

TITLE 2
Government and Administration

Chapter 1	Village Government
Chapter 2	Village Board
Chapter 3	Municipal Officers and Employees
Chapter 4	Boards and Commissions
Chapter 5	Finance
Chapter 6	Special Assessments
Chapter 7	Ethical Standards
Chapter 8	Review of Administrative Determinations
Chapter 9	Public Records

CHAPTER 1
Village Government

2-1-1	Village Government
2-1-2	Official Newspaper

SEC. 2-1-1 VILLAGE GOVERNMENT.

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

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

SEC. 2-1-2 OFFICIAL NEWSPAPER.

The official newspaper of the Village of Norwalk shall be designated yearly at the organizational meeting following the election of village officials in April.

CHAPTER 2 Village Board

2-2-1	Village Board
2-2-2	Trustees
2-2-3	Village President
2-2-4	Standing Committees; Committee Reports
2-2-5	General Powers of the Village Board
2-2-6	Coordination with Other Municipalities
2-2-7	Internal Powers of the Board
2-2-8	Salaries
2-2-9	Meetings
2-2-10	Special Meetings
2-2-11	Open Meetings
2-2-12	Quorum
2-2-13	Presiding Officers
2-2-14	Order of Business
2-2-15	Introduction of Business
2-2-16	Conduct of Deliberations
2-2-17	Reconsideration of Questions
2-2-18	Call of the Board
2-2-19	Disturbances and Disorderly Conduct
2-2-20	Appropriations and Accounts
2-2-21	Publication and Effect of Ordinances
2-2-22	Amendment of Rules
2-2-23	Suspension of Rules

SEC. 2-2-1 VILLAGE BOARD.

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

SEC. 2-2-2 TRUSTEES.

- a) ELECTION, TERM, NUMBER. The Village shall have six (6) Trustees in addition to the President, who is a Trustee by virtue of his or her office as President. The six (6) Trustees shall constitute the Village Board. Three Trustees shall be elected at each year for a term of two (2) years.
- b) APPOINTMENT AS PRESIDENT. A Village Trustee shall be eligible for appointment as Village President to fill an unexpired term.

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

SEC. 2-2-3 VILLAGE PRESIDENT.

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

State Law Reference: Section 61.24, Wis. Stats.

SEC. 2-2-4 STANDING COMMITTEES; COMMITTEE REPORTS.

- a) COMMITTEE APOINTMENTS. At the organizational meeting of the Village Board, the Village President shall appoint three Trustees to each of the following committees:
 - 1) Streets and Sidewalks Committee
 - 2) Finance Committee
 - 3) Water and Sewer Committee
 - 4) Public Health Committee
 - 5) License Committee
 - 6) Committee on Public Protection and Public Property
 - 7) Administration Committee
 - 8) Such special committees or task forces as deemed necessary by the Board
- b) RESTRICTIONS ON APPOINTMENTS. The Village President shall be the ex-officio chairman of the Finance Committee, the chairmen of other committees shall be designated by the Village President. Each Trustee shall serve as appointed unless excused by a majority of the members of the Board.
- c) COMMITTEE REPORTS. Each committee shall at the next regular Board meeting submit a report on all matters referred to it. Such report shall recommend a definite action on each item and shall be approved by a majority vote of the committee. Any committee may require any Village officer or employee to confer with it and supply information in connection with any matter pending before it.
- d) ACTION ON COMMITTEE REPORTS. An aye and nay vote shall be taken on each committee report immediately following its submission, provided that any trustee may require a separate vote on any ordinance,

resolution or other matter in any report. Action upon a specific matter included in any committee report shall be deferred until the next regular meeting following the submission of the report upon the request of any two trustees. The approval of a committee report in which the adoption of an ordinance or resolution, and likewise for other actions recommended by the committee on any matter.

Cross-Reference: Section 2-4-2.

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

- a) GENERAL. The Village Board shall be vested with all the powers of the Village not specifically given by some other officer. Except as otherwise provided by law, the Village Board shall have the management and control of the Village property, finances, highways, streets, navigable waters, and the public service, and shall have the power to act for the government and good order of the Village, for its commercial benefit and for the health, safety, welfare and convenience of the public, and may carry its powers into effect by license, regulation, suppression, borrowing, taxation, special assessment, appropriation, fine, imprisonment and other necessary or convenient means. The powers hereby conferred shall be in addition to all other grants and shall be limited only by express language.
- b) ACQUISITION AND DISPOSAL OF PROPERTY. The Village Board may acquire property, real or personal, within or without the Village, for parks, libraries, historic places, recreation, beautification, streets, waterworks, sewage or waste disposal, harbors, improvement of watercourses, public grounds, vehicle parking areas and for any other public purpose; may acquire real property within or contiguous to the Village, by means other than condemnation, for industrial sites; may improve and beautify the same; may construct, own, lease and maintain buildings on such property for instruction, recreation, amusement and other public purposes; and may sell and convey such property. Condemnation shall be as provided by Ch. 32, Wis. Stats.
- c) ACQUISITION OF EASEMENTS AND PROPERTY RIGHTS. Confirming all powers granted to the Village Board and in furtherance thereof, the Board is expressly authorized to acquire by gift, purchase or condemnation under Ch. 32, Wis. Stats., any and all property rights in lands or waters, including rights of access and use, negative or positive easements, restrictive covenants, covenants running with land, scenic easements and any rights for use of property of any nature whatsoever, however denominated, which may be lawfully acquired for the benefit of the public or for any public purpose, including the exercise of powers granted under Sections 61.35 and 62.23, Wis. Stats.; and may sell and convey such easements or property rights when no longer needed for public use or protection.

- d) CONSTRUCTION OF POWERS. Consistent with the purpose of giving to villages the largest measure of self-government in accordance with the spirit of the home rule amendment to the Constitution, the grants of power to the Village Board in this Section and throughout this Code of Ordinances shall be liberally construed in favor of the rights, powers and privileges of villages to promote the general welfare, peace, good order and prosperity of the Village and its inhabitants.

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

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

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

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

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

The Village Board has the power to preserve order at its meetings, compel attendance of Trustees and punish nonattendance. The Village Board shall be judge of the election and qualification of its members.

State Law Reference: Section 61.23, Wis. Stats.

SEC. 2-2-8 SALARIES.

- a) The President and other Trustees who make up the Village Board, whether operating under general or special law, may by majority vote of all the members of the Village Board determine that an annual salary be paid the President and Trustees. Salaries heretofore established shall so remain until changed by ordinance and shall not be increased or diminished during their terms of office.
- b) The salary of the Village President shall be \$35.00 per meeting and for Trustees \$25.00 per meeting.

State Law Reference: Section 61.32, Wis. Stats.

SEC. 2-2-9 MEETINGS.

Regular meetings of the Village Board shall be held on the second Tuesday of each calendar month at 7:00 p.m. local time, or at such other times as the Board may direct. Any regular meeting falling on a legal holiday shall be held the next following Tuesday not a legal holiday at the same time and place. All

meetings of the Board shall be held at the Village Hall, Norwalk, unless specified otherwise in the minutes of the preceding meeting or by written notice posted at the regular meeting place at least three (3) hours prior to any meeting. In any event, all Board meetings shall be held within the boundaries of the Village of Norwalk. All seven (7) Trustees must consent to any change in the place of any meeting of the Board.

State Law Reference: Section 61.32, Wis. Stats.

SEC. 2-2-10 SPECIAL MEETINGS.

The President may recess any regular meeting until further notice. Notice to the Trustees of the time and place of the recessed meeting shall be given by the Clerk-Treasurer in writing, in person or by telephone. Notice to the public of special meetings shall conform to the open meeting requirements of Section 61.32 and Ch. 19, Subch. IV, Wis. Stats.

State Law Reference: Section 61.32 and 985.02(2)(a), Wis. Stats.

SEC. 2-2-11 OPEN MEETINGS.

All meetings shall be open to the public.

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

SEC. 2-2-12 QUORUM.

A majority of the members elect of the Village Board shall constitute a quorum, but a lesser number may adjourn if a majority is not present. The president shall be counted in computing a quorum.

State Law Reference: Section 61.32, Wis. Stats.

SEC. 2-2-13 PRESIDING OFFICERS.

- a) The Village President shall preside. In case of absence of the President, the Clerk-Treasurer, or in his or her absence, the Senior Trustee present based on the date of original election as Trustee, shall call the meeting to order and the Trustees present shall elect one of their number president pro term.
- b) DUTIES. The presiding officer shall preserve order and decorum, decide all questions of order, and conduct the proceedings of the meeting in accordance with the parliamentary rules contained in Robert's Rules of Order, unless otherwise provided by statute or by these rules. Any member shall have the right to appeal from a

decision of the presiding officer. An appeal shall be sustained by a 2/3 vote of the members present excluding the President.

State Law Reference: Section 61.32, Wis. Stats.

SEC. 2-2-14 ORDER OF BUSINESS.

- a) ORDER OF BUSINESS. At all meetings, the following order may be observed in conducting the business of the Village Board:
 - 1) Call to Order by presiding officer;
 - 2) Roll call;
 - 3) Reading and correcting the minutes of the last preceding meeting or meetings;
 - 4) Reports of Committees;
 - 5) Unfinished business from previous meetings;
 - 6) New business, including the introduction of Ordinances;
 - 7) Reports of Village officers;
 - 8) Communications and miscellaneous business;
 - 9) Action upon bills and claims.
- b) ORDER TO BE FOLLOWED. No business shall be take up out of order unless by unanimous consent of all Trustees and in the absence of any debate whatsoever.
- c) ROLL CALL; PROCEDURE WHEN QUORUM NOT IN ATTENDANCE. As soon as the Board shall be called to order, the Clerk-Treasurer shall proceed to call the names of the members in alphabetical order, noting who are present and who are absent and record the same in the proceedings of the Board. If it shall appear that there is not a quorum present the fact shall be entered on the journal and the Board may adjourn, or the presiding officer or, in case of his absence, the Clerk-Treasurer may issue a process to any constable or policeman commanding him forth with to summon the absentees.

