

**CHAPTER 1 VILLAGE GOVERNMENT**

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**1.01 VILLAGE BOARD.**

The Village Board shall consist of the Village President, who shall be elected in odd-numbered years for a 2-year term, and 6 trustees, 3 of whom shall be elected in even-numbered years for 2 years, and 3 of whom shall be elected in odd-numbered years for 2-year terms.

**1.011 VILLAGE BOARD COMPENSATION AND EXPENSE REIMBURSEMENT.**

- (1) SALARIES.
  - (a) The salary of the Village President shall be the sum of \$3,500 annually.
  - (b) The salaries of the Village Trustees shall be the sum of \$2,100 annually.
- (2) EXPENSE REIMBURSEMENT. The Village President and Village Trustees shall receive an annual expense payment of \$600 to reimburse them for expenses incurred by them in the performance of their duties.
- (3) EFFECTIVE DATE. The increase in salary provided by subsection (1)(a) and (b) herein shall take effect at the commencement of the next succeeding two-year term of office on the third Tuesday of April, 1997, for three Trustees and the Village President and on the third Tuesday of April, 1998, for three Trustees.

Incumbent members of the Village Board shall continue to be paid their existing annual salary as follows: Village President \$1,000; Village Trustees \$500 until the increases become effective for the office they hold. Incumbent members of the Village board shall continue to receive their existing expense reimbursement of \$600 annually which is unchanged by these 1996 revisions.

- (4) MANNER OF PAYMENT. The increased salary shall upon taking effect be paid in 24 installments per annum with a condition of payment being attendance at the bi-monthly regular Village Board meeting. If a Village President or Village Trustee is absent for any reason from any regular bi-monthly Village Board meeting then the installment for that missed meeting will not be due and payable and will be forfeited by reason of such absence.

#### **1.02 VILLAGE BOARD COMMITTEES.**

The committees of the Village Board shall be appointed annually by the Village President at the organization meeting and shall comprise the following committees:

- (1) Finance and Personnel. This committee is responsible for the formulation of the annual budget and annual tax levy, all personnel concerns including collective bargaining agreements. All contracts with the Village will be reviewed and endorsed by this committee.
- (2) Streets and Highways. This committee administrates all matters concerning Village streets, highways, sidewalks and storm water drainage. This committee works closely with Director of Public Works on all matters including, but not limited to, the formulation of an annual budget which is then submitted to the Finance and Personnel Committee. This committee is responsible for the maintenance of all public works buildings.
- (3) Protective Services. This committee administrates all matters concerning Village Fire, Rescue, Dive Team and Police departments. This committee works closely with the Chiefs of the above-mentioned departments on all matters including, but not limited to, the formulation of an annual budget which is then submitted to the Finance and Personnel Committee.
- (4) Parks and Lakefront. This committee administrates all matters concerning Village parks, lakefront and Park District. This committee works closely with Director of Public Works and the Park District on all matters including, but not limited to, the formulation of an annual budget which is then submitted to the Finance and Personnel Committee. This committee is also responsible for the maintenance of the following buildings: Village Hall, Field House, Lakefront Concession Building, Library Hall, Beach House, Horvath Building and the pavilion at Edgewater Park.
- (5) Building, Zoning and Ordinance. This committee works closely with the Building Inspector on all matters regarding the issuance of building and zoning permits and zoning issues. This committee also is responsible for Ordinance development, adoption and codification.
- (6) Sewer and Water. This committee administrates all matters concerning the water and sewer departments within the Village. This committee works closely with Director of Public Works on all matters including, but not limited to, the formulation of an annual budget which is then submitted to the Village Board for their approval. This committee is also responsible for the maintenance of all the buildings owned by the water and sewer departments.

#### **1.03 VILLAGE BOARD BYLAWS.**

- (1) REGULAR MEETINGS. The regular meetings of the Village Board shall be held in the Village Hall on the 1st and 3rd Mondays of each month at 7:00 p.m. The Board may adjourn any regular meeting to any future date at which new business may be introduced as well as unfinished business completed.

- (2) PRESIDING OFFICER. The President or presiding officer shall preside at all meetings and preserve order, deciding all questions of order, subject to an appeal to the Board.
- (3) CALLING MEETINGS TO ORDER. The President shall take the chair at the hour appointed and immediately call the meeting to order. In the absence of the President, the Clerk or, in his absence, any member of the Board, may call the meeting to order, and thereupon the Board shall appoint one of its members President pro tempore. In the absence of the Clerk, the Board may appoint one of the members present to serve as Clerk during the session.
- (4) ORDER OF BUSINESS. The business of the Board shall be transacted in the following order:
  - (a) Roll Call.
  - (b) Reading the minutes of the preceding meeting and approving same if correct, correcting mistakes if any occur.
  - (c) Presentation of accounts and petitions.
  - (d) Reports of standing committees.
  - (e) Reports of special committees.
  - (f) Reports of Village officers.
  - (g) New business.
  - (h) Unfinished business.
- (5) PASSAGE OF ORDINANCES.
  - (a) Every proposed ordinance shall have 2 separate readings previous to its passage but shall not be read at any other time than regular sessions except by unanimous consent, nor twice read at the same session without special order of the Board.
  - (b) The second reading of an ordinance shall be by section at which time amendments may be offered. If no amendments are made, the question shall be, "Shall the ordinance pass?" If amendments are offered and made, the chair shall so report and the ordinance shall be so read as amended before the question of its passage is taken.
- (6) RULES OF PROCEDURE. The rules of parliamentary practice embraced in Robert's Rules of Order, Newly Revised, shall govern the Board where applicable and where not inconsistent with the standing rules, bylaws and order of the Board.
- (7) SPECIAL MEETINGS.
  - (a) How Called. Special meetings may be called by the President or any 2 trustees in writing filed with the Clerk. If at least 24 hours remain before such meeting, the Clerk shall notify each member of the Board of the time, place and purpose of such special meeting by mailing a written notice thereof to each member of the Board and by telephoning him, if possible.

