

TITLE 2

Government and Administration

Chapter 1	City Government; Elections
Chapter 2	Mayor; Common Council
Chapter 3	Municipal Officers and Employees
Chapter 4	Boards, Commissions and Committees
Chapter 5	Ethical Standards

CHAPTER 1

City Government; Elections

2-1-1	City Government
2-1-2	Official Newspaper
2-1-3	Appointment of Election Officials
2-1-4	Elections
2-1-5	Non-Partisan Primary for City Offices
2-1-6	Aldermanic Districts of City

SEC. 2-1-1 CITY GOVERNMENT.

- (a) **Mayor Council Government.** The City of Park Falls is a body corporate and politic with the powers of a municipality at common law and governed by the provisions of Chapters 62 and 66 of the Wisconsin Statutes, laws amending those chapters, other acts of the legislature and the Constitution of the State of Wisconsin. The City of Park Falls operates under the Mayor-Council form of government under Chapter 62, Wis. Stats.
- (b) **Division of Responsibilities.**
- (1) Legislative Branch. The Common Council is the legislative branch of City Government. Its primary business is the passage of laws in the form of ordinances or resolutions which shall prescribe what the law shall be, not only in relation to the particular facts existing at the time, but as to all future cases arising under it. The Common Council shall fix the salaries of all officers and employees of the City, and be charged with the official management of the City's financial affairs, its budget, its revenues and the raising of funds necessary for the operation of the City.
 - (2) Executive Branch. The Mayor shall be the chief executive officer. He shall take care that all City ordinances and state laws are observed and enforced and that all City officers, boards, committees and commissions discharge their duties. When present, he shall preside at the meetings of the Common Council. He shall from time to time give the Council such information and recommend such measures as he may deem advantageous to the City.

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

SEC. 2-1-2 OFFICIAL NEWSPAPER.

When publication is used instead of posting, the official newspaper of the City of Park Falls shall be the Park Falls Herald.

State Law Reference: Sec. 985.06, Wis. Stats.

SEC. 2-1-3 APPOINTMENT OF ELECTION OFFICIALS.

There shall be a minimum of five (5) inspectors for each polling place at each election held under Chapters 5 to 12, Wis. Stats., and a minimum of seven (7) inspectors for each polling place for presidential elections. When voting machines are used, the number of inspectors may be reduced to five (5). Inspectors shall be appointed as provided in Sec. 7.30, Wis. Stats.

State Law Reference: Sec. 7.30, Wis. Stats.

SEC. 2-1-4 ELECTIONS.

- (a) **Annual City Election.** The annual City election shall be held on the first Tuesday in April.
- (b) **Polling Hours.** The polls for all elections shall open at 9:00 a.m. and close at 8:00 p.m. The rules for provision of voting booths, ballots and election officials and all of the rules for conduct of elections in Title II, Wisconsin Statutes, shall apply to elections in the City of Park Falls.
- (c) **Polling Places.** The designated polling place for all wards of the City of Park Falls shall be at the City Hall, or as designated by the Common Council.

SEC. 2-1-5 NON-PARTISAN PRIMARY FOR CITY OFFICES.

Whenever three (3) or more candidates file nomination papers, candidates for elective City offices shall be nominated by a non-partisan primary conducted pursuant to Sec. 8.05(4), Wis. Stats. Such candidate shall file with his nomination papers a declaration that he will qualify for the office to which he may be elected.

State Law Reference: Secs. 8.05(4) and 8.11, Wis. Stats.

SEC. 2-1-6 ALDERMANIC DISTRICTS OF CITY.

- (a) The boundaries of the wards in the City of Park Falls shall be altered to conform to the 1981-1990 Price County Apportionment of Supervisory Districts adopted by the Price County Board of Supervisors.
- (b) The boundaries of wards shall be as shown on the map at the office of the City Clerk-Treasurer.

CHAPTER 2

Mayor; Common Council

2-2-1	Common Council
2-2-2	Aldermen
2-2-3	Mayor
2-2-4	President of the Council
2-2-5	Standing Committees; Action on Committee Reports
2-2-6	General Powers of the Common Council
2-2-7	Cooperation With Other Municipalities
2-2-8	Internal Powers of the Council
2-2-9	Salaries
2-2-10	Meetings of the Common Council
2-2-11	Special Meetings
2-2-12	Open Meetings
2-2-13	Quorum
2-2-14	Presiding Officers
2-2-15	Order of Business
2-2-16	Introduction of Business, Resolutions and Ordinances; Disposition of Communications
2-2-17	Publication and Effect of Ordinances
2-2-18	Conduct of Deliberations
2-2-19	Reconsideration of Questions
2-2-20	Call for the Previous Question
2-2-21	Amendment of Rules
2-2-22	Suspension of Rules

SEC. 2-2-1 COMMON COUNCIL.

The Aldermen of the City of Park Falls shall constitute the Common Council. The Common Council shall be vested with all the powers of the City not specifically given some other officer, as well as those powers set forth elsewhere throughout this Code.

State Law Reference: Sec. 62.11, Wis. Stats.

SEC. 2-2-2 ALDERMEN.

- (a) **Election, Term, Number.** The City shall have eight (8) Aldermen in addition to the Mayor, who is a member of the Common Council by virtue of his office as Mayor. The eight (8) Aldermen shall constitute the Common Council. There shall be two (2) Aldermen from each ward. One (1) Alderman shall be elected from each ward for a term of two (2) years commencing on the third Tuesday in April in the year of election.
- (b) **Appointment as Mayor.** An Alderman shall be eligible for appointment as Mayor to fill an unexpired term.
- State Law Reference: Sec. 62.09, Wis. Stats.

SEC. 2-2-3 MAYOR.

- (a) **Election.** The Mayor shall be elected in odd-numbered years for a term of two (2) years.
- (b) **Duties.**
 - (1) The Mayor shall be the Chief Executive officer of the City. He shall take care that City ordinances and the State Statutes are observed and enforced.
 - (2) The Mayor shall, from time to time, provide the Council such information and recommend such measures as he may deem advantageous to the City. When present, he shall preside at the meetings of the Council.
 - (3) The Mayor shall have such other duties and responsibilities as are prescribed in the Wisconsin Statutes.
- (c) **Veto Power.** He shall have the veto power as to all acts of the Council except such as to which it is expressly or by necessary implications otherwise provided. All such acts shall be submitted to him by the City Clerk-Treasurer, and shall be enforced upon his approval, evidenced by his signature, or upon his failing to approve and disapprove within five (5) days, which fact shall be certified thereon by the Clerk-Treasurer. If the Mayor disapproves, he shall file his objection with the Clerk-Treasurer, who shall present it to the Council at its next regular meeting. A two thirds (2/3) vote of all the members present of a quorum of the Council shall be necessary to make the act effective, notwithstanding the objection of the Mayor.

State Law Reference: Sec. 62.09(8), Wis. Stats.

SEC. 2-2-4 PRESIDENT OF THE COUNCIL.

