in April. The town board may change the location of the annual town meeting. If the place of the annual town meeting is changed, the town clerk-treasurer shall publish or post a class 2 notice under Wis. Stats. ch. 985 of the time, date and location of the annual town meeting and shall make and file an affidavit of posting of such notice, if any. The annual town meeting has the powers set forth in Wis. Stats. § 60.10. The town clerk-treasurer shall publish or post in three (3) public places in the town likely to give notice to the public, all resolutions, motions and other actions adopted by the annual town meeting as required by Wis. Stats. § 60.80.

B. Special Town Meetings

A special town meeting may be called by the town board or by written request of electors equal to at least 10% of the votes cast in the town for governor at the last election. The call shall state the time, date and purpose of the special town meeting. The town clerk-treasurer shall publish or post a class 2 notice under Wis. Stats. ch. 985 stating the purpose, date, time and location of the special town meeting not more than 20 days or less than 15 days before the date of the special town meeting. Special town meetings must be held at the place where the preceding town meeting was held unless changed by the town board. Any business which may be transacted at the annual town meeting may be transacted at a special town meeting provided it is specified in the call and notice.

C. Presiding Officer

The town board chairperson is the presiding officer of the town board and town meetings. If the town board chairperson is absent, the senior supervisor shall preside. The meeting chairperson shall conduct the meeting's proceedings in accordance with accepted parliamentary procedure. The

meeting chairperson shall maintain order and decorum, and may order any person to leave a town meeting if the person has conducted himself or herself in a disorderly manner and persisted in such conduct after being directed by the meeting chairperson to cease the conduct. If the person refuses the meeting chairperson's order to withdraw, the meeting chairperson may order a constable or other law enforcement officer to take the person into custody until the meeting is adjourned.

2.0300 GENERAL REGULATIONS GOVERNING ALL TOWN OFFICERS

2.0301 Effect

The provisions of this section shall apply to all officers of the town, regardless of the time of creation of the office or method of selection of the officer unless otherwise specifically provided by ordinance or resolution of the town board.

A. Official Oath of Office

1. The town clerk-treasurer shall either personally hand deliver the certificates of election directly to the candidates, or send them via certified mail, so that the town clerk-treasurer can verify and have documentation of the date of receipt. The date of receipt is important because every elected or appointed officer of the town, including members of town boards and commissions, shall take the oath of office under Wis. Stats. § 19.01 and file said oath in the office of the town clerk-treasurer or notary, within five (5) days after notification of election or appointment.
2. The town clerk-treasurer shall file his or her oath with a notary public prior to executing any official oaths.
3. Any person reelected or reappointed to the same office shall take and file an official oath for each term of service.

B. Bond

Every town officer shall, if required by law or the town board, upon entering upon the duties of his office, give a bond in such amount as may be determined by the town board with such sureties as are approved by the town board chairperson, conditioned upon the faithful performance of the duties of his or her office. Official bonds shall be filed as oaths as provided in 2.0301(A).

C. Salaries

All appointed officers of the town shall receive such salaries as may be provided from time-to-time by the town board. No officer receiving a salary from the town shall be entitled to retain any portion of any fees collected by the officer for the performance of his or her duties as such officer in the absence of a specific law or ordinance to that effect. Payment of regular wages and salaries established by the town board shall be by voucher as provided by statute.

D. Vacancies

Vacancies in appointive offices shall be filled in the same manner as the original appointment for the remainder of the unexpired term unless the term for such office is indefinite.

2.0400 TOWN OFFICERS AND EMPLOYEES

2.0401 Town Clerk - Treasurer

- A. The office of the town clerk-treasurer is an appointed position per Wis. Stats. §§ 60.30(1e) and 60.305(1).
- B. The town clerk-treasurer shall perform such duties and have such responsibilities as set forth in Wis. Stats. §§ 60.15, 60.33 and 60.34. The town clerk-treasurer shall perform all other duties required by law, ordinance or lawful direction of the town meeting or town board.
- C. The salary of the town clerk-treasurer shall be set by the town board and may not be reduced during the term of office.

2.0402 Reserved

2.0403 Deputy Town Clerk - Treasurer

The town clerk-treasurer may appoint one or more deputies for whom the town clerk-treasurer is responsible. A deputy shall take and file the official oath and bond under Wis. Stats. § 60.31. The town clerk-treasurer may designate a deputy to perform the town clerk-treasurer's duties during the absence, sickness or other disability of the town clerk-treasurer.

2.0404 Reserved

2.0405 Reserved

2.0406 Election Officials

- A. The town board authorizes the town clerk-treasurer to select two (2) or more sets of election officials to work at different times on an election day. The first shift shall commence at 6:30 a.m. and end at 1:30 p.m. The second shift shall commence at 1:30 p.m. and end with completion of all required election day duties prescribed by the chief inspector / town clerk-treasurer for closure of the polls.
- B. The town clerk-treasurer shall also have the option to elect to have poll workers work all day should the need arise.
- C. The town board authorizes the town clerk-treasurer to appoint one additional election inspector to serve between the suggested hours of 9:00 a.m. and 2:00 p.m. and one additional election inspector to serve between the suggested hours of 2:00 p.m. and 7:00 p.m., as needed, at the polling place in the town. Each additional election inspector shall serve as a greeter to answer questions and direct electors to the proper locations for registration and voting and shall be available for other election officials who must leave the room during the voting process.

2.0500 GENERAL

The town board may employ on a temporary or permanent basis persons necessary to carry out the functions of town government including, subject to Wis. Stats. § 60.37(4), any elected officer of the town. The town board may establish the

qualifications and terms of employment, which may not include the residency of the employee, except as provided in Wis. Stats. § 66.0502(4)(b). The town board may delegate the authority to hire town employees to any town official or employee.

2.0600 LEGAL ASSISTANCE

The town board may designate, retain or employ one or more attorneys on a temporary or continuing basis to counsel the town on legal matters or represent the town in legal proceedings.

2.0700 ASSESSOR

The town board may employ the assistance of a qualified assessor to aid in making town assessments from persons certified by the Wisconsin Department of Revenue under Wis. Stats. § 73.09. The assessor shall have the rights, obligations and duties as specified in Wis. Stats. ch. 70.

2.0800 TOWN PLAN COMMISSION

2.0801 Purpose

The purpose of this ordinance is to establish a town plan commission and set forth its organization, powers and duties, to further the health, safety, welfare and wise use of resources for the benefit of current and future residents of the town and affected neighboring jurisdictions, through the adoption and implementation of comprehensive planning with significant citizen involvement.

