

## **Title 2**

### **ADMINISTRATION AND PERSONNEL**

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## Chapter 2.04

### MEETINGS OF THE VILLAGE BOARD--TIME AND PLACE

#### Sections:

- 2.04.010 Regular Meetings.**
- 2.04.011 Presiding Officer.**
- 2.04.020 Special Meetings.**
- 2.04.030 Waiver Of Notice Of Special Meetings.**

#### **2.04.010 Regular Meetings.**

A. Regular meetings of the Village Board shall be held in the Village Hall commencing at six thirty (6:30) p.m. on the third Monday of each month.

B. When the third Monday of a month shall fall on a legal holiday, the Regular Board Meeting shall be held on the first succeeding secular day.

(Ord. 2015-5-1; Ord. 2000-7-2; Ord. 93-5-1; Ord. 87-4-9 (part); part of Ord. passed 9/27/73; prior code § 1.01).

#### **2.04.011 Presiding Officer.**

The President of the Village Board of Trustees shall preside at all meetings of the Board and shall undertake other duties and responsibilities as described in State Law and in this Code. In the President's absence, the senior Trustee shall preside at any meetings at which the Village President would normally preside and, at such times as the Village President's absence prevents a timely response to a specific situation, shall be authorized to undertake the aforementioned duties and responsibilities. The senior Trustee shall be determined by counting the total length of time each Trustee has served including the current term to date and all other terms as Trustee. (Ord. 2009-9-2; Ord. 2007-1-1; 2006-11-1; Ord. 2000-5-1; Ord. 87-4-9 (part)).

#### **2.04.020 Special Meetings.**

All special meetings of the Village Board shall be held at the place where Regular meetings of the Board are held. Special meetings may be called by any two (2) Trustees in writing filed with the Clerk, and the Clerk shall thereupon reasonably notify all of the Trustees, by phone or email; the Clerk is required to cause an affidavit showing the service of such notice as above provided for to be filed in his/her office prior to the time fixed for such special meeting. The Clerk shall give notice immediately upon the call for such meeting being filed with him/her. (Ord. 2015-5-1; Part of Ord. passed 9/27/73; prior code § 1.02).

#### **2.04.030 Waiver Of Notice Of Special Meetings.**

Special meetings may be held without the notice specified in Section 2.04.020 when all members of said Board are present in person and consent in writing to the holding of such meeting, such written consent to be filed with the Clerk prior to the calling of such meeting.

(Part of Ord. passed 9/27/73; prior code § 1.03).

## Chapter 2.08

### MEETINGS OF THE VILLAGE BOARD--RULES

#### Sections:

- 2.08.010 Order Of Business.**
- 2.08.020 Calling Of Adjourned Meetings--Appointment Of Committees.**
- 2.08.030 Division--Ayes And Noes.**
- 2.08.040 Order Of Voting.**
- 2.08.050 Members Not To Speak More Than Twice.**
- 2.08.060 Referral To Committee Or Officer.**
- 2.08.070 Precedence Of Motions.**
- 2.08.080 Reconsideration Of Votes.**
- 2.08.090 Call For The Previous Question.**
- 2.08.100 Standing Committees.**
- 2.08.110 Standing Committees--General Duties.**
- 2.08.120 General Rules Of Order.**
- 2.08.130 Members To Present All Business.**
- 2.08.140 Suspension Of Rules.**
- 2.08.150 Verification Of Accounts Before Audit.**
- 2.08.160 Adoption And Publication Of Ordinances.**

#### **2.08.010 Order Of Business.**

The business of the Village Board shall be conducted in the following order:

- A. Roll call.
- B. Review of minutes of the previous meeting and approval of same.
- C. Presentation of accounts and allowance or disallowance of same.
- D. Public Comments on agenda items.
- E. President and Standing Committee Reports.
- F. Citizen comments on items not on the agenda.

(Ord. 2015-5-2; Part of Ord. passed 9/27/73; prior code § 1.04).

#### **2.08.020 Calling Of Adjourned Meetings--Appointment Of Committees.**

The President shall appoint all Committees subject to Board approval.

(Ord. 2001-6-1; part of Ord. passed 9/27/73; prior code § 1.05).

#### **2.08.030 Division--Ayes And Noes.**

On all questions it shall be in order for a division or for the ayes and noes, if made previously to the decision of the President. (Part of Ord. passed 9/27/73; prior code § 1.06).

#### **2.08.040 Order Of Voting.**

At Village meetings the Village Administrator is directed and required, upon roll calls, to call the names of the members of the Board of Trustees in alphabetical order with the President voting last.

(Ord. 2015-5-2; Part of Ord. passed 9/27/73; prior code § 1.07).

#### **2.08.050 Members Not To Speak More Than Twice.**

No member shall speak more than twice on the same question except by leave of the Board.

(Part of Ord. passed 9/27/73; prior code § 1.08).

#### **2.08.060 Referral To Committee Or Officer.**

Every paper, writing and every manner of proceedings that come before the Board for action may be referred by the President, without motion of the Village Board, to the appropriate Committee or Officer. The President shall have such referral authority a maximum of two (2) times on a particular paper, writing or manner of proceeding. (Ord. 2002-5-3).

**2.08.070 Precedence Of Motions.**

When a question is in debate, no action shall be in order except:

- A. To adjourn.
- B. To lay on the table.
- C. The previous question.
- D. To postpone to a certain date.
- E. To refer to a Standing, Select or Special Committee.
- F. To amend.
- G. To postpone indefinitely.

and these several motions shall have precedence in the order in which they stand.  
(Part of Ord. passed 9/27/73; prior code § 1.10).

**2.08.080 Reconsideration Of Votes.**

It shall be in order for any member if in the majority to move for the reconsideration of any vote in question at the same meeting or at the next succeeding regular or adjourned meeting. A motion to reconsider being put and lost shall not be renewed. (Part of Ord. passed 9/27/73; prior code § 1.11).

**2.08.090 Call For The Previous Question.**

Any member desirous of terminating the debate may call the previous question when the question announced by the President shall be "Shall the main question be put?" If a majority of the members present vote in the affirmative the main question shall be put without further debate, and its effect shall be to put an end to all debate and bring the Board to a direct vote, first upon the pending amendment, and then upon the main question. (Part of Ord. passed 9/27/73; prior code § 1.12).

**2.08.100 Standing Committees.**

The Standing Committees of the Village Board shall consist of three (3) members each, and unless otherwise ordered by the Village Board shall be appointed by the President, as follows:

- A. Streets and Roads, Equipment, Streetlights, Weeds, Lake Planning and Protection.
- B. Administration, Finance, Judiciary and Licensing.
- C. Police, Fire, Lake Control, Parks and Beaches.
- D. Building and Zoning, Plan Commission and Public Buildings.
- E. Cemetery, Recycling, Sanitation and Seniors.
- F. Sewer, Health and Environment, Youth and Library. (Ord. 2005-5-1; Ord. 2003-4-1; Ord. 2002-5-1).

**2.08.110 Standing Committees--General Duties.**

A. Each Standing Committee shall function in a general supervisory and advisory relation within their indicated jurisdictions, and no Standing Committee shall exercise any other powers except as specifically authorized by State Laws or act of the Board:

- 1. Insure that Committee funds are spent for the purpose for which they are appropriated;
- 2. Examine and either approve or disapprove bills presented to the Committee for payment;
- 3. Guarantee, insofar as possible, that Committee operations are efficient and the public interest is served at all times;
- 4. Report to the Village Board all major developments within the Committee;

5. Examine and review major Committee purchases and contents;
  6. Inform the Village Board of the needs of expanded facilities, increased services or other necessary changes;
  7. Assist in preparing the Annual Committee Budget;
  8. Make studies, present reports and perform such duties as the Board may direct.
- B. Each Committee shall have a Chairman who will be appointed by the President during the Annual Reorganizational Meeting. The Chairman shall set the time and place for all meetings of his Committee. (Part of Ord. passed 9/27/73; prior code § 1.131).

**2.08.120 General Rules Of Order.**

The deliberations of this Board while in session shall be governed by the Manual of Parliamentary Practice commonly known as “Robert’s Rules of Order, Revised” except when otherwise limited or modified by this Code. (Part of Ord. passed 9/27/73; prior code § 1.14).

**2.08.130 Members To Present All Business.**

No business shall be considered by the Board unless presented by a member of the Board. (Part of Ord. passed 9/27/73; prior code § 1.15).

**2.08.140 Suspension Of Rules.**

Any of the provisions of Sections 2.08.010 through 2.08.130 may be suspended temporarily by a two-thirds (2/3) vote of the members present at any meeting. (Part of Ord. passed 9/27/73; prior code § 1.16).

**2.08.150 Verification Of Accounts Before Audit.**

Every account presented to the Board to be audited shall be verified as provided by law and shall not be allowed or directed to be paid until examined by the Finance Committee. (Part of Ord. passed 9/27/73; prior code § 1.17).

**2.08.160 Adoption And Publication Of Ordinances.**

All Ordinances and By-Laws shall be signed by the President and countersigned by the Village Clerk, and shall, before taking effect, be published or posted according to the Statutes. (Ordinance 2015-5-2; Prior code § 19.07).

## NOMINATION AND ELECTION OF OFFICERS

### Sections:

**2.12.010 Nomination And Election Of Officers.**

**2.12.020 Nomination Of Officials.**

**2.12.021 Nonpartisan Primary.**

### **2.12.010 Nomination And Election Of Officers.**

The Officers of the Village, and the election and nomination therefor, shall be conducted according to Chapters 5 and 6 of the Wisconsin Statutes, and any vacancy created by death or resignation shall be filled according to those Statutes. (Prior code § 18.01).

### **2.12.020 Nomination Of Officials.**

The nomination of elected officials shall be conducted according to WSA § 8.05. (Prior code § 18.02).

### **2.12.021 Nonpartisan Primary.**

A. It is provided that candidates for elective Village Office shall be nominated by a nonpartisan primary under and in accordance with the provisions of Section 8.05 of the Wisconsin Statutes and acts amendatory thereto.

B. Nomination papers shall be signed by not less than twenty (20) nor more than one hundred (100) Electors of the Village. The papers shall be circulated and filed in conformity with the provisions of Section 8.05 of the Wisconsin Statutes.

C. The nonpartisan primary shall be held only when the number of candidates for an elective office in the Village exceeds twice the number to be elected to office. Those offices for which a primary has been held shall have only the names of candidates nominated at the primary appear on the official Spring Election Ballot. When the number of candidates for an office does not exceed twice the number to be elected, their names shall be printed on the official ballot for the regular election without a primary. (Ord. 75-7-1).

## Chapter 2.16

### BONDS OF OFFICERS\*

#### Sections:

#### **2.16.010 Bonds Of Officers.**

\* For bond requirements of the Municipal Judge, see Section 2.52.050.

#### **2.16.010 Bonds Of Officers.**

The Clerk, Accountant/Treasurer and Administrator shall be bonded for no less than one thousand dollars (\$1,000.00) or be covered under an employee dishonesty insurance policy which includes faithful performance. (Ord. 2015-5-4; Ord. 98-9-2; Ord. 83-10-1; prior code § 16.01) (Ord. 2016-11-2).

## Chapter 2.20

### COMPENSATION OF OFFICERS

#### Sections:

**2.20.010 Compensation Of Officers.**

**2.20.011 Reimbursement.**

#### **2.20.010 Compensation Of Officers.**

The Village Board shall determine the annual salary to be paid the President, the Trustees, and other Officers of the Village, in accordance with the laws of the state. Salary schedules shall be reviewed and set during the formation and adoption of the Village budget; provided, that the salary of an elected official, who by virtue of the office is entitled to participate in the establishment of the salary attending the office, shall not during the term of such office collect salary in excess of the salary provided at the time of taking office; provided further, that the entrance salary for a newly elected Village Clerk or newly elected Village Treasurer, without previous experience as such Clerk or Treasurer for the Village, shall be five thousand dollars (\$5,000.00) per year. (Ord. 76-12-1; Ord. 76-5-1: part of Ord. passed 9/27/73; Ord. passed 3/13/72; prior code §§ 1.21, 12.01--12.06).

#### **2.20.011 Reimbursement.**

Elected or appointed Village Officials (with the exception of the Village Clerk and Village Treasurer) who must absent themselves from their normal daily duties due to Village-related business shall be entitled to reimbursement from the Village at a rate of thirty-seven dollars and fifty cents (\$37.50) per half day, and seventy-five dollars (\$75.00) per whole day, or as amended from time to time by the Village Board.

Reimbursement to any elected or appointed Village official shall be subject to the prior approval of the appropriate committee, or the Village Board. Retroactive approval may be granted by the committee or the Village Board for reimbursement upon a showing that prior approval was not practical due to time constraints or other valid reason. (Ord. 95-12-1; Ord. 91-11-1).

## Chapter 2.22

### VILLAGE ADMINISTRATOR

#### Sections:

- 2.22.010 Office of the Village Administrator.**
- 2.22.020 Appointment, Term of Office and Removal.**
- 2.22.030 Residency and Probation.**
- 2.22.040 Functions and Duties of The Administrator.**
- 2.22.050 Cooperation.**
- 2.22.060 Outside Employment.**
- 2.22.070 Conflict of Interest.**

#### **2.22.010 Office Of The Village Administrator.**

In order to provide the Village of Twin Lakes with a more efficient, effective and responsible government at a time when Village government is becoming increasingly complex, there is created the office of Village Administrator for the Village of Twin Lakes (hereinafter referred to as "Administrator"). (Ord. 98-8-1).

#### **2.22.020 Appointment, Term Of Office And Removal.**

The Administrator shall be appointed on the basis of merit with due regard to training, experience, administrative ability and general fitness for the office, by a majority vote of the Board. For the purposes of appointing or terminating the Administrator, the Board President and each Board Member shall cast one (1) vote. The Administrator shall hold office for an indefinite term subject to removal at any time by a two-thirds (2/3) vote of the Board. This Section, however, shall not preclude the Board from establishing other employment terms and conditions not inconsistent with the provisions of this Ordinance or the Municipal Code of the Village of Twin Lakes. (Ord. 98-8-1 part)).