The Common Council at its first meeting subsequent to the regular election and qualification of new members shall, after organization, annually choose from its members a President who, in the absence of the Mayor, shall preside at meetings of the Council and, during the absence or inability of the Mayor, shall have the powers and duties of the Mayor, except that he shall not have power to approve an act of the Council which the Mayor has disapproved, by filing objections with the Clerk-Treasurer. He shall, when so officiating, be styled "Acting Mayor." The President of the Council shall be elected for a one (1) year term of office.

State Law Reference: Sec. 62.08(9)(e), Wis. Stats.

SEC. 2-2-5 STANDING COMMITTEES; ACTION ON COMMITTEE REPORTS.

- (a) **Standing Committees.** At the organizational meeting of the Common Council in each year following the annual election, the Mayor shall appoint Aldermen to each of the following committees, subject to Council confirmation, which shall have such duties and responsibilities as prescribed by the Mayor and this Code of Ordinances, and to make whatever recommendations to the Council as they deem appropriate or as may be directed by the Council:
 - (1) Board of Public Works.

- (2) Public Services Committee.
- (3) Personnel and Planning Committee.
- (4) Finance Committee.
- (b) **Committee of the Whole.** If any issue requires committee review by more than one (1) committee, this issue shall automatically be referred to the entire Common Council meeting as a "Committee of the Whole."
- (c) **Committee Appointments.**
 - (1) The chairperson of each committee shall be designated by the Mayor. Each member shall serve as appointed unless excused by a majority of the members of the Council. All Aldermen shall serve on at least one (1) standing committee. The Mayor shall be an ex officio member of each standing committee.
 - (2) The Mayor may declare the entire Council a committee of the whole for informal discussion at any meeting or for any other purpose, and shall ex officio be chairman of the same.
 - (3) The Mayor may, from time to time, appoint such special committee or committees as he may deem advisable or as provided for by motion or resolution stating the number of members and object thereof to perform such duties as may be assigned to them.
- (d) **Reference and Reports.**
 - (1) The Mayor may refer new business coming before the Common Council to the appropriate committee, unless otherwise referred or disposed of by motion of the Council.
 - (2) Any written committee reports, when necessary, shall be filed with the City Clerk-Treasurer not later than noon on the Friday preceding the next regular meeting of the Council. Such report shall recommend a definite action on each item and shall be approved by a majority of the committee. Minority reports may be submitted. The chairman of the committee shall report verbally to the Council at the meeting at which the report of the committee is to be made.
- (e) **Cooperation of City Officers.** All City officers shall, upon request of the chairman of the committee, confer with the committee and supply to it such information as may be requested in connection with any matter pending before the committee.

SEC. 2-2-6 GENERAL POWERS OF THE COMMON COUNCIL.

- (a) **General.** The Common Council shall be vested with all the powers of the City not specifically given some other officer. Except as otherwise provided by law, the Common Council shall have the management and control of the City 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 City, 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 Common Council may acquire property, real or personal, within or without the City, 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 continuous to the City, 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 City-owned property, except dedicated, platted parks.
- (c) **Acquisition of Easements and Property Rights.** Confirming all powers granted to the Common Council and in furtherance thereof, the Council 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 Sec. 62.23, Wis. Stats.; and may sell and convey such easements or property rights when no longer needed for public use or protection.
- (d) **City Finances.** The Common Council may levy and provide for the collection of taxes and special assessments; may refund any tax or special assessment paid, or any part thereof, when satisfied that the same was unjust or illegal; and generally may manage the City finances.
- (e) **Construction of Powers.** Consistent with the purpose of giving to cities 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 Common Council in this Section and throughout this Code of Ordinances shall be liberally construed in favor of the rights, powers and privileges of cities to promote the general welfare, peace, good order and prosperity of the City and its inhabitants.

State Law Reference: Art. XI, Sec. 3, Wis. Const.; Sections 62.09(7) and 62.11, Wis. Stats.

SEC. 2-2-7 COOPERATION WITH OTHER MUNICIPALITIES.

The Common Council, on behalf of the City, may join with other villages, towns, or cities or other governmental entities 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 and joint purchasing programs.

State Law Reference: Sec. 66.30, Wis. Stats.

SEC. 2-2-8 INTERNAL POWERS OF THE COUNCIL.

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

State Law Reference: Sec. 62.11, Wis. Stats.

SEC. 2-2-9 SALARIES.

The Mayor and Aldermen who make up the Common Council, whether operating under general or special law, may, by majority vote of all the members of the Common Council, determine by separate salary ordinance that an annual salary or per diem compensation be paid the Mayor and Aldermen.

State Law Reference: Sec. 62.09(6), Wis. Stats.

SEC. 2-2-10 MEETINGS OF THE COMMON COUNCIL.

- (a) *ANNUAL ORGANIZATION MEETING. Following a regular City election, the Common Council shall meet on the fourth Wednesday of April for the purpose of organization.*
- (b) *REGULAR MEETINGS. Regular meetings of the Common Council shall be held on the second and fourth Monday of each calendar month, at the hour of 5:00 p.m. Any regular meetings falling upon a legal holiday or date and time that is non-conducive to council business by the majority of the Common Council shall be held on the next following secular day, at the same hour and place, or as otherwise designated by majority vote of the Common Council. All meetings of the Council shall be held in the Park Falls City Hall, including special and adjourned meetings unless another location is designated by the Common Council at a previous meeting.*
- (c) *ATTENDANCE. Any Alderman who intends to be absent from a regular Council meeting shall notify either the Mayor or the Clerk-Treasurer no later than noon preceding the meeting.*

State Law Reference: Sec. 62.11(2), Wis. Stats.

SEC. 2-2-11 SPECIAL MEETINGS.

Special meetings may be called by the Mayor or by two (2) Aldermen on written notice of the time and purpose thereof to each member of the Council delivered to him personally or left at his usual place of abode at least six (6) hours before the meeting. The City Clerk-Treasurer shall cause an affidavit of service of such notice to be filed in his office prior to the time fixed for such special meetings. A special meeting may be held without such notice when all members of the Common Council are present in person, or consent in writing to the holding of such a meeting, provided the provisions of Wisconsin's Open Meeting Law are complied with. If written consent is obtained, it shall be filed with the Clerk-Treasurer prior to the beginning of the meeting. Attendance by any Council member shall be deemed a waiver on his part of any defect of notice. Any special meeting

attended by all Aldermen shall be a regular meeting for the transaction of any business that may come before such meeting.

State Law Reference: Sec. 62.11(2), Wis. Stats.

SEC. 2-2-12 OPEN MEETINGS.

Except as provided in Sec. 19.85, Wis. Stats., all meetings of the Common Council, committees thereof, and boards, committees and commissions, shall be open to the public.

State Law Reference: Sec. 62.11(3)(c) and Ch. 19, Subch. IV, Wis. Stats.

SEC. 2-2-13 QUORUM.

- (a) Two-thirds of the members-elect of the Common Council shall constitute a quorum, but a lesser number may adjourn if a majority is not present or compel the attendance of absent members. The Mayor shall not be counted in computing a quorum. No action shall be taken unless a quorum is present.
- (b) The Council may, by a majority vote of those present, adjourn from time to time to a specific date and hour.

State Law Reference: Sec. 62.11(3)(b), Wis. Stats.

