TITLE 2 - GOVERNMENT AND ADMINISTRATION

CHAPTER 1: VILLAGE GOVERNMENT AND ELECTIONS

Sec. 2-1-1 Village government.
The Village of Boyceville is a body with the powers of a municipality at common law and governed by the provisions of Wis. Stats. Chs. 61 and 66, laws amending those chapters, other acts of the legislature and the Constitution of the State of Wisconsin. The Village Board serves as the executive officer and legislative body of the Village.

Sec. 2-1-2 Election poll hours.
The voting polls hours are open from 7:00 a.m. to 8:00 p.m. for all elections.

Sec. 2-1-3 Official newspaper.
The official Village newspaper is Tribune Press Reporter, which may be used to publish legal and/or official notices and documents when publication is used in addition to posting per state law.

Sec. 2-1-4 Election officials.
(a) There are seven election inspectors plus as many alternate election inspectors as deemed appropriate by the Villager clerk-treasurer and appointed by the Village Board; however, the Village clerk-treasurer may limit the number of election officials in advance of each election. Should the number of election officials be reduced from the number prescribed by the Wisconsin Statutes, the clerk-treasurer must redistribute duties among the remaining officials.

(b) The Village clerk-treasurer may select and employ tabulators for elections that expect a high voter turnout. Tabulators assist and are under the direction of the election officials after the close of the polls.

CHAPTER 2: VILLAGE BOARD

Sec. 2-2-1 Trustees to constitute Board; powers.
The Village Board, consisting of six trustees in addition to the president, is vested with all the powers of the Village not specifically given to another officer, as well as those powers set forth elsewhere throughout this Code.

Sec. 2-2-2 Trustees.
(a) *Election, term, number.* Three trustees are elected at each annual spring election for a term of two years, commencing on the third Tuesday of April in the year of their election.

(b) *Appointment as president.* A Village trustee is eligible for appointment as Village president to fill an unexpired term.

Sec. 2-2-3 Village president.
(a) *Election.* The Village president is elected at the annual spring election in odd-numbered years for a term of two years, commencing on the third Tuesday of April in the year of the election.

(b) *Duties.* The Village president, by virtue of the office is a trustee, will: preside at all meetings of the Board; have a vote as trustee; sign all ordinances, rules, bylaws, regulations, and commissions adopted or authorized by the Board and all orders drawn on the treasury; maintain peace and good order; see that the Village ordinances are faithfully obeyed; and in case of disturbance, riot or other apparent necessity, appoint as many special police officers selected by the Chief of Police under section 5-1-6 as necessary and subject to confirmation of the Village Board, who would possess all the powers and rights of Village police officers.

Sec. 2-2-4 Committee appointments.
(a) *Committee appointments.* The Village Board will appoint trustees to each standing committee at the annual organizational meeting and designate the committee chairperson. Trustees, including the Village President, must serve on at least one standing committee. Standing committees review matters referred to them by the Village Board and make recommendations for Board action.

(b) *Committees designated.* The Board will create subcommittees as deemed necessary.

(c) *Special Committees.* The Village Board may appoint a special committee or committees as advisable or as provided for by motion or resolution by the Board stating the number of members and object thereof to perform duties as may be assigned to them. All special committees cease to exist after the April Board meeting unless reappointed by the Village Board.

(d) *Committee Reports.*

(1) All committees are subunits of the Village Board and perform no executive or administrative Village function other than as specifically authorized by ordinance or policy adopted by the Village Board.
(2) Each committee will give the full Board a report on all matters referred to it. Such report will recommend a definite action on each item and be approved by a majority of the committee. Each committee report must include the date, time, and place of the meeting and the members attending. Each such committee report, verbal or written, is deemed to be the product of the entire committee, whether any item therein is approved unanimously or not. Each such report should provide all necessary historical background to familiarize the Board with the issue.
(3) If a committee member disagrees with the position taken by the committee on an issue, the member may address the Board with the minority position. The Board will permit one committee member supporting the majority position equal time to address the Board on the debated issue.

(e) *Ambiguity of Committee Authority*. In case of ambiguity or apparent conflict between the preceding definition of committee authority and a more specific delegation or definition elsewhere in this Code of Ordinances regarding the authority of a Village officer, employee, Board, committee, or association, the latter prevails.

(f) *Cooperation of Village Officers*. All Village officers will, upon request of the chairperson of any committee, confer with the committee and supply such information as the committee may requests upon any pending matter. A committee must not assume responsibility for the administration of any Village Department.