If less than 24 hours but at least 6 hours remain before such meeting, the Clerk shall give notice to each trustee by personal service and by telephone, if possible. No special meeting shall be called upon less than 6 hours; notice except with the unanimous consent of all members of the Board expressed orally or in writing.
- (8) BUSINESS TO BE PRESENTED BY TRUSTEE. No business shall be considered by the Board unless presented by a member of the Board.

- (9) APPROVAL OF CLAIMS. Every account presented to the Board shall, if required, be verified by affidavit as provided by law and shall not be allowed or directed to be passed until it shall have been examined and certified as correct by the proper committee and reported to and audited by the Board.
- (10) AMENDMENT OF BYLAWS. These bylaws may be amended, stricken out or added to at any regular meeting of the Board upon a majority vote of all the members, provided that notice thereof shall be given at the regular meeting of the Board immediately preceding the one in which such amendment is to be acted upon.

**1.04 APPOINTED OFFICIALS.**

- (1) The following officials shall be appointed by the Village President and confirmed by the Village Board for terms of one year commencing on May 1 in the year of appointment.
  - (a) Village Attorney.
  - (b) Village Engineer.
  - (c) Clerk.
  - (d) Treasurer.
  - (e) Assessor.

**(1) CONFIDENTIALITY OF INFORMATION ABOUT INCOME AND EXPENSES PROVIDED TO ASSESSOR**

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

- (f) Weed and Tree Commissioner.
  - (g) Civil Defense Commissioner.
  - (h) Building and Zoning Inspector.
  - (i) Auditor.
  - (j) Village Administrator.
- (2) Whenever the term Clerk-Treasurer is used, it shall refer to either the Clerk or Treasurer according to the duties assigned by law to the office or to the nature of the office.

## **1.05 BOARDS AND COMMISSIONS.**

- (1) BOARD OF REVIEW. The Board of Review shall consist of the Village Board. Each member shall receive \$5 per hour for attendance at meetings of the Board of Review, but not to exceed \$25 per day.
- (2) LIBRARY BOARD. The Library Board shall be composed and appointed as provided in §43.54, Wis. Stats.
- (3) BOARD OF HEALTH. The Board of Health shall consist of 3 members appointed annually by the Village Board at its organizational meeting.
- (4) PLAN COMMISSION.

### (a) Composition.

1. The Plan Commission shall consist of the Village President, who shall be its presiding officer, a member of the Village Board, a member of the Park and Memorial Board and 4 citizens. The Plan Commission shall have at all times 7 members. The citizen members shall be persons of recognized experience and qualifications.
2. The Village Board member of the Plan Commission shall be appointed by the Village President and confirmed by the Village Board for a one year term annually during the month of April at the organizational meeting of the Village Board to hold office from the succeeding first day of May.
3. The Park and Memorial Board member of the Plan Commission shall be appointed by the Village President and confirmed by the Village Board for a one year term annually during the month of April at the organizational meeting of the Village Board to hold office from the succeeding first day of May.
4. The 4 citizen members shall be appointed to 3 year terms by the Village President and confirmed by the Village Board during the month of April at the organizational meeting of the Village Board to hold office from the succeeding first day of May. The initial terms of the 4 citizen members shall begin as the terms of their predecessors expire as follows: one incumbent 3 year term expires April 30, 1989; one incumbent 3 year term expires April 30, 1990; 2 incumbent 3 year terms expire April 30, 1991.
5. All vacancies on the Village Plan Commission shall be filled for the unexpired term in the same manner as appointment for the full term.
6. No compensation shall be paid for service on the Plan Commission.

### (b) Powers and Duties.

1. Functions. It shall be the function and duty of the Commission to make and adopt a master plan for the physical development of the Village, including any areas outside of its boundaries which in the Commission's judgment bear relation to the development of the Village provided.

However, that in any county where a regional planning department has been established, areas outside the boundaries of the Village may not be included in the master plan without the consent of the County Board of supervisors.

The master plan, with the accompanying maps, plats, charts and descriptive and explanatory matter, shall show the Commission's recommendations for such physical development, and may include, among other things without limitation because of enumeration, the general location, character and extent of streets, highways, freeways, street grades, roadways, walks, bridges, viaducts, parking areas, tunnels, public places and areas, parks, parkways, playgrounds, sites for public buildings and structures, airports, pierhead and bulkhead lines, waterways, routes for railroads, street railways and buses, 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 and layout of the re-planning of blighted districts and slum areas, and a comprehensive zoning plan. The Commission may from time to time amend, extend or add to the master plan or carry any part of subject matter into greater detail. The Commission may adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record.