SEC. 2-2-14 PRESIDING OFFICERS.

- (a) **PRESIDING OFFICER.** The Mayor or presiding officer shall preside over all meetings of the Common Council. In the absence of the Mayor, the President of the Council shall preside. In case of absence of the Mayor and President of the Council, the Clerk-Treasurer shall call the meeting to order and the senior Alderman present shall be the president pro tem.
- (b) **DUTIES.** The Mayor or 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, (Revised), 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 two-thirds (2/3) vote of the members present excluding the presiding officer. In the absence of the Clerk-Treasurer, the presiding officer shall appoint a clerk pro tem.

State Law Reference: Sec. 62.09(8), Wis. Stats.

SEC. 2-2-15 ORDER OF BUSINESS.

- (a) **ORDER OF BUSINESS.** At all regular meetings, the order of business shall be according to the tentative agenda prepared by the City Clerk-Treasurer and distributed to the Mayor and each member of the Common Council no later than the Monday preceding the regular meeting. Members of the Council and City officers desiring

a matter to be placed on the agenda shall submit the same to the City Clerk-Treasurer, who shall be responsible for agenda preparation and distribution, not later than noon on the Friday preceding the regular meeting. Generally, the following order may be observed in the conduct of all meetings of the Council:

- (1) Call to order by presiding officer.
 - (2) Roll call. (If a quorum is not present, the meeting shall thereupon adjourn, which may be to a specific date.)
 - (3) Reading the minutes of the preceding meeting and approving the same, if correct, and rectifying mistakes if any exist.
 - (4) Reports of committees.
 - (5) Unfinished business from previous meetings.
 - (6) New business, including the introduction of ordinances and resolutions.
 - (7) Reports of City officers.
 - (8) Communications and miscellaneous business.
 - (9) Such other matters as are authorized by law.
 - (10) Adjournment.
- (b) ORDER TO BE FOLLOWED; CITIZEN COMMENTS. No business shall be taken up out of order unless by unanimous consent of all aldermen and in the absence of any debate whatsoever. The Mayor or presiding officer may impose a time limit on the length of time citizens may address the Council.
- (c) ROLL CALL; PROCEDURE WHEN QUORUM LACKING. As soon as the Council shall be called to order, the City Clerk-Treasurer shall proceed to call the names of the members, noting who are present and who are absent and record the same in the proceedings of the Council. If it shall appear that there is not a quorum present, the fact shall be entered on the journal and the Council shall adjourn.

SEC. 2-2-16 INTRODUCTION OF BUSINESS, RESOLUTIONS AND ORDINANCES; DISPOSITION OF COMMUNICATIONS

- (a) ORDINANCES TO BE IN WRITING. All ordinances submitted to the Council shall be in writing and shall begin with a title and the name of the Alderman or Mayor introducing the ordinance. Any written material introduced may be referred to the appropriate committee pursuant to Section 2-2-5. Any member of the Council may require the reading in full of any ordinance or resolution at any time it is before the Council.
- (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.
- (1) The Common Council may take action on an ordinance only if it appears on the written agenda for the meeting at which action is requested.
 - (2) Ordinances will be placed on the agenda for Council action only if they are submitted to the City Clerk-Treasurer in written form not later than noon on the Friday prior to the meeting at which action is requested.
 - (3) All ordinances or resolutions appropriating money or creating any charge against the City other than the payment of claims for purchases or work

previously authorized by the Common Council shall only be acted upon by the Common Council at the next regular meeting, provided that this provision may be suspended by affirmative action by three-fourths (3/4) of all members of the Common Council.

SEC. 2-2-17 PUBLICATION AND EFFECT OF ORDINANCES.

- (a) All general ordinances of the City and all regulations imposing any penalty shall be published in the official paper of the City once and shall be immediately recorded, with the affidavit of publication, by the City 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 Common Council 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: Sec. 62.11(4), Wis. Stats.

SEC. 2-2-18 CONDUCT OF DELIBERATIONS.

- (a) 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) When required by the State Statutes of Wisconsin.
- (b) All aye and nay votes shall be recorded in the official minutes.
- (c) Except as provided below, the Common Council shall in all other respects determine the rules of its procedure, which shall be governed by Robert's Rules of Order (Revised 1951), 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 Alderman shall address the Council until he has been recognized by the presiding officer. He shall thereupon address himself to the presiding officer and confine his remarks to the question under discussion.
 - (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 an Alderman shall address the Council except under order of business, except that citizens may address the Council with the permission of the presiding officer as to matters which are being considered by the Council at the time.
 - (4) No motion shall be discussed or acted upon unless and until it has been seconded. No motion shall be withdrawn or amended without the consent of the person making the same and the person seconding it.
 - (5) The Mayor shall not vote except in the case of a tie. When the Mayor does vote in case of a tie, his vote shall be counted in determining whether a sufficient number of the Council has voted favorably or unfavorably on any measure. A majority vote of all members of the Council in favor of any proposed ordinance, resolution or appointment shall be necessary for

passage or approval, unless a larger number is required by ordinance or State Statute. Except as otherwise provided, a majority vote of those present shall prevail in other cases.

- (6) Any member of the Council may demand an aye and nay vote on any matter, and all aye and nay votes shall be recorded in the journal. On confirmation of appointments and on the adoption of any measure assessing or levying taxes, appropriating or disbursing money, or creating any liability or charge against the City or any fund thereof, the vote shall be by ayes and noes. A member of the Council may not change his vote on any question after the result has been announced.
- (7) When a question is under discussion, the following motions shall have precedence in the order listed:
 - a. To adjourn.
 - b. To recess.
 - c. To lay on the table.
 - d. To move the previous question.
 - e. To postpone to a day certain.
 - f. To refer to a committee.
 - g. To amend.
 - h. To postpone indefinitely.

State Law Reference: Sec. 62.11, Wis. Stats.

SEC. 2-2-19 RECONSIDERATION OF QUESTIONS.

It shall be in order for any member, if in the majority, to move for the reconsideration of any vote in question at the same meeting or at the next succeeding regular adjourned meeting. A motion to reconsider being put and lost shall not be renewed.

SEC. 2-2-20 CALL FOR THE PREVIOUS QUESTION.

Any member desirous of terminating the debate may call the previous question when the question announced by the Mayor shall be "call the main question." If a majority of the members present vote in the affirmative, the main question shall be put to a vote without further debate, and its effect shall be to put an end to all debate and bring the Council to a direct vote, first upon the pending amendment and then upon the main question.

SEC. 2-2-21 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 Council.

SEC. 2-2-22 SUSPENSION OF RULES.

Any of the provisions of Sections 2-2-17 through 2-2-21, inclusive, of this Code may be suspended temporarily by a recorded vote of two-thirds (2/3) of the Council members present at any meeting.

CHAPTER 3

Municipal Officers and Employees

2-3-1	General Provisions
2-3-2	City Clerk-Treasurer
2-3-3	Deputy Clerk-Treasurer
2-3-4	City Attorney
2-3-5	Chief of Police
2-3-6	Fire Chief
2-3-7	Assessor-Building Inspector
2-3-7-A	Safety Director
2-3-8	Water and Street Superintendent
2-3-9	Weed Commissioner
2-3-10	Eligibility for Office
2-3-11	Removal from Office
2-3-12	Custody of Official Property
2-3-13	Oath of Office; Bonds of Officers
2-3-14	Residency Requirements

SEC. 2-3-1 GENERAL PROVISIONS.