Sec. 2-2-5 General powers.

(a) *General.* The Village Board is vested with all the powers of the Village not specifically given to other officer. Except as otherwise provided by law, the Village Board has the following: management and control of the Village property, finances, highways, streets, navigable waters, and public service; power to act for the government and good order of the Village, for its commercial benefit and for the health, safety, welfare and convenience of the public, and may carry its powers into effect by license, regulation, suppression, borrowing, taxation, special assessment, appropriation, fine, imprisonment and other necessary or convenient means. The powers are in addition to all other grants and are limited only by express language.

(b) *Acquisition and disposal of property.* The Village Board:

(1) May acquire property, real or personal, within or without the Village, for parks, libraries, historic places, recreation, beautification, streets, waterworks, sewage or waste disposal, improvement of watercourses, public grounds, vehicle parking areas and for any other public purpose;
(2) May acquire real property within or contiguous to the Village, by means other than condemnation, for industrial sites;
(3) May improve and beautify the same;
(4) May construct, own, lease and maintain buildings on such property for instruction, recreation, amusement, and other public purposes; and
(5) May sell and convey such property. Condemnation is provided by state statutes.

(c) *Acquisition of easements and property rights.* The Board is expressly authorized to acquire by gift, purchase or condemnation under the state statutes, 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, which may be lawfully acquired for the benefit of the public or for any public purpose, including the exercise of powers granted under Wis. Stats. §§ 61.35 and 62.23 and may sell and convey the easements or property rights when no longer needed for public use or protection.

(d) *Village finances.* The Village Board:

(1) May levy and provide for the collection of taxes and special assessments;

(2) May refund any tax or special assessment paid, or any part thereof, when satisfied that the same was unjust or illegal; and
(3) Generally, may manage the Village finances.
(4) May lend money to any school district located within the Village as needed by the district to meet immediate operating expenses, and the Board of the district may borrow money from the Village accordingly. No loan may extend beyond August 30 of the year following the making thereof or in an amount exceeding one-half of the estimated receipts for such district as certified by the state superintendent of public instruction and the local school clerk. The Village Board determines the rate of interest on the loan.

(e) *Construction of powers.* The powers granted to the Village Board in this section and throughout this Code should be liberally construed in favor of the rights, powers, and privileges of Villages to promote the general welfare, peace, good order, and prosperity.

Sec. 2-2-6 Cooperation with other municipalities.
The Village Board, on behalf of the Village, may join with other counties, Villages, cities, towns 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.

Sec. 2-2-7 Internal powers.
The Village Board has the power to preserve order at its meetings. Members of the Village Board must be residents of the Village at the time of their election and during their terms.

Sec. 2-2-8 Salaries.
The Village president and other trustees making up the Village Board, whether operating under general or special law, may vote that a salary should be paid to the president, trustees, and other Village officials and employees. The salaries and compensation should be determined annually by the Village Board. Established salaries remain until changed by ordinance and may not be increased or decreased during office terms.

Sec. 2-2-9 Board meetings.
(a) *Regular meetings.* The Village Board's regular meetings will be held monthly at a time and date published.

(b) *Annual organizational meeting.* The Village Board will hold an annual organizational meeting following the spring election for the purpose of organization.

(c) *Board minutes.* The Village clerk-treasurer keeps a record of all Board proceedings and has the proceedings published.

Sec. 2-2-10 Special meetings.
(a) Special meetings of the Board may be called by the Village president, or by two trustees filing a request with the Village clerk-treasurer at least 48 hours prior to the time specified for the meeting. The Village clerk-treasurer will select the day for the special meeting and immediately notify each trustee of the time and purpose of such meeting. However, an emergency meeting, as defined in Wis. Stats. ch. 19 may be held upon two hours' legal notice. The Village clerk-treasurer must record the notice prior to the special meeting. No business may be transacted at a special meeting except for the purpose stated in the notice thereof. Notice to the public of special meetings must conform to the open meeting requirements of Wis. Stats. § 61.32 (Village Board; meeting; salaries) and Wis. Stats. ch. 19, subch. IV (Personnel Information Practices). The Village clerk-treasurer must give notice immediately upon the call for a meeting being filed.

(b) A special meeting request must state the purpose for the meeting and only that purpose may be discussed at the meeting.

Sec. 2-2-11 Open meetings; adjournment of meetings.
(a) *Open meeting law compliance.* All meetings must be open to the public, unless falling within a lawful exemption of the Wisconsin Open Meetings Law.