2.0802 Authority; Establishment

The town board has been authorized by the town meeting under Wis. Stats. § 60.10(2)(c) to exercise village powers and the town has a population of less than 2,500, according to the most recent regular or special federal census. The town board hereby exercises village powers under Wis. Stats. § 60.22(3), and establishes a seven (7) member town plan commission under Wis. Stats. §§ 60.62(4), 61.35 and 62.23. The town plan commission shall be considered the “town planning agency” under Wis. Stats. §§ 236.02(13) and 236.45, which authorize, but do not require, town adoption of a subdivision or other land division ordinance.

2.0803 Membership

The town plan commission consists of one (1) member of the town board, who may be the town board chairperson, and six (6) citizen members, who are not otherwise town officials, and who shall be persons of recognized experience and qualifications.

2.0804 Appointments

The town board chairperson shall appoint members of the town plan commission, subject to confirmation by the town board, during the month of April, to fill any expiring term. The town board chairperson shall also select the town plan commission chairperson. The town board chairperson may appoint himself or herself or another town board member to the town plan commission and may designate himself or herself, the other town board member, or a citizen member as the town plan commission chairperson. In a year in which any town board member is elected at the spring election, any appointment or designation by the town board chairperson shall be made after the election and qualification of the town board members elected. Any citizen appointed to the town plan commission shall take and file the oath of office within five (5) days of notice of appointment, as provided under Wis. Stats. §§ 19.01 and 60.31.

2.0805 Terms of Office (With Citizen Member Terms Staggered)

The term of office for the town plan commission chairperson and each town plan commission member shall be for a period of 3 years, ending on April 30, or until a successor is appointed and qualified, except:

A. Initial Terms

The citizen members initially appointed to the town plan commission shall be appointed for staggered terms.

B. Town Board Member or Chairperson

The town plan commission member who is a town board member or town board chairperson, including a person designated the town plan commission chairperson, shall serve for a period of two (2) years, as allowed under Wis. Stats. § 66.0501(2), concurrent with his or her term on the town board, except an initial appointment made after April 30 shall be for a term that expires two (2) years from the previous April 30.

2.0806 Vacancies and Removals

A person who is appointed to fill a vacancy on the town plan commission shall serve for the remainder of the term. A member of the town plan commission may be removed only by a majority vote of the town board.

2.0807 Compensation; Expenses

The town board may establish a per diem allowance per meeting for citizen and town board members of the town plan commission, as allowed under Wis. Stats. § 66.0501(2). In addition, the town board may reimburse reasonable costs and expenses as allowed under Wis. Stats. § 60.321.

2.0808 Experts & Staff

The town plan commission may, under Wis. Stats. § 62.23(1), recommend to the town board the employment of experts and staff, and may review and recommend to the town board proposed payments under any contract with an expert.

2.0809 Rules; Records

The town plan commission, under Wis. Stats. § 62.23(2), may adopt rules for the transaction of its business, subject to town ordinances and shall keep a record of its resolutions, transactions, findings and determinations, which shall be a public record under Wis. Stats. §§ 19.21-19.39.

2.0810 Town Plan Commission Chairperson & Officers

A. Chairperson

The town plan commission chairperson shall be appointed and serve a term as provided in sections 5 and 6 of this ordinance. The town plan commission chairperson shall, subject to town ordinances and town plan commission rules:

1. Provide leadership to the town plan commission.
2. Set town plan commission meeting and hearing dates.
3. Provide notice of town plan commission meetings and hearings and set

their agendas, personally or by town plan commission chairperson's designee.

4. Preside at town plan commission meetings and hearings.
5. Ensure that the laws are followed.

B. Vice Chairperson

The town plan commission may elect, by open vote or secret ballot under Wis. Stats. § 19.88(1), a town plan commission vice chairperson to act in the place of the town plan commission chairperson when the chairperson is absent or incapacitated for any cause.

C. Secretary

The town plan commission shall elect, by open vote or secret ballot under Wis. Stats. § 19.88(1), one of its members to serve as town plan commission secretary, or, with the approval of the town board, designate the town clerk-treasurer or other town officer or employee as town plan commission secretary.

2.0811 Commission Members as Local Public Officials

- A. All members of the town plan commission shall faithfully discharge their official duties to the best of their abilities, as provided in the oath of office, Wis. Stats. § 19.01, in accordance with, but not limited to, the provisions of the Wisconsin Statutes on: Public Records, Wis. Stats. §§ 19.21-19.39; Code of Ethics for Local Government Officials, Wis. Stats. §§ 19.42, 19.58 & 19.59; Open Meetings, Wis. Stats. §§ 19.81-19.89; Misconduct in Office, Wis. Stats. § 946.12; and Private Interests in Public Contracts, Wis. Stats. § 946.13.
- B. Town plan commission members shall further perform their duties in a fair and rational manner and avoid arbitrary actions.

2.0812 General & Miscellaneous Powers

- A. Pursuant to Wis. Stats. § 62.23(4), the town plan commission shall have such powers as may be necessary to enable it to perform its functions and promote municipal planning.
- B. The town plan commission may make reports and recommendations relating to the plan and development of the town to the town board, public officials and agencies, public utility companies, civic, educational, professional and other organizations, and citizens.
- C. The town plan commission may recommend to the town board, programs for public improvements and the financing of such public improvements.
- D. All public officials shall, upon request, furnish to the town plan commission, within a reasonable time, such available information as the town plan commission may require for its work.
- E. The town plan 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 marks thereon; provided, however, entry shall not be made upon private land, except to the extent that the private land is held open to the general public, without the permission of the landowner or tenant. If such permission has been refused, entry shall be made under the authority of an inspection warrant issued for cause under Wis. Stats. § 66.0119, or other court-issued warrant.

2.0813 Town Comprehensive Planning: General Authority & Requirements

- A. The town plan commission shall make and adopt a comprehensive plan under Wis. Stats. §§ 62.23 and 66.1001, which contains the elements specified in Wis. Stats. § 66.1001(2), and follows the procedures in Wis. Stats. §66.1001(4).
- B. The town plan commission shall make and adopt the comprehensive plan within the time period directed by the town board, but not later than a time sufficient to allow the town board to review the plan and pass an ordinance adopting it to take effect on or before January 1, 2010, so that the town comprehensive plan is in effect by the date on which specific town actions must be consistent with the town comprehensive plan under Wis. Stats. § 66.1001(3).
- C. In this section the requirement to “make” the plan means that the town plan commission shall ensure that the plan is prepared, and oversee and coordinate the preparation of the plan, whether the work is performed for the town by the town plan commission, town staff, another unit of government, the regional planning commission, a consultant, citizens, an advisory committee, or any other person, group or organization.