- (a) **GENERAL POWERS.** Officers shall have generally the powers and duties prescribed for like officers of cities, towns and villages, except as otherwise provided, and such powers and duties as are prescribed by law and except as to the Mayor, shall perform such duties as shall be required of him by the Council. Officers whose powers and duties are not enumerated in Chapter 62 of the Wisconsin Statutes shall have such powers and duties as are prescribed by law for like officers or as are directed by the Council.
- (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 office shall apply to City officers.
- (d) **LEGAL REPRESENTATION.** Whenever any City official in his official capacity proceeded against or obliged to proceed before any civil court, board, committee 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 Council has ordered the proceedings discontinued, the Council 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.

State Law Reference: Sections 62.09(7) and 62.115, Wis. Stats.

SEC. 2-3-2 CITY CLERK-TREASURER.

- (a) **APPOINTMENT NOT TO BE GOVERNED BY STATUTES.**
 - (1) The City of Park Falls, pursuant to Sections 62.09(3)(c), 62.09(3)(b), and 66.01, Wis. Stats., hereby elects not to be governed by those portions of

Sec. 62.09, Wis. Stats., in general and, more specifically, Sections 62.09(1) and 62.09(5), Wis. Stats., which are in conflict with this Section.

- (2) The offices of City Clerk and City Treasurer are hereby consolidated, and the duties of both offices shall be performed by the person appointed by the Mayor, subject to confirmation by the Common Council
 - (3) The appointed City Clerk-Treasurer shall hold office for an indefinite term, subject to removal as provided in Sec. 17.12(1)(c) and (d), Wis. Stats.
- (b) **Duties.** The duties of the City Clerk-Treasurer and the scope of his duties, authority, and responsibilities include, but are not necessarily limited to, the following:
- (1) He shall have management of the City of Park Falls, including the duties of the office of Clerk and the duties of the office of Treasurer, which have been combined in the same office holder by ordinance in conformity with applicable Wisconsin Statutes, as the primary duty of the position.
 - (2) The Clerk-Treasurer shall have the authority to interview candidates for the position of Deputy Clerk-Treasurer. The Clerk-Treasurer shall further have the authority to select and appoint the Deputy Clerk-Treasurer should any vacancy or Deputy Clerk-Treasurer positions occur or Deputy Clerk-Treasurer positions be authorized by the Common Council subject to the ratification of the appointment by a majority of the members of the Common Council. The Clerk-Treasurer shall further have the responsibility of training and evaluating the performance of the position of Deputy Clerk-Treasurer. The Clerk-Treasurer shall further be responsible for making recommendations as to salary increments for the Deputy Clerk-Treasurer and administering discipline relative to any Deputy Clerk-Treasurer position in the government in the City of Park Falls.
 - (3) The Clerk-Treasurer shall be responsible for planning and assigning work to the Deputy Clerk-Treasurer(s) and in determining the method in which such work assignments shall be performed.
 - (4) The City Clerk-Treasurer shall be responsible for maintaining time records for the office of City Assessor-Building Inspector. All the scheduling of the Assessor-Building Inspector's time in performing his duties during the work week shall be subject to the approval, scheduling and direction of the Clerk-Treasurer.
 - (5) The Clerk-Treasurer shall supervise the daily activities, the recordkeeping activities and, in general, the performance of the duties of Assessor-Building Inspector. The Clerk-Treasurer shall be responsible in evaluating and reporting on the performance of the work performed by the City of Park Falls Assessor/Building Inspector to the Mayor and to the Common Council of the City of Park Falls.
 - (6) The City Clerk-Treasurer shall regularly and customarily exercise discretionary powers, including, but not limited to, those previously noted and, further, by example and not inclusive, additional duties. He shall have discretionary authority in the purchase of goods, supplies, and materials for the executive and legislative branch of the City of Park Falls. He shall further exercise discretionary powers as authorized by the Common Council and applicable Wisconsin Statutes in the management of the funds, assets, and pecuniary liabilities of the City of Park Falls.

(7) The City Clerk-Treasurer shall perform all duties required of both offices of Clerk and Treasurer as provided by law and those other duties as the Common Council of the City of Park Falls requests to be executed by the Clerk-Treasurer from time to time.

(c) **BOND.** The City Clerk-Treasurer shall execute to the City a surety company fidelity bond in an amount determined by the Common Council.

State Law Reference: Sec. 62.09(9) and (11), Wis. Stats.

SEC. 2-3-3 DEPUTY CLERK-TREASURER.

The Clerk-Treasurer may select a Deputy Clerk-Treasurer pursuant to Section 2-3-2, subject to confirmation by a majority of all the members of the Common Council. The Deputy Clerk-Treasurer shall act under the Clerk-Treasurer's direction and who, during the temporary absence or disability of the Clerk-Treasurer or during a vacancy in such office, shall perform the duties of Clerk-Treasurer. The acts of the Deputy shall be covered by official bond as the Common Council shall direct.

SEC. 2-3-4 CITY ATTORNEY.

(a) **APPOINTMENT.**

(1) The City of Park Falls, pursuant to Sections 62.09(1) and (3)(b) and 66.01, Wis. Stats., hereby elects not to be governed by those portions of Sec. 62.09, Wis. Stats., which are in conflict with this Section.

(2) The City Attorney shall be appointed by the Mayor, subject to confirmation by the Common Council, to hold office for an indefinite term, subject to removal as provided in Sec. 17.12(1)(c) and (d), Wis. Stats. (Charter Ordinance.)

(b) **DUTIES.** The City Attorney shall have the following duties:

(1) The City Attorney shall conduct all of the legal business in which the City is interested.

(2) He shall, when requested by City officers, give written legal opinions, which shall be filed with the City.

(3) He shall draft ordinances, bonds and other instruments as may be required by City officials.

(4) He may appoint an assistant, who shall have power to perform his duties and for whose acts he shall be responsible to the City. Such assistant shall receive no compensation from the City, unless previously provided by ordinance.

(5) The Common Council may employ and compensate special counsel to assist in or take charge of any matter in which the City is interested.

(6) The City Attorney shall perform such other duties as provided by State law and as designated by the Common Council.

State Law Reference: Sec. 62.09(12), Wis. Stats.

SEC. 2-3-5 CHIEF OF POLICE.

(a) **APPOINTMENT.**

- (1) The Chief of Police shall be appointed by the Mayor, subject to confirmation by majority of the Common Council and shall hold office during satisfactory performance, subject to suspension or removal by the Council pursuant to law.
- (2) The compensation to be paid the Chief of Police for his services, the hours of active duty, rest days, vacation periods and other involvement of his or her employment shall be such as may be determined by the Common Council from time to time.