SEC. 2-2-15 INTRODUCTION OF BUSINESS.

- a) ORDINANCES, ETC., TO BE IN WRITING. All ordinances, resolutions or other communications submitted to the Board shall be in writing and shall include at the outset a brief statement of the subject matter, a title and the name of the Trustee introducing same. All written material introduced shall be read by the Clerk-Treasurer and then discussed and acted upon as the Village Board deems appropriate.
- b) SUBJECT AND NUMBERING OF ORDINANCES. Each ordinance shall be related to no more than one (1) subject. Amendment or repeal of ordinances shall only be accomplished if the amending or repealing ordinance contains the number and title of the ordinance to be amended

or repealed, and titled of amending and repealing ordinances shall reflect their purpose to amend or repeal.

- c) REFERRAL TO COMMITTEE. All ordinances, resolutions, communications and other matters submitted to the Village Board may be read by title and author and referred to the appropriate committee by the President. The Clerk-Treasurer shall read and record each such reference by title. Any Trustee may require the reading in full of any matter at any time it is before the Board.

SEC. 2-2-16 CONDUCT OF DELIBERATIONS.

- a) No Trustee shall address the Board until he has been recognized by the presiding officer. He shall thereupon address himself to the President and confine his remarks to the question under discussion and avoid all personalities.
- b) When two or more members simultaneously seek recognition the presiding officer shall name the member who is to speak first.
- c) No person other than a member shall address the Board, except by vote of a majority of the members present.
- d) No motion shall be discussed or acted upon unless and until it has been seconded, unless the rules permit on Trustee to initiate action. No motion shall be withdrawn or amended without the consent of the person making the same and the person seconding it.
- e) The deliberations of the Board shall be conducted in the following manner:
 - 1) When a motion is made and seconded, it shall be stated by the President or read by the Clerk-Treasurer previous to debate. All resolutions should be made and submitted in writing.
 - 2) When the question is under discussion no action shall be in order, except:
 - a. To adjourn;
 - b. To lay on the table;
 - c. To previous question;
 - d. To postpone to a certain day;
 - e. To refer to a committee;
 - f. To amend; or
 - g. To postpone indefinitely.
 - 3) Any member desirous of terminating the debate may move the previous question, in which event the presiding officer shall announce the question as "Shall the main question now be put?" If a majority of the members present vote in the affirmative, the main question shall be taken without further debate and to bring the Board to a direct vote, first upon any pending amendments and then upon the main question.

- 4) A motion to adjourn shall always be in order, and a motion to adjourn, to lay on the table, and a call for the previous question shall be decided without debate.
 - 5) A roll call shall not be necessary on any questions or motions except as follows:
 - a. When the ayes and noes are requested by any member.
 - b. On confirmation and on the adoption of any measure assessing or levying taxes, appropriations or disbursing money, or creating any liability or charge against the Village or any fund thereof.
 - c. When required by the State Statutes of Wisconsin.
 - 6) All aye and nay votes shall be recorded in the official minutes.
- f) The Board shall in all other respects determine the rules of its procedure, which shall be governed by Robert's Rules of Order, unless otherwise provided by ordinance or statute.

SEC. 2-2-17 RECONSIDERATION ON QUESTIONS.

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

SEC. 2-2-18 CALL OF THE BOARD.

A call of the Board shall be ordered at any time by the request of two or more members and absent members shall be sent for, but a call cannot be made after voting has commenced. When a call of the Board has been requested and ordered, the door shall be closed until the report of the policeman has been received and acted upon, or until further proceedings under the call are dispensed with by a majority of the entire Board.

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

Whenever any disturbance or disorderly conduct shall occur in any of the meetings of the Board, the President may cause the room to be cleared of all persons guilty of such disorderly conduct except the Trustees. In case any Trustee shall be guilty of disorderly conduct, the President or presiding officer may order the police to take him into custody for the time being or until the

meeting shall adjourn. Such member shall have the right to appeal from such order to the Board as in other cases.

SEC. 2-2-20 APPROPRIATIONS AND ACCOUNTS.

All demands, accounts, bills or financial claims shall be referred by the Clerk-Treasurer to the Finance Committee for report thereon at the next meeting of the Village Board.

SEC. 2-2-21 PUBLICATION AND EFFECT OF ORDINANCES.

- a) All general ordinances of the Village and all regulations imposing any penalty shall be published in the official paper of the Village once and shall be immediately recorded, with the affidavit of publication, by the Village Clerk-Treasurer in a book kept for that purpose. A printed copy of such ordinance or regulation in any book, pamphlet or newspaper and published or purporting to be published therein by direction of the Village Board shall be prima facie proof of due passage, publication and recording thereof.
- b) All ordinances shall take effect and be in force from and after passage, and publication, unless otherwise provided and published copies thereof shall have appended the date of first publication.

State Law Reference: Section 61.32, Wis. Stats.

SEC. 2-2-22 AMENDMENT OF RULES.

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

SEC. 2-2-23 SUSPENSION OF RULES.

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

CHAPTER 3

Municipal Officers and Employees

2-3-1	Clerk-Treasurer
2-3-2	Village Attorney
2-3-3	Chief of Police
2-3-4	Maintenance Superintendent
2-3-5	Municipal Judge
2-3-6	Assessor
2-3-7	Health Officer
2-3-8	Weed Commissioner
2-3-9	Head of Emergency Government Services
2-3-10	Building, Plumbing and Electrical Inspector
2-3-11	Village Forester
2-3-12	Zoning Administrator
2-3-13	Oaths of Office
2-3-14	Vacancies
2-3-15	Removal from Office
2-3-16	Custody of Official Property

SEC. 2-3-1 CLERK-TREASURER.

a) CONSOLIDATION; APPOINTMENT.

- 1) The Village of Norwalk, Wisconsin, hereby elects, pursuant to section 62.09(3)(c), Wisconsin Statutes, to combine the offices of Village Clerk and Village Treasurer of the Village of Norwalk.
- 2) The person so selected to perform the duties of the office of Clerk-Treasurer shall be appointed by the Village Board for an indefinite term.
- 3) Said person so appointed to perform the duties of such office shall hold office for an indefinite term, subject to removal as provided in section 17.13(1), Wisconsin Statutes.

b) DUTIES.

- 1) Such person so appointed to perform the duties of the combined offices shall perform all duties required of both offices as provided by law and such other duties as are requested to be executed by him by the Village Board from time to time.
- 2) By virtue of replacing the office of Treasurer, the Clerk-Treasurer shall perform the following duties:
 - a. He shall collect all village, school, county and state taxes, as well as license fees or other monies owed the Village.

- b. He shall perform all other duties required of a Village Treasurer as set forth in state law and elsewhere in this code.
- c) ANNUAL AUDIT. Annual recurring audits shall be made of the records of such official and such audit shall be made either by a Certified Public Accountant of by the Department of State Audit pursuant to section 15.22(12), Wisconsin Statutes, the designation to be made by the Village Board.

State Law Reference: Clerk and Treasurer, Sec. 61.25 and 61.26, Wis. Stats.

SEC. 2-3-2 VILLAGE ATTORNEY.

The Village President, subject to confirmation by the Village Board by majority vote, shall annually appoint a Village Attorney. The Village Attorney shall be legal advisor to the Village Board and all officers, boards, and commissions. He or she shall represent the Village in all litigation, unless the Village Board expressly employs special counsel. The Village Attorney shall serve at the pleasure of the Board, and compensation or a method for calculating compensation shall be agreed upon between the Village Attorney and the Village Board at least yearly and in writing. The Village Attorney shall perform such other duties as provided by state law and as designated by the Village Board.

SEC. 2-3-3 CHIEF OF POLICE.

- a) The Village President, subject to confirmation by the Village Board, shall appoint a Chief of Police. The Chief of Police shall be employed by the Village Board and shall serve at the pleasure of the Board.
- b) The Chief of Police shall have command of the police force of the Village.
- c) The salary and hours of employment of the Police Chief shall be determined by the Village Board.
- d) Pursuant to sections 61.195 and 61.197, Wis. Stats., the Village of Norwalk hereby elects not to be governed by those portions of sections 61.19 and 61.23, Wis. Stats., relating to the selection and tenure of a Constable or Marshall and hereby abolishes the offices of Constable and Marshall. The Chief of Police shall have the powers, privileges and duties of Village Marshall under section 61.28, Wis. Stats., and shall perform such other duties as may be required by the Village Board.

SEC. 2-3-4 MAINTENANCE SUPERINTENDENT.

- a) The Maintenance Superintendent shall be charged with administering the public utilities and maintaining the streets and public property of the Village of Norwalk. The Maintenance Superintendent shall be appointed by the Village President, subject to confirmation by the Village Board. The Maintenance Superintendent shall serve at the pleasure of the Board.

- b) The Maintenance Superintendent shall have the duties as prescribed by the State Statutes and such other duties as required by the Village Board.

SEC. 2-3-5 MUNICIPAL JUDGE.

- a) MUNICIPAL JUDGE POSITION CREATED. Pursuant to sec. 755.01, Wis. Stats., there is created the office of Municipal Judge for the Village of Norwalk, Wisconsin.
- b) ELECTION, TERM. The Municipal Judge shall be elected at large at the spring election in odd-numbered years for a term of two years commencing on May 1 succeeding his election.
- c) SALARY. The Municipal Judge shall receive a salary as determined by the Village Board from time to time, which shall be in lieu of fees and costs. No salary shall be paid to the Judge for any time during his term for which he has not executed and filed his official bond and oath as required by subsection (d).
- d) BOND; OATH. The Municipal Judge shall execute and file with the Clerk of the Circuit Court for Monroe County, Wisconsin, the oath prescribed by the Wisconsin Statutes.

