

- (4) On ordinances or resolutions that require special handling, the Clerk shall assure that an editorial note is prepared showing compliance with such special handling.
  - (5) The Clerk may reject any ordinance or resolution from placement on the agenda which fails to comply with this Section.
  - (6) Resolutions shall be in writing at the request of one Trustee; such request shall be nondebatable.
  - (7) Unless requested by a Trustee before a final vote is taken, no ordinance, resolution or bylaw need be read in full.
  - (8) Resolutions may be referred to an appropriate standing committee for an advisory recommendation.
- (b) **Subject and Numbering of Ordinances.** Each ordinance shall be related to no more than one (1) subject. Amendment or repeal of ordinances shall only be accomplished if the amending or repealing ordinance contains the number and title of the ordinance to be amended or repealed, and title of amending and repealing ordinances shall reflect their purpose to amend or repeal.
  - (c) **Notice.** The Village Board may take action on an ordinance only if it appears on the written agenda for meeting at which action is requested.
  - (d) **Disposition of Petitions, Communication, Etc.** Every petition or other writing of any kind, addressed to the Village Board or to the Village Clerk or other Village officer for reference to the Village Board, shall be delivered by such other Village officer to the Village President or to the presiding officer of the Board as soon as convenient after receipt of same, and in any event, prior to or at the opening of the next meeting of the Village Board following the receipt of same. Every such petition, or other writing, and every paper, communication or other proceeding which shall come before the Board for action, may be referred by the Village President or presiding officer to the appropriate committee, unless objected to by some member of the Board.
  - (e) **Reference and Reports.** The presiding officer shall refer new business coming to the Board to the appropriate Board committee unless otherwise referred or acted upon by the Village Board. All referrals, unless otherwise provided for in the referral, shall be reported on at the next regular Board meeting. Village Board motions based upon committee action is permissible only on items specifically on the agenda.

## **SEC. 2-2-16 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 or posted according to state law, and shall be immediately recorded by the Village Clerk in a book kept for that purpose and/or the Village Code of Ordinances. 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/posting thereof, unless otherwise provided.

State Law Reference: Sections 61.32 and 61.50, Wis. Stats.

**SEC. 2-2-17 CONDUCT OF DELIBERATIONS.**

- (a) **Roll Call Votes.** A roll call shall not be necessary on any questions or motions except as follows:
- (1) When the ayes and noes are requested by any member.
  - (2) On confirmation and on the adoption of any measure assessing or levying taxes, appropriations or disbursing money or creating any liability or charge against the Village or any fund thereof in excess of Ten Thousand Dollars (\$10,000.00).
  - (3) When required by the state statutes of Wisconsin.
- (b) **Record of Votes.** All aye and nay votes shall be recorded in the official minutes. The ayes and nays shall be ordered upon any question at the request of any member of the Village Board or the President, and the Village Clerk shall call the roll in alphabetical order, and the Village Clerk shall call the roll starting with "A" and then in alphabetical order.
- (c) **Parliamentary Procedure.** Except as provided below, the Village Board shall in all other respects determine the rules of its procedure, which shall be governed by Robert's Rules of Order, Revised (1984), which is hereby incorporated by reference, unless otherwise provided by ordinance or Statute, except when otherwise limited or modified by this Code of Ordinances:
- (1) No Trustee shall address the Board until he has been recognized by the presiding officer. He shall thereupon address himself to Board and confine his remarks to the question under discussion and avoid all personalities.
  - (2) When two (2) or more members simultaneously seek recognition, the presiding officer shall name the member who is to speak first.
  - (3) No person other than a member shall address the Board except under order of business, except the citizens may address the Board with permission of the presiding officer as to matters which are being considered by the Board at the time.
  - (4) When a question is in debate, no action shall be in order except:
    - a. To adjourn;
    - b. To lay on the table;
    - c. The previous question;
    - d. To postpone to a certain date;
    - e. To refer to a standing, select or special committee;
    - f. To amend;
    - g. To postpone indefinitely;
 and these several motions shall have precedence in the order in which they stand.
  - (5) The movant may request leave to withdraw a motion at any time prior to voting on the question. Such a request requires no second. If any member objects, the presiding officer shall put the question of granting the request to vote.
- (d) **Compelling Votes.** No member may be compelled to vote. When a member abstains from voting, the effect is the same as if the member voted on the prevailing side. The "prevailing side" is defined as the votes accumulated which resulted in carrying or defeating a question. In case of a tie vote (not including the abstention), the abstaining vote is considered a "naye." In case of a vote requiring approval by more than a simple majority, an abstaining vote is considered an "aye."
- (e) **Majority Vote.** Unless a larger number is required by statute, ordinance or bylaw, a majority vote of those present at a legally constituted meeting is necessary to carry a question.