2.0814 Procedure for Plan Commission Adoption & Recommendation of a Town Comprehensive Plan or Amendment

The town plan commission, in order to ensure that the requirements of Wis. Stats. § 66.1001(4) are met, shall proceed as follows:

- A. Public participation verification
Prior to beginning work on a comprehensive plan, the town plan commission shall verify that the town board has adopted written procedures designed to foster public participation in every stage of preparation of the comprehensive plan. These written procedures shall include open discussion, communication programs, information services and noticed public meetings. These written procedures shall further provide for wide distribution of proposed, alternative or amended elements of a comprehensive plan and shall provide an opportunity for written comments to be submitted by members of the public to the town board and for the town board to respond to such written comments.
- B. Resolution
The town plan commission, under Wis. Stats. § 66.1001(4)(b), shall

recommend its proposed comprehensive plan or amendment to the town board by adopting a resolution by a majority vote of the entire town plan commission. The vote shall be recorded in the minutes of the town plan commission. The resolution shall refer to maps and other descriptive materials that relate to one or more elements of the comprehensive plan. The resolution adopting a comprehensive plan shall further recite that the requirements of the comprehensive planning law have been met, under Wis. Stats. § 66.1001, namely that:

1. The town board adopted written procedures to foster public participation and that such procedures allowed public participation at each stage of preparing the comprehensive plan.
2. The plan contains the nine (9) specified elements and meets the requirements of those elements.
3. The (specified) maps and (specified) other descriptive materials relate to the plan.
4. The plan has been adopted by a majority vote of the entire town plan commission, which the town plan commission secretary is directed to record in the minutes.
5. The plan commission secretary is directed to send a copy of the comprehensive plan adopted by the town plan commission to the governmental units specified in Wis. Stats. § 66.1001(4), and Section 2.0814(c).

C. Transmittal

One copy of the comprehensive plan or amendment adopted by the town plan commission for recommendation to the town board shall be sent to:

1. Every governmental body that is located in whole or in part within the boundaries of the local governmental unit.
2. The clerk of every local governmental unit that is adjacent to the local governmental unit that is the subject of the plan that is adopted or amended as described above.
3. After September 1, 2005, the department of administration.
4. The regional planning commission in which the local governmental unit is located.
5. The public library that serves the area in which the local governmental unit is located.

2.0815 Plan Implementation & Administration

A. Ordinance Development

If directed by resolution or motion of the town board, the town plan

commission shall prepare the following:

1. Zoning A proposed town zoning ordinance under village powers, Wis. Stats. §§ 60.22(3), 61.35 and 62.23(7), a town construction site erosion control and stormwater management zoning ordinance under Wis. Stats. § 60.627(6), a town exclusive agricultural zoning ordinance under Wis. Stats. subch. V of ch. 91, and any other zoning ordinance within the town's authority.
2. Official map. A proposed official map ordinance under Wis. Stats. § 62.23 (6).
3. Subdivisions. A proposed town subdivision or other land division ordinance under Wis. Stats. § 236.45.
4. Other. Any other ordinance specified by the town board (Note: e.g., historic preservation, design review, site plan review).

B. Ordinance Amendment

The town plan commission, on its own motion, or at the direction of the town board by its resolution or motion, may prepare proposed amendments to the town's ordinances relating to comprehensive planning and land use.

C. Non-regulatory Programs

The town plan commission, on its own motion, or at the direction of the town board by resolution or motion, may propose non-regulatory programs to implement the comprehensive plan, including programs relating to topics such as education, economic development and tourism promotion, preservation of natural resources through the acquisition of land or conservation easements, and capital improvement planning.

D. Program administration

The town plan commission shall, pursuant to county zoning under Wis. Stats. § 59.69 and the established town and county review process, have the following powers:

1. Rezone Petitions. Petitions to rezone under county zoning authority and the established town and county review process shall be referred to the town plan commission for review and recommendation to the town board.
2. Conditional Use Permit Applications. Conditional use permit applications pursued under county zoning authority and the established town and county review process shall be referred to the town plan commission for review and recommendation to the town board.
3. Land Division Review. Proposed plats and land divisions proposed under Wis. Stats. ch. 236 and Oconto County Land Division authority under Wis. Stats. § 236.45 and any other applicable town or county ordinances shall be referred to the town plan commission for review and recommendation to the town board.

E. Consistency

When the town plan commission considers any action that is subject to the consistency requirement in Wis. Stats. § 66.1001 (3), the action of the town plan commission shall be consistent with the comprehensive plan. If any such town plan commission action would not be consistent with the comprehensive plan, the town plan commission shall use this as information to consider in updating the comprehensive plan.

2.0816 Referrals to the Plan Commission

A. Required Referrals under Wis. Stats. § 62.23(5)

The following shall be referred to the town plan commission for report:

1. The location and architectural design of any public building.
2. The location of any statue or other memorial.
3. The location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of land for any:
 - (a) street, alley or other public way;
 - (b) park or playground;
 - (c) airport;
 - (d) area for parking vehicles; or
 - (e) other memorial or public grounds.
4. The location, extension, abandonment or authorization for any publicly or privately owned public utility.
5. All plats under the town's jurisdiction under Wis. Stats. ch. 236, including divisions under a town subdivision or other land division ordinance adopted under Wis. Stats. § 236.45.
6. The location, character and extent or acquisition, leasing or sale of lands for:
 - (a) public or semi-public housing;
 - (b) slum clearance;
 - (c) relief of congestion; or
 - (d) vacation camps for children.
7. The amendment or repeal of any ordinance adopted under Wis. Stats. § 62.23, including ordinances relating to: the town plan commission; the town comprehensive plan under Wis. Stats. § 66.1001 and a town official map.