AN ORDINANCE TO CREATE A JOINT MUNICIPAL COURT FOR THE VILLAGES OF NORWALK, ONTARIO AND WILTON.

The Village Boards of the Villages of Norwalk, Ontario and Wilton do ordain as follows:

Section 1. An ordinance entitled "Joint Municipal Court" is hereby created to read as follows:

Title 2 Chapter 3 Section 5
Joint Municipal Court

- 2-3-5-A Joint Municipal Court and Court Commission Established
 - 2-3-5-B Municipal Court Commission
 - 2-3-5-C Municipal Judge
 - 2-3-5-D Jurisdiction
 - 2-3-5-E Municipal Court Operations
 - 2-3-5-F Contempt Authority
 - 2-3-5-G Forfeitures and Deposits
-
- 2-3-5-A Joint Municipal Court and Court Commission Established

Pursuant to the authority granted by 755 of the Wisconsin Statutes, there is hereby created and established a Joint Municipal Court (the "Municipal Court") to be designated as the "N-O-W Municipal Court for the Village of Norwalk, Village of Ontario, and Village of Wilton." Said court shall become operative and

function on November 1, 2005 with Norwalk and Ontario. Wilton will join January 1, 2006. In addition, there is hereby created and established a Court Commission to be designated the "N-O-W Court Commission," on which the Village of Norwalk (the "Municipality") shall be represented.

2-3-5-B Municipal Court Commission.

The N-O-W Court Commission shall consist of six (6) members, two each appointed by the Municipal Board of the Municipality. Members of the N-O-W Court Commission shall serve two-year terms starting November 1, 2005. The N-O-W Court Commission members shall appoint a chairperson annually after the spring election. The initial appointments shall be for one or two years, as the case may be, to allow for the staggering of terms so that no more than one-half of the members of the Commission are appointed in any year. The Commission shall meet as necessary to authorize employee salaries, compile and submit an annual budget to the Municipal Boards by September 1st of each year, and conduct other business as required.

2-3-5-C Municipal Judge.

- a) Qualifications. The Municipal Court shall be under the jurisdiction of and preside over by a Municipal Judge, who shall reside in the municipal limits of the respective municipalities, and shall have a general understanding of the general requirements of the office of Municipal Judge and shall not be an elected or appointed official, board member, or an accountant or attorney who represents the municipality or its commissions or boards. Candidate must file Statement of Economic Interests with State Ethics Board per WI State Stats. 19.43(4) before name can appear on ballot, obtain and be familiar with the Judicial Ethics Laws and must attend the first two State Municipal Judges classes (2-3 days each) following election (new judge) then one additional class each year thereafter.
- b) Oath and Bond. The Judge shall, after election or appointment to fill a vacancy, take and file the official oath as prescribed in 757.02(1), Wis. Stats., and at the same time execute and file an official bond in the amount of \$1,000. The Judge shall not act until the oath and bond have been filed as required by 19.01(4)(c) Wis. Stats., and the requirements of 755.03(2), Wis. Stats., have been satisfied. The N-O-W Court Commission shall pay for expenses associated with obtaining the oath and bond.
- c) Term. The initial position of Municipal Judge will be filled by appointment pursuant to 755.01 and 8.50(40)(fm), Wis. Stats., by the N-O-W Court Commission, and the term of such Judge will expire on April 30th, 2007. The Municipal Judge shall be elected at large in the spring election in odd-numbered years for a term of four (4) years commencing on April 3, 2007. All candidates for the position of Municipal Judge shall be nominated by nomination papers as provided in 8.10, Wis. Stats., and selection at a

primary election if such is held as provided in 8.11 Wis. Stats. The Monroe County Clerk shall forward a copy of the filing to the clerk of the N-O-W Court. Electors in the Municipalities are eligible to vote for Municipal Judge.

- d) Vacancy. A permanent vacancy in the office of Municipal Judge may be filled by temporary appointment of the N-O-W Court Commission as provided for in 8.50(4)(fm), Wis. Stats. The office shall be permanently filled by special election in the manner provided for in said statute.
- e) Salary. The salary of the Municipal Judge shall be fixed by resolution of the N-O-W Court Commission. No salary shall be paid if such Judge has not executed the official bond or official oath.

2-3-5-D Jurisdiction.

- a) The Municipal Court shall have jurisdiction over incidents occurring on or after November 1, 2005 in the Village of Norwalk and Ontario and January 1, 2006 in the Village of Wilton as provided in Article VII, 14 of the Wisconsin Constitution, 755.045 and 755.05, Wis. Stats., and as otherwise provided by the laws of Wisconsin. In addition, it shall have exclusive jurisdiction over actions in the Municipality, seeking to impose forfeitures for violations of municipal ordinances, resolutions and by-laws.
- b) The Municipal Judge may issue civil warrants to enforce matters under the jurisdiction of the Municipal Court under 755.045(2), 66.122 and 66.123 Wis. Stats.

2-3-5-E Municipal Court Operations.

- a) Hours. The Municipal Court shall be at a public building in the Village of Norwalk and at such times as determined by the judge.
- b) Employees. The Municipal Judge shall appoint such clerks and deputy clerks as are financially allowed by the N-O-W Court Commission budget. The N-O-W Court Commission shall fix salaries and wages for all clerks and deputy clerks. The duties for all clerks and deputy clerks shall be as determined by the N-O-W Judge. All clerks and deputy clerks, before entering upon the duties of the office, shall take the appropriate oath and give an bond if a bond is required by the N-O-W Court Commission. The N-O-W Court Commission shall pay the cost of such bond. The oath and any bond shall be filed with the clerks of each municipality that is a member of the Commission.
- c) Collection of Forfeitures and Costs. The Municipal Judge may impose punishment and sentences as provided by 800 and 938, Wis. Stats., and as provided in the ordinances of the Municipality. All forfeitures, fees, assessments, surcharges and costs shall be deposited by the Municipal Court Clerk to a designated bank, account as determined by the Joint Municipal Court Commission within seven (7) days of receipt.

2-3-5-F Contempt Authority.

The Municipal Judge may impose forfeiture for contempt or, upon non-payment of the forfeiture and applicable assessments, a jail sentence. The Municipal Judge may impose the maximum forfeiture and maximum jail sentence allowed by Wisconsin law, all in accordance with 800.12(2), 785.03, Wis. Stats., as amended.

2-3-5-G Forfeitures and Deposits.

The deposit schedule established by the Wisconsin Judicial Conference and the procedures set forth in 23 and 345, Wis. Stats., are hereby adopted and shall be applied by the municipal court. The court shall apply the municipal court forfeiture table by using the appropriate court cost column and applying the forfeiture amount used by the county to the nearest municipal forfeiture amount that is one level below in the table for the municipal court.

Section 2. All ordinances or parts of ordinances contravening or inconsistent with the provisions of this ordinance be and are hereby repealed.

Section 3. Each Village shall enter into an agreement for the operation of the Municipal Court, with the other Villages upon mutually agreeable terms.

Section 4. This ordinance shall take effect and be in full force and effect from and after its passage by all municipalities and publication as required by law. Effective as to Norwalk and Ontario on November 1, 2005, and as to Wilton on January 1, 2006.

Edward Klinkner
Village President

Barbara Ornes
Village Clerk

Creation of a Municipal Court

The Village Board of Norwalk do ordain as follows:

Section One: Section 2-3-5 is hereby repealed and recreated to read as follows:

1) Court Established

Pursuant to the authority granted by Chapter 733 of the Wisconsin Statutes there is hereby created and established a Municipal Court to be designated "Municipal Court for the Village of Norwalk" said court to become operative and function on July 1, 2000.

2) Jurisdiction

- a) The Municipal Court shall have jurisdiction over incidents occurring on or after July 1, 2000 as provide in Article VII, 14 of the Wisconsin Constitution, 755.05, Wis. Stats., and as otherwise provided by State Law. In addition, it shall have exclusive jurisdiction over actions in which the municipality seeks to impose forfeitures for violations of municipal ordinances, resolutions and by-laws.
- b) The Municipal Judge may issue civil warrants to enforce matters under the jurisdiction of the Municipal Court under 755.045(2), 66.122 and 66.123, Wis. Stats.
- c) The Municipal Court has jurisdiction over juvenile offenders when it enacts an ordinance under the authority of 938.17(2)(cm), Wis. Stats.

3. Municipal Judge

- a) Qualifications. There is hereby created the office of Municipal Judge of the Municipal Court of the Village of Norwalk. The Municipal Judge shall be a resident of the municipality.
- b) Oath and Bond. The Judge shall, after election or appointment to fill a vacancy, take and file the official oath as prescribed in 757.02(1), Wis. Stats., and file such oath with the county Clerk of Circuit Court. At the same time, the Judge shall execute and file an indemnity bond with the clerk of the municipality in an amount of \$1,000. The Judge shall not act until the oath and bond have been filed as required by 19.01(4)(c), Wis. Stats. and the requirements of 75503 Wis. Stats. have been complied with.
- c) Salary. The Municipal Judge shall receive a salary as determined by the Village Board which shall be in lieu of fees and costs. No salary shall be paid to the Judge for any time during his/her term for which he/she has not executed and filed the official bond and oath. The salary shall be reviewed annually by the Board at the same time as the budget is prepared and adjusted in a manner deemed appropriate by the Board.

- d) Election. Term. The Municipal Judge shall be elected at large for a term of two years at the spring election held in odd-numbered years and shall take office on May 1 following the election.
- e) Any vacancy occurring in the office of Municipal Judge shall be filled pursuant to state law.