**SEC. 2-2-18 RECONSIDERATION OF QUESTIONS.**

Any member voting on the prevailing side may move for reconsideration of any question except those which cannot be reconsidered pursuant to Robert's Rules of Order, Revised.

**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 causing such disorderly conduct.

**SEC. 2-2-20 AMENDMENT OF RULES.**

The rules of this Chapter shall not be rescinded or amended unless the proposed amendment or motion to rescind has laid over from a regular meeting, and then it shall require a vote of two-thirds (2/3) of all the members of the Board.

**SEC. 2-2-21 SUSPENSION OF RULES.**

These rules shall not be suspended except by a two-thirds (2/3) vote of all the members of the Board.

## CHAPTER 3

### Municipal Officers and Employees

2-3-1	General Provisions
2-3-2	Appointed Officials
2-3-3	Village Clerk
2-3-4	Village Treasurer/Deputy Clerk
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2-3-11	Eligibility for Office
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2-3-13	Vacancies
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2-3-15	Custody of Official Property

#### SEC. 2-3-1 GENERAL PROVISIONS.

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

#### SEC. 2-3-2 APPOINTED OFFICIALS.

- (a) The Village officials hereinafter set forth shall be appointed by the Village President, subject to confirmation by a majority vote of the Board; and one (1) or more of said offices may be held by the same person. Persons appointed to perform the duties of the following offices shall hold office for an indefinite term, subject to removal as provided by Sec. 17.12(1)(c) and (d), Wis. Stats.

- 1 Village Clerk.
  - 2 Street Superintendent.
  - 3 Village Treasurer/Deputy Clerk.
- (b) The Village President shall not vote on the confirmation of such appointments, except in case of a tie.

### **SEC. 2-3-3 VILLAGE CLERK.**

- (a) **Appointment.** The office of Village Clerk shall be filled by appointment in the manner of other appointed officials as provided in Section 2-3-2.
- (b) **Duties.** The Village Clerk shall perform the statutory duties of Village Clerk and such other duties as required by the Village Board. (Charter Ordinance-September 8, 1987).

### **SEC. 2-3-4 VILLAGE TREASURER/DEPUTY CLERK.**

The Village President may appoint a Village Treasurer/Deputy Clerk, subject to confirmation by a majority of all the members of the Village Board. The Village Treasurer/Deputy Clerk shall have an indefinite term of office. The Deputy Clerk shall act under the Village Clerk direction and, during the temporary absence or disability of the Village Clerk or during a vacancy in such office, shall perform the duties of Village Clerk. The acts of the Deputy(s) shall be covered by official bond as the Village Board shall direct.

State Law Reference: Sec. 61.261, Wis. Stats.

### **SEC. 2-3-5 VILLAGE ATTORNEY.**

- (a) **Appointment.** The Village Attorney is an appointed position. The Village Attorney shall be appointed pursuant to Section 2-3-2, except the Village Attorney shall serve at the pleasure of the Board.
- (b) **Duties.** The Village Attorney shall have the following duties:
- (1) The Village Attorney shall conduct all of the legal business in which the Village is interested.
  - (2) He shall, when requested by Village officers, give written legal opinions, which shall be filed with the Village.
  - (3) He shall draft ordinances, bonds and other instruments as may be required by Village officers.
  - (4) He may appoint an assistant, who shall have power to perform his duties and for whose acts he shall be responsible to the village. Such assistant shall receive no compensation from the Village, unless previously provided by ordinance
  - (5) The Village Board may employ and compensate special counsel to assist in or take charge of any matter in which the Village is interested.
  - (6) The Village Attorney shall perform such other duties as provided by State law and as designated by the Village Board.