(b) *Adjournment of meetings.* An adjournment to a closed session may be only for a lawful reason consistent with Wis. Stats. § 19.85 and must meet the other requirements of Wis. Stats. § 19.85.

(c) *Meetings to be open.* During any open session in the regular meeting room or in the substituted meeting room, the room and meeting must remain open to all citizens.

(d) *Closed meetings.* The provisions of this Code do not prohibit the Board or any committee thereof from having a closed meeting which is legally convened and held in a room in a building other than the official meeting room.

Sec. 2-2-12 Quorum.
(a) Four members of the Village Board constitutes a quorum, but a lesser number may adjourn or compel attendance of absent members if a majority is not present. The Village president counts in computing a quorum.

(b) When the presiding officer calls the members to order, the Village clerk-treasurer will call the roll, noting who are present, and who are absent. If a quorum is not present, it must be noted in the minutes, and the members present may adjourn to a later date in the month. If they do not establish the next meeting date, the Village Board stands adjourned to the time appointed for the next regular meeting unless a special meeting is called sooner.

Sec. 2-2-13 Presiding officers.
(a) *Village president will preside.* The Village president will preside over meetings. In case of absence of the Village president, the Village clerk-treasurer will call the meeting to order and the trustees will elect one of them to temporarily act as president.

(b) *Duties.* The presiding officer will preserve order and decorum, decide all questions of order, and conduct the proceedings of the meeting in accordance with the rules contained in the most current edition of Robert's Rules of Order, unless otherwise provided by statute or by this Chapter. Members have the right to appeal from a decision of the presiding officer; the appeal be sustained by a majority vote of the members, excluding the presiding officer.

Sec. 2-2-14 Meeting agendas.
(a) *Agenda.*
(1) The order of business at all regular or special meetings must follow the agenda prepared and published by the clerk-treasurer. All matters to be presented at a Board meeting must be filed with a clerk-treasurer no later than 12:00 noon on the Friday preceding the scheduled regular Board meeting to ensure the clerk-treasurer to prepare the agenda and all attachments and distribute the same to the Village Board. Matters filed after the deadline will not be placed on the agenda. The president may waive the filing deadline for emergency.
(2) A submitting department must include copies of all material necessary for consideration.
(3) The Village president, department heads, and board members, may advise the clerk-treasurer whether to include an item on the agenda; the trustees calling a special meeting determine the agenda's items.
(4) The clerk-treasurer must afford the trustees as much notice as possible.

(b) *Order of business.* Generally, the following order may be observed in the conduct of all regular Board meetings:
(1) Call to order.
(2) Roll call.
(3) Approval of minutes, and any corrections, of preceding regular and special meetings.
(4) Reports of Village officers.
(5) Committee reports.
(6) Communications and miscellaneous business as permitted by law.
(7) Unfinished business.
(8) New business, including the introduction of ordinances and resolutions.
(9) Adjournment.

(c) *Order to be followed.* The business order must be followed unless there is majority consent to deviate from the order listed.

Sec. 2-2-15 Introduction of business; resolutions and ordinances; disposition of communications.
(a) *Ordinances; resolutions.* All ordinances must be prepared as follows:
(1) Each ordinance must include a note stating the purpose thereof prepared by the sponsor. All ordinances submitted to the Board must be in writing and include at the outset a brief statement of the subject matter and a title.
(2) The sponsor of an ordinance or resolution may be the president, one or more trustees, or a committee, Board, or commission. The clerk-treasurer, Village attorney, or department heads may sponsor ordinances or resolutions when changes in state law make it necessary or desirable for the Village to act rapidly.
(3) On ordinances that require special handling, the clerk-treasurer will ensure that an editorial note is prepared showing compliance with special handing.
(4) The clerk-treasurer may reject any ordinance from placement on the agenda for failure to comply with this section.
(5) Resolutions must be in writing.
(6) Unless requested by a trustee before a final vote is taken, no ordinance, resolution, or bylaw needs to be read in full.
(7) Resolutions may be referred to an appropriate standing committee for an advisory recommendation.

(b) *Subject and numbering of ordinances.* Only one subject per ordinance is permitted. Amendments or repeals of ordinances must contain the number and title of the ordinance to be amended or repealed and reflect the purpose of amending or repealing.

(c) *Notice.* The Village Board may only address an ordinance if it appears on the written agenda.