4. Municipal Court

- a) Hours. The Municipal Court for the Village of Norwalk shall be determined by order of the Municipal Judge.
- b) Employees. The Judge shall, with approval of the Board, appoint such clerks and deputy clerks as are authorized by the Village Board. Their salaries shall be fixed by the Village Board.
- c) Location. The Municipal Judge shall keep his/her office and hold court in an adequate facility provided by the municipal governing body. However, the Municipal Judge may issue process and perform ministerial functions at any place in the county.

5. Collection of Forfeitures and Costs

The Municipal Court shall collect all forfeitures, penalty assessments, fees and taxable costs in any action or proceeding and shall pay over such monies to the Village Treasurer within seven (7) days of collection. At such time, the Municipal Court shall report to the treasurer the title, nature of offenses and total amount of judgments imposed in actions and proceedings in which such monies were collected.

6. Contempt of Court

The Municipal Judge, after affording an opportunity to the person accused to be heard in defense, may punish for contempt as provided in 800.12, Wis. Stats., and may impose a forfeiture therefore not to exceed fifty dollars (\$50) or upon nonpayment of the forfeiture, penalty assessment under 165.87, Wis. Stats., and jail assessment under 302.46, Wis. Stats., a jail sentence not to exceed seven (7) days.

7. Stipulations and Deposits

- a) Deposits for Ordinance Violations. The Municipal Judge shall establish and submit to the Village Board for approval in accordance with 800.03(3), Wis. Stats., a schedule of deposits for violations of Village ordinances, resolutions and by-laws.
- b) Deposits for Traffic and Boating Violations. The deposit schedule established by the Wisconsin Judicial Conference and the procedures set forth in Chapter 23 and 345, Wis. Stats., shall apply to stipulations and deposits for violations of traffic regulations enacted in accordance with

345.27 and boating regulations enacted in accordance with 30.77, Wis. Stats.

- c) Stipulations and Deposits in Lieu of Court Appearance. Persons cited for violations of Village ordinances, resolutions or by-laws or violations of traffic or boating regulations for which a deposit has been established, shall be permitted to make a stipulation of no contest and a deposit in lieu of court appearance as provided in 800.03, 800.04 and 800.09 Wis. Stats.

Section Two: All ordinances contravening or in consistent with the provisions of this ordinance be and are hereby repealed.

Section Three: This ordinance shall take effect and be in force and effect from and after its passage and publication as required by law.

Douglas Gnewikow, President

Attest:

Barbara Ornes, Clerk

Ordinance No. 8-99-1

Ordinance Amending Section 2-3-5 of the Village of Norwalk Code of Ordinances

The Village Board of the Village of Norwalk ordains as follows:

Section One: Section 2-3-5 of the Village of Norwalk Code of Ordinances is hereby amended to read as follow:

- MUNICIPAL JUDGE POSITION CREATED. Pursuant to sec. 755.01, Wis. Stats., there is created the office of Municipal Judge for the Village of Norwalk, Wisconsin.
- ELECTION, TERM. The Municipal Judge shall be elected at large at the spring election in odd-numbered years for a term of two years commencing on May 1 succeeding his election.
- SALARY. The Municipal Judge shall receive a salary as determined by the Village Board from time to time, which shall be in lieu of fees and costs. No salary shall be paid to the Judge for any time during his term for which he has not executed and filed his official bond and oath as required by subsection (d).
- BOND: OATH. The Municipal Judge shall execute and file with the Clerk of the Circuit Court for Monroe County, Wisconsin, the oath prescribed by law and a bond in the penal sum of \$1,000.00 as prescribed by the Wisconsin Statutes.
- JURISDICTION.
 - 1) The Municipal Judge shall have such jurisdiction as provided in Chapter 755, Wis. Stats., and exclusive jurisdiction of violations of Village ordinances.
 - 2) Section 938.17(2), Wis. Stats., is hereby adopted by reference. Subject to the provisions and limitations violation of any provision of this Code against persons twelve, thirteen, fourteen, fifteen, sixteen and seventeen years of age may be brought in the Village of Norwalk Municipal Court.
- PROCEDURE.
 - 1) The court of the Municipal Judge shall be called the "Municipal Court for Norwalk, Wisconsin" and shall be open as determined by order of the Municipal Judge. Procedure in Municipal Court shall be as prescribed in Chapter 800, Wis. Stats.
 - 2) The Municipal Judge shall keep his office and hold court in the municipal building.
 - 3) Except as provided by law, the procedure in Municipal Judge court shall be the same as applicable to other justices of the peace. Sections 755 and 800, Wis. Stats., are hereby incorporated by reference.
 - 4) The Municipal Judge shall collect all forfeitures, fines and taxable costs in any action or proceeding before him and shall pay over such moneys to the Village Clerk-Treasurer not later than the second business day succeeding his receipt thereof.

State Law Reference: Section 938.17(2) and Chapters 755 and 800, Wis. Stats.

- CONTEMPT OF COURT.
 - 1) The Municipal Judge shall have power to punish for contempt by forfeiture or by imprisonment for failure to pa such forfeiture and as long as not paid in the following cases:
 - a. All persons present in court, including parties, attorneys, clerks or police officers, for any misbehavior or disobedience of any process or lawful order of such court, addressing the court in a disrespectful, profane or contemptuous manner or interfering with the proceedings in any action.

- b. All persons subpoenaed as witnesses for failure to obey such subpoena, failing to attend or failing to answer lawful questions.
 - c. All jurors for improperly conversing with any party to an action or with any person in relation to the merits of such action for receiving communications from any party or from any other person in relation to the merits of an action without immediately disclosing the same to the court.
- 2) When any such misconduct shall be committed in the immediate view and presence of the court it may be punished summarily by forfeiture or by imprisonment for failure to pay such forfeiture and so long as not paid. An order shall be made by the Judge stating the facts which constituted the offense and assessing the punishment.

Section two: All ordinances in conflict with the foregoing are hereby repealed.

Section three: This ordinance shall take effect upon passage and publication.

Douglas Gnewikow, President

ATTEST:

Barbara Ornes, Clerk

READ: 8-10-99
PASSED: 8-10-99
PUBLISHED: 9-2-99

- e) JURISDICTION.
 - 1) The Municipal Judge shall have such jurisdiction as provided in Chapter 755, Wis. Stats., and exclusive jurisdiction of violations of Village ordinances.
 - 2) Section 48.17(2), Wis. Stats., is hereby adopted by reference. Subject to the provisions and limitations of Chapter 48, Wis. Stats., complaints alleging a violation of any provision of this Code against persons fourteen, fifteen, sixteen and seventeen years of age may be brought in the Village of Norwalk Municipal Court.
- f) PROCEDURE.
 - 1) The court of the Municipal Judge shall be called the “Municipal Court for Norwalk, Wisconsin” and shall be open as determined by order of the Municipal Judge. Procedure in Municipal Court shall be as prescribed in Chapter 800, Wis. Stats.
 - 2) The Municipal Judge shall keep his office and hold court in the municipal building.
 - 3) Except as provided by law, the procedure in Municipal Judge court shall be the same as applicable to other justices of the peace. Sections 755 and 800, Wis. Stats., are hereby incorporated by references.
 - 4) The Municipal Judge shall collect all forfeitures, fines and taxable costs in any action or proceeding before him and shall pay over such moneys to the Village Clerk-Treasurer not later than the second business day succeeding his receipt thereof.

State Law Reference: Section 48.17(2) and Chapters 755 and 800, Wis. Stats.

SEC. 2-3-6 ASSESSOR.

- a) SELECTION.
 - 1) Pursuant to sections 61.195, 61.197 and 66.01 of the Wisconsin Statutes, the Village of Norwalk hereby elects not to be governed by those portions of sections 61.19 and 61.23 of the Wisconsin Statutes which relate to the selection and tenure of the Village assessor and which are in conflict with this Section.
 - 2) The Assessor shall be appointed by the Village President, subject to confirmation by the Village Board.
 - 3) The term of said Assessor shall be for one year.
- b) QUALIFICATIONS. The Assessor shall be certified by the Department of Revenue under section 73.09(2)(b), Wis. Stats., as qualified to perform the functions of an Assessor.
- c) DUTIES. The Assessor shall begin under section 70.10, Wis. Stats., to make an assessment of all of the property in the Village liable to taxation, as prescribed by law. The Assessor shall return the assessment roll to the Village Treasurer at the time and in the manner required by Chapter 70, Wis. Stats.

SEC. 2-3-7 HEALTH OFFICER.

- a) SELECTION. The Village President shall appoint a Health Officer, subject to confirmation by the Village Board. Such Health Officer shall be a physician, or in lieu thereof, a person with training and experience in public health administration which shall meet training and experience requirements established by the State Department of Health and Social Services. The Health Officer shall have an indefinite term of office.
- b) VACANCY. If a vacancy in the position of Health Officer occurs, the Village President shall immediately fill the position.
- c) RESPONSIBILITIES.
 - 1) The Health Officer shall provide such additional rules and regulations as are necessary for the preservation of health, to prevent the spread of communicable diseases, and to cause the removal of all objects detrimental to health and to enforce the health laws. All proposed rules and regulations shall be reported to the Village Board by the Health Officer, and if the Board approves the same by a vote of a majority of its members, they shall have the force and effect of ordinances, including penalty for violation.
 - 2) The Health Officer shall from time to time recommend to the Village Board such sanitary measures, to be executed by the Village as seem necessary, and shall discharge such other duties as may be imposed upon by the Board by ordinance or resolution.

State Law Reference: Section 141.015, Wis. Stats.

SEC. 2-3-8 WEED COMMISSIONER.

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

State Law Reference: Sections 66.97 and 66.98, Wis. Stats.