2. The Master Plan.

- a. The master plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the Village which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development.
- b. The Commission may adopt the master plan as a whole by a single resolution, or, as the work of making the whole master plan progresses, may from time to time by resolution adopt a part or parts thereof, any such part to correspond generally with one or more of the functional subdivisions of the subject matter of the plan. The adoption of the plan or any part, amendment or addition, shall be by resolution carried by the affirmative votes of not less than a majority of all the members of the Village Plan Commission. The resolution shall refer expressly to the maps, descriptive matter, and other matters intended by the Commission to form the whole or any part of the plan, and the action taken shall be recorded on the adopted plan or part thereof by the identifying signature of the secretary of the Commission, and a copy of the plan or part thereof shall be certified to the Village Board. The purpose and effect of the adoption and certifying of the master plan or part thereof shall be solely to aid the Village Plan Commission and the Board in the performance of their duties.

3. Miscellaneous Powers of the Commission. The Commission may make reports and recommendations relating to the plan and development of the Village to public officials and agencies, public utility companies, civic, education, professional and other organizations and citizens.

It may recommend to the President or Village Board programs for public improvements and the financing thereof. All public officials shall, upon request, furnish to the Commission within a reasonable time such available information as it may require for its work.

The Commission, its members and employees in the performance of its functions may enter upon any land, make examinations and surveys and place and maintain necessary monuments and marks thereon. In general, the Commission shall have such powers as may be necessary to enable it to perform its functions and promote Village planning.

4. Matters Referred to Village Plan Commission. The Board or other public body or officer of the Village having final authority thereon shall refer to the Village Plan Commission for its consideration and report before final action is taken by the Board, public body or officer the following matters: the location and architectural design of any public building; the location of any statue or other memorial; the location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of land for any street, alley or other public way, park, playground, airport, area for parking vehicles or other memorials or public grounds; the location, extension, abandonment or authorization for any public utility, whether publicly or privately owned; all plats of lands in the Village or within the territory over which the Village is given platting jurisdiction by Ch. 236, Wis. Stats.; the location, character and extent or acquisition, leasing or sale of lands for public or semipublic housing, slum clearance, relief of congestion or vacation camps for children; and the amendment or repeal of any ordinance adopted pursuant to this section. Unless such report is made within 30 days or such longer period as may be stipulated by the Board, the Board or other public body or officer may take final action without it.
  5. The Plan Commission shall have the powers and duties regarding architectural control delegated to it by §18.1000.
- (c) Advisory Plan Commission Members. There are created one or more advisory members of the Plan Commission as the Village President and the Village Board may from time to time determine as being necessary or beneficial to the work and function of the Village Plan Commission thereof who shall be appointed for a term of not more than one year with such terms to expire on the 30th day of April succeeding their appointment by the Village President and confirmation by the Village Board. Such advisory members shall not have a vote on the Plan Commission, but shall attend all of its meetings and participate fully in its discussions. Such advisory members shall be persons of recognized experience and qualification for service on planning matters of concern to the Village.
- (d) Alternate Citizen Plan Commission Member. There is created an alternate citizen member of the Plan Commission, appointed to a 3 year term by the Village President and confirmed by the Village Board during the month of April at the organizational meeting of the Village Board to hold office from the succeeding 1st day of May. The initial term of the alternate citizen member of the Plan Commission shall begin on May 1, 1990. Such alternate citizen member shall not have a vote on the Plan Commission if the regular 7 members of the Village Plan Commission are present and voting. If any of the 7 regular members of the Plan Commission are absent from any meeting, the alternate citizen member shall have full voting privileges as any of the regular incumbent 4 citizen members of the Village Plan Commission. The alternate citizen member shall be counted among the members of the Plan Commission as constituting a quorum if any of the regular Plan Commission members are absent from any meeting. The alternate citizen member of the Plan Commission may be an Advisory Plan Commission member as created by par. (c) above which offices are compatible. Such alternate citizen member shall be a person of recognized experience and qualifications.