#### **2.22.030 Residency And Probation.**

Upon hiring the Administrator shall serve an initial six (6) month probationary period of employment. Subsequent to the initial six (6) month probationary period, become a resident of Kenosha, Racine or Walworth County within six (6) months. (Ord. 98-8-1 (part)).

#### **2.22.040 Functions And Duties Of The Administrator.**

The Administrator, subject to the limitations defined in Resolutions and Ordinances of the Village of Twin Lakes and Wisconsin State Statutes, shall be the Chief Administrative Officer of the Village, responsible only to the Board President and the Board for the proper administration of the business affairs of the Village, pursuant to the statutes of the State of Wisconsin, the Ordinances of the Village of Twin Lakes, and the Resolutions and directives of the Board, with power and duties as follows:

##### **A. General Duties.**

1. Carry out directives of the Board President and Board which require administrative implementation, reporting promptly to the Board President and Board any difficulties encountered herein;
2. Be responsible for and oversee and monitor the day-to-day administration and coordination of all departments, operations and business affairs of Village of Twin Lakes government;
3. Serve as ex-officio nonvoting member of all Boards, Commissions and Committees of the Village, except as specified by the Board or Wisconsin State Statutes;
4. Keep informed concerning current Federal, State and County legislation and administrative rules affecting the Village and submit appropriate reports and recommendations thereon to the Board;
5. Keep current in the latest and best methods being practiced in the field of public administration and keeping up to date on all relevant legislation that occurs at other levels of government that might impact the Village;

6. Prepare a plan of administration, including an organizational chart, which defines authority and responsibility for all nonstatutory positions of the Village, and submit it to the Village Board for adoption as the official organization and administrative procedure plan for the Village;

7. Represent the Village in matters involving legislative and intergovernmental affairs as authorized and directed as to that representation by the Board President and Board;

8. Act as public information officer for the Village with the responsibility of assuring that the news media are kept informed about the operations of the Village and that all open meeting Rules and Regulations are followed;

9. Be responsive to citizen complaints and to establish and maintain procedures to facilitate communications between citizens and Village government to assure that complaints, grievances, recommendations and other matters receive prompt attention by the responsible official, and to assure that all such matters are expeditiously resolved. In this connection, the Administrator shall further see that all services are maintained by the public utilities in the Village and that all franchises, permits and privileges granted by the Village are faithfully observed;

10. Promote the economic well-being and growth of the Village through public and private sector cooperation while acting as public relations officer and government affairs officer, serving as a liaison to the business community;

11. Keep a current inventory of all real and personal property owned by the Village, and its location. Be responsible for the care and custody of all property, including equipment, buildings, parks and other Village properties and recommend corrective action for any lost or damaged property.

12. To prepare for the Village Clerk at the Village Clerk's request, all notices, ballots and election supplies necessary in connection with all municipally held elections;

13. Coordinate the development of a comprehensive community planning program and economic development plan, while also serving as the director of community development with direct responsibilities for the coordination of planning and economic development and supervisory responsibilities for building inspection, zoning enforcement, assessment and new development, including developer's agreements;

14. Act as business and office manager for the Village under the direction of the President and Board of Trustees and in cooperation with the Village Clerk and Treasurer and shall, before all expenditures are presented to the President and Board of Trustees for approval, certify as to the correctness of all bills and account and to such other things, as from time to time directed, to assist in the control of all expenditures made by the Village; to supervise the keeping of all necessary records and books of account of the Village that are not under the supervision of the Clerk or Treasurer, either by state statute or Village Ordinance;

15. Perform such other duties as may be required by the President and the Board of Trustees not inconsistent with the statutes of the State of Wisconsin and the Ordinances of the Village. Such other duties include, but are not limited to, lake issues, municipal planning, and management of safety and loss control programs.

**B. Responsibilities to the Village Board.**

1. Devote at least forty (40) hours per week during usual business hours to discharge official duties, plus attendance at all regular, committee, special and miscellaneous meetings, unless so excused by the Board of Trustees, and to assist the Board President and the Board as required in the performance of their duties. The Administrator may participate in the discussion and deliberations thereof, but without a vote;

2. In coordination with the Board President, the Board, and the Clerk, ensure that appropriate agendas are prepared for all meetings of the Board, all Board Committees, and all other appropriate Committees and Commissions of the Village, together with such supporting material as may be required; with nothing herein being construed as to give the Administrator authority to limit or in any way prevent matters from being considered by the Board, or any of its Committees and Commissions;

3. Assist in the preparation of Ordinances and Resolutions as requested by the Board President or the Board, or as needed;

4. Keep the Board President and Board regularly informed about the activities of the Administrator's Office by oral or written report at regular and special meetings of the Board;

5. In the event that action normally requiring Board approval is necessary at a time when the Board cannot meet, the Administrator shall receive directives from the Board President;
  6. Make special reports or recommendations to the President and Board of Trustees, or the appropriate committees thereof, as may be deemed advisable or as the President and Board of Trustees may request;
  7. Prepare reports and recommendations for the President, the Trustees and advisory boards and commissions on operational or policy matters before them, and on any other actions necessary to improve the overall health, safety and welfare of the Village of Twin Lakes;
- C. Personnel.
1. Be responsible for the administrative direction and coordination of all employees of the Village according to the established organization procedures;
  2. Recommend to the Board the appointment, promotion, and when necessary for the good of the Village, the suspension or termination of department heads and to recommend to the President and Board of Trustees the creating, consolidating and combining of offices, positions, departments or units of the administrative and executive department of the Village;
  3. In consultation with the appropriate department head, be responsible for the appointment, promotion and when necessary for the good of the Village, the suspension or termination of employees below the department head level;
  4. All department heads are to report to and cooperate with the Administrator, as Chief Administrative Officer of the Village;
  5. Serve as human resource officer for the Village with responsibilities to see that complete and current personnel records, including specific job descriptions, for all Village employees are kept; evaluate in conjunction with department heads the performance of all employees on a regular basis; recommend salary and wage scales for Village employees not covered by collective bargaining agreements; develop and enforce high standards of performance by Village employees; assure that Village employees have proper working conditions; work closely with department heads to promptly resolve personnel problems or grievances, and serve as the Village liaison relative to issues involving insurance and other employment benefits for Village employees;
  6. Assist in labor contract negotiations and collective bargaining issues;
  7. Work closely with department heads to assure that employees receive adequate opportunities for training to maintain and improve their job-related knowledge and skills and act as the approving authority for requests by employees to attend conferences, meetings, training schools, etc., provided that funds are available or budgeted for these activities;
  8. Render to the several departments and offices of the Village, with such departments and offices also rendering to the Administrator, all such assistance as is possible in the performance of their respective duties, and all officers and employees of the Village shall furnish and disclose to the Village Administrator such oral or written information and material relating to the affairs of the Village as requested;
  9. Evaluate the performance of department heads and equivalent personnel, and in conjunction with department heads, the performance of all employees on an annual basis;
- D. Budgeting, Financial Reporting and Purchasing.
1. Be responsible for the coordination and preparation of a timely annual Village budget, in accordance with guidelines as may be provided by the Village Board and in coordination with department heads, and pursuant to state statutes, for review and approval by the Board President and the Board and to provide direction and guidance as needed;
  2. To assist the Treasurer in preparing the tax levy and annual budget in the form and within the time required by law, and to submit such budget to the President and Board of Trustees together with the Administrator's opinion and recommendations covering their important features; and, upon the adoption of such budget, to administer the same. To the end that all financial matters of the Village are coordinated, the Village Treasurer is hereby directed to cooperate with the Village Administrator and to assist in the preparation of the Administrator's duties;

3. To render or cause to be rendered a quarterly report to the President and Board of Trustees covering the work of each department along with quarterly statements showing the exact financial condition of the Village, including the statement of current assets and liabilities, and a summarized statement of receipts and expenditures. At the end of six (6) months, nine (9) months and twelve (12) months, prepare and present to the president and Board of Trustees, a written report summarizing the work performed during the preceding calendar year, with all written reports as necessary furnished to the Village Board upon request regarding the current fiscal position of the Village;

4. Supervise the accounting system of the Village and insure that the system employs methods in accordance with current professional accounting practices;

5. Serve as the purchasing agent for the Village, supervising all purchasing and contracting for supplies and services, subject to the purchasing procedures and policies established by the board and any limitation contained in the Wisconsin State Statutes;

6. Keep informed concerning the availability of federal, state and county funds for local programs. Assist department heads and the board in obtaining these funds under the direction of the Board President and the Board;

7. Awareness of grant availability and application for grant monies whenever appropriate;

8. Perform the duties of comptroller as set forth in Wis. Stat., 62.09(10); report regularly to the President and Trustees on the current financial condition and future needs of the Village; research the availability of alternative sources of funding for local programs and advise the Board of methods of procuring such funds;

E. Ordinance, Resolutions, Procedures and Policies.

1. Be familiar with, monitor and uphold Village of Twin Lakes Ordinances, Resolutions, Policies and Procedures and their proper implementation;

2. Establish when necessary administrative procedures and policies to increase the effectiveness and efficiency of Village government according to current practices in local government, not inconsistent with the directives of the Board President and Board; and to implement such policies and procedures;

3. To make recommendations to the President and Board of Trustees, or the appropriate committee thereof, relative to the adoption of such Ordinances and Resolutions as may be deemed necessary or expedient by the Administrator;

4. Ensure that all employees are in proper compliance with Village of Twin Lakes Ordinances and Procedures and Policies, which includes staff training;

5. Continually evaluate and codify all existing policies, procedures and Ordinances;

6. Assist in the preparation of Ordinances, Resolutions and policies as requested by the Board President and/or the Board, or as needed; and to implement these items. (Ord. 98-8-1(part)), (Ord. 14-11-2 (part)).

#### **2.22.050 Cooperation.**

All officials and employees of the Village shall cooperate with and assist the Administrator so that the Village government shall function effectively and efficiently. (Ord. 98-8-1 (part)).

#### **2.22.060 Outside Employment.**

The Administrator shall hold no other employment for compensation without first obtaining consent and approval of the Village Board. (Ord. 98-8-1 (part)).

#### **2.22.070 Conflict Of Interest.**

The Administrator shall not be interested directly or indirectly in any contract, work or purchase of any property belonging to the Village, or of any real property lying within the Village which is sold for delinquent taxes or special assessments, or sold by virtue of any legal process at the suit of the Village. (Ord. 98-8-1 (part)).

## Chapter 2.24

### VILLAGE ATTORNEY AND VILLAGE PROSECUTOR

#### Sections:

**2.24.010 Village Attorney And Village Prosecutor.**

**2.24.020 Primary Responsibilities.**

#### **2.24.010 Village Attorney And Village Prosecutor.**

The Village Attorney and Village Prosecutor shall be appointed by the Village Board. Such appointments to be made for a term not to exceed three (3) years and such appointments shall become effective January 1 of the appointment year. The compensation of the Village Attorney and Village Prosecutor shall be as established from time to time by the Village Board. (Ord. 2004-4-1 (part)).

#### **2.24.020 Primary Responsibilities.**

A. The Village Attorney shall be primarily responsible for the legal business of the Village except that which is the responsibility of the Village Prosecutor. This shall not preclude the Village Board from appointing the same party as both the Village Attorney and Village Prosecutor and shall not prohibit the Village Board from directing the Village Attorney to handle matters which may normally fall within the purview of the Village Prosecutor. The Village Attorney shall provide legal assistance to all Boards, Committees, Commissions and Staff of the Village as it may relate to the business of the Village within the confines of Village Board policy.

B. The Village Prosecutor shall be primarily responsible for the prosecution of Village Code, Ordinance and Statute violations within the Village at the Municipal, Circuit and Appellate Courts in coordination with the Police Department. This shall not preclude the Village Board from appointing the same party as both the Village Attorney and Village Prosecutor and shall not prohibit the Village Board from directing the Village Prosecutor to handle matters which may normally fall within the purview of the Village Attorney. The services of the Village Prosecutor shall be performed within the confines of Village Board policy. (Ord. 2004-4-1 (part)).

## Chapter 2.26

### VILLAGE CLERK/TREASURER

#### Sections:

#### **2.26.010 Appointment.**

#### **2.26.020 Term Of Office.**

#### **2.26.030 Duties.**

#### **2.26.010 Appointment.**

The Village Administrator shall assist the Village Board by identifying qualified candidates and creating a list of the recommended candidates for possible appointment to the office of Village Clerk/Treasurer. The Village Clerk/Treasurer shall be appointed by the Village Board, after considering the input of the Village Administrator into the decision. (Charter Ord. 2014-10-1 § 2; Charter Ord. 2019-3-3 (part)).

#### **2.26.020 Term Of Office.**

The appointed Village Clerk/Treasurer shall hold office for an indefinite term, subject to removal as provided in Section 17.13 of the Wisconsin Statutes. (Charter Ord. 2014-10-1 § 2; Charter Ord. 2019-3-3 (part)).

#### **2.26.030 Duties.**

The Village Clerk/Treasurer shall perform all duties required of the office of the Village Clerk and Village Treasurer as provided by law and those other duties as the Village Board or Village Administrator directs to be executed by the Village Clerk/Treasurer from time to time. (Charter Ord. 2014-10-1 § 2; Charter Ord. 2019-3-3 (part)).

#### **2.26.040 Minutes of Meetings.**

Within not more than fourteen (14) days after each meeting of the Village Board, the Village Clerk shall supply to the Village President and Village Trustees, a printed copy of the proceedings thereof. For all other Committees or Commission, the Village Clerk shall supply a printed copy of the most recent proceedings thereof within twenty-one (21) days following each meeting of said Committee or Commission. (Ord. 2014-11-1).