SEC. 2-3-9 HEAD OF EMERGENCY GOVERNMENT SERVICES.

- a) The Village President shall appoint the Head of Emergency Government Services. The Head of Emergency Government Services has an indefinite term of office.

- b) The Head of Emergency Government Services shall promulgate an effective program of emergency government in pursuit of the statewide goals of the emergency government organization:
 - 1) To prepare and minimize the effect of enemy action (civil defense) and natural or man-made disaster upon the civilian population; and
 - 2) To effectuate emergency repairs to, or the emergency restoration of, vital public utilities and facilities destroyed or damaged by such action or disaster.

- c) The above duties shall include preparation of emergency government and civil defense plans, as well as the requirements set forth in Chapter 166, Wis. Stats.

State Law Reference: Section 166.03, Wis. Stats.

SEC. 2-3-10 BUILDING, PLUMBING AND ELECTRICAL INSPECTORS.

- a) The Building, Plumbing and Electrical Inspectors shall be appointed by the Village President, subject to confirmation by the Village Board. They shall serve for an indefinite term of office. There is hereby vested in the Building, Plumbing and Electrical Inspector the necessary power and authority to properly execute their duties.
- b) The findings of inspection by the Village inspectors are intended to report conditions of non-compliance with the Code standards that are readily apparent at the time of inspection. The inspection does not involve a detailed examination of the mechanical systems or the closed structural and non-structural elements of the building and premises. No warranty of the operation, use or durability of equipment and materials not specifically cited in the findings of inspection are expressed or implied.

SEC. 2-3-11 VILLAGE FORESTER.

The Maintenance Superintendent shall serve as Village Forester.

SEC. 2-3-12 ZONING ADMINISTRATOR.

The Zoning Administrator shall be appointed by the Village President, subject to confirmation by the Village Board. The Zoning Administrator shall serve at the pleasure of the Village Board. The Zoning Administrator shall perform such duties as designated by the Village Board.

SEC. 2-3-13 OATHS OF OFFICE.

- a) REQUIREMENT. Within five (5) days after the election or appointment of any Village officers, the Village Clerk-Treasurer shall notify the person so

selected thereof unless he or she voted at the election. Every person elected to the office of President or appointed Clerk-Treasurer shall within five (5) days after election or notice thereof, when required, take and file the official oath.

- b) FORM, PROCEDURE. The form, filing and general procedure for the taking of oaths shall be governed by Ch. 19, subchapter I, Wis. Stats.

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

SEC. 2-3-14 VACANCIES.

If any office be absent or temporarily incapacitated from any cause the Board may appoint a person to discharge his or her duties until the officer returns or until such disability abates. Permanent vacancies shall be filled as provided in section 17.24, Wis. Stats.

State Law Reference: Sections 17.035, 17.24, 17.28, 62.13(1), and 61.325, Wis. Stats.

SEC. 2-3-15 REMOVAL FROM OFFICE.

Officers of the Village, whether elected or appointed, may be removed pursuant to section 17.13, Wis. Stats. Violation of either section 946.12 or 926.13, Wis. Stats., shall constitute cause for removal under section 17.13(3), Wis. Stats.

State Law Reference: Section 17.13, Wis. Stats.

Annotation: 62 Atty. Gen. Op. 97.

SEC. 2-3-16 CUSTODY OF OFFICIAL PROPERTY.

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

State Law Reference: Section 19.21, Wis. Stats.

CHAPTER 4

Boards and Commissions

- 2-4-1 Board of Review
- 2-4-2 Planning Committee
- 2-4-3 Board of Health
- 2-4-4 Zoning Board of Appeals
- 2-4-5 Norwalk-Wilton Police Commission

SEC. 2-4-1 BOARD OF REVIEW.

- a) COMPOSITION. The Board of Review shall consist of the Village President and the members of the Village Board.
- b) DUTIES. The duties and functions of the Board of Review shall be as prescribed in section 70.47, Wis. Stats.

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

SEC. 2-4-2 PLANNING COMMITTEE.

- a) COMPOSITION. The Planning Committee shall consist of the members of the Village Board serving as a committee of the whole. The Village Board members shall be appointed at the annual organization meeting for a term of two years, beginning on the first day of May of such year.
- b) RECORD. The Planning Committee shall keep a written record of its proceedings to include all actions taken, a copy of which shall be filed with the Village Clerk-Treasurer. Four members shall constitute a quorum but all actions shall require the affirmative approval of a majority of all of the members of the Committee.
- c) DUTIES.
 - 1) The Master Plan.
 - a. The Planning Committee may make, adopt and, as necessary, amend, extend or add to the master plan, subject to Village Board confirmation, for the physical development of the Village including areas outside of its boundaries which, in the Planning Committee's judgment, bear relation to the development of the Village. The master plan, with the accompanying maps, plats and descriptive and explanatory matter, shall show the Committee's recommendations for such physical development, and may include, among other things without limitation because of enumeration, the general location, character and extent of streets, highways, freeways, street grades, roadways, walks, parking areas, public places and areas, parks, parkways, playgrounds, sites for public

buildings and structures, and the general location and extent of sewers, water conduits and other public utilities whether privately or publicly owned, the acceptance, widening, narrowing, extension, relocation, removal, vacation, abandonment or change of use of any of the foregoing public ways, grounds, places, spaces, buildings, properties, utilities, routes or terminals, the general location, character and extent of community centers and neighborhood units, and a comprehensive zoning plan.

- b. The Committee may recommend the adoption of the master plan as a whole by a single resolution, or, as the work of making the whole master plan progresses, may from time to time by resolution adopt a part or parts thereof, any such part to correspond generally with one or more of the functional subdivisions of the subject matter of the plan. The adoption of the plan or any part, amendment or addition, shall be by resolution carried by the affirmative votes of not less than a majority of all the members of the Planning Committee. The resolution shall refer expressly to the maps, descriptive matter, and other matters intended by the Committee to form the whole or any part of the plan, and the action taken shall be recorded on the adopted plan or part thereof by the identifying signature of the secretary of the Committee, and a copy of the plan or part thereof shall be certified to the Village Board. The purpose and effect of the adoption and certifying of the master plan or part thereof shall be solely to aid the Planning Committee and the Village Board in the performance of their duties.
- 2) Matters referred to Planning Committee. The Village Board or officer of the Village having final authority thereon, shall refer to the Planning Committee, for its consideration and report before final action is taken by the Board, public body or officer, the following matters: all plats of lands in the Village or within the territory over which the Village is given platting jurisdiction by Chapter 236, Wis. Stats.; the location, character and extent or acquisition, leasing or sale of lands for public or semi-public housing, and the amendment or repeal of any land use ordinance. Unless such report is made within 30 days, or such longer period as may be stipulated by the Village Board, the board or other public body or officer, may take final action without it.
- 3) Miscellaneous Powers. The Committee may make reports and recommendations relating to the plan and development of the Village to public officials and agencies, public utility companies, civic, educational, professional and other organizations and citizens. It may recommend to the Village Board, programs for public improvements and the financing thereof. All public officials shall, upon request, furnish to the Committee, within a reasonable time, such available information as it may require for its work. In general, the Committee shall have such powers as may be necessary to enable it to perform its functions and promote municipal planning.

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

SEC. 2-4-3 BOARD OF HEALTH.

- a) COMPOSITION. The Village of Norwalk Board of Health shall consist of the Village Board serving as a committee of the whole.
- b) OFFICERS. The Village President shall serve as the chairman of the Board of Health.
- c) POWER OF APPOINTMENT. The Board of Health may appoint persons to aid them.
- d) RESPONSIBILITIES. The Board of Health shall take such measures as shall be most effectual for the preservation of the public health.

State Law Reference: Section 141.015, Wis. Stats.

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

- a) ESTABLISHMENT. A Board of Appeals shall be appointed as specified in section 62.23 of the Wisconsin Statutes. The Zoning Board of Appeals shall consist of five members appointed by the Village President, subject to confirmation by the Village Board, for terms of three years. The members shall serve without compensation and shall be removable by the Village Board for cause upon written charges and upon public hearing. The Zoning Board of Appeals shall make and file in the office of the Clerk-Treasurer, its own rules and procedures consistent with the Wisconsin Statutes.
- b) POWERS. The Zoning Board of Appeals shall have the following powers:
 - 1) To hear and decide appeals where it is alleged there is error in any order, requirement decision, or determination made by the Building Inspector.
 - 2) To hear and decide special exceptions to the terms of the Village of Norwalk zoning regulations upon which the Board of Appeals is required to pass.
 - 3) To authorize, upon appeals in specific cases, such variance from the terms of the Village zoning regulations as well not be contrary to the public interest, where owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit of the zoning code shall be observed, public safety and welfare secured and substantial justice done; provided, however, that no such action shall have the effect of establishing in any district a use or uses not permitted in such district.

- 4) To permit the erection and use of a building or premises in any location subject to appropriate conditions and safeguards in harmony with the general purposes of the zoning code, for such purposes which are reasonably necessary for public convenience and welfare.
- 5) The Zoning Board of Appeals may reverse or affirm wholly or in part or may modify any order, requirement, decision or determination as in its opinion ought to be made in the premises and to that end shall have all the powers of the Building Inspector. The concurring vote of four members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, decision or determination appealed from or to decide in favor of the applicant on any matter on which it is required to pass, or to effect any variation in the requirement of the Zoning Code. The grounds of every such determination shall be stated and recorded. No order of the Zoning Board of Appeals granting a variance shall be valid for a period longer than six (6) months from the date of such order unless the land use permit is obtained within such period and the erection or alteration of a building is started to the use is commenced within such period.

SEC. 2-4-5 NORWALK-WILTON POLICE COMMISSION.