(d) *Disposition of petitions, communication, etc.* Every petition or other writing of any kind, addressed to the Village Board or to the Village clerk-treasurer must be delivered to the Village president or to the presiding officer of the Board in a timely manner before the next Board meeting. Every petition, or other writing, and every paper, communication, or other proceeding that comes before the Board for action, may be referred by the Village president or presiding officer of the appropriate committee or commission, unless a Board member objects.

(e) *Reference and reports.* The presiding officer may refer new business to the appropriate Board committee unless otherwise referred or acted upon by the Village Board. All referrals, unless otherwise provided for in the referral, must be reported on at the next regular Board meeting. Village Board motions based upon committee or commission action is permissible only on items on the agenda.

Sec. 2-2-16 Publication and effect of ordinances.
(a) All general ordinances of the Village and all regulations imposing any penalty must be published in the official paper of the Village once or posted according to state law, and be immediately recorded by the Village clerk-treasurer in a book kept for that purpose and/or in the Village Code of Ordinances. A printed copy of such ordinance or regulation in any book, pamphlet, or newspaper and published or purporting to be published therein by direction of the Village Board is prima facie proof of due process, publication, and recording thereof.

(b) All ordinances are in force after passage and publication/posting thereof, unless otherwise provided.

Sec. 2-2-17 Roll call votes.
(a) *Roll call votes.* A roll call is not necessary on any questions or motions except as follows:
(1) When the ayes and nays are requested by any member.
(2) On confirmation and on the adoption of any measure assessing or levying taxes, appropriations, disbursing money, or creating any liability or charge against the Village or any fund thereof more than $10,000.00.
(3) When required by the state statutes.

(b) *Record of votes.* All aye and nay votes must be recorded in the official minutes. The ayes and nays must be ordered upon any question at the request of any member of the Village Board or the president. The Village clerk-treasurer will call the roll in an order that rotates with each meeting; however, the Village president always votes last.

(c) *Parliamentary procedure.* Except as provided below, the Village Board determines the rules of its procedure, which is governed by the most current edition of Robert's Rules of Order, which is hereby incorporated by reference, unless otherwise provided by ordinance or statute, except when otherwise limited or modified by this Code:

(1) Trustees may not address the Board until recognized by the presiding officer. Trustees will then address themselves to Board and confine their remarks to the question under discussion.
(2) When two or more members simultaneously seek recognition, the presiding officer will name the member who is to speak first.
(3) No person other than a member may address the Board except under order of business, except the citizens may address the Board with permission of the presiding officer as to matters which are being considered by the Board at the time.
(4) When a question is in debate, the only actions may be:
    a. adjourn;
    b. lay on the table;
    c. return to the previous question;
    d. postpone to a certain date;
    e. refer to a standing, select or special committee;
    f. amend;
    g. postpone indefinitely;
    h. proceed in the order in which they stand.
(5) The movant may request leave to withdraw a motion at any time prior to voting on the question; the request requires no second. If any member objects, the presiding officer will put the question to a vote.

(d) *Compelling votes.* No member may be forced to vote. When a member abstains from voting, the effect is the same as if the member voted on the prevailing side. The term "prevailing side" means the votes that resulted in carrying or defeating a question. In case of a tie vote (not including the abstention), the abstaining vote is considered a "nay." If a vote requires approval by more than a simple majority, an abstaining vote is considered an "aye."

(e) *Majority vote.* Unless a larger number is required by statute, ordinance, or bylaw, a majority vote is necessary to carry a question.

Sec. 2-2-18 Reconsideration of questions.
Any member voting on the prevailing side may move for reconsideration of any question except those which cannot be reconsidered pursuant to the most current edition of Robert's Rules of Order.

Sec. 2-2-19 Disturbances and disorderly conduct.
The presiding officer may have anyone who causes a disturbance during the meeting removed from the meeting.

CHAPTER 3: MUNICIPAL OFFICERS AND EMPLOYEES
Sec. 2-3-1 General provisions.
(a) *General powers.* Officers whose powers and duties are not enumerated in Wis. Stats. ch. 61 (Villages) have the powers and duties as are prescribed by law for like officers or as are directed by the Village Board.

(b) *Rules.* All officers and departments may make the necessary rules for the conduct of their duties and incidental proceedings.

(c) *Applicability of ethics statutes.* The general laws for the punishment of bribery, misdemeanors, and corruption in office apply to Village officers.

(d) *Legal representation.* The Village Board may provide reimbursement of reasonable costs and attorney fees when an official prevails at a proceeding to defend or maintain the official position, or an act done or not done while acting in that official position.