#### **2.26.050 Annual Audit.**

Annual audits shall be made of the records of Village Clerk/Treasurer by a certified public accountant. (Charter Ord. 2019-3-3).



## Chapter 2.28

### BOARD OF REVIEW

#### Sections:

**2.28.010 Organization/Compensation.**

**2.28.020 Clerk.**

**2.28.030 Meetings, Procedures.**

**2.28.040 Assessment Sessions.**

**2.28.050 Confidentiality Of Information.**

**2.28.060 Procedures and Criteria for Waiving Board of Review Hearing Requests.**

#### **2.28.010 Organization/Compensation.**

A. Organization. The Board of Review of the Village shall consist of five (5) citizen members and one (1) alternate citizen member appointed by the Village President with the approval of the Village Board and after June 1, 1999 shall hold office as members of the Board for staggered five (5) year terms. The alternate member shall act with full power when a member of the Board of Review refuses to vote because of interest or is unable to vote due either to absence from a scheduled meeting of the Board or removal under Section 70.47 of the State Statutes.

B. A majority of the Board shall constitute a quorum.

C. Each Board Member shall receive a maximum per diem of one hundred dollars (\$100.00).  
(Ord. 2006-5-2).

#### **2.28.020 Clerk.**

The Village Clerk shall be the Clerk of the Board of Review and shall keep an accurate record of its proceedings. (Ord. 96-4-1 (part)).

#### **2.28.030 Meetings, Procedures.**

A. The Board of Review shall meet annually, as directed by the Wisconsin State Statutes at the Village Municipal Building, or another Village facility.

B. At least fifteen (15) days before the first session, notice of such meeting shall be published as a Class 1 notice, posted on the Village Hall door and posted in three (3) other public places. If the assessment roll is not completed at the time of the first meeting, the Board of Review will adjourn, and a written notice shall be posted on the Village Hall door stating the date and time to which the meeting is adjourned.

C. The Board of Review may adjourn from time to time until its business is complete. If an adjournment is for more than one (1) day, written notice shall be posted on the Village Hall door stating the date and time to which the meeting is adjourned.

D. The duties and functions of the Board of Review shall be as prescribed by the Statutes of the State of Wisconsin. (Ord. 2003-12-2; Ord. 2000-7-1; Ord. 98-9-3; Ord. 96-4-1 (part)).

#### **2.28.040 Assessment Sessions.**

After the Village Assessor has laid before the Board of Review his/her assessment roll of real estate with the sworn statement and valuation of personal property as provided by the Wisconsin State Statutes, the Board of Review shall remain in session one (1) day for taxpayers to appear and examine such assessment roll, sworn statements and valuations, and to be heard in relation thereto, and, upon reasonable cause being shown therefor, shall hold at least one (1) adjourned session upon a subsequent day. (Ord. 96-4-1 (part)).

#### **2.28.050 Confidentiality Of Information.**

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), Wisconsin Statutes, 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), Wisconsin Statutes. (Ord. 99-10-2).

**2.28.060 Procedures and Criteria for Waiving Board of Review Requests.**

1. Procedure: Before the Board of Review can consider a request from a taxpayer or assessor, or at its own discretion, to waive the hearing of an objection, the taxpayer must first complete and file with the Clerk of the Board of Review the following documents:

- a. A fully completed and timely Notice of Intent to appear at Board of Review, and
- b. A fully completed and timely Objection Form for Real Property Assessment (Form PA-115A).

If the owner fails to file the aforementioned documents as required, no hearing will be scheduled on the objection.

If the owner files the aforementioned documents as required and a request from a taxpayer or assessor, or at its own discretion, is made to waive the hearing of an objection, the Board of Review shall use the following criteria when making its decision.

2. Criteria: The Board of Review may consider any or all of the following factors when deciding whether to waive the hearing:

- a. The benefits or detriments of the Board of Review process
  - b. The benefits or detriments of having a record for court review
  - c. Avoidance of unruly, lengthy, burdensome appeals
  - d. Ability to cross-examine the person providing the testimony
  - e. Any other factors that the Board of Review deems pertinent to deciding whether to waive the hearing
- (Ord. 2015-6-14)

## Chapter 2.32

### BOARD OF PARK COMMISSIONERS

#### Sections:

#### **2.32.010 Creation.**

#### **2.32.020 Membership.**

#### **2.32.030 Powers And Duties.**

#### **2.32.010 Creation.**

There is created a Board of Park Commissioners for the Village. (Ord. 2014-5-3; Ord. 1.40 § 1, 5/17/60).

#### **2.32.020 Membership.**

The Board of Park Commissioners shall consist of seven (7) members who shall be appointed by the Village President, subject to confirmation by a majority vote of the Village Board.

A. One (1) member shall be a Village Trustee appointed annually.

B. Members shall serve staggered five (5) year terms, each term commencing May 1.

C. Such Board shall annually select one (1) of its members to serve as Chairperson.

of such Board. Such Board shall annually select one (1) of its members to serve as Chairman.

(Ord. 2014-5-3; Ord. 2010-9-1; Ord. 99-5-3; Ord. 1.40 § 2, 5/17/60).

#### **2.32.030 Powers And Duties.**

The Board of Park Commissioners, subject to the approval of the Village Board, except in instances expressly otherwise provided in this Section or in any other Ordinance of the Village, shall have such powers and duties and be subject to such limitations as provided in Section 27.08(2), (5) and (6), Wis. Stats. In addition, the following powers are authorized:

A. To make reports and recommendations relating to park and recreation development in the Village to the Village Board;

B. To recommend park, recreation and open space land acquisition and development programs and the financing thereof to the Village Board;

C. To plan, purchase and manage capital improvements to Village parks and open spaces with financial approval from the Village Board for contracts and purchases over \$5,000;

D. To recommend to the Village Board parks and recreation programs and, upon approval of the Village Board, to coordinate such programs;

E. To consider and report or recommend on all matters referred to them by the Village Board;

F. To prepare and recommend to the Village Board the enactment of such Ordinances as it deems necessary to protect and preserve the parks in the Village, or under its charge, or to secure the free and reasonable use thereof by the public. The Village Board may adopt such proposed Ordinances as it deems will be suitable for the purposes stated or such other Ordinances so deemed. (Ord. 2014-5-3; Ord. 97-11-1; Ord. passed 12/12/60; Ord. 1.40 § 3(f), 5/17/60).

#### **2.32.040 Meetings.**

Regular meetings of the Board of Park Commissioners shall be held every other month from March through September. Special meetings may be held at the call of the Village President, Village Board, or Board of Park Commissioners Chairperson. All meetings shall be open to the public. (Ord. 2014-5-3)

## Chapter 2.36

### PLAN COMMISSION\*

#### Sections:

**2.36.010 Establishment.**

**2.36.020 Membership.**

**2.36.030 Powers and Duties.**

\* See also Title 17, Zoning.

#### **2.36.010 Establishment.**

There is established a Village Plan Commission under the provisions of Sections 61.35 and 62.23 of the Statutes of Wisconsin. (§ 1 of Ord. passed 10/3/73).

#### **2.36.020 Membership.**

The Village Plan Commission shall consist of the Village President, who shall be its presiding Officer, a member of the Village Board of Trustees, who serves as the Chairman of the Building and Zoning Committee, and five (5) citizens. Citizen members shall be persons of recognized experience and qualifications. The selection of the citizen members and the Village Board member shall be as provided by Section 62.23(1), Wisconsin Statutes.

In addition, an official liaison, which shall serve in an ex-officio capacity on the Plan Commission, may be named by the Board of each school district serving the Village of Twin Lakes. The individual School Boards may name any member of their Board to serve in this capacity and may limit the term of the appointment as necessary. (Ord. 2010-2-1; Ord. 2004-9-3; Ord. 2004-4-4).

#### **2.36.030 Powers and Duties.**

The Village Plan Commission shall have the functions, powers and authorities as provided in Section 62.23 of the Statutes of Wisconsin as applicable to a Village Plan Commission. (§ 3 of Ord. passed 10/3/73).

## Chapter 2.37

### CODE OF ETHICAL STANDARDS

#### Sections:

- 2.37.010 Declaration Of Policy.**
- 2.37.020 Standards Of Conduct.**
- 2.37.030 Responsibility Of Public Office.**
- 2.37.040 Definitions.**
- 2.37.050 Conflict Of Interest And Incompatible Acts Or Actions.**
- 2.37.060 Disclosure Of Interest.**
- 2.37.070 Ethics Board.**
- 2.37.080 Duties Of The Ethics Board.**
- 2.37.090 Applicability Of Code.**

#### **2.37.010 Declaration Of Policy.**

A. The proper operation of democratic government requires that public officials and employees be independent, impartial, and responsible to the people, that government decisions and policy be made in the proper channels of the government structure, that public office not be used for personal gain, and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a Code of Ethical Standards (Code) for all Village of Twin Lakes officials and employees whether elected or appointed, paid or unpaid, including members of Boards, Committees and Commissions of the Village.

B. The purpose of the Code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the Village of Twin Lakes and by directing disclosures by such officials and employees of private financial or other interests in matters affecting the Village. The Village Board recognizes that the representatives of the Village are drawn from society and therefor cannot and should not be without all personal and economic interest in the decisions and policies of government, that citizens who serve as Village Officials and employees retain their rights as citizens to interest of a personal and economic nature. That the standards of ethical conduct for Village Officials and employees need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society and those conflicts which are substantial and material and that Village Officials and employees may need to engage in employment, professional or business activities other than official duties in order to support themselves or their families and to maintain a continuity of professional or business activity or may need to maintain investments which activities or investments do not conflict with the specific provisions of this Code.

C. The provisions and purpose of this Code and such rules, regulations, policies and procedures as may be established are hereby declared to be in the best public interest.

D. It is the intent of the Village Board that in its operations the Board of Ethics shall protect to the fullest extent the rights of individuals affected. (Ord. 2004-9-4 (part)).

#### **2.37.020 Standards Of Conduct.**

There are certain provisions of the Wisconsin Statutes which should, while not set forth herein, be considered an integral part of any Code of Ethics. Accordingly, the provisions of the following Sections of the Wisconsin Statutes, as they may be amended from time to time, are made a part of this Code of Ethics and shall apply to public officers and public employees whenever applicable, to-wit:

- Sec. 946.10 - Bribery of Public Officials and Employees
- Sec. 946.11 - Special Privileges from Public Utilities

Sec. 946.12 - Misconduct in Public Office  
Sec. 946.13 - Private Interest in Public Contract Prohibited  
(Ord. 2004-9-4 (part)).

**2.37.030 Responsibility Of Public Office.**

Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are sworn to uphold the Constitution of the United States and the Constitution of this state and to carry out impartially the laws of the nation, state and Municipality and thus to foster respect of all government. They are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern. (Ord. 2004-9-4 (part)).

**2.37.040 Definitions.**

As used in this Chapter:

- A. Anything of Value or Thing of Value. These phrases mean any money or property, favor, service, payment, advance, forbearance, loan or promise of future employment but does not include compensation and expenses paid by the State, fees, honorariums and expenses which are permitted and reported under Section 19.56, Wis. Stats., and political contributions which are reported under Chapter 11, Wis. Stats.
- B. Code. The Code of Ethical Standards established by Ordinance No. 2003-7-6 and amendments.
- C. Covered Person. All officials, whether elected or appointed, and all employees, whether paid or unpaid, and all members of Boards, Committees and Commissions of the Village of Twin Lakes.
- D. Employee. This word includes all full time and part time employees of the Village of Twin Lakes.
- E. Financial Interest. Any interest, which shall yield directly or indirectly a monetary or other material benefit to the official or employee or to any person employing or retaining service of the official or employee.
- F. Immediate Family. This phrase includes the spouse and children of any covered person.
- G. Nominal Intrinsic Value. This phrase means a value of less than ten dollars (\$10.00) per person within a one (1) month period.
- H. Persons. Any person, corporation, partnership or joint venture.
- I. Public Official. Public official shall include all of those officers set forth at Section 62.09(1), Wis. Stats., as well as all department heads of the Village, but shall not include the Municipal Judge and Village Attorney, who are already subject to stringent Codes of professional responsibility and ethics. Public official shall not include any nonemployee individual, his company, firm, or business, or any of its employees or members, whose relationship with the Village is created by contract. (Ord. 2004-9-4 (part)).

**2.37.050 Conflict Of Interest And Incompatible Acts Or Actions.**

- A. No covered person shall ask for or accept anything of value from any person, which may tend to impair his or her independence of judgment or action in the performance of his or her official duties. It is not a conflict of interest for any covered person to receive, from an individual person, a gift or gratuity that is of nominal intrinsic value.
- B. No covered person shall engage in any business or transaction or shall act in regard to any financial interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties for the benefit of the public, contrary to the provisions of this Code or which tend to impair his or her independence of judgment or action in the performance of his or her official duties. This subsection is not intended to interfere with covered persons having duties or employment in addition to those related to the Village of Twin Lakes, provided those duties or employment do not cause violations of this Ethics Code.
- C. No covered person shall engage in or accept private employment or render service for private interest when such employment or service is incompatible with the proper discharge of his or her official duties or would tend to impair his or her independence of judgment or action in the performance of his or her official duties unless otherwise permitted by law unless disclosure is made as hereinafter provided.

D. No public official, employee, member of a Village Board, Commission or Committee or any business in which any of the above holds a ten percent (10%) or greater interest may enter into a contract or contracts with the Village of Twin Lakes in which receipts and disbursements in the aggregate exceed fifteen thousand dollars (\$15,000.00) in any twelve (12) month period. This Section does not effect the application of Section 946.13 of the Wisconsin Statutes.

E. No covered person shall disclose confidential information concerning the property, government or affairs of this Village nor shall he or she use such information to advance the financial or other private interest of himself or herself or any other person.