- a) CREATION. Pursuant to Sections 66.0301 and 61.65, Wis. Stats., and other applicable Wisconsin law, the Village of Norwalk and the Village of Wilton shall provide police services through the Norwalk-Wilton Police Department, a joint police department. There shall be a "Norwalk-Wilton Police Commission" which shall facilitate administration of the Norwalk-Wilton Police Department for both villages as provided herein and perform the duties of a police commission under Section 61.35(3g), Wis. Stats.
- b) COMPOSITION. The Norwalk-Wilton Police Commission shall consist of six (6) members. Three (3) members shall be appointed by the Village President of the Village of Norwalk and three (3) members shall be appointed by the Village President of the Village of Wilton, at least one Village Trustee and the remaining should be members at large, subject to confirmation by each respective Village Board.
- c) Contract; Renewal. Adoption of this Section by both participating Villages constitutes a binding contract under Sections 61.65 and 66.0301 Wis. Stats. This is an annual agreement running from January 1 of each year, which will automatically renew for successive terms of one year, which will automatically renew for successive terms of one year, which will automatically renew for successive terms of one year, unless either municipality notifies the other, in writing, at least sixty (60) days before the expiration of any term, of its intention to withdraw from the joint Police Department and Commission at the end of such term.
- d) Organization. The joint Police Commission shall elect a chairperson, a secretary and such other officers as may in its judgment be necessary, and keep an actual written record of its proceedings to include all actions

taken. Members of the Police Commission shall be compensated for regular attendance of \$20.00 per meeting, and shall be considered a meeting as a law enforcement committee of each respective Village Board while meeting as a joint police commission.

- e) Rules and Regulations. The Commission shall establish rules and regulations for the performance of its duties and where not specifically set forth otherwise as to the conduct of meetings, "Roberts Rules of Order" shall prevail.
- f) Duties and Authorities.
 - 1) The Village President of each Village shall be the head of the police department with regard to law enforcement activities in their respective villages. The chief of police shall obey all lawful written orders of the presidents or Village Boards of each Village as to matters within the respective jurisdictions of said president or village boards.
 - 2) The Police Commission shall, subject to the approval of both Village boards, direct the operation of the joint police department, such as to contracts for and of purchase squad cars, apparatus and supplies, and authorize payment of bills, salaries, and other expenses. The Commission shall quarterly submit to the Village Boards of the Village of Norwalk and the Village of Wilton its actions and accounts for approval by each Village Board. Submission in the form of meeting minutes and account worksheets shall be sufficient, unless further documentation is necessary or requested after consideration of the minutes and accounts as submitted. However, the Commission may pay the following obligations prior to submission for approval to the Village Boards.
 - a. Employee salaries and benefits in amounts previously approved by each Village Board.
 - b. Expenditures for supplies or services not greater than five hundred dollars (\$500.00);
 - c. Any other continuing expenditures approved by written resolution of both Village Boards.
 - 3) All compensation determinations shall be approved by both Village Boards.
 - 4) Appointment of subordinates shall be in accordance with Section 61.65(3g)(d)(2), Wis. Stats., within the limitation of available funds. The municipal clerks of each respective municipality shall swear in all police officers. Prior to the first day of October of each year, the Commission shall submit to the Village Boards of the Village of Norwalk and the Village of Wilton an annual budget for the ensuing year, and file the same with the respective municipal clerks of each municipality. Upon approval of each governing board, a determined percentage shall be included in each municipal budget.

- a. Said monies shall be deposited to the account of the Norwalk-Wilton Police Commission in the Village Depository. Checks drawn on the account of the Joint Commission shall be signed by the Chairperson of the Commission and the Clerk of one of the villages as designated by the commission. The Commission shall submit to each respective municipal governing body at its first regular meeting in January of each year a report on the activities of the Commission during the preceding year. Each municipal governing body may, from time-to-time, also request a report as to activities and expenditures of the Commission.
 - b. The clerk of one of the villages as designated by the commission shall pay from the funds so appropriated the expenses of operation. All expenditures shall be made by orders of the clerk drawn upon to pay bills that have been ordered and approved by the commission and approved in accordance with this section and presented to the Clerk.
- 5) The Commission shall not contract any liability in excess of the budget of said commission authorized by the respective governing bodies and such other income as shall be received by the Commission.

Chapter 5

Finance

2-5-1	Preparation of Tax Roll and Receipts
2-5-2	Duplicate Treasurer's Bond Eliminated
2-5-3	Village Budget
2-5-4	Changes in Budget
2-5-5	Village Funds to be Spent in Accordance with Appropriation
2-5-6	Public Depositories
2-5-7	Disbursements from Local Treasury

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

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

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

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

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

State Law Reference: Section 70.67, Wis. Stats.

SEC. 2-5-3 VILLAGE BUDGET.

- a) DEPARTMENTAL ESTIMATES. When requested by the Finance Committee, each year, each officer, department and committee shall file with the Clerk-Treasurer an itemized statement of disbursements made to carry out the powers and duties of such officer, department or committee during the preceding fiscal year, and a detailed statement of the receipts and disbursements on account of any special fund under the supervision of such officer, department or committee during such year, and of the conditions and management of such fund; also detailed estimates of the same matters for the current fiscal year and for the ensuing fiscal year. Such statements shall be presented in the form prescribed by the Clerk-Treasurer and shall be designated as "Departmental Estimates," and shall be as nearly uniform as possible for the main division of all departments.
- b) FINANCE COMMITTEE TO PREPARE. Each year the Finance Committee of the Village Board shall prepare and submit to the Board a proposed budget presenting a financial plan for conducting the affairs of the Village for the ensuing calendar year. The budget shall include the following information:
 - 1) The expense of conducting each department and activity of the Village for the ensuing fiscal year and corresponding items for the current year and last preceding fiscal year, with reasons for increase and decrease recommended as compared with appropriations for the current year.
 - 2) An itemization of all anticipated income of the Village from sources other than general property taxes and bonds issued, with a comparative statement of the amounts received by the Village from each of the same or similar sources for the last preceding and current fiscal year.
 - 3) An estimate of the amount of money to be raised from general property taxes which, with income from other sources, will be necessary to meet the proposed expenditures.
 - 4) Such other information as may be required by the Board and by state law.
- c) COPIES OF BUDGET. The Village shall provide a reasonable number of copies of the budget thus prepared for distribution to citizens.
- d) HEARING. The Finance Committee shall submit to the Board at the time the annual budget is submitted the draft of an appropriation ordinance providing for the expenditures proposed for the ensuing fiscal year. Upon the submission of the proposed appropriation ordinance to the Board it shall be deemed to have been regularly introduced therein. The Board shall hold a public hearing on the budget and the proposed appropriation ordinance as required by law. Following the public hearing the proposed appropriation ordinance may be changed or amended and shall take the same course in the Board as other ordinances.

SEC. 2-5-4 CHANGES IN BUDGET.

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

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

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

SEC. 2-5-6 PUBLIC DEPOSITORIES.

The Village Board shall designate the public depository or depositories within this state within which Village funds shall be deposited, and when the money is deposited in such depository in the name of the Village, the Clerk-Treasurer and bondsman shall not be liable for such losses as are defined by state law. The interest arising shall be paid into the Village treasury.

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

SEC. 2-5-7 DISBURSEMENTS FROM LOCAL TREASURY.

- a) Disbursements from the Village treasury shall be by order check. No such check shall be released to the payee, nor shall such be valid, unless signed by the Clerk-Treasurer and countersigned by the Village President. In lieu of personal signatures, there may be affixed on such order check the facsimile signatures of such persons adopted by them and approved by the Village Board, but the use of such facsimile signature shall not relieve any such official from any liability to which he is otherwise subject, including the unauthorized use thereof.
- b) Except as provided in subsection (c) of this Section, all disbursements shall be made by the Village Clerk-Treasurer after the preparation of a written order, provided that proper vouchers have been filed.

- c) Whenever any committee, commission or board of the Village is vested with the exclusive control and management of a fund, including the audit and approval of payments there from, independently of the Village Board, such payments shall be made by order checks issued by the Village Clerk-Treasurer upon the filing with him of certified bills, vouchers or schedules signed by the proper officers of such committee, commission or board, giving the name of the claimant and the amount and nature of each payment.
- d) Withdrawal or disbursement of monies deposited in a public depository by a treasurer other than the official Village Clerk-Treasurer shall be by check signed by the person or persons designated by written authorization of the Village Board. Any public depository shall be fully warranted and protected in making payments in accordance with the latest authorization on file therewith.
- e) The Village Clerk-Treasurer shall not issue any order in excess of funds available or appropriated for the purposes for which such order is drawn, unless authorized by a resolution adopted by the affirmative vote of a two-thirds majority of all members of the Village Board.

State Law Reference: Section 66.042, Wis. Stats.

Chapter 6

Special Assessments

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

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

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

State Law Reference: Section 66.62, Wis. Stats.

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

- a) Prior to making any such special assessments, the Village Board shall declare by preliminary resolution its intention to exercise such powers for a stated municipal purpose. Such resolution shall describe generally the contemplated purpose, the limits of the proposed assessment district, the number of installments in which the special assessments may be paid or that the number of installments will be determined at the hearing required under Section 2-6-5 of this Chapter and direct the proper municipal officer

or employee to make a report thereon. Such resolution may limit the proportion of the cost to be assessed.

- b) The report required by Subsection (a) shall consist of:
 - 1) Preliminary or final plans and specifications.
 - 2) An estimate of the entire cost of the proposed work or improvement.
 - 3) An estimate, as to each parcel of property affected, of:
 - a. The assessment of benefits to be levied.
 - b. The damages to be awarded for property taken or damaged.
 - c. The net amount of such benefits over damages or the net amount of such damages over benefits.
 - 4) A statement that the property against which the assessments are proposed is benefited, where the work or improvements constitute an exercise of the police power. In such case the estimates required under subsection (3) shall be replaced by a schedule of the proposed assessments.
 - 5) A copy of the report when completed shall be filed with the Village Clerk-Treasurer for public inspection.