B. Required Referrals under Sections of the Wisconsin Statutes other than Wis.

Stats. § 62.23(5)

The following shall be referred to the town plan commission for report:

1. An application for initial licensure of a child welfare agency or group home under Wis. Stats. § 48.68(3).
2. An application for initial licensure of a community-based residential facility under Wis. Stats. § 50.03(4).
3. Proposed designation of a street, road or public way, or any part thereof, wholly within the jurisdiction of the town, as a pedestrian mall under Wis. Stats. § 66.0905.
4. Matters relating to the establishment or termination of an architectural conservancy district under Wis. Stats. § 66.1007.
5. Matters relating to the establishment of a reinvestment neighborhood required to be referred under Wis. Stats. § 66.1107, Wis. Stats.
6. Matters relating to the establishment or termination of a business improvement district required to be referred under Wis. Stats. § 66.1109.
7. A proposed housing project under Wis. Stats. § 66.1211(3).
8. Matters relating to urban redevelopment and renewal in the town required to be referred under Wis. Stats. subch. XIII of ch. 66.
9. The adoption or amendment of a town subdivision or other land division ordinance under Wis. Stats. § 236.45(4).
10. Any other matter required by the Wisconsin Statutes to be referred to the town plan commission.

C. Required Referrals

In addition to referrals required by the Wisconsin Statutes, the following matters shall be referred to the town plan commission for report:

1. Any proposal, under Wis. Stats. § 59.69, for the town to approve general county zoning so that it takes effect in the town, or to remain under general county zoning.
2. Proposed regulations or amendments relating to historic preservation under Wis. Stats. § 60.64.
3. A proposed driveway access ordinance or amendment.
4. A proposed town official map ordinance under Wis. Stats. § 62.23(6), or any other proposed town ordinance under Wis. Stats. § 62.23, not specifically required by the Wisconsin Statutes to be referred to the town plan commission.
5. A proposed town zoning ordinance or amendment adopted under authority separate from or supplemental to Wis. Stats. § 62.23, including a town construction site erosion control and stormwater

management zoning ordinance under Wis. Stats. § 60.627(6), and a town exclusive agricultural zoning ordinance under Wis. Stats. subch. V of ch. 91.

6. An application for a rezone or conditional use permit pursuant to county zoning under Wis. Stats. § 59.69 and the established town and county review process
7. A proposed site plan.
8. A proposed extraterritorial zoning ordinance or a proposed amendment to an existing ordinance under Wis. Stats. § 62.23(7a).
9. A proposed boundary change pursuant to an approved cooperative plan agreement under sec. 66.0307, Wis. Stats., or a proposed boundary agreement under sec. 66.0225, Wis. Stats., or other authority.
10. A proposed zoning ordinance or amendment pursuant to an agreement in an approved cooperative plan under Wis. Stats. § 66.0307(7m).
11. Any proposed plan, element of a plan or amendment to such plan or element developed by the regional planning commission and sent to the town for review or adoption.
12. Any proposed contract, for the provision of information, or the preparation of a comprehensive plan, an element of a plan or an implementation measure, between the town and the regional planning commission, under Wis. Stats. § 66.0309, another unit of government, a consultant or any other person or organization.
13. A proposed ordinance, regulation or plan, or amendment to the foregoing, relating to a mobile home park under Wis. Stats. § 66.0435.
14. A proposed agreement, or proposed modification to such agreement, to establish an airport affected area, under Wis. Stats. § 66.1009.
15. A proposed town airport zoning ordinance under Wis. Stats. § 114.136(2).
16. A proposal to create environmental remediation tax incremental financing in the town under Wis. Stat § 66.1106.
17. A proposed county agricultural preservation plan or amendment, under Wis. Stats. subch. IV of ch. 91, referred by the county to the town, or proposed town agricultural preservation plan or amendment.
18. Any other matter required by any town ordinance or town board resolution or motion to be referred to the town plan commission.

D. Discretionary Referrals

The town board, or other town officer or body with final approval authority or referral authorization under the town ordinances, may refer any of the following to the town plan commission for report:

1. A proposed county development plan or comprehensive plan, proposed

element of such a plan, or proposed amendment to such plan.

2. A proposed county zoning ordinance or amendment.
3. A proposed county subdivision or other land division ordinance under Wis. Stat § 236.45, or amendment.
4. An appeal or permit application under the county zoning ordinance to the county zoning board of adjustment, county planning body or other county body.
5. A proposed intergovernmental cooperation agreement, under Wis. Stat § 66.0301, or other statute, affecting land use, or a municipal revenue sharing agreement under Wis. Stat § 66.0305.
6. A proposed plat or other land division under the county subdivision or other land division ordinance under Wis. Stat § 236.45.
7. A proposed county plan, under Wis. Stat § 236.46, or the proposed amendment or repeal of the ordinance adopting such plan, for a system of town arterial thoroughfares and minor streets, and the platting of lots surrounded by them.
8. Any other matter deemed advisable for referral to the town plan commission for report.

E. Referral period

No final action may be taken by the town board or any other officer or body with final authority on a matter referred to the town plan commission until the town plan commission has made its report, or thirty (30) days, or such longer period as stipulated by the town board, has passed since referral. The thirty (30) day period for referrals required by the Wisconsin Statutes may be shortened only if so authorized by statute. The thirty (30) day referral period, for matters subject to required or discretionary referral under the town's ordinances, but not required to be referred under the Wisconsin Statutes, may be made subject by the town board to a referral period shorter or longer than the thirty (30) day referral period if deemed advisable.

2.0900 TOWN BOARD OF REVIEW

2.0901 Members and Organization

- A. The town supervisors shall constitute the town board of review under Wis. Stats. § 70.46.
- B. The town clerk-treasurer, as an appointed position, may not serve on the town board of review.
- C. No town board of review may be constituted unless it includes at least one voting member who, within 2 years of the board's first meeting, has attended a training session under Wis. Stats. § 73.03(55) and unless that member is the town chairperson or the town chairperson's designee. The town clerk-treasurer shall provide an affidavit to the Wisconsin Department of Revenue stating whether the requirement under this subsection has been fulfilled.
- D. The town shall establish and maintain a public list of names of persons eligible and appointed by the town board to serve as alternate members of the town board of review. The list shall be arranged and maintained by the town clerk-treasurer in a priority order of probably and likely service as an alternate. The town clerk-treasurer shall notify any named member who has been lawfully removed under Wis. Stats. § 70.47(6m)(a) or (b), and shall then notify the alternate member of his or her appointment to replace a named member of the town board of review. The alternate, once notified, if he or she approves the appointment, and if the appointment would not violate Wis. Stats. § 19.59, shall take the oath of office and act as a member of the town board of review under Wis. Stats. § 70.47(6m)(c).
- E. The town clerk-treasurer shall act as recording secretary of the town board of review, but shall not be considered a member of the town board of review for purposes of consideration and vote on matters before the town board of review.