F. No covered person shall otherwise misuse or abuse the authority or power vested in them by applying undue pressure, influence or intimidation on a third party or by exercising individually authority vested in another or in a third party. (Ord. 2006-9-1; Ord. 2004-9-4 (part)).

#### **2.37.060 Disclosure Of Interest.**

A. In Legislation. Any member of the Village Board who has a financial interest in any proposed legislation before the Village Board shall disclose on the records of the Village Board the nature and extent of such interest, prior to or during the initial discussion on said legislation. Mere status as a taxpayer shall not be considered "a financial interest." Any other public official or employee who has a financial interest in any proposed legislative action of the Village Board and who participates in discussion with or gives an official opinion or recommendation to the Village Board, shall disclose on the records of the Village Board the nature and extent of such interest.

B. In Property. All public officials, employees and citizen members of Boards and Commissions shall, within sixty (60) days of enactment of this Chapter or sixty (60) days of taking public office, becoming an employee or a citizen member of a Board or Commission, and in the month of May and each year thereafter, file with the Village Clerk/Treasurer a disclosure of interest statement. The Village Clerk shall maintain these statements for the Ethics Board. (Ord. 2004-9-4(part)).

#### **2.37.070 Ethics Board.**

A. There is hereby created an Ethics Board consisting of five (5) members and one (1) alternate, all of whom shall serve without compensation. The members of the Ethics Board shall be residents, property owners, or business owners or representatives from within the Village and shall not be elected Village Officials, full time appointed Village Officials, Village employees, nor shall they be currently serving on any other Village Board, Committee or Commission. The Village Attorney shall furnish the Ethics Board whatever legal assistance is necessary in carrying out its functions. Terms of office shall be five (5) years, except that when the initial appointments are made one (1) member shall be appointed for five (5) years, one (1) for four (4) years, one (1) for three (3) years, one (1) for two (2) years, and one (1) for one (1) year. The alternate shall serve on the Board when one of the members of the Board is unavailable. The term of the alternate shall be for three (3) years.

B. Initial appointments shall be made in the following manner. One (1) member shall be appointed for a five (5) year term by the Village Board, one (1) for a four (4) year term by the Board of Park Commissioners, one (1) for a three (3) year term by the Police Commission, one (1) for a two (2) year term by the Plan Commission, and one (1) for a one (1) year term by the Board of Appeals. The alternate member shall be appointed by the Cemetery Board.

C. Subsequent appointments and renewed appointments shall be made by the body who made the initial appointment. (Ord. 2004-9-4 (part)).

#### **2.37.080 Duties Of The Ethics Board.**

A. The Ethics Board may adopt and develop written rules, which shall be submitted to the Village Board for approval. A copy of such rules shall be filed with the Village Clerk/Treasurer. The Ethics Board shall

select members to serve as a Chairperson and Vice Chairperson. The Ethics Board shall also select a Secretary who need not be a member.

B. The Ethics Board will review all initial and all annual disclosure of interest statements and notify the Village Clerk of any potential conflicts of interest.

C. Any covered person may apply to the Ethics Board for an advisory opinion and shall be guided by the opinion rendered. Such person shall have the opportunity to present his interpretation of the facts at issue and of the applicability of provisions of the Code before the advisory opinion is rendered. The Ethics Board's deliberations and action upon such applications shall be in meetings not open to the public. Records of the Ethics Board's opinions, opinion requests and investigations used to render opinions shall be closed to public inspection. The Ethics Board, however, may choose to make such records public but only with the consent of the individual requesting the advisory opinion.

D. The Ethics Board shall accept from any person, a verified complaint filed in compliance with the Ethics Board's Policies and Procedures. The Ethics Board may also make a complaint upon its own motion. The Ethics Board shall review any complaint filed with it. The complaint shall state the name of the covered person alleged to have committed a violation of the Code of Ethical Standards and shall set forth the particulars thereof. The Ethics Board shall forward within ten (10) days a copy of the complaint to the covered person who is accused. If no action on the complaint is taken by the Ethics Board within sixty (60) days, the complaint shall be void.

E. Following the receipt of a complaint or complaint on its own motion, the Ethics Board shall conduct a review to determine if a hearing is warranted. No investigation of the activities of any covered employee may be initiated unless such covered person is notified in writing. The notice shall state the exact nature and purpose of the investigation, the individual's specific actions or activities to be investigated, and a statement of such person's due process rights, including but not limited to the right to appear before the Ethics Board to fairly, but concisely, respond to the results of the investigation.

F. If, after such investigation, the Ethics Board finds that probable cause exists for believing the allegations of the complaint, it shall conduct a hearing on the matter which shall be held not more than thirty (30) days after such finding. The Ethics Board shall give the accused at least twenty (20) days' notice of the hearing date. Such hearings shall be at open session unless the accused petitions for a hearing closed to the public. The rules of criminal evidence shall apply to such hearings. All evidence, including certified copies of records and documents, which the Ethics Board considers, shall be fully offered and made part of the record in the case. Every party shall be afforded adequate opportunity to rebut or offer countervailing evidence.

G. During all stages of any investigation or proceeding conducted under this Section, the accused or any person whose activities are under investigation shall be entitled to be represented by counsel of his own choosing.

H. The accused or his representative shall have an adequate opportunity to examine all documents and records to be used at the hearing under this Code at a reasonable time before the date of the hearing as well as during the hearing, to bring witnesses, to establish all pertinent facts and circumstances, and to question or refute any testimony or evidence, including opportunity to confront and cross-examine adverse witnesses.

I. The Ethics Board shall have the power to compel the attendance of witnesses and to issue subpoenas granted other Ethics Boards and Commissions under Section 885.01(3) of the Wisconsin Statutes.

J. Upon conclusion of the hearing, the Ethics Board shall file within five (5) days its written decision with the complainant, the covered person and the Village Clerk. The decision shall be signed by all participating Board members and shall include findings of fact and conclusions of law concerning the propriety of the conduct of the covered person. If appropriate, the Ethics Board will refer the matter to the Village Board, or other proper authority, for its consideration.

K. The affirmative vote of the Ethics Board shall be required for any action taken by the Ethics Board, with the exception that action taken by the Ethics Board pursuant to a hearing conducted under this Code shall require a unanimous vote of all of those voting. (Ord. 2006-9-1 § 2; Ord. 2004-9-4 1 (part)).

**2.37.090 Applicability Of Code.**

This Code shall be operative in all instances covered by its provisions except when superseded by an applicable statutory provision and statutory action is mandatory or when the application of a statutory provision is discretionary but determined by the Ethics Board to be more appropriate or desirable.  
(Ord. 2004-9-4 (part)).

VILLAGE OF TWIN LAKES

PROPERTY INTEREST STATEMENT

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

POSITION IN VILLAGE

GOVERNMENT \_\_\_\_\_

EMPLOYER NAME \_\_\_\_\_

(If different than Village of Twin Lakes)

EMPLOYER ADDRESS \_\_\_\_\_

BUSINESS AND REAL ESTATE LOCATED WITHIN THE VILLAGE OF TWIN LAKES (other than my residence) IN WHICH I OR MY IMMEDIATE FAMILY (SPOUSE AND CHILDREN) HAVE A 10% OWNERSHIP OR MANAGING INTEREST.

BUSINESS NAME \_\_\_\_\_

BUSINESS ADDRESS \_\_\_\_\_

PRINCIPAL BUSINESS

ACTIVITY \_\_\_\_\_

RELATIONSHIP

TO BUSINESS \_\_\_\_\_

REAL ESTATE

ADDRESS \_\_\_\_\_

(Use reverse of form for additional disclosures)

I have disclosed all businesses in which I or my immediate family have a direct or indirect financial interest identified.

\_\_\_\_\_  
Signature

Date \_\_\_\_\_

## Chapter 2.40

### CEMETERY BOARD

#### Sections:

- 2.40.010 Created.**
- 2.40.020 Membership--Appointment.**
- 2.40.030 Membership--Term.**
- 2.40.040 Meetings.**
- 2.40.050 Rules And Regulations.**
- 2.40.051 Trespassing In Cemetery.**
- 2.40.060 Chairman And Clerk.**
- 2.40.070 Annual Report And Budget.**
- 2.40.080 Funds.**
- 2.40.090 Sale Of Lots.**
- 2.40.100 Violations And Fees.**

#### **2.40.010 Created.**

There is created a Board known as the Twin Lakes Cemetery Board, which shall be charged with the general administration of the Twin Lakes Cemetery, known as Mound Prairie Cemetery. (Ord. 2002-8-3).

#### **2.40.020 Membership--Appointment.**

The Board shall be composed of five (5) members, to be appointed by the Village President and confirmed by the Village Board. (Prior code § 21.02).

#### **2.40.030 Membership--Term.**

The membership of the Board shall be composed of one (1) member of the Village Board who shall be appointed annually for a one (1) year term, and four (4) other citizen members, who shall serve staggered terms of three (3) years with two (2) members being appointed to each three (3) year term. (Ord. 2006-5-1).

#### **2.40.040 Meetings.**

This Board shall meet at least twice a year and discuss the problems presented to it by reason of its duties. (Prior code § 21.04).

#### **2.40.050 Rules And Regulations.**

A. The Board shall immediately, upon appointment, take oath and formulate Rules and Regulations for the administration of the Cemetery and shall submit the same to the Village Board for approval. After approval, the Rules and Regulations shall be kept as permanent records of the Board.

B. Monuments, headstones and other structures or footings are described in the Cemetery Rules and Regulations, in addition to burials, grave exchanges, plantings, decorations and restrictions.

C. The Official printed Rules and Regulations are dated Rev. 08/2010, and which may be revised from time to time as needed on recommendation of the Cemetery Board and approval of the Village Board. (Ord. 2010-8-1 (C); Ord. 2003-3-3; Ord. 2002-8-3 (part)).

#### **2.40.051 Trespassing In Cemetery.**

The Cemetery shall be closed to the public between the hours of sunset and sunrise and any person who shall enter the Cemetery between the hours of sunset and sunrise without the prior written approval of the Board shall be charged with trespass, and upon conviction shall be subject to penalties as set forth in Section 1.12.010 of this Code. (Ord. 88-11-1).

**2.40.060 Chairman And Clerk.**

The Board shall elect from its membership a Chairman and a Clerk and prescribe the duties of each. (Prior code § 21.06).

**2.40.070 Annual Report And Budget.**

The Board shall prepare an annual report to be presented to the Village Board. A proposed budget shall be submitted to the Village Administrator by September 1 of each year which shall be incorporated into the Village budget. (Ord. 2002-8-3 (part), 2002: Prior code § 21.07).

**2.40.080 Funds.**

The Village Clerk/Treasurer is specifically authorized to collect, accept, receive and receipt all funds for Mound Prairie Cemetery into the General Fund Cemetery Account. (Ord. 2002-8-3).

**2.40.090 Sale Of Lots.**

The Village President and Village Clerk shall sign all deeds for the sale of lots in said Cemetery. (Prior code § 21.09).

**2.40.100 Violations And Fees.**

A. Any person who violates any of the provisions of this Section shall upon conviction of such violation be subject to a penalty as provided in Section 1.12.010.

B. Cemetery Grave fees per Village Ordinance 3.06. (Ord. 2002-8-3(part)).

## Chapter 2.44

### FIRE DEPARTMENT

#### Sections:

- 2.44.010 Establishment.**
- 2.44.020 Membership.**
- 2.44.030 Duty Of The Chief.**
- 2.44.040 Duty Of The Deputy Chief.**
- 2.44.050 Fire House.**
- 2.44.060 Duty To Aid.**
- 2.44.070 Razing Building.**
- 2.44.080 Penalty For Violation.**

#### **2.44.010 Establishment.**

There is established a Fire Department to be known as the Twin Lakes Volunteer Fire Department of the Village. (Prior code § 1.31).

#### **2.44.020 Membership.**

The Volunteer Fire Department shall elect its own members and officers and upon said election shall submit the same to the Village Board for its approval and shall before the hearing on the budget Ordinance, submit and request of the Village a proposed financial help and request for equipment, said request to be made in writing sixty (60) days before the budget hearing. (Prior code § 1.32).

#### **2.44.030 Duty Of The Chief.**

It shall be the duty of the Chief of the Fire Department of the Village to respond to all fires within said Village and to take charge and command of the Fire Department and his orders so delivered while in such command shall be obeyed. (Prior code § 1.34).

#### **2.44.040 Duty Of The Deputy Chief.**

It shall be the duty of the Deputy Chief of the Fire Department to do and perform the duties of the Chief of the Fire Department whenever the Chief is absent or incapacitated. (Ord. 2004-6-2).

#### **2.44.050 Fire House.**

The headquarters of the Fire Department of the Village shall be at the Village Fire House provided for that purpose, at which place all fire engines and fire apparatus and apparatus used and intended for the extinguishing of fires shall be kept in the manner as directed by the Chief of the Fire Department. (Prior code § 1.36).

#### **2.44.060 Duty To Aid.**

It shall be the duty of each and every inhabitant of the Village of Twin Lakes to aid in the extinguishment of any fire and while rendering such aid, each such inhabitant shall be subject to the command of the Chief of the Fire Department or such person as may be acting as such. (Prior code § 1.37).

#### **2.44.070 Razing Building.**

It shall be the duty of the Fire Department and any inhabitant or inhabitants of the Village aiding in the extinguishment of any fire to also aid and assist in the razing of any building upon the command of the Chief of the Fire Department or such person as may be acting in his place, if in the judgment of said Chief or person acting in his place, the razing of any such building will prevent the spreading of fire to other buildings. (Prior code § 1.38).

**2.44.080 Penalty For Violation.**

Any person violating any of the provisions of this Chapter shall be subject to a penalty as provided in Section 1.12.010. (Prior code § 1.39).