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

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

SEC. 2-6-4 EXEMPTIONS; DEDUCTIONS.

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

of such lot. The Village Board may allow a similar deduction or exemption from special assessments levied for any other public improvement.

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

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

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

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

SEC. 2-6-7 COMBINED ASSESSMENTS.

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

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

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

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

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

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

Pursuant to subsection (12)(F) of Section 66.60, Wisconsin Statutes, it shall be a condition to the maintenance of any appeal that any assessment appealed shall be paid when due and payable and upon default in payment any such appeal shall be dismissed.

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

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

SEC. 2-6- 12 SPECIAL CHARGES PERMISSIBLE.

- a) In addition to all other methods provided by law, special charges for current services may be imposed by the Village Board by allocating all or part of the cost of the property served. Such may include snot and ice removal, weed elimination, street sprinkling oiling or tarring, repair of sidewalks or curb and gutter, garbage and refuse disposal, sewer service and tree care or removal. The provision for notice of such charges shall be optional with the Village Board except that in the case of street, sidewalk, curb or gutter repair, twenty (20) days notice published in the official Village newspaper or by posting such notice in three (3) places in the Village and a copy of such notice mailed to ever interested person whose post office address is known, at least ten (10) days before the hearing or proceeding. Such

notice shall specify that on a certain date a hearing will be held by the Village Board as to whether the service in question shall be performed.

- b) Such special charges shall not be payable in installments. If not paid within the period fixed by the Village Board, such delinquent charge shall become a lien as provided in Section 2-6-11 of this Chapter.
- c) Section 2-6-2(a) of this Chapter shall not be applicable to proceedings under this section.

SEC. 2-6-13 MISCELLANEOUS PROVISIONS.

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

Chapter 7

Ethical Standards

2-7-1	Ethical Standards of Public Officials
2-7-2	Responsibilities of Public Office
2-7-3	Dedicated Service
2-7-4	Use of Public Property; Obligations of Citizens
2-7-5	Conflict of Interest
2-7-6	Specific Conflicts of Interest
2-7-7	Sanctions

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

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

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

- a) Public officials and employees are bound to 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. Their conduct in both their official and private affairs shall be above reproach.
- b) Public officials are bound to uphold the Constitution of the United States and the Constitution of the state and to carry out impartially the law of the nation, state and municipality.

SEC. 2-7-3 DEDICATED SERVICE.

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

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

- a) **USE OF PUBLIC PROPERTY.** No public official or employee shall request, use or permit the use of Village-owned vehicles, equipment, materials or property for the personal convenience or profit, except when such services are available to the public generally or

are provided as municipal policy for the use of such official or employee in the conduct of official business.

- b) **OBLIGATION OF CITIZEN.** No public official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

SEC. 2-7-5 CONFLICT OF INTEREST.

No Trustee or other public official or employee, whether paid or unpaid, shall engage in any business transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties in the public judgment or will tend to impair his independence or judgment or action in the performance of his official duties. Personal as distinguished from financial interest includes an interest arising from blood or marriage relationships or close business or political association.

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

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

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

into, any transaction or contract with the Village for the sale of real estate, material supplies or services to the Village shall disclose such interest to the Village Board to be reported in the minutes of the appropriate Board meeting. And in the case of a Trustee, he shall refrain from voting upon or other wise participating (except in the performance of a ministerial act) in the transaction or the making of such contract or sale.

f) **DISCLOSURE OF INTEREST IN LEGISLATION.**

- 1) A Trustee who has financial or other private interest in any legislation shall disclose on the records of the Board the nature and extent of such interest. This provision shall not apply if the Trustee disqualified himself from voting.
- 2) Any other public official or employee who has a financial or other private interest, and who participates in discussion with or gives an official opinion to the Board shall disclose on the record of the Board the nature and extent of such interest.

SEC. 2-7-7 SANCTIONS.

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

CHAPTER 8

Review of Administrative Determinations

2-8-1	Review of Administrative Determinations
2-8-2	Determinations Reviewable
2-8-3	Determinations Not Subject to Review
2-8-4	Municipal Authority Defined
2-8-5	Persons Aggrieved
2-8-6	Reducing Determination to Writing
2-8-7	Review of Determination
2-8-9	Administrative Appeal
2-8-10	Hearing on Administrative Appeal
2-8-11	Final Determination
2-8-12	Judicial Review
2-8-13	Legislative Review

SEC. 2-8-1 REVIEW OF ADMINISTRATIVE DETERMINATIONS

- a) Any person aggrieved by an administrative determination of the Village Board or a board, commission, committee, agency, officer of employee of the Village or agent

acting on its behalf may have such determination reviewed as provided in this Chapter. The remedies under this Chapter shall not be exclusive, but an election to proceed hereunder shall be an election of remedies.

State Law Reference: Section 68.01, Wis. Stats.

SEC. 2-8-2 DETERMINATIONS REVIEWABLE.

The following determinations are reviewable under this Chapter:

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

State Law Reference: Section 68.02, Wis. Stats.

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

The following determinations are not reviewable under this Chapter:

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

State Law Reference: Section 68.03, Wis. Stats.

SEC. 2-8-4 MUNICIPAL AUTHORITY DEFINED.

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

State Law Reference: Section 68.05, Wis. Stats.

SEC. 2-8-5 PERSONS AGGRIEVED.

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

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

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

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

State Law Reference: Section 68.07, Wis. Stats.

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

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

State Law Reference: Section 68.08, Wis. Stats.

SEC. 2-8-8 REVIEW OF DETERMINATION.

- a) INITIAL DETERMINATION. If a request for review is made under Section 2-8-7, the determination to be reviewed shall be termed an initial determination.

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

State Law Reference: Section 68.09, Wis. Stats.

SEC. 2-8-9 ADMINISTRATIVE APPEAL.

- a) FROM INITIAL DETERMINATION OF DECISION ON REVIEW.
 - 1) If the person aggrieved had a hearing substantially in compliance with Section 2-8-10 when the initial determination was made, he may elect to follow Sections 2-8-6 through 2-8-8, but is not entitled to a further hearing under Section 2-8-10 unless granted by the municipal authority. He may, however, seek judicial review under Section 2-8-12.
 - 2) If the person aggrieved did not have a hearing substantially in compliance with Section 2-8-10 when the initial determination was made, he shall follow Sections 2-8-6 through 2-8-8 and may appeal under this Section from the decision made under Section 2-8-8.
- b) TIME WITHIN WHICH APPEAL MAY BE TAKEN UNDER THIS SECTION. Appeal from a decision on review under Section 2-8-8 may be taken within 30 days of notice of such decision.
- c) HOW APPEAL MAY BE TAKEN. An appeal under this Section may be taken by filing with or mailing to the office or person designated in the municipal authority's decision on review, written notice of appeal.

State Law Reference: Section 68.10, Wis. Stats.

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

- a) TIME OF HEARING. The Village shall provide the appellant a hearing on an appeal under Section 2-8-9 within 15 days of receipt of the notice of appeal and shall serve the appellant with notice of such hearing by mail or personal service at least 10 days before such hearing. The office or person with whom a notice of appeal is filed shall immediately notify the Village Attorney, who shall forthwith advise the Village President of such appeal.
- b) CONDUCT OF HEARING. At the hearing the appellant and the municipal authority may be represented by counsel and may present evidence and call and examine witnesses and

cross-examine witnesses of the other party. Such witnesses shall be sworn by the person conducting the hearing. The Village President shall appoint, without confirmation, and impartial decision maker who may be an officer, committee, board or commission of the Village or the Village Board who did not participate in making or reviewing the initial determination, who shall make the decision on administrative appeal. The decision maker may issue subpoenas. The hearing may, however, be conducted by an impartial person, committee, board or commission designated by the Village President to conduct the hearing and report to the decision maker.

- c) RECORD OF HEARING. The person conducting the hearing or a person employed for that purpose shall take notes of the Testimony and shall mark and preserve all exhibits. The person conducting the hearing may, and upon request of the appellant, shall, cause the proceedings to be taken by a stenographer or by a recording device, the expense thereof to be paid by the Village.
- d) HEARING ON INITIAL DETERMINATION. Where substantial existing rights are affected by an initial determination, the municipal authority making such determination shall, when practicable, give any person directly affected an opportunity to be heard in accordance with this Section before making such determination.

State Law Reference: Section 68.11, Wis. Stats.

SEC. 2-8-11 FINAL DETERMINATION.

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

State Law Reference: Section 68.12, Wis. Stats.

SEC. 2-8-12 JUDICIAL REVIEW.

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

State Law Reference: Section 68.13, Wis. Stats.

SEC. 2-8-13 LEGISLATIVE REVIEW.

Seeking review pursuant to this Chapter does not preclude a person aggrieved from seeking relief from the Village Board or any of its boards, commissions, committees or agencies which may have jurisdiction.

If in the course of legislative review under this Section a determination is modified, such modification and any evidence adduced before the Village Board, board, commission, committee or agency shall be made part of the record on review under Section 2-8-12.

The Village Board, board, commission, committee or agency conducting a legislative review under this Section need not conduct the type of hearing required under Section 2-8-10.

State Law Reference: Section 68.14, Wis. Stats.

Chapter 9

Public Records

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

SEC. 2-9-1 DEFINITIONS.