(b) **GENERAL DUTIES.** The Chief of Police shall:

- (1) Have command of the Police Department of the City under direction of the Mayor and Common Council;
- (2) Have general administration and control of the Department;
- (3) Be responsible for the Department's government, efficiency and general good conduct;
- (4) Perform all duties prescribed to him by laws of the State and ordinances of the City.
- (5) Develop Department policies and procedures;
- (6) Maintain Department ethics and discipline;
- (7) Delegate special assignments or duties to police officers, and monitor to see that responsibilities are carried out
- (8) Perform all the duties of a police officer during a portion of every regular
- (9) Identify and evaluate ideas to achieve more efficient and effective operation;
- (10) Prepare Department budget requests and maintains expenditures within approved budgetary levels;
- (11) Authorize overtime work for police officers, with supporting justification provided to the Mayor and Common Council, or committee thereof;
- (12) Participate in the recruitment, testing and selection of new personnel;
- (13) Supervise and participate in the advanced and continuing training of police officers and non-sworn Department employees;
- (14) Cooperate with county, state and federal officials, and other municipal law enforcement agencies;
- (15) Make special reports to the Common Council on request; and advise and cooperate with other City departments in matters of public safety;
- (16) Submit reports to the Mayor and Common Council;
- (17) Serve as Emergency Government Director;
- (18) Perform other miscellaneous duties as assigned.

State Law Reference: Sec. 62.13, Wis. Stats.

SEC. 2-3-6 FIRE CHIEF.

(a) **Appointment.**

- (1) The Fire Chief shall be appointed by the Mayor, subject to confirmation by a majority of the Common Council and shall hold office during satisfactory

performance, subject to suspension or removal by the Council pursuant to law. Upon occurrence of a vacancy in the office of Fire Chief, the ranking officer of the Department shall perform the duties of the Chief until such vacancy is filled. The Fire Chief shall, by virtue of his office, hold the office of Fire Inspector.

- (2) **Qualifications.** The Fire Chief shall be a member of the Fire Department in good standing whose entire time, both day and night, is ordinarily spent within the City limits and who has had training and experience in fire department operations.

(b) **DUTIES AND POWERS.**

- (1) The Chief shall have general supervision of the Fire Department personnel, apparatus and equipment. He, or his designee, shall be present at fires and command all fire-fighting operations. The Fire Chief may make such further rules, regulations and policies for the government of the Fire Department as he may deem necessary, provided such rules and regulations shall not be inconsistent with the laws of the State of Wisconsin or Department bylaws. The Fire Chief shall, by virtue of his office, hold the office of Fire Inspector or he may delegate a member of the Department to serve as the Fire Inspector.
- (2) He shall enforce all fire prevention ordinances of the City and State laws and regulations pertaining to fire prevention, and shall keep citizens informed on fire prevention methods, and on the activities of the Department.

- (c) **Reports of Chief.** The Fire Chief shall report to the Common Council from time to time at his discretion or upon the request of said Common Council on matters concerning departmental matters and shall perform such other duties in conformance with his office as may from time to time be required of him by the Common Council.

State Law Reference: Sec. 62.13, Wis. Stats.

SEC. 2-3-7 ASSESSOR-BUILDING INSPECTOR.

(a) **APPOINTMENT.**

- (1) The City of Park Falls hereby elects not to be governed by those portions of Sec. 62.09(3)(b) of the Wisconsin statutes relating to the method of selection of the City Assessor which are in conflict with this Section. (Charter Ordinance.)
- (2) The appointed City of Park Falls Assessor-Building Inspector shall be appointed by the Mayor, subject to confirmation by the Common Council. He shall hold office for an indefinite term, subject to removal as provided in Sec. 17.12(1)(c) and (d), Wis. Stats
- (3) A corporation or an independent contractor may be appointed as Assessor. The corporation or independent contractor so appointed shall designate the person responsible for the assessment. The designee shall file the official oath under Sec. 19.01, Wis. Stats., and sign the affidavit of the Assessor attached to the assessment roll under Sec. 70.49, Wis. Stats.
- (4) No Assessor shall be appointed unless said Assessor is certified by the Wisconsin Department of Revenue as qualified to perform the functions of the office of Assessor.
- (5) The Assessor-Building Inspector shall have the following inspection duties:

- a. Review plans and applications for building permits;
 - b. Issue permits for new construction, remodeling, and demolition of buildings;
 - c. Inspect foundations, frames, roofs, etc., to assure that they meet the requirements of the building code;
 - d. Inspect existing units of dwellings and commercial buildings, when necessary, for zoning occupancy, housing, plumbing, electrical, heating, ventilating, air conditioning, and energy code compliance;
 - e. Recommend and advise the public and contractors on code compliance;
 - f. Issue orders to correct discrepancies and code violations;
 - g. Consult with buildings, owners, and members of the public pertaining to City codes and ordinances;
 - h. Report on the status of code enforcement activity to the Common Council.
- (b) **DUTIES.** The Assessor-Building Inspector shall perform all duties required of such office as provided by law and such other duties as are requested to be executed by such person by the Common Council from time to time.
- (c) **DEFINITION.** For purposes of this Section, "independent contractor" means a person who either is under contract to furnish appraisal and assessment services or is customarily engaged in an independently established trade, business or profession in which the services are offered to the general public.

State Law Reference: Public Officials' oaths and bonds, Sec. 19.01, Wis. Stats.; corporation as assessor, Sec. 62.09(1)(c), Wis. Stats.; affidavit of assessor, Sec. 70.49, Wis. Stats.; assessor certification, Sec. 73.02, Wis. Stats.; assessors in cities, Sec. 70.05, Wis. Stats.

SEC. 2-3-7-A SAFETY DIRECTOR

- (a) **APPOINTMENT.** The Safety Director shall be appointed by the Mayor, subject to confirmation by the Common Council. The person serving as Safety Director may also serve in the same named combined capacity of Assessor-Building Inspector.
- (b) **QUALIFICATIONS.** A person appointed as Safety Director must have the following education, training and/or experience prior to appointment:
- a. Certification in Cardiopulmonary Resuscitation (CPR);
 - b. First Aid;
 - c. Trench entry/rescue;
 - d. Confined space entry/rescue;
 - e. Bloodborne Pathogens;
 - f. Lock out/tag out procedures;
 - g. Hazardous Materials Communications; and
 - h. Risk Management
- (c) **DUTIES.** The Safety Director shall have the following duties:
- a. Administer and coordinate safety audits of the city that shall be submitted to the Common Council no later than the second meeting of each month.

- b. Establish, administer and coordinate safety programs and risk management for all units of government of the city and pertaining to all real property owned or managed by the city.
- c. Administer and coordinate safety records for all programs or units of government of the city and for all parcels of real property owned or managed by the city.
- d. Issue notice of violation of safety regulations to the appropriate department head and/or committee, along with the Mayor. Notices of safety violations shall be accompanied by recommendations as to proposed corrective measures of the safety violation. Incidents of safety violations shall also note what, if any, follow-up measures or disciplinary action was taken pertaining to the safety violation.
- e. All duties enumerated by state or federal law for this position.
- f. All duties as specifically directed by the mayor and/or Common Council of the City of Park Falls.

SEC. 2-3-8 WATER AND STREET SUPERINTENDENT.