## Chapter 2.48

### POLICE DEPARTMENT AND POLICE COMMISSION

#### Sections:

- 2.48.010 Department Created.**
- 2.48.020 Appointments.**
- 2.48.030 Rank And Duties.**
- 2.48.040 Rules And Regulations.**
- 2.48.050 Police Commission.**
- 2.48.060 Commission Vacancy.**
- 2.48.070 Purpose Of Commission.**
- 2.48.080 Organization.**
- 2.48.090 Employment Examinations.**
- 2.48.100 Disciplinary Actions.**
- 2.48.120 Effective Date.**

#### **2.48.010 Department Created.**

There is established a Police Department for the Village under the direction and supervision of the Board of Trustees of the Village. The Police Department shall consist of the Chief of Police and such other members and classifications as may be provided from time to time by the Village Board in Section 2.48.090 below or otherwise. The Village Board shall have overall responsibility for providing budgetary constraints, direction and guiding principles for the Police Department. As such, the Police Committee shall periodically meet to facilitate Village Board principles and initiatives and to consult with the Chief of Police to provide advice with respect to these principles and initiatives. The Village Board may, by majority vote, require the Chief of Police to provide his decisions related to the specific department issues to the Village Board or Committee in writing. When necessary, the Village Board may issue an order to the Chief of Police.  
(Ord. 2002-12-3 ; Ord. 2002-8-2 ).

#### **2.48.020 Appointments.**

The Chief of Police shall be appointed by the Police Commission pursuant to the requirements of Sections 61.65 and 62.13 of the Wisconsin Statutes and pursuant to the Police Commission's Rules and Regulations, as both may be revised from time to time. The Chief of Police shall serve for an indefinite term and shall be subject to suspension or removal for cause as set forth in Section 2.48.100. The Chief of Police shall appoint subordinates subject to approval of the Police Commission and in accordance with the Rules and Regulations promulgated by the Commission. Promotions within the Police Department shall be made upon the recommendation of the Chief and confirmation by the Police Commission whenever the Commission shall deem that such internal appointments are to the best advantage of the Department and the Village. If the Police Commission is of the opinion that a promotion cannot be adequately filled from personnel within the Police Department the Commission shall conduct examinations in accordance with Section 2.48.090(D).  
(Ord. 2003-5-1).

#### **2.48.030 Rank And Duties.**

The Chief of Police shall reside within Kenosha, Racine or Walworth County, in the State of Wisconsin. The Chief shall be head of the Police Department and shall have supervision of all Officers and personnel within the Police Department. The Chief of Police shall cause the public peace to be preserved and shall see that all Ordinances of the Village and Laws of the State and of the United States are enforced. The Chief of Police shall cooperate with other law enforcement agencies. The Chief of Police shall be responsible to and shall report as may be required to the Police Committee of the Village Board.  
(Ord. 2015-6-2; Ord. 2003-8-1; Ord. 99-3-1; Ord. 98-9-5; Ord. 82-2-1 (part)).

**2.48.040 Rules And Regulations.**

A. The Chief of Police shall make such Rules and Regulations as the Chief may deem advisable for the conduct of Police Personnel. Such rules shall be binding upon all appropriate personnel of the Police Department upon referral to the Police Committee and approval by the Village Board.

B. The provisions of Titles 8, 9, 10 and 11 of this Code shall not apply to Officers of the Police Department when engaged in official investigation or pursuit of Police Department business. (Ord. 2002-7-1; Ord. 2000-2-2; Ord. 82-2-1 (part)).

**2.48.050 Police Commission.**

A. Commissioners. The Village shall have a Board of Police Commissioners consisting of five (5) citizens appointed by the Village President for a term of five (5) years commencing on May 1st. The term of each initial Commissioner shall include the period of time between appointment and May 1, 1996. Initially, one (1) member shall be appointed for a term of five (5) years, one (1) member for a term of four (4) years, one (1) member for a term of three (3) years, one (1) member for a term of two (2) years and one (1) member for a term of one (1) year. Thereafter, the Village President shall annually, between the last Monday of April and the first Monday of May, appoint in writing to be filed with the Secretary of the Board of Police Commissioners, one (1) member for a term of five (5) years and until his or her successor is appointed and qualified. No appointment shall be made which will result in more than three (3) members of the Board belonging to the same political party. Appointments to the Police Commission shall be subject to confirmation by a majority of the Village Board of Trustees. The Board of Police Commissioners shall keep a record of its proceedings.

B. Powers and Duties. The Police Commission shall have the duties and powers prescribed by Wisconsin Statutes Section 62.13 (1995) and as may be amended from time to time thereafter, except as modified by this Code. (Ord. 95-10-1).

**2.48.060 Commission Vacancy.**

The Office of the Commissioner shall become vacant upon the happening of any of the following: death of the incumbent; the person's resignation, whether oral or written; the person's removal; the person ceasing to be a resident of the Village; or absence of the member from four (4) consecutive meetings of the Commission without good cause. A vacancy on the Police Commission shall be filled in the same manner as a regular appointment when the vacancy occurs, except that the appointment shall be only for the unexpired term of the replaced member. (Ord. 82-2-1 (part)).

**2.48.070 Purpose Of Commission.**

The responsibility of the Police Commission is to provide for the recruitment of candidates for employment in the Police Department and to review and decide all disciplinary actions, including discharge, which shall be referred to them in accordance with this Chapter. Promotions within the Department shall also be subject to review by the Police Commission and if the Commission is of the opinion that said promotion should not be made from personnel within the Department, the Commission shall hold examinations and prepare an eligible list of such candidates as set forth in this Chapter. The Commission shall distribute its Rules and Regulations and decisions and any changes or amendment thereto. The Chairman of the Police Commission shall prepare an annual budget of anticipated expense for the Commission and submit same to the President of the Village Board on or before the first day of November. (Ord. 82-2-1 (part)).

**2.48.080 Organization.**

As soon as may be practical after appointment, the members of the Commission shall meet at the Village Hall and elect a Chairman, a Secretary and such other officers as the Commission may determine. The Commission may adopt such Rules and Regulations for the orderly conduct of its meetings and business as it shall deem proper. The Secretary shall keep a record of all proceedings of the Commission.(Ord.82-2-1 (part)).

#### **2.48.090 Employment Examinations.**

A. The number of employees of the Police Department shall be determined by the Village Board. Subject to the applicable rules of the Police Commission and the Village Board, vacancies in the following positions may be filled by the Chief of Police without specific action of the Village Board. Unless modified in the Village's Organizational Chart contained in the annual Village budget, the Police Department shall consist of the following number of employees in the various positions:

1. Thirteen (13) full-time officers (including Chief);
2. Eight (8) part-time officers;
3. Six (6) water patrol officers;
4. Four (4) full-time dispatchers;
5. Four (4) part-time dispatchers.

B. Any person who, as of February 18, 1982, has served as a full-time member of the Twin Lakes Police Department, is deemed to have been regularly appointed to his or her respective position and rank.

C. As soon as may be practical after the members of the Police Commission enter their offices, they shall prepare and adopt Rules and Regulations to govern the selection and appointment of persons to be thereafter employed in the Police Department of the Village, as in the judgment of the Police Commission shall be adapted to secure the best service for the Village. The Rules and Regulations shall provide for ascertaining, as far as possible, physical qualifications, habits, reputation, standing and experience of all applicants, and they may provide for the competitive examination of some or all in such subjects as are deemed proper for the purpose of best determining the applicants' qualifications for the position sought. The Rules and Regulations may provide for the classification of positions and for a special course of inquiry and examination for candidates for each class. All Rules and Regulations adopted shall be subject to modification or repeal by the Commission at any time. The Commission shall make its Rules and Regulations available to interested persons.

D. Examination for the eligible list for appointment as Police Officer shall be for U.S. citizens over eighteen (18) and under fifty-five (55) years of age, with proper limitations as to residence, health and subject to Sections 111.321, 111.322 and 111.335 of the Wisconsin Statutes, arrest and conviction record. Examinations for position of Chief of Police shall be for U.S. citizens over thirty (30) years of age at the time of the examination with not less than ten (10) years prior experience in law enforcement, with proper limitations as to residence, health, and subject to Sections 111.321, 111.322 and 111.335 of the Wisconsin Statutes, arrest and conviction record. Applicants to any Police Department position shall provide payment at time of application submittal for the cost of the employment examination. Failure to provide the examination payment at time of application submittal shall render the application incomplete and thus ineligible for employment. Selection of Police Officers for the Police Department shall be made only from an eligible list provided by the Police Commission. (Ord. 2015-11-3 (part); Ord. 2008-6-1; Ord. 2006-3-3; Ord. 2003-1-2; Ord. 2001-6-2; Ord. 2001-5-1 § 2; Ord. 98-9-7; Ord. 82-2-1 (part)).

#### **2.48.100 Disciplinary Actions.**

A. The Chief of Police may be discharged, suspended or reduced in rank for just cause by the Police Commission pursuant to the requirements of Sections 61.65 and 62.13 of the Wisconsin Statutes and pursuant to the Police Commission's Rules, as both may be revised from time to time.

B. A subordinate may be suspended as provided in subsection D of this Section as a penalty. He or she may also be suspended by the Commission pending the disposition of charges filed against him or her.

C. Charges may be filed against the subordinate by the Chief of Police, by any member of the Commission, or by the Commission acting on its own motion or by an aggrieved citizen. The charges shall be in writing and shall be signed by the complaining party and shall be filed with the Secretary of the Commission. The Commission shall review the complaint and if a majority of the Commission shall believe that there is probable cause to believe that the complaint is true, the Commission shall schedule a hearing on the matter as set forth in subsection E of this Section. The Commission or Chief may suspend the subordinate member of the Department pending disposition of investigation and hearing by the Commission.

D. A subordinate may be suspended for cause by the Chief or Commission as a penalty. The Chief shall file a report of such suspension with the Commission immediately upon issuing the suspension. No hearing on such suspension shall be held unless requested by the suspended subordinate. If the subordinate suspended by the Chief requests a hearing before the Board, the Chief shall be required to file charges with the Board upon which such suspension was based.

E. Following the filing of charges in any case, a copy thereof shall be served upon the person charged. The Commission shall set a date for hearing not less than ten (10) days nor more than thirty (30) days following service of the charges. The hearing on the charges shall be public, except that on the request of the person charged or on its own motion, the Commission may conduct the hearing under Section 19.85 of the Wisconsin Statutes. Both the accused and the complainant may be represented by an attorney and may compel the attendance of witnesses by subpoenas which shall be issued by the President or Secretary of the Commission on request and be served as are subpoenas in civil cases.

F. If the Commission determines that the charges are not sustained, the accused, if he or she has been suspended, shall be immediately reinstated under such circumstances as the Commission deems proper. If the Commission determines that the charges are sustained, the accused, by order of the Commission, may be suspended or reduced in rank, or removed as in the judgment of the Commission the good of the Department may require.

G. Findings and determinations and orders of suspension, reduction, suspension and reduction, or removal, shall be in writing and if they follow a hearing shall be filed within three (3) days thereof with the Secretary of the Commission.

H. Any person suspended, reduced, suspended and reduced, or removed by the Commission may appeal from the order of the Commission to the Circuit Court by serving written notice thereof on the Secretary of the Commission within ten (10) days after the order is filed. Appeal procedure shall be governed by Sections 62.13(i) and 62.13(j) of Wisconsin Statutes.

I. The provisions of this Section relating to disciplinary actions shall be applicable to the Chief of Police except that the Commission may suspend the Chief of Police pending a disposition of charges filed against him. (Ord. 2003-5-1 § 2.; Ord. 82-2-1 (part)).

**2.48.120 Effective Date.**

This Chapter shall be effective on February 18, 1982. (Ord. 82-2-1 (part)).

## Chapter 2.50

### HOUSING COMMITTEE

#### Sections:

- 2.50.010 Creation.**
- 2.50.020 Membership.**
- 2.50.030 Powers And Duties.**

#### **2.50.010 Creation.**

There is created a Housing Committee for the Village of Twin Lakes. (Ord. 2004-2-1 (part)).

#### **2.50.020 Membership.**

The Housing Committee shall consist of five (5) members, who shall be appointed by the Village President subject to the approval of the Village Board to staggered, three (3) year terms. Initially, the President shall appoint three (3) members to three (3) year terms and two (2) members to two (2) year terms. Thereafter, members will be appointed to three (3) year terms. Membership on the Committee will be representative of the demographics of the Village with special attention paid to appointing a person of low to moderate income as such maybe defined from time to time. Such Committee shall annually select one (1) of its members to serve as Chairperson and may select one (1) of its members to serve as Secretary. (Ord. 2004-2-1(part)).

#### **2.50.030 Powers And Duties.**

The Housing Committee is empowered and directed:

- A. To oversee the administration of the Village of Twin Lakes Housing Rehabilitation Program.
- B. To create, approve, and amend the Housing Procedures Manual.
- C. To review and approve loan applications made under the Housing Rehabilitation Program.
- D. To review and approve emergency loan applications made under the Housing Rehabilitation Program.
- E. To assist the Village in the administration and enforcement of the Twin Lakes Fair Housing Ordinance as requested by the Village Board.
- F. To perform other duties as necessary to undertake the requirements of grants received by the Village as they relate to housing. (Ord. 2004-2-1 (part)).

## Chapter 2.52

### MUNICIPAL COURT

#### Sections:

- 2.52.010 Establishment.**
- 2.52.020 Municipal Judge--Office Created.**
- 2.52.030 Municipal Judge--Election And Term.**
- 2.52.040 Municipal Judge--Salary.**
- 2.52.050 Municipal Judge--Bond And Oath.**
- 2.52.060 Jurisdiction.**
- 2.52.070 Contempt.**
- 2.52.080 Procedure.**

#### **2.52.010 Establishment.**

Pursuant to the authority and under the provisions of Chapter 755 of the Wisconsin Statutes, there is hereby established the Municipal Court for the Village of Twin Lakes, Wisconsin.  
(Ord. 78-8-4 (part): Ord. 12.10 § 1, 12/9/68).