- (5) BOARD OF APPEALS. The Board of Appeals and an alternate member shall be appointed pursuant to §62.23(7)(e), Wis. Stats.
- (6) CIVIL DEFENSE COMMISSION. The Civil Defense Commission shall consist of the Police Chief and 6 citizens appointed annually by the Village President at the organizational meeting of the Village Board.
- (7) ELECTION BOARD. The Election Board shall be appointed pursuant to §6.32, Wis. Stats.
  - (A) Polling Hours.
    - (1) The polling hours for elections within the Village of Williams Bay are hereby established as follows: The polls shall open at 9:00 a.m. and close at 8:00 p.m.
- (8) HARBOR COMMISSION. The Harbor Commission shall consist of 5 members appointed for 3 year terms commencing May 1. Appointments shall be so made that no more than 2 commissioners shall be appointed in any one year. The Commission shall be subject to §§30.37 and 30.38, Wis. Stats.
- (9) PARK AND MEMORIAL ADVISORY COMMITTEE.
  - (a) Composition. The Park and Memorial Advisory Committee shall consist of 5 members, a chairperson and 4 citizens. Members shall be persons of recognized experience and qualifications.
  - (b) Appointments.
    - 1. The Village President shall appoint, subject to Board confirmation, the initial 5 members, 3 for one year terms, one for a 2 year term and one for a 3 year term, respectively, from June 15, 1979.
    - 2. Thereafter, the Village President shall appoint, subject to Board confirmation, annually prior to May 1 the chairperson and one member for a one year term and one member for a 3 year term.
    - 3. The chairman of the Committee shall serve as a citizen member of the Plan Commission.
  - (c) Duties. The Park and Memorial Advisory Committee shall advise the President and the Village Board on public park lands as related to their improvements and rules regulating their use; further to recommend to the President and the Village Board use of memorials, gifts and bequests and the placement or plating of such memorials.
- (10) LAW ENFORCEMENT COMMITTEE
  - (a) CREATION. There is created a Law Enforcement Committee for the Village of Williams Bay.
  - (b) DUTIES. The Law Enforcement Committee of the Village of Williams Bay shall have the power to suspend, reduce, suspend and reduce or remove any Police Chief or other Law Enforcement Officer of the Village of Williams Bay who is not probationary following the procedure set forth in Wis. Stat. Sec. 62.13(5).
  - (c) COMPOSITION. The Law Enforcement Committee of the Village of Williams Bay shall consist of three (3) members, two of whom shall constitute a quorum, and none of whom may be an elected or appointed official of the Village or be employed by the Village of Williams Bay. Such Committee members may receive compensation for serving on the Committee as may be determined from time to time by the Village Board of the Village of Williams Bay.

- (d) TERM. The members of the Law Enforcement Committee of the Village of Williams Bay shall serve a term of three (3) years. The members of the Law Enforcement Committee shall be appointed by the President subject to confirmation by the Village Board. Such appointments shall be made initially as follows: One (1) member whose term shall end on April 30, 2000, one (1) member whose term shall end of April 30, 2001, and one (1) member whose term shall end of April 30, 2002. Thereafter regular three (3) year terms shall commence on May 1 and be for a period of three (3) years with such term to end on April 30. No person may serve more than two (2) successive terms.
- (e) AUTHORITY. This Ordinance is adopted pursuant to Sec. 61.65, Wis. Stat., created by 1985 Wisconsin Act 166.
- (11) RULES OF PROCEDURE. The rules of parliamentary practice embraced in Robert's Rules of Order, Newly Revised, shall govern the conduct of the proceedings of the Village appointed boards and commissions where not inconsistent with the statutes.

**1.06 REGULATIONS REGARDING EMPLOYEES.**

- (1) SUPERVISORY CONTROL. The general and supervisory control shall be exercised by the Village President and the Chairman of each respective committee.
- (2) APPOINTMENTS. The Village Board shall appoint every new employee, who must apply in writing for the job opening when this situation exists.  
  
Before appointments, the applicant must pass a satisfactory examination as to physical and educational qualifications, habits, reputation and experience. The Village Board may provide competitive examinations for job applicants.
- (3) DUTIES OF SUPERVISORS. Each employee acting in a supervisory capacity shall follow the instructions of his committee chairman. He shall be responsible for the efficient and general good conduct of his department and shall promptly report verbally or in writing all complaints against any member of his department.
- (4) DISCIPLINARY ACTIONS. A supervisor may be suspended or dismissed for cause by the Village Board following a hearing. A subordinate may be suspended without pay by the Chairman of the committee under which he is working, following which a hearing by the Village Board shall be called and held within 10 days thereafter. The charges upon which the suspension is based shall be in writing and must be filed with the Clerk 5 days before the hearing. If the charges are found true, the employee may be discharged or give some lesser penalty. If the charges are not found true, his pay loss shall be restored.
- (5) EXAMINATIONS. Every employee shall permit to a physical and mental examination when requested by the Village Board.
- (6) TRAINING. A Supervisor is encouraged to attend all training sessions for his type of work sponsored by the League of Wisconsin Municipalities and other agencies as will be authorized by the Village Board from time to time-his expense to be paid by the Village. He is also expected to study all publications concerning his work which are made available by the Village Board.
- (7) RECORDS AND REPORTS. The Supervisor shall keep a record of all complaints and applications calling for the services of his department.
- (8) HOURS OF DUTY. The Supervisor shall regulate the hours of duty of himself and subordinates with the approval of the Village Board.

- (9) GENERAL RULES. Vacations will be granted as near as possible to dates requested and as working conditions permit. Sickness in excess of 3 days must be supported by a note from a doctor.
- (10) CAUSES FOR SUSPENSION OR DISMISSAL.
1. Under the influence of alcohol, illegal drugs or narcotics.
  2. Insubordination or disrespect toward a superior employee or any member of the Village Board.
  3. Neglect of duty-failure to act.
  4. Neglect or disobedience of any order.
  5. Absence from duty without leave.
  6. Immorality.
  7. Communicating information relating to the Village Board without permission.
  8. Making a false official statement or entry in official records.
  9. Discourtesy or insolence toward the public.
  10. Untruthfulness.
  11. Use of profane language.
  12. Sleeping while on duty.
  13. Uncleanliness in person or dress.
  14. Accepting a bribe.
  15. Stealing or using Village supplies or equipment for personal use.
  16. Criticizing orders by the Village Board.
  17. Any other act or omission contrary to good order and discipline.