- (a) **APPOINTMENT.** The Water and Street Superintendent shall be appointed by the Mayor, subject to confirmation by the Common Council. The Water and Street Superintendent shall have an indefinite term of office.
- (b) **DUTIES.** The Water and Street Superintendent shall have the following duties, in addition to those otherwise exercised pursuant to this Code of Ordinances or otherwise delegated or designated by the Common Council or otherwise which have been the past practice of the municipal employer as follows:
 - (1) The primary duty of the Superintendent shall be management of the business of the City of Park Falls as the same relates to water, sewage, streets, maintenance, snow removal, and other functions reasonable and necessarily incidental to the delivery of the services of the City of Park Falls pursuant to the grant of authority by the legislative branch of the Board of Public Works, as outlined in this Code of Ordinances.
 - (2) The Superintendent shall supervise those members of the Park Falls City crew constituting a collective bargaining unit in the performance of their duties to the City of Park Falls, its citizens, and under the terms of the collective bargaining agreement.
 - (3) The Superintendent shall be involved in the selection of any employees to fill vacancies on the Park Falls City crew where the filling of those vacancies is not subject to a collective bargaining agreement calling for the filling of vacancies on the basis of seniority or where no senior employee under the collective bargaining agreement has placed a bid or requested assignment to the newly created vacancy. In performing this duty, the Superintendent shall interview prospective applicants and shall make a recommendation for appointment or nonappointment with respect to applicants to the Chairman of the Board of Public Works with respect to probationary employees filling vacancies as noted in the next proceeding clause.
 - (4) The Superintendent shall have the authority to make recommendations as to the retention of the probationary employee or his discharge. The

Superintendent shall evaluate the performance of probationary employees filling vacancies as previously outlined and shall make specific recommendations to the Board of Public Works relative to the discharge or promotion to a nonprobationary position of any such employee.

- (5) In those situations where employees have been promoted to vacancies on the basis of collective bargaining agreements between the City Crew Bargaining Unit and municipal employer which call for promotions or reassignments to a vacant position on the basis of seniority and bidding on the same, the Superintendent shall, during the probationary period of any employee so promoted, evaluate, train, and make decisions as to whether the employee so promoted on the basis of seniority is to be taken off probationary status under the terms of the collective bargaining agreement or removed from the bidded position or subject to an extension upon request of the employee of the probationary period for purposes of remediable training and education so as to cause him to be able to meet the minimum job requirements of the new position. In this respect, the Superintendent shall make specific recommendation to the Common Council as to retention, discharge, or extension of probationary period remedial training of any such position filled on the basis of seniority.
- (6) The Superintendent shall customarily and regularly exercise, within the ambits of any applicable collective bargaining agreement covering the Park Falls City crew, the apportionment of personnel and material to meet the needs of the citizens of Park Falls relative to the delivery of services assigned by the Common Council to the Board of Public Works.
- (7) In the absence of the Chairman of the Board of Public Works, the Superintendent of the Water and Street Department of the City of Park Falls shall function as Deputy Director of the Board of Public Works and in a pro tem capacity.

SEC. 2-3-9 WEED COMMISSIONER.

The Weed Commissioner shall be appointed by the Mayor, subject to Council confirmation. The term of office of the Weed Commissioner shall commence on the first day of May following his 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 (1) 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. 2-3-10 ELIGIBILITY FOR OFFICE.

- (a) No person shall be elected by the people to a City office who is not, at the time of his election, a citizen of the United States and of this State, and an elector of the City, and in case of a ward office, of the ward, and actually residing therein.
- (b) An appointee by the Mayor, requiring to be confirmed by the Council, who shall be rejected by the Council, shall be ineligible for appointment to the same office for one (1) year thereafter.
- (c) No member of the Common Council shall, during the term for which he is elected, be eligible for an office or position which, during such term, has been created by, or the selection to which is vested in, the Council, provided that the Council may be represented on City boards or commissions where no additional remuneration is paid such representative except as otherwise provided by the laws of the State of Wisconsin.

State Law Reference: Sec. 62.09(2), Wis. Stats.

SEC. 2-3-11 REMOVAL FROM OFFICE.

- (a) **ELECTED OFFICIALS.** Elected officials may be removed by the Common Council as provided in Sections 17.12(1)(a) and 17.16, Wis. Stats.
- (b) **APPOINTED OFFICIALS.** Appointed officials may be removed as provided in Section 17.12(1)(c) and 17.16, Wis. Stats.

Annotation: 62 Atty. Gen. Op. 97.

SEC. 2-3-12 CUSTODY OF OFFICIAL PROPERTY.

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

State Law Reference: Sec. 19.21, Wis. Stats.

SEC. 2-3-13 OATH OF OFFICE; BONDS OF OFFICERS.

- (a) **OATH.** Every person elected or appointed to any statutory office shall take and file his official oath within ten (10) days after the notice of his election or appointment.
- (b) **BONDS.** The Clerk-Treasurer, and such other statutory officers as the laws of Wisconsin or the Common Council may direct, shall execute and file an official bond in such form as the Council may determine. The Council may at any time require new or additional bonds of any officer. All official bonds must be approved by the Mayor and, when so approved, then be filed within ten (10) days after the officer executing the same shall have been notified of this election or appointment. Official bonds shall be filed with the City Clerk-Treasurer and shall be recorded by him in a book kept by him for that purpose.

SEC. 2-3-14 RESIDENCY REQUIREMENTS.

- (a) **Preamble.** It is in the benefit of the general health, safety and welfare of the City of Park Falls that full-time permanent employees and officers, excepting all members of the Fire Department of the City of Park Falls, reside within a four (4) mile radius of the Park Falls Municipal Building at its present location of 400 4th Avenue South so that they may respond in an efficient and effective manner to all needs, inclusive of emergency work, in order that it be done in an effective and efficient manner.
- (b) **Required Residency.** All officers and employees of the City shall be required to maintain their principal residence within a four (4) mile perimeter of the Park Falls Municipal Building at its present address of 400 4th Avenue South, as a condition of their holding office or employment. Violation or non-compliance with this residency requirement shall be grounds for removal from office or termination of employment. This residency requirement shall not apply to the offices of City Attorney, City Engineer or Director of Economic Development and Planning due to the limited availability of such professional services within the area and due to the fact that the services of these positions are in a limited capacity and are considered to be non-emergency services. All officers and members of the Fire Department shall be residents within the corporate City limits of the City of Park Falls due to the need for them to respond to a fire emergency in a quicker manner than may be required of the other aforementioned positions.

CHAPTER 4

Boards, Commissions, and Committees

- 2-4-1 Board of Review
- 2-4-2 Board of Health
- 2-4-3 Board of Appeals
- 2-4-4 City Plan Commission
- 2-4-5 General Provisions Regarding Meetings and Public Notice
- 2-4-6 Residency Required for Service on Boards or Commissions
- 2-4-7 Parks and Recreation Advisory Committee
- 2-4-8 Cable Television Advisory Committee
- 2-4-9 Safety Advisory Committee

SEC. 2-4-1 BOARD OF REVIEW.