#### **2.52.020 Municipal Judge--Office Created.**

Pursuant to Section 755.01, Wisconsin Statutes, there is created the Office of Judge of the Municipal Court for the Village. (Ord. 78-8-4 (part): Ord. 12.10 § 2, 12/9/68).

#### **2.52.030 Municipal Judge--Election And Term.**

The Municipal Judge shall be elected at large at the Spring Election for a term in accordance with Section 755.02 of the Wisconsin Statutes as it may be amended from time to time.(Ord 2010-12-1; Ord. 78-8-4 (part): Ord. 12-10 § 3, 12/9/68).

#### **2.52.040 Municipal Judge--Salary.**

The Village Board shall fix a salary for the Municipal Judge. The salary may be increased before the start of the second or a subsequent year of service of the term of the Judge, but shall not be decreased during a term. No Judge may be paid a salary for any time during the term during which the Judge has not executed his or her official bond or official oath, as required by law, and filed pursuant to law.  
(Ord. 78-8-4 (part): Ord. 12-10 § 4, 12/9/68).

#### **2.52.050 Municipal Judge--Bond and Oath.**

The Municipal Judge shall execute and file with the Village Clerk the oath prescribed by Section 757.02(1) of the Wisconsin Statutes, and a bond in the penal sum of one thousand dollars (\$1,000.00) or be covered under an employee dishonesty insurance policy which includes faithful performance. (Ord. 2015-5-5; Ord. 78-8-4 (part): Ord. 12.10 § 5, 12/9/68) (Ord. 2017-8-1).

#### **2.52.060 Jurisdiction.**

The Municipal Judge shall have such jurisdiction as provided by law and Section 755.05 of the Wisconsin Statutes, and exclusive jurisdiction of violations of Village Ordinances.  
(Ord. 78-8-4 (part): Ord. 12.10 § 6, 12/9/68)

**2.52.070 Contempt.**

A. In the following cases, and no others, the Municipal Judge may punish for contempt:

1. Persons guilty of disorderly, contemptuous and insolent behavior toward him or her while engaged in any judicial proceedings, or other conduct which tends to interrupt such proceedings or impair the respect due the authority of the Municipal Judge;

2. Persons guilty of resistance or disobedience to any lawful order or process made or issued by the Municipal Judge.

B. The Municipal Judge may impose a forfeiture for contempt not to exceed fifty dollars (\$50.00), or, upon default in payment of the forfeiture, a jail sentence not to exceed seven (7) days.

C. No person shall be punished for contempt before the Municipal Judge until an opportunity has been given to be heard in his or her defense, and for that purpose the Judge may, if the offender is not present, issue a warrant to bring the offender before the Judge. (Ord. 78-8-4 (part); Ord. 12.10 § 6(a), 12/9/68).

**2.52.080 Procedure.**

A. The Municipal Court for the Village shall be open as determined by order of the Municipal Judge.

B. The Municipal Judge shall keep his or her office and hold Court in the Village Hall building.

C. The procedure in Municipal Court for the Village shall be as provided by this Chapter and all applicable State Laws.

D. The Municipal Judge shall collect all fines, forfeitures, taxable costs and penalty assessments in any action or proceeding before him or her and shall pay over such moneys to the Village Clerk/Treasurer. The Judge shall also pay over to the Village Clerk/Treasurer all forfeitures collected by him or her in actions for violation of Village Ordinances. (Ord. 78-8-4 (part); Ord. 12.10 § 7, 12/9/68).

## Chapter 2.53

### ISSUANCE OF CITATION

**Sections:**

- 2.53.010 Citation Method Of Enforcement.**
- 2.53.020 Citation.**
- 2.53.030 Schedule Of Deposits.**
- 2.53.040 Issuance Of Citation.**
- 2.53.050 Procedure.**
- 2.53.060 Nonexclusivity.**

**2.53.010 Citation Method of Enforcement.**

Pursuant to Section 66.119 of the Wisconsin Statutes, the Village elects to use the Citation method of enforcement of Ordinances other than those for which a statutory counterpart exists. (Ord. 77-4-1 (part)).

**2.53.020 Citation.**

All information as required by Section 800.02 of the Wisconsin State Statutes regarding form of Citation, complaint, summons and warrant in Municipal Ordinance violation cases.

Such other information as the Village deems necessary.  
(Ord. 2013-9-2 (part); Ord. 2002-6-5; Ord. 77-4-1 (part)).

**2.53.030 Schedule Of Deposits.**

A. The following schedule of cash deposits is established for use with Citation issued under this Chapter:  
For Citation relating to violations of the following Ordinances, the schedule of cash deposits is established as follows:

Ordinance	Subject	Deposit
Chapter 8.08	Littering of Public Places	\$ 50.00
Chapter 8.12.021	Enclosure Requirements	50.00
Chapter 8.24	Fireworks	50.00
Chapter 8.80	Property Maintenance (1 <sup>st</sup> Offense)	50.00
	Property Maintenance (2 <sup>nd</sup> Offense)	200.00
Chapter 9.08	Escape	225.00
Chapter 9.12	False Alarms	250.00
Chapter 9.32	Indecent Exposure	200.00
Section 9.40.020	Dangerous Weapons	200.00
	Juvenile Deposit	100.00
Section 9.40.030	Fights	200.00
	Juvenile Deposit	100.00
Section 9.40.040	Unnecessary Noise	30.00
Section 9.40.050		
C, E, F, R	Disorderly Conduct	50.00
Section 9.40.050		
A, L, Q	Disorderly Conduct	100.00
Section 9.40.050		
B, D, O, P	Disorderly Conduct	200.00
Section 9.40.050		

H, I, K, M, N	Disorderly Conduct	250.00
Section 9.40.070	Assault	200.00
	Juvenile Deposit	100.00
Section 9.40.080	Prowling	200.00
Section 9.40.100	Obstruct by Loitering	50.00
Section 9.40.110	Disturbance of Meeting	50.00
Section 9.40.130	Sleeping in Vehicle	30.00
Section 9.40.170	Obstructing Firemen or Policemen	200.00
Section 9.40.180	Firebombs	250.00
Section 9.40.181	Selling on Public Property	30.00
Chapter 9.44	Loitering	50.00
	Juvenile Deposit	50.00
Chapter 9.48	Unlawful Assembly	100.00
Chapter 9.56	Open Intoxicants	75.00
Chapter 9.60	Theft	250.00
Chapter 9.64	Trespass	50.00
Section 9.68.010	Destruction of Property	225.00
Section 9.68.020	Damage to Property	225.00
Chapter 9.72	Illegal Entry Into Vehicle	250.00
Section 9.76.010	Curfew	25.00
Chapter 9.88	Weapons--Minors and Intoxicated Persons	250.00
Section 11.12.010	Obstructing Sidewalks Unlawful	25.00

In addition to cash deposits, each Citation under this Section shall carry the penalty assessment, costs and other statutory fees established under Chapter 2.54 of this Code, Section 165.87 of the Wisconsin Statutes, as well as any subsequent amendments thereto.

B. Deposits shall be made in cash, money order, certified check or valid Master/Visa Card to the Police Department, for which receipt shall be provided. (Ord. 2013-9-2 (part); Ord. 2002-6-5 (part); Ord. 99-6-8; Ord. 82-7-1; Ord. 81-7-1; Ord. 81-3-3; Ord. 78-8-2; Ord. 77-4-1 (part)).

#### **2.53.040 Issuance Of Citation.**

A. Law Enforcement Officer. Any Law Enforcement Officer may issue Citation authorized under this Chapter.

B. Village Officials:

1. The following Village Officials may issue Citation with respect to those specified Ordinances which are directly related to their official responsibilities;

- a. Building Inspector.
- b. Plumbing Inspector.
- c. Health Officer.
- d. Fire Chief.

2. Such Village Officials may delegate their authority to issue Citation to their subordinates. (Ord. 98-10-2 § 1; Ord. 77-4-1(part)).

#### **2.53.050 Procedure.**

Section 66.119(3) of the Wisconsin Statutes, relating to violator's options and procedure on default, is adopted and incorporated in this Chapter by reference. (Ord. 77-4-1 (part)).

**2.53.060 Nonexclusivity.**

A. Other Ordinances. Adoption of the Ordinance codified in this Chapter does not preclude the Board from adopting any other Ordinance or providing for the enforcement of any other law or Ordinance relating to the same or other matters.

B. Other Remedies. The issuance of a Citation under the provisions of this Chapter shall not preclude the Village or any authorized Officer from proceeding under any other Ordinance or law, or by any other enforcement method, to enforce any Ordinance, regulation or order. (Ord. 77-4-1 (part)).

## Chapter 2.54

### SURCHARGE ON MUNICIPAL FINES AND FORFEITURES

#### Sections:

#### **2.54.010 Surcharge On Municipal Fines And Forfeitures.**

#### **2.54.010 Surcharge On Municipal Fines And Forfeitures.**

Section 165.87 of the Wisconsin Statutes, and any subsequent amendments or additions thereto is adopted in its entirety.

A. Whenever the Municipal Court imposes a fine of forfeiture for a violation of a Municipal Ordinance, except for nonmoving traffic violations, there shall be imposed, in addition to the fine or forfeiture, a penalty assessment in an amount of twenty-three percent (23%) of the fine or forfeiture. If multiple offenses are involved, the penalty assessment shall be based upon the total fine or forfeiture for all offenses. When a fine or forfeiture is lawfully suspended in whole or in part, the penalty assessment shall be reduced in proportion to the suspension.

B. The above penalty assessment shall be collected by the Municipal Court and transmitted to the Village Clerk/Treasurer, who shall transmit the penalty assessment to the State Treasurer on a monthly basis.

C. Persons required to make bail deposits for Municipal Ordinance violations shall also deposit a sufficient amount to include the twelve percent (12%) penalty assessment. If the bail is forfeited, the Municipal Court shall transmit the penalty assessment to the State Treasurer on a monthly basis.

(Ord. 99-6-9: Editorially amended per approval by Village Board 7/8/96; Ord. 81-3-2: Ord. 77-12-1).

## Chapter 2.56

### VOTER REGISTRATION

#### Sections:

**2.56.010 Registration Required.**

**2.56.020 Process And Procedure.**

**2.56.010 Registration Required.**

Pursuant to the authority of Sections 6.26 through 6.56, Wisconsin Statutes, every voter is required to register for all elections. (Ord. passed 9/27/73; prior code § 22.01).

**2.56.020 Process And Procedure.**

The process and procedure of registration and voting shall be controlled and shall be carried out pursuant to Sections 6.26 through 6.56, Wisconsin Statutes, and said statutes are incorporated herein by reference, as if set forth in full. (Ord. passed 9/27/73; prior code § 22.02).

## **Chapter 2.60**

### **OPENING AND CLOSING OF POLLS**

#### **Sections:**

#### **2.60.010 Opening And Closing Of Polls.**

#### **2.60.010 Opening And Closing Of Polls.**

The polls at all general elections in the Village shall be opened at seven (7:00) a.m. and closed at eight (8:00) p.m. (Ord. 99-2-1; Ord. 74-12-1; Ord. passed 9/27/73; Ord. 1.23, 3/14/49; prior code § 1.23).

## Chapter 2.61

### ELECTRONIC VOTING SYSTEM

#### Sections:

**2.61.010 Electronic Voting System Established.**

**2.61.011 Appointment Of Election Officials.**

**2.61.010 Electronic Voting System Established.**

As provided in Chapter 5, Subsection III of the Statutes of Wisconsin entitled "Electronic Voting Systems," such system is established for the Village, commencing with the September, 1984, primary election. Chapter 5, Subsection III of Wisconsin Statutes, as enacted and as may be amended is incorporated in this Chapter in the same manner as if set forth in full. (Ord. 84-8-2).

**2.61.011 Appointment of Election Officials.**

Pursuant to Section 7.30 Wisconsin Statutes, the number of inspectors at each polling place shall be five(5), except that in the event that voting machines are not used for any election or if there is potential for large voter turnout, the number of election officials shall be increased to seven (7).  
(Ord. 99-2-2; Ord. 86-12-1)

## Chapter 2.64

### CIVIL DEFENSE

#### Sections:

**2.64.010 Plan Ratification And Acceptance.**

**2.64.020 Director.**

#### **2.64.010 Plan Ratification And Acceptance.**

An Ordinance of the County Board of Supervisors prescribing a County Municipal Civil Defense Plan of Organization, adopted by said County Board on the twenty-sixth(26<sup>th</sup>) day of June, 1962, copies of which Ordinance are available at the Village Clerk/Treasurer's office, is ratified and accepted by the Village. This ratification and acceptance constitutes a mutual agreement between the Village, the County, and each participating municipality as provided by Section 3 of the Ordinance of the County Board herein referred to. (Ord. 26 § I, 1/14/63).

#### **2.64.020 Director.**

The County Municipal Civil Defense director, appointed and employed by the County Board as prescribed in the Ordinance referred to in Section 2.64.010, is designated and appointed Civil Defense Director for the Village, subject to the conditions and provisions as set forth in the Wisconsin Statutes and in said County Ordinance. (Editorially amended per approval by Village Board 7/8/96; Ord. 26 § II, 1/14/63).