**1.07 CITY BID STATUTE ADOPTED.**

- (1) As a complete alternative to the requirements established by sec. 61.54 and 61.55, Wis. Stats., the provisions of sec. 62.15 of said statutes shall be applicable to all Village contracts.
- (2) The authority vested in the Board of Public Works under sec. 62.15, Wis. Stats., shall be exercised by the Village Board, or as delegated by the Board.

**1.08 NONPARTISAN SPRING PRIMARY.**

Nonpartisan Primary Adopted. Candidates for elective office shall be nominated by a nonpartisan primary election conducted as directed by chapter 8 of the Wisconsin Statutes so far as applicable and specifically in accordance with sections 8.05(4) and (5).

- (1) Nomination papers shall be signed by not less than 20 nor more than 100 electors of the Village.

- (2) Papers shall be circulated not sooner than the first day of January preceding the election and shall be filed with the Village Clerk not later than 5:00 p.m. the last Tuesday in January.
- (3) Notice shall be given under secs. 10.01(2)(a) and 10.06(2)(a), Wis. Stats.
- (4) No additional candidates may be nominated by a caucus.
- (5) A primary shall be held only when the number of candidates for an elective office exceeds twice the number to be elected to the office.
- (6) Only the names of those candidates nominated at the primary may appear on the official spring election ballot.
- (7) When the number of candidates for an office does not exceed twice the number to be elected their names shall be printed on the official ballot for the regular election without a primary.

**1.09 RECEIPT OF GIFTS OR GRATUITIES.**

- (1) No public employee or public official shall receive or offer to receive, either directly or indirectly, any gift, gratuity, or anything of value which he is not authorized to receive from any person, if such person:
  - (a) Has or is seeking to obtain contractual or other business or financial relationships with such public employee's employer or the governmental body of the public official; or
  - (b) Conducts operations or activities which are regulated by such public employee's employer or the governmental body of a public official; or
  - (c) Has interests which may be substantially affected by such public employee's employer or the governmental body of the public official.
- (2) The receipt of any gift, gratuity or anything of value as denoted above is contrary to the public policy of the Village.

**1.10 GENEVA LAKE AREA TRANSPORTATION COMMISSION.**

- (1) AMENDED CHARTER. The Amended Charter of the Geneva Lake Area Transportation Commission as filed with the Village is hereby approved and accepted and the Village Clerk shall file a certified copy of this section with the Commission.
- (2) VILLAGE REPRESENTATIVES. There shall be 3 member representatives of the Village to the GLATC who shall be appointed by the Village President and approved by the Village Board.
- (3) TERMS. The Commissioners shall be so appointed that the first members shall serve one, 2 and 3 years respectively and thereafter the term of office for each member appointed shall be 3 years.
- (4) ELIGIBILITY. No transit commissioner shall hold any public office nor shall any person holding stocks or bonds in any corporation subject to the jurisdiction of the transit commission, or who is directly or indirectly pecuniarily interested in such corporation be a member of or employed by the Transit Commission.
- (5) COMPENSATION. No transit commissioner shall be paid any compensation except for reimbursement of authorized travel and other expenses.

- (6) WITHDRAWAL FROM COMMISSION. The Village may withdraw from the GLATC upon 3/4 vote of the Village Board.
- (7) TAXES AND ASSESSMENTS. No tax or assessment shall be levied against any property within the Village under the taxing powers of the GLATC unless approved by a 3/4 vote of the Board of Trustees.

#### **1.11 REGISTRATION OF ELECTORS.**

Registration of electors shall be required in accordance with Ch. 6, Wis. Stats.

#### **1.12 MUNICIPAL JUDGE AND MUNICIPAL COURT.**

- (1) MUNICIPAL JUDGE.
  - (a) Office Created. Pursuant to §755.01, Wis. Stats., there is created the office of Municipal Judge for the Village of Williams Bay.
  - (b) Election; Term. The Municipal Judge shall be elected at large at the spring election in odd-numbered years for a term of 2 or until a successor is elected and qualifies, commencing on May 1 next succeeding his election. Mid-term vacancies in the office of Municipal Judge shall be filled by special election to be held not less than 55 nor more than 70 days after the order of the Board therefore.
  - (c) Salary. The Municipal Judge shall receive a salary as shall be set 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 par. (d) of this subsection.
  - (d) Bond; Oath. The Municipal Judge shall execute and file with the Clerk of the Courts for Walworth County the oath prescribed by §757.02, Wis. Stats., and an official bond in such amount as shall be fixed by resolution of the Village Board.

The Municipal Judge shall not be qualified to act until a certified copy of the bond is filed with the Village Clerk and a certified copy of the oath is filed with the office of the State Administrator of Courts as required by §755.03, Wis. Stats.
  - (e) Jurisdiction. The Municipal Judge shall have jurisdiction as provided by law and §755.045, Wis. Stats., and exclusive jurisdiction of violations of Village ordinances, resolutions and by-laws.

- (2) MUNICIPAL COURT.
  - (a) Court Established. The Municipal Court for the Village of Williams Bay is established pursuant to §755.02 and Ch. 755, Wis. Stats.
  - (b) Hours. The Municipal Court for the Village shall be open as determined by order of the Municipal Judge.
  - (c) Location. The Municipal Judge shall keep his office and hold court in the Village Hall.
  - (d) Procedure. The procedure in Municipal Court for the Village shall be as provided by this section and State law including, without limitation because of enumeration, Chs. 300, 755 and §§23.66 to 23.99, 788.14, 788.15, 788.18 and 345.20 to 345.53, Wis. Stats.