- (a) **COMPOSITION OF BOARD OF REVIEW.** The Board of Review shall be composed of five (5) members, including the Mayor, the City Clerk-Treasurer, and three (3) Aldermen, annually appointed by the Mayor at the organizational meeting, subject to Council confirmation.
- (b) **DUTIES.** The duties and functions of the Board of Review shall be as prescribed in Sections 70.46 and 70.47, Wis. Stats
- (c) **BOARD'S DUTY.** The Board shall carefully examine the assessment roll and correct all apparent errors in description or computation. It shall add all omitted property but shall not raise or lower the assessment of any property except after hearing, as provided by the Statutes.

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

SEC. 2-4-2 BOARD OF HEALTH.

- (a) **COMPOSITION.** The Board of Health shall consist of the members of the Common Council serving as a committee of the whole.
- (b) **RESPONSIBILITIES.**
 - (1) The Board of Health shall take such measures as shall be most effectual for the preservation of the public health. It shall be the duty of the Board of Health of the City of Park Falls to assume the general administration of health and sanitation laws and regulations in the City and to attend to the administration and enforcement of the health laws of the State and the rules and regulations prescribed by the State Board of Health and the ordinances of the City.
 - (2) The Board shall take such measures and make such rules and regulations as shall be necessary and effectual for the preservation and promotion of the public health in the City of Park Falls. All orders and regulations of the Board shall be published in the official newspaper and, after publication, shall have the force and effect of ordinances, including penalty for violation.

State Law Reference: Sec. 141.015, Wis. Stats.

SEC. 2-4-3 BOARD OF APPEALS.

- (a) **ESTABLISHMENT.** A Zoning Board of Appeals shall be appointed as specified in Sec. 62.23(7)(e) of the Wisconsin Statutes. The Zoning Board of Appeals shall consist of five (5) members, appointed by the Mayor, subject to confirmation by the Common Council for a term of three (3) years. The members shall be compensated as determined by the Council and shall be removable by the Common Council for cause upon written charges and upon public hearing. The Mayor shall designate one of the members chairman.
- (b) **POWERS.** The Zoning Board of Appeals shall have the following powers:
- (1) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the City's zoning or building code ordinances.
 - (2) To hear and decide special exceptions to the terms of City zoning and floodplain zoning or building code regulations upon which the Board of Appeals is required to pass.
 - (3) To authorize, upon appeal in specific cases, such variance from the terms of the City's zoning or building code regulations as will 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 regarding the premises. The concurring vote of three (3) 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 requirements of the City's zoning ordinances. 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 a zoning permit is obtained within such period and the erection or alteration of a building is started or the use is commenced within such period.
- (c) **MEETINGS AND RULES.** All meetings of the Zoning Board of Appeals shall be held at the call of the chairman and at such other times as the Board may determine. All hearings conducted by the said Board shall be open to the public. The Zoning Board of Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examination and other official actions, all of which shall be immediately filed in the office of the City Clerk-Treasurer and shall be a

public record. The Board shall adopt its own rules of procedure not in conflict with this Section or with applicable Wisconsin Statutes.

- (d) **Offices.** The Common Council shall provide suitable meeting space for holding the Zoning Board of Appeals' hearings.
- (e) **Appropriations.** The Common Council shall appropriate funds to carry out the duties of the Zoning Board of Appeals and the Board shall have the authority to expend, under regular procedures, all sums appropriated to it for the purpose and activities authorized herein.

State Law Reference: Sec. 62.23(7), Wis. Stats.

SEC. 2-4-4 CITY PLAN COMMISSION.

- (a) **Composition.** The Plan Commission shall consist of seven (7) members as follows: The Mayor, two (2) aldermen, and four (4) citizen members.
- (b) **Appointment.**
 - (1) Appointment and Terms of Aldermanic Members. The two (2) Aldermanic members shall be appointed by the Mayor on the fourth Tuesday of April in each year to hold office for a period of one year.
 - (2) Appointment and Terms of Citizen Members. The four (4) citizen members shall be appointed by the Mayor on the fourth Tuesday of April in each year to hold office for staggered terms of three (3) years.
- (c) **Organization of Commission.** The Mayor shall serve as presiding officer. The Plan Commission shall organize by the election of a vice-chairman, secretary and such other officers as may in their judgment be necessary.
- (d) **Record.** The Plan commission shall keep a written record of its proceedings to include all actions taken, a copy of which shall be filed with the City Clerk-Treasurer. Four (4) members shall constitute a quorum but all actions shall require the affirmative approval of a majority of all the members of the Commission.
- (e) **Duties.**
 - (1) The Master Plan.
 - a. The Plan Commission may make, adopt and, as necessary, amend, extend or add to the master plan, subject to Common Council confirmation, for the physical development of the City including areas outside of its boundaries which, in the Plan Commission's judgment, bear relation to the development of the City. The master plan, with the accompanying maps, plats 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, 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 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 Plan Commission, subject to confirmation by the Common Council. 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 Common Council. The purpose and effect of the adoption and certifying of the master plan or part thereof shall be solely to aid the Plan Commission and the Common Council in the performance of their duties.

- (2) Mandatory Referrals to Commission. The Common Council or officer of the City having final authority thereon shall refer to the Plan Commission, for its consideration and report before final action is taken by the Council, public body or officer, the following matters: 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 ways, park, playground, airport, area for parking vehicles, or other memorial or public grounds; the location, extension, abandonment or authorization for any public utility whether publicly or privately owned; all plats of lands in the City or within the territory over which the City 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, slum clearance, relief of congestion, or vacation camps for children; and the amendment or repeal of any land use ordinance. Unless such report from the Commission is made within thirty (30) days, or such longer period as may be stipulated by the Common Council, the Council or other public body or officer may take final action without it.
- (3) Miscellaneous Powers. The Commission may make reports and recommendations relating to the plan and development of the City to public officials and agencies, public utility companies, civic, educational, professional and other organizations and citizens. It may recommend to the Common Council programs for public improvements. 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 markers thereon. In general, the Commission shall have such powers as may be necessary to enable it to perform its functions and promote municipal planning in cooperation with the Common Council.

- (f) **VACANCIES.** Vacancies shall be filled by appointment for the remainder of the unexpired term in the same manner as appointment for the full term.
- (g) **COMPENSATION.** No compensation shall be paid for service on the Commission. Citizen members shall take the official oath as required by Sec. 19.01, Wis. Stats., said oath to be filed with the City Clerk-Treasurer.

SEC. 2-4-5 GENERAL PROVISIONS REGARDING MEETINGS AND PUBLIC NOTICE.

- (a) **REGULAR MEETING; PUBLIC NOTICE.** Every Board, Committee and Commission created by or existing under the ordinances of the City shall:
 - (1) Set a date, time and place for its meeting;
 - (2) All meeting notices shall be filed with the City Clerk-Treasurer who shall cause the notice to be published and posted in full compliance with the Open Meeting Law Requirements.
 - (3) Post at the official notice board of the City Hall, or publish, an agenda of the matters to be taken up at such meeting.
- (b) **SPECIAL MEETINGS.** Nothing in Subsection (a) shall preclude the calling of a special meeting or with dispensing with the publication of notice or such posting of the agenda, for good cause, but such special meetings shall nonetheless comply in all respects with the provisions of Sections 19.81 to 19.89, Wis. Stats.