## Chapter 2.68

### DESTRUCTION OF VILLAGE RECORDS

#### Sections:

#### **2.68.010 Destruction Of Village Records.**

#### **2.68.010 Destruction Of Village Records.**

The Village Officers are authorized to destroy its utility records after two (2) years from the effective date thereof including water and sewer assessments and charges, customers' ledgers, vouchers and supporting documents and to destroy other official records after the expiration of seven (7) years from the effective date thereof including, but not necessarily limited to, assessment rolls and records, Board of Review minutes, contracts, correspondence and communications, financial reports and records, insurance records, justice dockets, oaths, resolutions and voter records, bank statements, deposit slips and stubs, bonds and coupons after maturity, cancelled checks and stubs, license applications and records, payroll and employment records, vouchers, requisitions and purchase orders and records; provided nothing herein shall authorize destruction of any record prior to the expiration of any longer period of time which may be prescribed by statute or any state administrative regulation; and provided further that prior to any destruction at least sixty (60) days notice shall be given to the State Historical Society unless waived, as provided by WSA § 19.21(4)(a).  
(Editorially amended per approval by Village Board 7/8/96; Ord. passed 9/10/68).

## Chapter 2.69

### EMPLOYMENT PRACTICES

#### Sections:

#### **2.69.010 Licenses And Certifications.**

#### **2.69.020 Background Investigations.**

#### **2.69.010 Licenses And Certifications.**

A. Applicants for a position requiring a license and/or certification must present valid proof of same prior to the first assigned starting date.

B. Persons operating a Village vehicle or equipment must possess an appropriate and valid operator's license and submit that license as proof. Those positions requiring a special certification by an agency of the State must submit proof of satisfactory completion, with certification to professionally practice in the State of Wisconsin. Updated proof of licensure and/or certification shall also be provided as requested.

C. Various other certifications may be requested as proof of completed education at a recognized institution or university. The Village reserves the right to obtain necessary information regarding academic achievement transcripts, educational files, health records or prior employment records of any applicant.

(Ord. 98-1-1 (part)).

#### **2.69.020 Background Investigations.**

A. Every new employee of the Village shall have a routine background check made by the Police Department, and such report will be filed with personnel records maintained by the Village. This will be done before appointment. The personal background and criminal and/or civil action data (including driving record and Ordinance violations) will be evaluated in relation to the applicant's perceived ability to perform the duties and responsibilities of the specific position applied for.

B. At its option, the Village may contact those employers and any references as shown on the employment application. All employment is subject to receipt of acceptable references. Applicants shall be checked for verification as to their employment and educational backgrounds. (Ord. 98-1-1(part)).

## Chapter 2.70

### OFFICERS OF THE PEACE

#### Sections:

**2.70.010 Election.**

**2.70.020 Officers Of The Peace**

#### **2.70.010 Election.**

The Village of Twin Lakes, Wisconsin, pursuant to Section 66.0101 of the Wisconsin Statutes, hereby elects not to be governed by those portions of 61.31(1) of the Wisconsin Statutes, which are in conflict with this Ordinance. (Ord. 2003-6-2).

#### **2.70.020 Officers Of The Peace.**

The power of the Village Trustees and Village President to act as Officers of the Peace are hereby transferred to the Village of Twin Lakes Police Department and the officers therein, commencing on September 1, 2003. The Village Trustees shall continue to have all other powers conferred upon them by Wisconsin Statutes or Village Ordinance. (Ord. 2003-6-2).

## **Chapter 2.75**

### **OFFICE OF CONSTABLE**

#### **Sections:**

#### **2.75.010 Office Of Constable Abolished.**

#### **2.75.010 Office Of Constable Abolished.**

- A. The Office of Constable in the Village is abolished.
- B. The duties of the Constable shall be performed by the Twin Lakes Police Department.
- C. The Constable now holding office shall remain in office until his term expires. (Ord. 80-3-1).

## Chapter 2.76

### PUBLIC ACCESS TO VILLAGE RECORDS

#### Sections:

- 2.76.010 Policy.**
- 2.76.020 Definitions.**
- 2.76.030 Legal Custodians.**
- 2.76.040 Records To Be Filed With Clerk.**
- 2.76.050 Public Notice.**
- 2.76.060 Facilities.**
- 2.76.070 Fees And Charges.**
- 2.76.071 Compliance.**
- 2.76.080 Exceptions.**

#### **2.76.010 Policy.**

It is the declared policy of the Village to make available to the public all records as defined in this Chapter that are not otherwise protected or exempt by law, of whatever nature, that are created by the Village Board or any Agency, Commission, Committee or Department of the Village by the laws of the State or by Village Ordinance, Rule or Regulation. (Ord. 83-4-1 (part)).

#### **2.76.020 Definitions.**

The following sections of Wisconsin Statutes are adopted by reference and made a part of this Chapter.

- A. Section 19.32 (1) Authority.
- B. Section 19.32 (2) Record.
- C. Section 19.32 (3) Requestor.

(Ord. 83-4-1 (part)).

#### **2.76.030 Legal Custodians.**

A. The Legal Custodians of all records, as defined in Section 2.76.020, of any Elected Official, Agency, Board, Commission, Committee or Department created by the Village Board shall be the Village Clerk/Treasurer and in the absence of the Village Clerk the Deputy Village Clerk shall act as Legal Custodian.

B. The Legal Custodian of all records for the Twin Lakes Fire Department, Twin Lakes Police Department or other departments or association or nonprofit corporation which receives more than fifty percent (50%) of its funds from the Village and provides services relating to public health or safety to the community shall be the Chief Officer of any such department or corporation. The Chief Officer may designate in writing a responsible person to act as Legal Custodian of records for the departments and shall provide the Village Clerk with the name of the person and the times and places where said records may be inspected by any person requesting inspection or copying of records.

C. The Clerk of the Municipal Court shall be the Custodian of all records created by the Court.  
(Ord. 83-4-1 (part)).

#### **2.76.040 Records To Be Filed With Clerk.**

The Chairperson, or designated Clerk or Secretary of any public agency, Board, Commission, Committee or Department created by law, Ordinance, Rule or Regulation, shall serve as a temporary Custodian of that public body or authority's records and shall be responsible for a prompt transmittal of all records to the Village Clerk, it being the intent of this Section that all records except those of the Twin Lakes Police Department, Volunteer Fire Department and Municipal Court shall be centrally located and filed for convenience and availability to the public. (Ord. 83-4-1 (part)).

**2.76.050 Public Notice.**

The Village Clerk shall provide notice to the public and post such information at the Village Hall describing the records available from the Village Clerk as Custodian of Village Records and all records kept and maintained by the Village Clerk shall be available to public access at the Village Hall during the regular business hours. The Village Clerk shall also set a schedule of fees adopted by the Village Board as set forth in Section 2.76.070. The Custodian of Records not kept and maintained by the Village Clerk shall advise the Village Clerk in writing of the name of the Legal Custodian, the times and place where such records shall be available to the public. Those Custodians or departments which do not maintain regular business hours shall permit access to such records on at least forty-eight (48) hours written or oral notice of the request to inspect or copy records or in the alternative a Custodian other than the Village Clerk may establish a period of at least two (2) consecutive hours per week during which access to records shall be permitted upon twenty-four (24) hours advance written or oral notice to the Custodian. The Village Clerk shall post all such information regarding access to records. The Village Clerk may rely on the written notice from Custodians relating to records not under the Village Clerk's custody and control. (Ord. 83-4-1 (part)).

**2.76.060 Facilities.**

A person requesting access to records shall be permitted to use the facilities of the Village Hall for all records kept by the Village Clerk to inspect, copy or abstract such record and all other Custodians shall provide a facility comparable to those used by its members or employees for the inspection, copying or abstracting of its records. (Ord. 83-4-1 (part)).

**2.76.070 Fees And Charges.**

The Village Clerk as Custodian of Village records shall be entitled to charge a fee as shall be determined by the Village Clerk to defray the costs of reproduction of such record made by the Village or for locating records provided that the reproduction costs shall not exceed the actual and necessary and direct costs of such reproduction and the charge for locating the records exceeds fifty dollars (\$50.00) In all cases where such fees are not determined by the Village Board, the Chief Officer of the Department shall determine said fees within the limitation set forth in this Section.

A. Request for records which is made by mail shall be honored by the Custodian, and the direct charges for mailing or shipping may be charged to the person requesting the record.

B. The Custodian shall estimate the cost of all the applicable fees and charges and in the event that such fees and charges shall be in excess of five dollars (\$5.00), the Custodian may require a reasonable cash deposit in an amount calculated by the Custodian to be adequate and assure payment. Any deposit which shall be less than the Custodian's estimate in this Section shall be paid to the Custodian before release of records and any amount in excess of the Custodian's estimate shall be remitted to the request. The Custodian may provide copies of such records without charge or at a reduced charge to any municipality or public body requesting same or whenever it is determined that such waiver or reduction of fee is in the public interest.

C. Fees and charges for this Section are described in Chapter 3.06.010(B).  
(Ord. 2002-6-4; Ord. 2000-5-2; Ord. 98-2-3; Ord. 91-3-1; Ord. 90-2-3; Ord. 83-4-1 (part)).

**2.76.071 Compliance.**

A. A Custodian, upon request for any record, shall as soon as practicable and without undue delay either fill the request or notify the requester of the Custodian's determination to deny the request in whole or in part and the reasons therefor.

B. If any such request is made orally, the Custodian may deny the request orally, unless a demand for written statement of the reasons denying the request is made by the requester within five (5) business days of the oral denial.

C. If the Custodian denies a written request in whole or in part, the requester shall receive from the Custodian a written statement of the reasons for denying the written request. Every written denial by a Custodian shall inform the requester that if a request for a record was made in writing then the determination

is subject to review upon a petition for a writ of mandamus as provided under Section 19.37(1) of the Wisconsin Statutes or upon proper application to the Attorney General of the State or the District Attorney of Kenosha County. (Ord. 83-4-1 (part)).

**2.76.080 Exceptions.**

Except as otherwise provided in this Chapter and Sections 19.36 and 19.85 of the Wisconsin Statutes, all records as defined in Section 2.76.020 of this Chapter shall be available and the public shall have an absolute right to inspect and make or receive copies of the same except that the Clerk may deny a request for records whenever:

- A. It is determined that harm to public interest would result from an untimely disclosure.
- B. The records are obtained under an official pledge of confidentiality where such is necessary in order to obtain the information.
- C. Deliberations after judicial or quasi-judicial hearings.
- D. Records concerning employment, dismissal, promotion, compensation, performance or discipline of a Village employee or the investigation of charges against an officer or employee unless the officer or employee consents to such disclosure.
- E. Those records concerning crime detection or prevention or deliberations;
- F. Negotiations on the purchase of property, investing funds or other business whenever a competitive or bargaining reason would require nondisclosure;
- G. Financial, medical, social and personal histories and disciplinary data of specific persons which if disclosed would likely have a substantial adverse effect on the reputation of any person;
- H. Communications between legal counsel for the Village and any officer, agent or employee where counsel's advise is being rendered concerning strategy as respect to litigation in which the Village or any of its officers, agents or employees are or are likely to become involved or such other communications as are privileged under Section 905.03 of the Wisconsin Statutes. (Ord. 2015-5-3; Ord. 83-4-1 (part)).

## Chapter 2.77

### GRIEVANCE PROCEDURES FOR HANDICAPPED PERSONS

#### Sections:

- 2.77.010 Intent.**
- 2.77.020 Definition.**
- 2.77.030 Procedure.**
- 2.77.040 Right To Pursue Action Within Jurisdiction.**

#### **2.77.010 Intent.**

It is the intent of this Chapter to establish a grievance procedure whereby any citizen of the Village who shall be defined in this Chapter as handicapped, shall have such grievance resolved in an equitable and timely manner. (Ord. 84-10-1 (part)).

#### **2.77.020 Definition.**

“Handicapped person,” as used in this chapter, means any person who has a physical or mental impairment that substantially limits one or more life activities, has a record of such impairment or is regarded as having such impairment all as set forth in 31 Code Federal Regulation Part 51.55 (31CFR51.55) which is herewith adopted and made a part of this chapter. (Ord. 84-10-1 (part)).

#### **2.77.030 Procedure.**

Any person who shall feel aggrieved by any act of the Village, its elected officials, officers, agents, employees or departments shall have the right to make such complaint or grievance known to the Village in the following manner:

A. The grievant may make the grievance or complaint known to the Village Clerk either verbally or in writing except that if the complaint shall be verbally, the Clerk shall immediately reduce the verbal complaint and all information received from the grievant to writing.

B. The Clerk shall then refer the matter to the chairman of the administration, finance and judiciary committee, and the chairman shall schedule a hearing before the entire committee within fifteen (15) days. Notice of such hearing shall be given to all interested persons either by personal service or by first class mail within not less than five (5) days, and interested parties may appear and be heard and be represented by council. The procedure for such hearing shall be that of a legislative hearing rather than an adversary hearing. After receipt of all testimony, evidence and statements, the Committee shall within fifteen (15) days render its decision in writing.

C. Any person who shall be dissatisfied with the decision of the Committee may, within ten (10) days appeal the decision to the entire Village Board. The Village Board shall review the record and may hold additional hearings before rendering its decision, which shall affirm, reverse or modify that of the Committee. No member of the Committee shall be permitted to act as a reviewing member on the Village Board. The Village Board shall render its decision within fifteen (15) days.

D. A record of the proceedings before the Committee or the Village Board shall be made by stenographic or mechanical recording.

E. The Committee and the Village Board shall have the power of subpoena to compel attendance of witnesses. (Ord. 84-10-1 (part)).

#### **2.77.040 Right To Pursue Action Within Jurisdiction.**

Nothing in this Chapter is intended to prohibit a handicapped person from pursuing any action permitted by any State, Federal Statute or Administrative Agency having jurisdiction of the alleged discrimination. (Ord. 84-10-1 (part)).