- (e) Collection and Return of Forfeitures. The Municipal Judge shall collect all forfeitures, penalty assessments, fees and taxable costs in any action or proceeding before him and shall pay over such moneys to the Village Treasurer within 7 days of collection.

At such time the Municipal Judge shall also report to the Village Treasurer the title, nature of offenses and total amount of judgments imposed in actions and proceedings in which such moneys were collected.

- (f) Municipal Judge Contempt Authority.

1. Powers. The Municipal Judge may impose a forfeiture for contempt under par. (b) in an amount not to exceed \$50, together with the penalty assessment under §757.05, Wis. Stats., and jail assessment under §302.46, Wis. Stats., or upon nonpayment of the forfeiture, penalty assessment and jail assessment, a jail sentence in the county jail not exceeding 7 days.
2. Contempt of Court Defined. "Contempt of Court" means intentional:
  - a. Misconduct in the presence of the Court which interferes with a Court proceeding or with the administration of justice or which impairs the respect due the Court.
  - b. Disobedience, resistance or obstruction of the authority, process or order of a Court.
  - c. Refusal as a witness to appear, be sworn or answer a question.
3. Summary Procedure. The Municipal Judge presiding in an action or proceeding may impose a forfeiture upon a person who commits a contempt of Court in the actual presence of the Court. The Judge shall impose the forfeiture immediately after the contempt of Court and only for the purpose of preserving order in the Court and protecting the authority and dignity of the Court.
4. Other. All other contempt of Court proceedings in Municipal Court shall follow the procedures set forth in §785.03, Wis. Stats.

(3) STIPULATIONS AND DEPOSITS IN MUNICIPAL COURT.

- (a) Deposit Schedule to be Established. 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 bylaws, except traffic regulations which are governed by §345.26, Wis. Stats., and boating violations governed by §23.67, Wis. Stats.

When approved by the Board, such deposit schedule shall be posted in the office of the Municipal Court clerk and the Village Police Department.

- (b) Stipulation and Deposit in Lieu of Court Appearance. Persons cited for violations of Village ordinances, resolutions or bylaws for which a deposit has been established under this subsection 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.
- (c) Traffic and Boating Deposits. The deposit schedule established by the Wisconsin Board of County Judges and the procedures set forth in Chs. 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.

- (d) When Not Permitted. Stipulations and deposits shall not be permitted after initial appearance or in cases of contempt under par. (2)(f).

### **1.13 CODE OF ETHICS.**

- (1) **DECLARATION OF POLICY.** The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; government decisions and policy be made in the proper channels of the government structure; public office not be used for personal gain; and the public has confidence in the integrity of its government.

In recognition of these goals, there is hereby established a Code of Ethics for all Village officials and employees, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions of the Village.

The purpose of the Code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the Village and by directing disclosure by such officials and employees of private financial or their interests in matters affecting the Village.

The Village Board recognizes that the representatives of the Village are drawn from society and therefore cannot and should not be without all personal and economic interest in the decisions and policies of government and that citizens who serve as Village officials and employees retain their rights as citizens to interest of a personal and economic nature. That the standards of ethical conduct for Village officials and employees need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society and those conflicts which are substantial in material and that Village officials and employees may need to engage in employment, professional or business activities other than official duties in order to support themselves or their families and to maintain investments which activities or investments do not conflict with the specific provisions of this Code. The provisions and purpose of this Code and such rules and regulations as may be established are hereby declared to be in the best public interest. It is the intent of the Village Board that in its operations the Board of Ethics shall protect to the fullest extent possible the rights of individuals affected.

- (2) **RESPONSIBILITY OF PUBLIC OFFICE.** Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this State and to carry out impartially the laws of the nation, State and Village and thus to foster respect of all government. They are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern.
- (3) **DEFINITIONS.**

Anything of Value. Any money or property, favor, service, payment, advance forbearance, loan or promise of future employment, but does not include compensation and expenses paid by the State, fees, honorariums and expenses which are permitted and reported under §19.56, Wis. Stats., and political contributions which are reported under Ch. 11, Wis. Stats.

Financial Interest. Any interest which shall yield directly or indirectly a monetary or other material benefit to the officer or employee or to any person employing or retaining services of the officer or employee.

Persons. Any person, corporation, partnership or joint venture.