2.0902 Powers and Duties

The town board of review shall have the powers and duties prescribed in Wis. Stat § 70.47.

2.0903 Proceedings

- A. **Time and Place of Meeting**

The town board of review shall meet annually at any time during the 45-day period beginning on the 4th Monday of April, but no sooner than 7 days after the last day on which the assessment roll is open for examination under Wis. Stats. § 70.45. The town board of review shall meet at the town hall. Two members shall constitute a quorum.
- B. **Notices**

At least 15 days before the first session of the town board of review, or at least 30 days before the first session of the board of review in any year in which the town conducts a revaluation under Wis. Stats. § 70.05, the town

clerk-treasurer shall publish a class 1 notice under Wis. Stats. ch. 985, place a notice in at least 3 public places and place a notice on the door of the town hall of the time and place of the first meeting of the town board of review under Section 2.0903(D) and of the requirements under Sections 2.0903(J)(2) and (4) to (7).

C. Open Meetings

All meetings of the town board of review shall be publicly held and open to all citizens at all times. No formal action of any kind shall be introduced, deliberated upon or adopted at any closed session or meeting of a board of review.

D. Sessions

1. At its first meeting, the town board of review:
 - (a) Shall receive the assessment roll and sworn statements from the town board of review clerk.
 - (b) Shall be in session at least 2 hours for taxpayers to appear and examine the assessment roll and other assessment data.
 - (c) Shall schedule for hearing each written objection that it receives during the first 2 hours of the meeting or that it received prior to the first meeting.
 - (d) Shall grant a waiver of the 48-hour notice of an intent to file a written or oral objection if a property owner who does not meet the notice requirement appears before the board during the first 2 hours of the meeting, shows good cause for failure to meet the 48-hour notice requirement and files a written objection.
 - (e) May hear any written objections if the town board of review gave notice of the hearing to the property owner and the assessor at least 48 hours before the beginning of the scheduled meeting or if both the property owner and the assessor waive the 48-hour notice requirement.
2. The assessor shall be present at the first meeting of the town board of review.
3. For each properly filed written objection that the town board of review receives and schedules during its first meeting, but does not hear at the first meeting, the town board of review shall notify each objector and the assessor, at least 48 hours before an objection is to be heard, of the time of that hearing. If, during any meeting, the town board of review determines that it cannot hear some of the written objections at the time scheduled for them, it shall create a new schedule, and it shall notify each objector who has been rescheduled, at least 48 hours before the objection is to be heard, of the new time of the hearing.
4. If an objector fails to provide written or oral notice of an intent to object

48 hours before the first scheduled meeting, fails to request a waiver of the notice requirement under Section 2.0903(D)(4), appears before the board at any time up to the end of the 5th day of the session or up to the end of the final day of the session if the session is less than 5 days, files a written objection and provides evidence of extraordinary circumstances; the board of review may waive all notice requirements and hear the objection.

5. If the assessment roll is not completed at the time of the first meeting, the town board of review shall adjourn for the time necessary to complete the roll, and shall post a written notice on the outer door of the place of meeting stating the time to which the meeting is adjourned.

E. Adjournment

The town board or review may adjourn from time to time until its business is completed. If an adjournment be had for more than one day, a written notice shall be posted on the outer door of the place of meeting, stating to what time said meeting is adjourned.

F. Records

The town clerk-treasurer shall keep a record in the minute book of all proceedings of the town board of review.

G. Board's Duty

The town board of review shall carefully examine the roll or rolls and correct all apparent errors in description or computation and shall add all omitted property as provided in Wis. Stats. § 70.47(10). The board shall not raise or lower the assessment of any property except after hearing as provided in Sections 2.0903(K) and 2.0903(N) and Wis. Stats. §§ 70.47(8) and (10).

H. Removal of a Member

1. The town shall remove, for the hearing on an objection, a member of the town board of review if any of the following conditions applies:
 - (a) A person who is objecting to a valuation, at the time that the person provides written or oral notice of an intent to file an objection and at least 48 hours before the first scheduled session of the town board of review or at least 48 hours before the objection is heard if the objection is allowed under Section 2.0903(D)(1), requests the removal, except that no more than one member of the town board of review may be removed under this subdivision.
 - (b) A member of the town board of review has a conflict of interest under an ordinance of the town in regard to the objection.
 - (c) A member of the town board of review has a bias in regard to the objection and, if a party requests the removal of a member for a bias, the party submits with the request an affidavit stating that the

party believes that the member has a personal bias or prejudice against the party and stating the nature of that bias or prejudice.

2. A member of a town board of review who would violate Wis. Stats. § 19.59 by hearing an objection shall recuse himself or herself from that hearing. The town clerk-treasurer shall provide to the Wisconsin Department of Revenue an affidavit declaring whether the requirement under this subsection is fulfilled.
3. If a member or members are removed under Section 2.0903(H)(1) or are recused under Section 2.0903(H)(2), the town board of review may replace the member or members or its remaining members may hear the objection, except that no fewer than 3 members may hear the objection.

I. Comments

Any person may provide to the town clerk-treasurer written comments about valuations, assessment practices and the performance of an assessor. The town clerk-treasurer shall provide all of those comments to the town chairperson.

J. Objections to Valuations

1. The town board of review may not hear an objection to the amount or valuation of property unless, at least 48 hours before the board's first scheduled meeting, the objector provides to the town clerk-treasurer written or oral notice of an intent to file an objection, except that, upon a showing of good cause and the submission of a written objection, the town board of review shall waive that requirement during the first 2 hours of the board's first scheduled meeting, and the town board of review may waive that requirement up to the end of the 5th day of the session or up to the end of the final day of the session if the session is less than 5 days with proof of extraordinary circumstances for failure to meet the 48-hour notice requirement and failure to appear before the town board of review during the first 2 hours of the first scheduled meeting. Objections to the amount or valuation of property shall first be made in writing and filed with the town clerk-treasurer within the first 2 hours of the board's first scheduled meeting, except that, upon evidence of extraordinary circumstances, the board may waive that requirement up to the end of the 5th day of the session or up to the end of the final day of the session if the session is less than 5 days. The town board of review may require such objections to be submitted on forms approved by the Wisconsin Department of Revenue, and the town board of review shall require that any forms include stated valuations of the property in question. Persons who own land and improvements to that land may object to the aggregate valuation of that land and improvements to that land, but no person who owns land and improvements to that land may object only to the valuation of that land or only to the valuation of improvements to that land. No person shall