## Chapter 2.78

### MISCELLANEOUS ADMINISTRATIVE PROVISIONS

#### Sections:

**2.78.010 Actions Withheld For Nonpayment Of Charges, Fees Or Personal Property Taxes.**

**2.78.020 Fees Of Village Professionals Charged Back.**

**2.78.030 Refunds Of Tax Payments In Excess Of Tax Bill Amount.**

**2.78.040 Payment Of Utility, Payroll Or Insurance Regardless Of Amount And All Other Expenditures Under Five Hundred Dollars (\$500.00).**

**2.78.050 Special Assessment Procedures--Determination Of Necessity For Public Improvements.**

#### **2.78.010 Actions Withheld For Nonpayment Of Charges, Fees Or Personal Property Taxes.**

No license or permit shall be issued by the Village to any person and no final action shall be taken by the Village on any matter for a person who has not paid an overdue forfeiture resulting from the violation of a Village Ordinance, any unpaid or outstanding permit or license fee, delinquent personal property taxes or any other unpaid fees or charges due to the Village including charges that have been included in any property tax billing under State Law. In addition, the Village will take no action under this Section on behalf of any person who is in arrears to the County of Kenosha for delinquent property taxes. (Ord. 2009-5-1; Ord. 92-5-2).

#### **2.78.020 Fees Of Village Professionals Charged Back.**

A. Whenever a property owner, developer, or other individual contacts the Village Attorney, Engineer or any other of the Village's professional staff or the Village Board, Village Clerk or other Village official contacts such Village Attorney, Engineer or any of the Village's professional staff on a property owner's, developer's, or other individual's behalf, if such contact results in a charge to the Village for that professional's time and services and such service is not a service supplied to the Village as a whole, then and in that event the Village Clerk shall, pursuant to the provisions of Section 66.0627 of Wisconsin Statutes, charge that service to such property owner, developer, or other individual for the fees incurred by the Village.

B. The Village Clerk may impose a charge back against a property owner, developer, or other individual for current services rendered for outside professional services or extraordinary staff services that are deemed necessary in the pursuit of Village regulations and/or enforcement of Village Ordinances, where such services result in a charge to the Village for that time and services. Charge backs under this provision will be made pursuant to the provisions of Section 66.0627 of Wisconsin Statutes.

C. The Village Clerk shall give each property owner, developer, or other individual billed for services as provided for herein a period of time not to exceed thirty (30) days to pay. The charges are not payable in installments. Thereafter, if that charge remains unpaid, the Village Clerk shall automatically charge that delinquent bill against the current or next tax roll as a delinquent tax against the property as provided by law. In the event the statement rendered to the property owner, developer, or other individual or the time given for the property owner, developer, or other individual to pay is too late in the current year for the charge, when it becomes delinquent, to be extended on that year's tax roll, then the delinquent charge shall be extended to the following year's tax roll.

D. When escrow accounts are created for the payment of the aforementioned fees, notwithstanding specific amounts referenced elsewhere in this Code, they shall be established and maintained with sufficient funds to pay the full cost of anticipated expenses to be paid with such escrow account. If, at any time, an escrow account's funds diminish to a level below the amount of anticipated future expenses, the owner of the account shall replenish the account within ten (10) days of Village notification and request for additional funds. The owner of any escrow account that does not maintain a sufficient balance in said account to pay expenses after notification by the Village shall be charged interest in the amount authorized by Statute for any payments made using Village funds. Interest shall be calculated on a daily rate basis for each day between the

date of payment by the Village until receipt of sufficient funds in the escrow. This shall be in addition to any other remedy, action or penalty available under Statute or this Code. (Ord. 2006-3-2; Ord. 2004-1-2; Ord. 97-2-1).

**2.78.030 Refunds Of Tax Payments In Excess Of Tax Bill Amount.**

A. Purpose and Intent. It is the declared intent of this Ordinance that tax payments made in excess of the tax bill amounts shall be refunded pursuant to the procedures established under this Ordinance within fifteen (15) business days of the payment. Further, it is the declared intent that this policy shall be in full force and effect upon adoption by the Village Board, with the purpose of complying with Section 74.03(2) of Wisconsin Statutes (as adopted by 1997 Wisconsin Act 315).

B. Authority. This Ordinance is adopted pursuant to the authority granted to Village Boards under Section 66.044 of Wisconsin Statutes to enact an alternative system for approving financial claims against the Village other than claims under Section 893.80 of Wisconsin Statutes.

C. Required Procedures of Treasurer Upon Payment of Excess Amount Over Tax Bill Amount. Pursuant to Section 61.26 of Wisconsin Statutes upon receipt of tax payments in excess of the tax bill, the Village Treasurer shall deposit as soon as practicable all payments in the name of the Village in public depositories designated by the Village Board. Upon verification by the Village Treasurer that the payment as deposited has cleared and not been returned as insufficient funds, but not later than ten (10) days after depositing, the Village Treasurer shall notify the Village Clerk in writing: the name and mailing address of the taxpayer for whom a refund in excess of the tax bill amount is due, the amount of the refund in excess of the tax bill, the date payment was received, and a statement that the payment as made has cleared and not been returned as insufficient funds.

D. Required Procedures of Clerk Upon Notification from Treasurer of Excess Payment of Tax Bill Amount. Upon written notification from the Village Treasurer that a taxpayer has made a tax payment in excess of the tax bill amount, the Village Clerk shall approve a claim as a proper charge against the Village Treasury, and endorse their approval on the claim after having determined that the following conditions have been complied with:

1. The funds are available to pay the claim, assuming the tax payment has cleared and has not been returned as is evidenced by the Treasurer's notice;
2. The Village Board has authorized the refund of excess tax payment as established by the adoption of this Ordinance;
3. The refund is due in the amount noticed by the Village Treasurer as a tax payment in excess of the amount of the tax bill. The Treasurer may retain overpayments made when such overpayment does not exceed \$5.00, unless a refund is specifically requested by remitter in writing. (Ord. 2012-12-1)
4. The refund is a valid claim against the Village, being a payment in excess of the tax bill amount. Further, the Village Clerk shall prepare monthly and file with the Village Board a list of claims paid under this procedure, listing the amount of the claims, the date paid, the name of the taxpayer/claimant, and that the payment was a payment of a refund for excess tax payment.

E. Issuance of Disbursement from Local Treasury. Upon approval of the claim (or proper authorization) by the Village Clerk under the procedures listed in subsection D of this Section, a refund check payable to the taxpayer/claimant named in the claim or authorization and in the amount approved shall be written by the Village Treasurer countersigned as required by Section 66.042 of Wisconsin Statutes by the Village Clerk and Village Treasurer, unless facsimile signature approved by the Village Board is used,

4. The refund is a valid claim against the Village, being a payment in excess of the tax bill amount. Further, the Village Clerk, shall prepare monthly and file with the Village Board a list of claims paid under this procedure, listing the amount of the claims, the date paid, the name of the taxpayer/claimant, and that the payment was a payment of a refund for excess tax payment.

E. Issuance of Disbursement from Local Treasury. Upon approval of the claim (or proper authorization) by the Village Clerk under the procedures listed in subsection D of this Section, a refund check payable to the taxpayer/claimant named in the claim or authorization and in the amount approved shall be written by the

Village Treasurer countersigned as required by Section 66.042 of Wisconsin Statutes by the Village Clerk and Village Treasurer, unless facsimile signature approved by the Village Board is used, shall be issued not later than fifteen (15) business days from the date of the tax payment was received by the Village Treasurer as noticed by the Village Treasurer in subsection C of this Section.

F. Mailing or Delivery of Refund Check to Taxpayer/Claimant. Upon issuance of the proper countersigned refund check, pursuant to the procedures in this Section, the refund check shall be delivered to the taxpayer/claimant or mailed to the last known mailing address of the taxpayer/claimant by the Village Treasurer.

G. Pursuant to Section 66.044(3) of Wisconsin Statutes the Village Board be required to contract for an annual detailed audit of its financial transactions and accounts by a public accountant licensed under Chapter 442 of Wisconsin Statutes and designated by the Village Board. Pursuant to Section 66.044(4) of Wisconsin Statutes the Village Board requires that if an alternative claim procedure is used, the Village Clerk must be covered by a fidelity bond of not less than five thousand (\$5,000.00) dollars. (Ord. 98-11-1).

**2.78.040 Payment Of Utility, Payroll Or Insurance Regardless Of Amount And All Other Expenditures Under Five Hundred Dollars (\$500.00).**

A. Purpose and Intent. It is the declared intent of this Ordinance that payment of utility, payroll or insurance regardless of amount and all other expenditures under five hundred dollars (\$500.00) may be made without Village Board approval.

B. Authority. This ordinance is adopted pursuant to the authority granted to Village Boards under Section 66.044 of Wisconsin Statutes to enact an alternative system for approving financial claims against the Village other than claims under Section 893.80 of Wisconsin Statutes.

C. Required Procedures of Treasurer Upon Payment of Utility, Payroll or Insurance regardless of amount and Other Expenditures Under five hundred dollars (\$500.00). Upon notification that any utility, payroll or insurance invoice regardless of amount or other expenditures under five hundred dollars (\$500.00), which the Village Treasurer reasonably believes should be paid prior to formal Village Board approval of expenditure, the Treasurer shall notify the Village Clerk in writing: the name and mailing address of the entity to whom payment is due, the amount of the payment, the date payment should be remitted and a statement as to why payment should be made prior to formal Village board approval of the expenditure.

D. Required Procedures of Clerk Upon Notification from Treasurer. Upon written notification from the Village Treasurer as set forth in subsection C of this section, the Village Clerk shall approve payment as a proper charge against the Village treasury, and endorse approval on the claim after having determined that the following conditions have been complied with:

1. The funds are available to pay the claim pursuant to the Village budget.
2. That the item or service covered by such claim has been duly authorized by the proper official, department head, board or commission.
3. That the claim or service has actually been supplied or rendered in conformity with such authorization.
4. The payment represents a valid claim against the Village. The Clerk may require submission of such proof and evidence to support the foregoing as deemed necessary. Further, the Village Clerk shall prepare monthly and file with the Village Board a list of claims paid under this procedure, listing the amount of the claims, the date paid, the name of the claimant, purpose and amount.

E. Issuance of Disbursement from Local Treasury. Upon approval of the claim (or proper authorization) by the Village Clerk under the procedures listed in subsection C of this Section, a check payable to claimant named in the claim or authorization and in the amount approved shall be written by the Village Treasurer countersigned as required by Section 66.042 of Wisconsin Statutes by the Village Clerk and Village Treasurer, unless facsimile signature approved by the Village Board is used shall be issued not later than fifteen (15) business days from the date the claim was received by the Village Treasurer as noticed by the Village Treasurer in subsection C of this Section.

F. Mailing or Delivery of Refund Check to Taxpayer/Claimant. Upon issuance of the proper countersigned check, pursuant to the procedures in this Section, the check shall be delivered to the claimant or mailed to the last known mailing address of the claimant by the Village Treasurer.

G. Pursuant to Section 66.044(3) of Wisconsin Statutes the Village Board be required to contract for an annual detailed audit of its financial transactions and accounts by a public accountant licensed under Chapter 442 of Wisconsin Statutes and designated by the Village Board. Pursuant to Section 66.044(4) of Wisconsin Statutes the Village Board requires that if an alternative claim procedure is used, the Village Clerk must be covered by a fidelity bond of not less than five thousand dollars (\$500.00). (Ord. 98-11-2 § 1).

**2.78.050 Special Assessment Procedures--Determination Of Necessity For Public Improvements.**

Pursuant to Section 66.0701 of Wisconsin Statutes, the procedure to be followed by the Village Board in exercising special assessment powers shall be the procedure set forth in subchapter VII of Chapter 66 of Wisconsin Statutes, with the following variations:

A. Public Hearing. The public hearing prescribed by Section 66.0703 of Wisconsin Statutes shall be held by and before the Village Board which shall, after the hearing, recommend approval or disapproval of the report or to modify the same in accordance with such changes as the Village Board deems necessary to accomplish a fair and equitable assessment.

B. Use of Procedures Subsequent to Improvement. The words "proposed" and "contemplated" shall have no effect when used in Section 66.0703 of Wisconsin Statutes to modify the words "improvement" or "work," the purpose of this and the following variations being the adaptation of the standard procedural provisions of the statutes for use in the event of assessment subsequent to authorization or construction of the improvement as well as the time contemplated therein, but otherwise to retain and prescribe for the Village the statutory formula of report, notice, hearing, assessment, appeal and the like.

C. Passage of Resolution. The Resolution required by Section 66.0703(1) of Wisconsin Statutes, may be passed at any time before, during or after the construction or installation of the municipal work or improvement in question.

D. Report. If the Resolution required by subsection C of this Section is passed after the work or improvement is completed, the report as required and described by Sections 66.0703(4) and (5) of Wisconsin Statutes shall consist of:

1. Final plans and specifications;
2. A statement of the actual cost of the work or improvement;
3. A statement as to each parcel of property affected of:
  - a. The assessment of benefits to be levied.
  - b. The damages awarded or 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 improvement constitutes an exercise of the police power. In such case, the statements required under subsection (D)(3) of this Section shall be replaced by a schedule of the proposed assessments.

E. Ratifying or Authorizing Improvement. If the Resolution required by Section 66.0703(1) of Wisconsin Statutes is passed after the work or improvement has been authorized, commenced or completed, when the Village Board finally determines to proceed with the assessment therefor, it shall ratify the work or improvement as commenced or completed and the plans and specifications therefor, and shall adopt a Resolution directing that the work or improvement, if not completed, be carried out in accordance with the report as finally approved, and that payment for the work or improvement, whether completed or not, be made as provided in the report.

F. Right of Appeal. Whenever the work or improvement is authorized, commenced or completed prior to the final Resolution levying assessments therefor, upon the publication or posting of the final Resolution as required by Section 66.0703(8) of Wisconsin Statutes, the variation in the original provision for payment of the cost of the work or improvement shall be deemed authorized and all awards of damages or compensation

and assessments provided for in the final Resolution shall be deemed duly and legally made, subject to the right of appeal provided for in Section 66.0703(12) of Wisconsin Statutes. (Ord. 2005-7-1).