- a) "Authority" means any of the following Village entities having custody of a Village record: an office, elected official, agency, board, commission, committee, council, department or public body corporate and politic created by constitution, law, ordinance, rule or order; or a formally constituted subunit of the foregoing.
- b) "Custodian" means that officer, department head, division head, or employee of the Village designated under Section 2-9-3 or otherwise responsible by law to keep and preserve any Village records or file, deposit or keep such records in his or her office, or is lawfully in possession or entitled to possession of such public records and who is required by this section to respond to requests for access to such records.
- c) "Record" means any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. "Record" includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), and computer printouts. "Record" does not include drafts, notes, preliminary computations and like materials prepared for the originator's

personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent or bequest; and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.

SEC. 2-9-2 **DUTY TO MAINTAIN RECORDS.**

- a) Except as provided under Section 2-9-7, each officer and employee of the Village shall safely keep and preserve all records received from his or her predecessor or other persons and required by law to be filed, deposited or kept in his or her office or which are in the lawful possession or control of the officer or employee or his or her deputies, or the possession or control of which he or she or they may be lawfully entitled as such officers or employees.
- b) Upon the expiration of an officer's term of office or an employee's term of employment, or whenever the office or position of employment becomes vacant, each such officer or employee shall deliver to his or her successor all records then in his or her custody and the successor shall receipt therefor to the officer or employee, who shall file said receipt with the Village Clerk-Treasurer. If a vacancy occurs before a successor is selected or qualifies, such records shall be delivered to and receipted for by the Clerk-Treasurer, on behalf of the successor, to be delivered to such successor upon the latter's receipt.

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

- a) Each elected official is the legal custodian of his or her records and the records of his or her office, but the official may designate an employee of his or her staff to act as the legal custodian.
- b) Unless otherwise prohibited by law, the Village Clerk-Treasurer or his designee shall act as legal custodian for the Village Board and for any committees, commissions, boards, or other authorities created by ordinance or resolution of the Village Board.
- c) For every authority not specified in subsections (a) and (b), the authority's chief administrative officer is the legal custodian for the authority, but the officer may designate an employee of his or her staff to act as legal custodian.
- d) Each legal custodian shall name a person to act as legal custodian in his or her absence or the absence of his or her designee.

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

- a) Except as provided in Section 2-9-6, any person has a right to inspect a record and to make or receive a copy of any record as provided in sec. 19-35(1), Wis. Stats.
- b) Records will be available for inspection and copying during all regular office hours.
- c) If regular office hours are not maintained at the location where records are kept, the records will be available for inspection and copying upon at least 48 hours' advance notice of intent to inspect or copy.
- d) A requester shall be permitted to use facilities comparable to those available to Village employees to inspect, copy or abstract a record.
- e) The legal custodian may require supervision during inspection or may impose other reasonable restrictions on the manner of access to an original record if the record is irreplaceable or easily damaged.

- f) A requester shall be charged a fee to defray the cost of locating and copying records as follows:
- 1) The cost of photocopying shall be \$.20 per page. Said cost has calculated not to exceed the actual, necessary and direct cost of reproduction.
 - 2) If the form of a written record does not permit copying, the actual and necessary cost of photographing and photographic processing shall be charged.
 - 3) The actual full cost of providing a copy of other records not in printed form on paper, such as films, computer printouts and audio- or video-tapes, shall be charged.
 - 4) If mailing or shipping is necessary, the actual cost thereof shall also be charged.
 - 5) There shall be no charge for locating a record unless the actual cost therefor exceeds \$50.00, in which case the actual cost shall be determined by the legal custodian and billed to the requester.
 - 6) The legal custodian shall estimate the cost of all applicable fees and may require a cash deposit adequate to assure payment, if such estimate exceeds \$5.00.
 - 7) Elected and appointed officials of the Village of Norwalk shall not be required to pay for public records they may reasonably require for the proper performance of their official duties.
 - 8) The legal custodian may provide copies of a record without charge or at a reduced charge where he or she determines that waiver or reduction of the fee is in the public interest.
- g) Pursuant to sec. 19.34, Wis. Stats., and the guidelines therein listed, each authority shall adopt, prominently display and make available for inspection and copying at its offices, for the guidance of the public, a notice containing a description of its organization and the established times and places at which, the legal custodian from whom, and the methods whereby, the public may obtain information and access to records in its custody, make requests for records, or obtain copies of records, and the costs thereof. This subsection does not apply to members of the Village Board.

SEC. 2-9-5 ACCESS PROCEDURES.

- a) A request to inspect or copy a record shall be made to the legal custodian. A request shall be deemed sufficient if it reasonably describes the requested record or the information requested. However, a request for a record without a reasonable limitation as to subject matter or length of time represented by the record does not constitute a sufficient request. A request may be made orally, but a request must be in writing before an action to enforce the request is commenced under sec. 19.37, Wis. Stats. Except as provided below, no request may be refused because the person making the request is unwilling to be identified or to state the purpose of the request. No request may be refused because the request is received by mail, unless prepayment of a fee is required under Section 2-9-4(f)(6). A requester may be required to show acceptable identification whenever the requested record is kept at a private residence or whenever security reasons or federal law or regulations so require.
- b) Each custodian, upon request for any record, shall, as soon as practicable and without delay, either fill the request or notify the requester of the authority's determination to deny the request in whole or in part and the reasons therefor. If the legal custodian, after conferring with the Village Attorney, determines that a written request is so general as to be unduly time consuming, the party making the request may first be required to itemize his or her request in a manner which would permit reasonable compliance.

- c) A request for a record may be denied as provided in Section 2-9-6. If a request is made orally, the request may be denied orally unless a demand for a written statement of the reasons denying the request is made by the requester within five business days of the oral denial. If a written request is denied in whole or in part, the requester shall receive a written statement of the reasons for denying the request. Every written denial of a request shall inform the requester that if the request for the record was made in writing. Then the determination is subject to review upon petition for a writ of mandamus under sec. 19.37(1), Wis. Stats., or upon application to the attorney general or a district attorney.

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

- a) As provided by sec. 19.36, Wis. Stats., the following records are exempt from inspection under this Chapter.
- 1) Records specifically exempted from disclosure by state or federal law or authorized to be exempted from disclosure by state law;
 - 2) Any record relating to investigative information obtained for law enforcement purposes if federal law or regulations require exemption from disclosure or if exemption from disclosure is a condition to receipt of aids by the state;
 - 3) Computer programs, although the material used as input for a computer program or the material produced as a product of the computer program is subject to inspection; and
 - 4) Pursuant to sec. 905.08, Wis. Stats., a record or any portion of a record containing information qualifying as a common law trade secret. "Trade secrets" are defined as unpatented, secret, commercially valuable plans, appliances, formulas, or processes, which are used for making, preparing, compounding, treating or processing articles, materials or information which are obtained from a person and which are generally recognized as confidential.
- b) As provided by sec. 43.30, Wis. Stats., public library circulation records are exempt from inspection under this section.
- c) In responding to a request for inspection of copying of a record which is not specifically exempt from disclosure, the legal custodian, after conferring with the Village Attorney, may deny the request, in whole or in part, only if he or she determines that the harm to the public interest resulting from disclosure would outweigh the public interest in full access to the request record. Examples of matter for which disclosure may be refused include, but are not limited to, the following:
- 1) Records obtained under official pledges of confidentiality which were necessary and given in order to obtain the information contained in them.
 - 2) Pursuant to sec. 19.858(1)(a), Wis. Stats., records of current deliberations concerning employment, dismissal, promotion, demotion, compensation, performance, or discipline or any Village officer or employee, or the investigation of charges against a Village officer or employee, unless such officer or employee consents to such disclosure.
 - 3) Pursuant to sec. 19.85(1)(d), Wis. Stats., records concerning current strategy for crime detection or prevention.
 - 4) Pursuant to sec. 19.85(1)(e), Wis. Stats., records of current deliberations or negotiations on the purchase of Village property, investing of Village funds, or other Village business whenever competitive or bargaining reasons require nondisclosure.
 - 5) Pursuant to sec. 19.85(1)(f), Wis. Stats., financial, medical, social or personal histories or disciplinary data of specific persons which, if disclosed, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such history or data.

- 6) Pursuant to sec. 19.85(1)(g), Wis. Stats., communications between legal counsel for the Village and any officer, agent or employee of the Village, when advice is being rendered concerning strategy with respect to current litigation in which the Village or any of its officers, agents or employees is or is likely to become involved, or communications which are privileged under sec. 905.03, Wis. Stats.
- 7) Pursuant to sec. 19.85(1)(h), Wis. Stats., requests for confidential written advice from an ethics board, and records of advice given by such ethics board on such requests.
- d) If a record contains information that may be made public and information that may not be made public, the custodian of the record shall provide the information that may be made public and delete the information that may not be made public from the record before release. The custodian shall confer with the Village Attorney prior to releasing any such record and shall follow the guidance of the Village Attorney when separating out the exempt material. If in the judgment of the custodian and the Village Attorney there is no feasible way to separate the exempt material from the nonexempt material without unreasonably jeopardizing nondisclosure of the exempt material, the entire record shall be withheld from disclosure.

SEC. 2-9-7 DESTRU CTION OF RECORDS.

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

- (2) Correspondence and communications
 - (3) Financial reports other than annual financial reports
 - (4) Justice dockets.
 - (5) Oaths of office.
 - (6) Reports of boards, commissions, committees and officials duplicated in the Village Board processings.
 - (7) Election notices and proofs of publication
 - (8) Canceled voter registration cards.
 - (9) Official bonds.
 - (10) Police records other than investigative records.
 - (11) Resolutions and petitions.
- d) Unless notice is waived by the State Historical Society, at least 60 days' notice shall be give the State Historical Society prior to the destruction of any record as provided by sec. 19.21(4)(a), Wis. Stats.
- e) Any tape recordings of a governmental meeting of the Village may be destroyed, erased or reused no sooner than 90 days after the minutes of the meeting have been approved and published, if the purpose of the recording was to make minutes of the meeting.

SEC. 2-9-8 PRESERVATION THROUGH MICROFILM

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