- be allowed in any action or proceedings to question the amount or valuation of property unless such written objection has been filed and such person in good faith presented evidence to the town board of review in support of such objections and made full disclosure before the town board of review, under oath of all of that person's property liable to assessment in the town and the value thereof. The requirement that it be in writing may be waived by express action of the town board of review.
2. No person shall be allowed to appear before the town board of review, to testify to the board by telephone or to contest the amount of any assessment of real or personal property if the person has refused a reasonable written request by certified mail of the assessor to enter onto property to conduct an exterior view of the real or personal property being assessed.
 3. For the purpose of this section, the managing entity, as defined in Wis. Stats. § 707.02(15), or its designees, may be considered the taxpayer as an agent for the time-share owner, as defined in Wis. Stats. § 707.02(31), and may file one objection and make one appearance before the town board of review concerning all objections relating to a particular real property improvement and the land associated with it. A time-share owner may file one objection and make one appearance before the town board of review concerning the assessment of the building unit in which he or she owns a time share.
 4. After the first meeting of the town board of review and before the board's final adjournment, no person who is scheduled to appear before the town board of review may contact, or provide information to, a member of the town board of review about that person's objection except at a session of the town board of review.
 5. No person may appear before the town board of review, testify to the board by telephone or contest the amount of any assessment unless, at least 48 hours before the first meeting of the board or at least 48 hours before the objection is heard if the objection is allowed under 2.0903(D)(1), that person provides to the town clerk-treasurer notice as to whether the person will ask for removal under Section 2.0903(H)(1) and if so which member will be removed and the person's reasonable estimate of the length of time that the hearing will take.
 6. When appearing before the town board of review, the person shall specify, in writing, the person's estimate of the value of the land and of the improvements that are the subject of the person's objection and specify the information that the person used to arrive at that estimate.
 7. No person may appear before the town board of review, testify to the board by telephone or object to a valuation; if that valuation was made by the assessor or the objector using the income method; unless no later than 7 days before the first meeting of the town board of review the

person supplies to the assessor all of the information about income and expenses, as specified in the manual under Wis. Stats. § 73.03(2a), that the assessor requests. Section 2.0904 provides for the confidentiality of information about income and expenses that is provided to the assessor under this section and provides 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 a court. The information that is provided under this section is not subject to the right of inspection and copying under Wis. Stats. § 19.35(1) unless a court determines before the first meeting of the town board of review that the information is inaccurate.

K. Hearings

The town board of review shall hear upon oath all persons who appear before it in relation to the assessment. Instead of appearing in person at the hearing, the town board of review may allow the property owner, or the property owner's representative, at the request of either person, to appear before the town board of review, under oath, by telephone or to submit written statements, under oath, to the town board of review. The town board of review shall hear upon oath, by telephone, all ill or disabled persons who present to the town board of review a letter from a physician, osteopath, physician assistant, as defined in Wis. Stats. § 448.01(6), or advanced practice nurse prescriber certified under Wis. Stats. § 441.16(2) that confirms their illness or disability. At the request of the property owner or the property owner's representative, the town board of review may postpone and reschedule a hearing under this subsection, but may not postpone and reschedule a hearing more than once during the same session for the same property. The town board of review at such hearing shall proceed as follows:

1. The town clerk-treasurer shall swear all persons testifying before it or by telephone in relation to the assessment.
2. The owner or the owner's representatives and the owner's witnesses shall first be heard.
3. The town board of review may examine under oath such persons as it believes have knowledge of the value of such property.
4. The town board of review may and upon request of the assessor or the objector shall compel the attendance of witnesses, except objectors who may testify by telephone, and the production of all books, inventories, appraisals, documents and other data which may throw light upon the value of property.
5. All proceedings shall be taken in full by a stenographer or by a recording device, the expense thereof to be paid by the town. The town board of review may order that the notes be transcribed, and in case of an appeal or other court proceedings they shall be transcribed. If the proceedings are taken by a recording device, the town clerk-treasurer shall keep a list of persons speaking in the order in which they speak.

6. The town clerk-treasurer's notes, written objections and all other material submitted to the town board of review, tape recordings of the proceedings and any other transcript of proceedings shall be retained for at least 7 years, shall be available for public inspection and copies of these items shall be supplied promptly at a reasonable time and place to anyone requesting them at the requester's expense.
7. All determinations of objections shall be by roll call vote.
8. The assessor shall provide to the town board of review specific information about the validity of the valuation to which objection is made and shall provide to the town board of review the information that the assessor used to determine that valuation.
9. The town board of review shall presume that the assessor's valuation is correct. That presumption may be rebutted by a sufficient showing by the objector that the valuation is incorrect.

L. Hearing Waiver

The town board of review may, at the request of the taxpayer or assessor, or at its own discretion, waive the hearing of an objection under Section 2.0902(K) and allow the taxpayer to have the taxpayer's assessment reviewed under Section 2.0903(Q). For purposes of this section, the town board of review shall submit the notice of decision under Section 2.0903(P) using the amount of the taxpayer's assessment as the finalized amount. For purposes of this subsection, if the town board of review waives the hearing, the waiver disallows the taxpayer's claim on excessive assessment under Wis. Stats. § 74.37(3) and, notwithstanding the time period under Wis. Stats. § 74.37(3)(d), the taxpayer has 60 days from the notice of the hearing waiver in which to commence an action under Wis. Stats. § 74.37(3)(d).

M. Correction of Assessments

1. From the evidence before it the town board of review shall determine whether the assessor's assessment is correct. If the assessment is too high or too low, the town board of review shall raise or lower the assessment accordingly and shall state on the record the correct assessment and that that assessment is reasonable in light of all of the relevant evidence that the town board of review received. A majority of the members of the town board of review present at the meeting to make the determination shall constitute a quorum for purposes of making such determination, and a majority vote of the quorum shall constitute the determination. In the event there is a tie vote, the assessment shall be sustained.
2. A town board of review member may not be counted in determining a quorum and may not vote concerning any determination unless, concerning such determination, such member:
 - (a) Attended the hearing of the evidence; or

- (b) Received the transcript of the hearing no less than 5 days prior to the meeting and read such transcript; or
- (c) Received a mechanical recording of the evidence no less than 5 days prior to the meeting and listened to such recording; or
- (d) Received a copy of a summary and all exceptions thereto no less than 5 days prior to the meeting and read such summary and exceptions. In this subdivision “summary” means a written summary of the evidence prepared by one or more town board of review members attending the hearing of evidence, which summary shall be distributed to all town board of review members and all parties to the contested assessment and “exceptions” means written exceptions to the summary of evidence filed by parties to the contested assessment.