- (4) **CONFLICT OF INTEREST.**

- (a) No official or employee shall accept anything of value, whether in the form of a gift, service loan or promise, from any person which may tend to impair his independence of judgment or action in the performance of his official duties.
  - (b) It is not a conflict of interest for any public employee or official to receive a gift of gratuity that is an unsolicited item of nominal intrinsic value.
  - (c) No public official or employee shall engage in any business or transaction or shall act in regard to any financial interest, direct or indirect, which is incompatible with the proper discharge of his official duties for the benefit of the public, contrary to the provisions of this Code or which would tend to impair his independence of judgment or action in the performance of his official duties.
  - (d) No public official or employee shall engage in or accept private employment or render service for private interest when such employment or service is incompatible with the proper discharge of his official duties or would tend to impair his independence of judgment or action in the performance of his official duties unless otherwise permitted by law, unless disclosure is made as hereinafter provided.
  - (e) No public official or employee and no business in which a Village official or public employee holds a 10% or greater interest may enter into a contract with the Village involving a payment or payments of more than \$3,000 within a 12 month period unless such official or employee has first made a written disclosure of the nature and extent of such relationship or interest to the Board and to the department acting for the Village in regard to such contracts. This paragraph does not affect the application of §946.13, Wis. Stats.
  - (f) No official or employee shall disclose confidential information concerning the property, government or affairs of this Village nor shall he use such information to advance the financial or other private interest of himself or any other person.
  - (g) Any member of the Village Board who has financial interest in any proposed legislation before the Village Board shall disclose on the records of the Board the nature and extent of such interest prior to or during the initial discussion on such legislation. Any other official or employee who has a financial interest in any proposed legislative action of the Village Board and who participates in discussion with or gives an official opinion or recommendation to the Village Board shall disclose on the records of the Board the nature and extent of such interest.
- (5) ETHICS BOARD. There is hereby created an Ethics Board consisting of 3 members who shall serve without compensation unless the Village Board otherwise provides. The members of the Board of Ethics shall be residents of the Village and shall not be elected officials, full-time appointed officials, Village employees nor shall they be currently serving on any other Village board or commission. Each member shall be appointed by the President and subject to the confirmation by the Village Board. The Village Attorney shall furnish the Board whatever legal assistance necessary in carrying out its functions. Terms of office shall be 3 years, except that when the initial appointments are made one member shall be appointed for one year, one for 2 years and one for 3 years. The alternate shall serve on the Board when one of the members of the Board are unavailable. The term of the alternate shall be for 3 years. The Ethics Board shall elect its own chairman and vice chairman.
- (6) DUTIES OF ETHICS BOARD.
- (a) The Ethics Board shall adopt and develop written rules which shall be submitted to the Village Board for approval. A copy of such rules shall be filed with the Village Clerk.
  - (b) Any person to whom this section applies may apply to the Ethics Board for an advisory opinion and shall be guided by the opinion rendered. Such person shall

have the opportunity to present his interpretation of the facts at issue and of the applicability of provisions of the Code before the advisory decision is rendered. The Board's deliberations and action upon such applications shall be in meetings not open to the public.

Records of the Board's opinions, opinion requests and investigations of violations shall be closed to public inspection. The Board, however, may make such records public with the consent of the individual requesting the advisory opinion.

- (c) The Board shall investigate any complaint properly filed with it.
- (d) The Board shall accept from any person or make upon its own motion a verified complaint in writing which shall state the name of the officer or employee alleged to have committed a violation of this section and which shall set forth the particulars thereof.

The Board shall forward within 10 days a copy of the complaint to the officer or employee who is accused. If no action on the verified complaint is taken by the Board within 60 days, the complaint shall be void.

- (e) Following the receipt or motion of a verified complaint, the Board may make preliminary investigations with respect to alleged violation of this section. No preliminary investigation of the activities of any officer or employee may be initiated unless such officer or employee is notified in writing. The notice shall state the exact nature and purpose of the investigation, the individual's specific actions or activities to be investigated and a statement of such person's due process rights.
- (f) If after such investigation the Board finds that probable cause exists for believing the allegations of the complaint, it shall conduct a hearing on the matter which shall be held not more than 30 days after such finding. The Board shall give the accused at least 20 days notice of the hearing date. Such hearings shall be at open session unless the accused petitions for a hearing closed to the public. The rules of criminal evidence shall apply to such hearings. All evidence, including certified copies of records and documents which the Board considers, shall be fully offered and made part of the record in the case. Every party shall be afforded adequate opportunity to rebut or offer countervailing evidence.
- (g) During all stages of any investigation or proceeding conducted under this section, the accused or any person whose activities are under investigation shall be entitled to be represented by counsel of his own choosing.
- (h) The accused or his representative shall have an adequate opportunity to examine all documents and records to be used at the hearing under par. (d) at a reasonable time before the date of the hearing as well as during the hearing; bring witnesses; establish all pertinent facts and circumstances; and question or refute any testimony or evidence, including opportunity to confront and cross-examine adverse witnesses.
- (i) The Board shall have the power to compel the attendance of witnesses and to issue subpoenas granted other boards and commissions under §885.01 (3), Wis. Stats.
- (j) Upon conclusion of the hearing, the Board shall file its decision within 5 days in writing signed by all participating Board members with findings of fact, conclusions of law concerning the propriety of the conduct of the officer or employee and, if appropriate, refer the matter to the Village Board or other proper authority with a recommendation for suspension, removal from office or employment or other disciplinary action.
- (k) The affirmative vote of the Board shall be required for any action taken by the Board, with the exception that action taken by the Board pursuant to a hearing conducted under par. (f) shall require a unanimous vote.

#### **1.14 VILLAGE ADMINISTRATOR.**

(1) VILLAGE ADMINISTRATOR, CREATION AND PURPOSE. In order that the various officers, officials and employees executing policies and administering the affairs of the Village of Williams Bay be operated as efficiently as possible under a system of part-time President and part-time Trustees, and to better insure confident, expeditious, efficient and harmonious administration in action and in respect to any activity, of any one or more of the Village's officers, officials and employees, and in order that there may be uniform administration of policy, there is hereby created the office of Village Administrator for the Village of Williams Bay.