SEC. 2-4-6 RESIDENCY REQUIRED FOR SERVICE ON BOARDS OR COMMISSIONS.

No person not a resident of and not residing in the City of Park Falls shall be appointed to any City board or commission. Any board or commission member who moves from the City shall immediately be removed from such board or commission.

SEC. 2-4-7 PARKS AND RECREATION ADVISORY COMMITTEE.

The Parks and Recreation Advisory Committee shall be composed of no more than eleven (11) members and not less than seven (7) members, one (1) member being a member of the Common Council, annually appointed by the Mayor at the organizational meeting subject to Council confirmation. One (1) member shall automatically be the Athletic Director of the Park Falls School District or his/her designee. The Street and Water Superintendent and the Director of Economic Development and Planning shall serve as ex-officio members of the committee. The Parks and Recreation Advisory Committee may be composed of both residents of the City and non-residents of the City, and shall be excluded from the requirements of Section 2-4-6; however, residents of the City shall compose a majority of the Parks and Recreation Advisory Committee.

SEC. 2-4-8 CABLE TELEVISION ADVISORY COMMITTEE.

- (a) The Cable Television Advisory Committee shall be composed of no more than nine (9) members and not less than five (5) members, one (1) member being a member of the Common Council and appointed by the Mayor at the organizational meeting subject to Council confirmation. In addition and to preserve diversified programming, one (1) member may be a member of the Park Falls High School student body and a resident of the City of Park Falls and one (1) member may be of the age of sixty-five (65) years or older. The Cable Television Advisory Committee shall meet once every three (1) months and within thirty (30) days after the issuance of the quarterly issuance of the City utilities billing. Within thirty (30) days prior to the issuance of the City utilities billing, the Cable Television Advisory Committee shall notify the City Clerk-Treasurer of the date of their next meeting and the City Clerk-Treasurer shall provide notice of this meeting in the issuance of the City's quarterly utilities billing.
- (b) The Cable Television Advisory Committee shall provide an oral and/or written report of their quarterly meetings to the Common Council of the City of Park Falls at the next regularly scheduled meeting of the Common Council of the City of Park Falls following any meeting of the Cable Television Advisory Committee. The City Clerk-Treasurer shall provide the results of this quarterly report to the Cable Television provider.

SECTION 2-4-9 SAFETY ADVISORY COMMITTEE

- (a) The Safety Advisory Committee shall support and promote safety for the City, along with its employees, citizens and guests. The Safety Advisory Committee shall provide recommendations to the Common Council on issues of safety within the corporate limits of the City within thirty (30) days of any meetings held by this Committee.
- (b) The Safety Advisory Committee shall be composed of the following delegates that shall be appointed by the Mayor and subsequently approved by the Common Council. The committee delegates shall be as follows:
 - (1) Two (2) aldermanic representatives
 - (2) Two (2) representatives of persons appointed to the City's Fire Department
 - (3) Two (2) union officials of the City's Department of Public Works
 - (4) Two (2) employees of the City's Department of Public Works
 - (5) The City's Water and Street Superintendent
 - (6) Police Chief or delegate of the Police Department
 - (7) Safety Director

CHAPTER 5

Ethical Standards

- 2-5-1 Definitions
- 2-5-2 Declaration of Policy
- 2-5-3 Statutory Standards of Conduct
- 2-5-4 Specific Conflicts of Interest

SEC. 2-5-1 DEFINITIONS.

- (a) **PUBLIC OFFICER.** Those persons serving in statutory elected or appointed offices provided for in Chapter 62 of the Wisconsin Statutes, and all members appointed to boards, committees and commissions established or appointed by the Mayor, Chairperson and/or Common Council, whether paid or unpaid.
- (b) **PUBLIC EMPLOYEE.** Any person excluded from the definition of a public officer who is employed by the City of Park Falls.

SEC. 2-5-2 DECLARATION OF POLICY.

It is declared that high ethical standards among City officers and employees are essential to the conduct of good representative government and that a code of ethics for the guidance of public officers and employees will help them avoid conflicts with improved standards of public service and will promote and strengthen the confidence of the residents of the City in their public officers and employees. The purpose of this Chapter is to establish guidelines for ethical standards of conduct for all such City officers and employees by setting forth those acts or actions that are incompatible with the public interest and which compromise, or appear to compromise, public trust in the fairness, independence and integrity of City officers and employees and their official actions.

SEC. 2-5-3 STATUTORY STANDARDS OF CONDUCT.

The provisions of the following sections of the Wisconsin Statutes, as from time to time amended, are made a part of this Chapter and shall apply to all public officers and public employees whenever applicable, to wit:

- (a) SECTION 946.10. Bribery of Public Officers and Employees.
- (b) SECTION 946.11. Special Privileges from Public Utilities
- (c) SECTION 946.12. Misconduct in Public Office.
- (d) SECTION 946.13. Private Interest in Public Contract Prohibited.

SEC. 2-5-4 SPECIFIC CONFLICTS OF INTEREST.

- (a) **USE OF PUBLIC PROPERTY.** No public officer or employee shall use or permit the use of City vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as City policy for the use of such officer or employee in the conduct of official business, as authorized by the Common Council or authorized board, commission or committee.

- (b) **CONFLICTS OF INTEREST; DISCLOSURE OF INTEREST.** Except as provided herein, no public officer or public employee shall engage in any business transaction with the City, or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties or will tend to impair his independence or judgment or action in the performance of his official duties. Any public officer or employee who has a substantial financial interest, including employment, in any business entity entering into, proposing to enter into or bidding on any transaction with the City, or as part of his official duties will be making an official decision or recommendation significantly affecting a business competitor, client or regular customer, shall disclose such interest to the membership of the Common Council (or committee, board or commission thereof, as appropriate) to be recorded in the minutes of that body. Upon such disclosure, it is advised that the public officer or employee abstain from voting on the matter and from participating in the discussion of the matter.
- (c) **REPRESENTING PRIVATE INTERESTS BEFORE THE COMMON COUNCIL OR CITY AGENCIES.** No public officer or employee, including persons or firms engaged to provide professional services to the City, shall represent, for compensation, private interests before the Common Council or any City board, commission or committee without disclosure of the private business relationship and explicit consent of the Common Council.
- (d) **DISCLOSURE OF CONFIDENTIAL INFORMATION.** No public officer or employee shall, without proper authorization of the Common Council, disclose confidential information concerning the property, government or affairs of the City, nor shall he use such information to advance the financial or other private interest of himself or others.
- (e) **GIFTS AND FAVORS.** No public officer or employee shall accept anything of value whether in the form of a gift, service loan or promise from any person, who, to his knowledge, has a direct financial interest in any transaction or official business with the City, which may tend to impair his independence of judgment or action in the performance of his official duties. However, it is not a conflict of interest for any public officer or employee to receive a gift of gratuity that is an unsolicited item of nominal intrinsic value, such as a meal up to Ten Dollars (\$10.00) in value.