N. Assessment by Town Board of Review

If the town board of review has reason to believe, upon examination of the roll and other pertinent information, that other property, the assessment of which is not complained of, is assessed above or below the general average of the assessment of the town, or is omitted, the town board of review shall:

1. Notify the owner, agent or possessor of such property of its intention to review such assessment or place it on the assessment roll and of the time and place fixed for such hearing in time to be heard before the town board of review in relation thereto, provided the residence of such owner, agent or possessor be known to any member of the town board of review or the assessor.
2. Fix the day, hour and place at which such matter will be heard.
3. Subpoena such witnesses, except objectors who may testify by telephone, as it deems necessary to testify concerning the value of such property.
4. At the time appointed proceed to review the matter as provided in Section 2.0903(K).

O. Parties

In all proceedings before the town board of review the town shall be a party in interest to secure or sustain an equitable assessment of all the property in the town.

P. Notice of Decision

Prior to final adjournment, the town board of review shall provide the objector, or the appropriate party under Section 2.0903(N), notice by personal delivery or by mail, return receipt required, of the amount of the assessment as finalized by the town board of review and an explanation of appeal rights and procedures under Wis. Stats. §§ 70.47(13), 70.85, 74.35 and 74.37. Upon delivering or mailing the notice under this subsection, the town clerk-treasurer

shall prepare an affidavit specifying the date when that notice was delivered or mailed.

Q. Certiorari

Except as provided in Wis. Stats. §70.85, appeal from the determination of the town board of review shall be by an action for certiorari commenced within 90 days after the taxpayer receives the notice under Section 2.0903(P) and conducted pursuant to Wis. Stats. §70.47(13).

R. Tax payments

In the event the town board of review has not completed its review or heard an objection to an assessment on real or personal property prior to the date the taxes predicated upon such assessment are due, or in the event there is an appeal as provided in Section 2.0903(Q) and Wis. Stats. § 74.37 from the correction of the town board of review to the court, the time for payment of such taxes as levied is the same as provided in Wis. Stats. ch. 74 and if not paid in the time prescribed, such taxes are delinquent and subject to the same provisions as other delinquent taxes.

S. Saving clause

Nothing herein contained shall be construed to alter any of the provisions of Wis. Stats. § 70.35.

T. Summary of proceedings

After the town board of review has completed its determinations, the town clerk-treasurer shall prepare a summary of the proceedings and determinations, on forms prescribed by the Wisconsin Department of Revenue, which shall include the following information:

1. Name of taxpayer;
2. Description or designation of the property subject to the objection;
3. Amount of the assessment about which taxpayer objected;
4. Names of any persons who appeared on behalf of taxpayer; and
5. The town board of review's determination on taxpayer's objection.

U. Tampering with Notices

Whoever intentionally alters, damages, removes or conceals any public notice, posted as required by sub. (2), before the expiration of the time for which the notice was posted, may be fined not more than \$200.

2.0904 Confidentiality of Income & Expenses Records

A. Purpose

The purpose of this section is to provide confidentiality of the records of taxpayers who provide income and expense record information to the town assessor for purposes of valuation of real property in the town owned by

those taxpayers.

B. Adoption by Reference and Confidentiality Requirement

This section adopts Wis. Stat. § 70.47(7)(af) by reference. Income and expense information provided by a property owner to the town assessor for the purpose of establishing valuation for assessment purposes by the income method of valuation shall be confidential and not a public record open to inspection or copying under Wis. Stats. §19.35(1). Unless a court determines that the information is inaccurate, the information provided to the assessor is not subject to the right of inspection or copying as a public record under Wis. Stats. § 19.35(1).

C. Exceptions to Confidentiality

A town officer may make public disclosure or allow access to income and expense information provided by a property owner to the town assessor for the purpose of establishing valuation for assessment purposes by the income method of valuation in his or her possession as provided below:

1. The town assessor shall have access to the provided income and expense information in the performance of his or her duties.
2. The town board of review may review the provided income and expense information when needed, in its opinion, to decide upon a contested assessment.
3. Any person or body who has the right or whose duty in his or her office is to review the provided income and expense information shall have access to the information.
4. A town officer who is complying with a court order may release the provided income and expense information in accordance with the court's order.
5. If the provided income and expense information has been determined by a court to be inaccurate, the information is open and public.
6. If the property owner has provided written approval for public disclosure or limited disclosure to that person and the town board has approved the disclosure, the provided income and expense information is open and public to the extent approved.

2.1000 JOINT MUNICIPAL COURT

2.1001 Municipal Court Created

Pursuant to the authority granted by Chapter 755 of the Wisconsin Statutes, there is hereby created and established a Joint Municipal Court to be designated "Gillett Joint Municipal Court" said court to become operative and function on May 7th, 2018.

2.1002 Municipal Judge

- A. Qualifications: The Joint Court shall be under the jurisdiction of and presided over by a Municipal Judge, who resides in one of the municipalities that is a party to the agreement forming this joint court.
- B. Oath and Bond: The Judge shall, after election or appointment to fill a vacancy, take and file the official oath as prescribed in §757.02(1), Wis. Stats., and at the same time execute and file an official bond in the amount of twelve thousand dollars (\$12,000.00). The Judge shall not act until the oath and bond have been filed as required by §19.01(4)(c) Wis. Stats., and the requirements of §755.03(2) Wis. Stats., have been complied with.
- C. Salary: The salary of the Municipal Judge shall be fixed by the Town Boards and Village Boards of the municipalities that are parties to the agreement which shall be in lieu of fees and costs. No salary shall be paid for any time during the term during which such Judge has not executed the official bond or official oath, as required by §755.03, Wis. Stats., and filed pursuant to §19.01(4)(c) Wis. Stats. The municipalities may by separate ordinance allocate funds for the administration of the Municipal Court pursuant to §66.0301 Wis. Stats. The salary of the Municipal Judge shall not be diminished during the term of office and if any additional municipalities join the court during a term of office the salary of the Municipal Judge shall be increased so that the Municipal Judge receives the same compensation from the new municipality as it receives from each of the previously existing municipalities.