(2) FUNCTIONS OF VILLAGE ADMINISTRATOR. The Village Administrator shall be the administrative officer of the Village, responsible for the proper administration of the business and affairs of the Village, subject to those limitations imposed by the statutes of the State of Wisconsin, the ordinances of the Village of Williams Bay, and the resolutions and directions of the Village Board.

Nothing herein shall be construed to conflict with the duties of the Village Board and other Village officers otherwise provided by statute and the ordinances of the Village of Williams Bay.

(3) APPOINTMENT. The Village Administrator shall be appointed by the Village President and confirmed by the Village Board on the basis of merit, with due respect to training, experience, administrative ability and general fitness and knowledge of administrative and operational functions of municipal government. The Village Administrator shall be deemed an officer of the Village of Williams Bay. Compensation therefore shall be as determined by the Village Board from time to time.

(4) RESIDENCY REQUIREMENT. In order to insure that the Village Administrator will be available to promptly administer the Village affairs at all times, the Village Administrator shall be required to become a resident of the Village of Williams Bay.

(5) GENERAL DUTIES. The Village Administrator shall have the following general duties:

(a) The Village Administrator shall attend all meetings, regular and special, of the Village Board, Planning Commission, committees of the Village Board and such other boards, committees and commissions as the Village Board may so direct, unless so excused by the Village Board or unless otherwise prohibited by law. The Village Administrator may participate in the discussion and deliberations thereof, but without a vote.

(b) The Village Administrator shall cooperate with the Village Board on all matters pertaining to Village administration, business and affairs.

The Village Administrator shall make recommendations from time to time to the Village Board for improving the quality and efficiency of services performed by the Village and for improving the health, safety and welfare of the Village.

(c) The Village Administrator shall file with the Village Board such reports at such times as the Village Board may require concerning the activities of the office so that the Village Board may be currently appraised of any actions of the Village Administrator and the nature and reason for such actions taken by the Village Administrator.

(d) The Village Administrator as directed by the Village Board shall be responsible for the proper interpretation and efficient execution of all policies and programs

established by the Village Board. The Village Administrator shall carry out all directives of the Village Board which require administrative implementation, and shall promptly report to the Village Board any difficulties encountered therein.

- (e) The Village Administrator shall monitor and determine that all Village ordinances are efficiently and equally enforced and shall report to the Village Board as is necessary, or as required by the Village Board.
- (f) The Village Administrator shall administer and direct the operation and maintenance of all Village-owned property, lands, buildings, improvements and equipment, and all public ways, ditches, drains and storm sewers, and where such duties are otherwise given to other officials, officers and employees of the Village, the Village Administrator shall assist the above officials, officers and employees as the Village Board may from time to time direct.
- (g) The Village Administrator shall administer and direct the construction and maintenance of all public ways, public works and improvements undertaken either directly or indirectly by the Village, and where such duties are otherwise given to other officials, officers and employees of the Village, the Village Administrator shall assist the above officials, officers and employees as the Village Board may from time to time direct.
- (h) The Village Administrator shall be kept informed on all current county, state and federal legislation and administrative rules effecting the Village and shall submit appropriate reports and recommendations to the Village Board.
- (i) The Village Administrator shall be kept informed concerning current developments in the field of municipal administration and law and submit to the Village Board recommendations or suggestions to improve the municipal government of the Village.
- (j) The Village Administrator shall be kept informed as to the availability of county, state and federal funds for Village programs.

The Village Administrator shall assist departmental heads and the Village Board in obtaining said funds, as directed by the Village Board.

- (k) The Village Administrator shall represent the Village in matters involving legislative and intergovernmental affairs as authorized and directed by the Village Board.
- (l) The Village Administrator shall facilitate communication between citizens and the Village government in order to assure that complaints, grievances, recommendations and other such matters receive prompt attention by the responsible Village official or organization.
- (m) The Village Administrator shall promote the economic well-being and growth of the Village through cooperation with the public and private sectors.
- (n) Such other administrative duties and powers not inconsistent with the law as may be directed by the Village Board from time to time.

(6) PERSONNEL.

- (a) The Village Administrator, as directed by the Village Board, shall coordinate the activities of Village office employees and shall from time to time report to the Village Board.
- (b) The Village Administrator shall work closely with department heads to assure that employees receive adequate opportunity for training in order to maintain and improve their job-related knowledge and skills.

(7) BUDGET AND PURCHASING.

- (a) The Village Administrator shall cooperate with department supervisors and other responsible officers, officials and employees of the Village, in the annual preparation of a financial budget of anticipated income and expenditures for the ensuing fiscal year, and to assist in the supervision of the expenditures of funds and in the administration of said budget as adopted by the Village Board.

The preparation of the annual Village budget shall be in accordance with such guidelines as may be provided by the Village Board and the Village municipal code.

- (b) The Village Administrator shall make such reports as the Village Board may, from time to time, require as to the current fiscal status of the Village and the current fiscal status of items in the Village budget.

- (8) CHANGE OF DUTIES. The Village Board may, from time to time, increase, decrease change or otherwise modify the duties of the Village Administrator as the Village Board may, in its sole discretion, determine appropriate.