2.1003 Elections

- A. Term: The Municipal Judge shall be elected at large in the spring election in odd numbered years commencing in April of 2021, for a term of four years, commencing on May 1 succeeding the election. All candidates for the position of Municipal Judge shall be nominated by nomination papers as provided in §8.10, Wis. Stats., and selection at a primary election if such is held as provided in §8.11, Wis. Stats. The State elections board shall serve as filing officer for the candidates.
- B. Electors: Electors in all municipalities that are parties to the agreement shall vote for judge.

2.1004 Jurisdiction

The Municipal Court shall have jurisdiction over incidents occurring on or after May 7th, 2018 as provided in Article VII, §14 of the Wisconsin Constitution, §§755.045 and 755.05, Wis. Stats., and as other provided by State Law. In addition, it shall have exclusive jurisdiction over actions in the municipalities that are parties to the agreement seeking to impose forfeitures for violations of municipal ordinances, resolutions and by-laws.

The Municipal Judge may issue civil warrants to enforce matters under the jurisdiction of the Municipal Court under §755.045(2), §66.0119, Wis. Stats.

The Municipal Court has jurisdiction over juvenile offenders when a municipality that is party to the agreement enacts an ordinance under the authority of §938.17(2)(cm), Wis. Stats.

2.1005 Municipal Court

- A. Hours: The Municipal court shall be open at such location and at such times as determined by the governing bodies of the municipalities that are parties to the agreement and the Municipal Judge.
- B. Employees: The Judge shall, in writing, appoint such clerks and deputy clerks as authorized and funded by the Town Boards and Village Board of the municipalities that are parties to the agreement.

2.1006 Collection of Forfeitures and Costs

The Municipal Judge may impose punishment and sentences as provided by Chapters 800 and 938 Wis. Stats., and as provided in the ordinances of the municipalities that are parties to the agreement. All forfeitures, fees, assessments, surcharges and costs shall be paid to the treasurer of the Municipality within which the case arose within 30 days after receipt of the money by the Municipal Court. At the time of the payment, the Municipal Court shall report to the treasurer the title of the action, the nature of the offenses and total amount of judgments imposed in actions and proceedings in which such monies were collected.

2.1007 Contempt of Court

The Municipal Judge, after affording an opportunity to the person accused to be heard in defense, may impose a sanction authorized under §800.12 Wis. Stats. and may impose a forfeiture therefore not to exceed that listed in the current state statute (currently \$200) or upon nonpayment of the forfeiture and the assessments thereon, a jail sentence not to exceed that listed in the current state statute (currently 7 days).

2.1008 Abolition

The Municipal court hereby established shall not be abolished with the §755.01(4) agreement in effect.

2.1100 ALTERNATIVE CLAIMS PROCEDURE

2.1101 Purpose

The purpose of this ordinance is to authorize an alternative procedure for approving financial claims against the town that are in the nature of bills and vouchers.

2.1102 Applicability

Payments of claims against the town may be made from the town treasury under the procedure established in Section 2.1103 for bills or vouchers that are of a routine nature, namely: payroll, utility bills, credit card billings.

2.1103 Procedure

- A. Subject to the restrictions under Section 2.1102, the payment of a claim against the town may be made from the town treasury if the town clerk-treasurer approves in writing the claim as a proper charge against the town

treasury. A claim against the town is a proper charge against the town treasury if the town clerk-treasurer determines that all of the following conditions have been met:

1. Funds are available under the town budget to pay the bill or voucher.
 2. The item or service covered by the bill or voucher has been authorized by the town board or an authorized town official, agent, or employee.
 3. The item or service covered by the bill or voucher has been actually supplied or rendered in conformity with the authorization.
 4. The claim appears to be a valid claim against the town.
- B. The town clerk-treasurer may require submission of proof to determine compliance with the conditions under Section 2.1103(A) prior to approval.
- C. After determining that the conditions under Section 2.1103(A) have been met, the town clerk-treasurer shall indicate approval of the claim by placing his or her signature on the bill or voucher. Upon approval of a bill or voucher under this procedure, the town clerk-treasurer shall prepare and sign a check and have it countersigned by the town chairperson, pursuant to Wis. Stats. § 66.0607. The town clerk-treasurer shall then mail or deliver the completed checks to the appropriate parties.
- D. At least monthly, the town clerk-treasurer shall file with the town board a written list of claims approved pursuant to this ordinance. The list shall include the date paid, name of the claimant, purpose, and the amount.

2.1200 RECORDS ACCESS

2.1201 Purpose

Pursuant to Wis. Stats. § 19.34, the town is required to 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 for 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. This section adopts a notice of records access pursuant to Wis. Stats. § 19.34.

2.1202 Adoption of Notice of Records Access

The town adopts the form of notice of records access shown below. Upon any change in the name or address of an official set forth in the notice of records access, the town clerk-treasurer shall revise and repost the notice of records access to include that change. The notice of records access shall be prominently displayed and made available for inspection and copying at the town's offices, for the guidance of the public.

NOTICE OF RECORDS ACCESS

The Clerk-Treasurer of the Town of Doty, Oconto County, Wisconsin, by this notice states the Clerk-Treasurer of the Town of Doty under Wis. Stats. § 19.33 is the legal custodian of records for the Town of Doty, except that elected officials are the custodians of their own records of office. The public may obtain information and access to records in the custody of the Clerk-Treasurer as follows:

The Clerk-Treasurer does not maintain regular office hours at the location where the records are kept. The Clerk-Treasurer will permit access to town records in the custody of the Clerk-Treasurer upon written or oral notice to the Clerk-Treasurer of the intent to inspect or copy a record. Records which are readily available will be provided promptly. If a search is necessary to locate records, you will be so advised and the record(s) will be provided as soon as practicable. The location of the records in the custody of the Clerk-Treasurer is the Doty town hall.

<u>NAME</u>	<u>POSITION</u>	<u>CONTACT</u>
Cheryl Field	Clerk-Treasurer	715 276-7554

As required, pursuant to Wis. Stats. § 19.34 (1), each local public office of the town is listed below. The public may obtain information and access records in the custody of elected officials and chairpersons of committees of elected officials as custodians of their own records of office as follows:

<u>NAME</u>	<u>POSITION</u>	<u>CONTACT</u>
Andrew Stemp	Chairman	608 772-6098
Bob Gaie	Supervisor	715 276-2320
Andy Dryja	Supervisor	715 850-0550

The fees for satisfying record requests under Wis. Stats. § 19.35 are listed in the town fee schedule.

- 2.1300 RESERVED**
- 2.1400 RESERVED**
- 2.1500 RESERVED**