Sec. 2-3-2 Appointed officials.
(a) The Village officials enumerated in this section are appointed by the Village Board. One or more of the offices may be held by the same person. Persons appointed to perform the duties of the following offices have an indefinite term, subject to removal as provided by Wis. Stats. § 17.12(1)(c) and (d). The appointed officials are the following:

(1) Clerk-Treasurer.
(2) Director of Public Works.
(3) Village Attorney.
(4) Building Inspector.
(5) Assessor.
(6) Chief of police.
(7) Village Administrator

(b) The clerk-treasurer, administrator and assessor must have a two-thirds Board member vote. The other positions are by simple majority vote.

(c) The Village president may not vote on appointment confirmations unless there is a tie.

Sec. 2-3-3 Village clerk-treasurer.
(a) *Consolidated offices.* The Village clerk-treasurer is appointed pursuant to Sec. 2-3-2. Pursuant to Wis. Stats. §§ 61.195, 61.197 and 66.0101, the Village elects not to be governed by those portions of Wis. Stats. §§ 66.0509, 61.23 and 61.25(2) that relate to the selection and tenure of the clerk-treasurer, and which conflict with this section.

(b) *Duties.* The Village clerk-treasurer will perform the statutory duties of Village clerk and treasurer such other duties as required by the Village Board.

Sec. 2-3-4 Deputy clerk-treasurer.
(a) *Appointment.* The clerk-treasurer may recommend a deputy clerk-treasurer, subject to confirmation by a majority of all the members of the Village Board. The deputy clerk-treasurer has an indefinite term of office.

(b) *Duties.* The deputy clerk-treasurer acts under the Village clerk-treasurer's direction and, during the temporary absence or disability of the Village clerk-treasurer or during a vacancy in such office, will perform the duties of Village clerk-treasurer. The acts of the deputy are covered by official bond as the Village Board directs.

Sec. 2-3-5 Village Attorney.
(a) *Appointment.* The Village attorney is appointed pursuant to section 2-3-2 but serves only when and as the Village Board determines necessary.

(b) *Duties.* The Village attorney has the following duties:

(1) conduct all of the Village's legal business;
(2) give written legal opinions, which must be filed, at the request of the Board;
(3) draft ordinances, bonds, and other instruments; and
(4) appoint an assistant (without compensation), if needed, who has the power to perform the attorney's duties.

(c) The Village Board may employ and compensate special counsel to assist in or take charge of any matter.

Sec. 2-3-6 Chief of Police.
(a) *Appointment.* The Chief of Police is appointed pursuant to section 2-3-2, subject to removal pursuant to the procedures established in Wis. Stats. § 61.65(1)(am). Upon a permanent vacancy, an officer designated by the Board may temporarily replace the chief until the vacancy is filled by the Village Board.

(b) *Duties.* The chief's duties are enumerated in Title 5, Chapter 1, of this Code.

(c) *Compensation.* The Village Board determines the compensation for the chief of police for services, the hours of active duty, rest days, vacation periods, and other involvement of the chief's employment.

Sec. 2-3-7 Fire Chief.
The Fire District controls the budget and duties of the fire chief.

Sec. 2-3-8 Director of Public Works.
(a) *Appointment.* The director of public works is appointed pursuant to section 2-3-2.

(b) *Duties.* The director of public works has the following duties and powers:
(1) supervise all public works in the Village;
(2) be responsible for the maintenance, repair and construction of streets, alleys, curbs and gutters, sidewalks, bridges, street signs, storm sewers, Village buildings and structures, and all machinery, equipment and property used in any activity under public works' control.
(3) have charge of all public services, including garbage and refuse collection and disposal, snow and ice removal, street cleaning, mosquito and rodent control, and utilities.
(4) perform other activities and duties imposed by the Village Board or employment contract.

Sec. 2-3-9 Assessor.
(a) Pursuant to Wis. Stats. §§ 61.195, 61.197 and 66.0101, the Village elects not to be governed by those portions of Wis. Stats. §§ 61.19 and 61.23 which relate to the selection and tenure of the Village assessor and conflict with this section.

(b) Instead of being elected, the assessor or assessing firm will be appointed pursuant to section 2-3-2. The person appointed to perform the duties has an indefinite term or as determined by contract. A corporation or an independent contractor may be appointed as the Village assessor. The appointee will designate the person responsible for the assessment. The designee will file the official oath under Wis. Stats. § 19.01 and sign the affidavit of the assessor attached to the assessment roll under Wis. Stats. § 70.49. Assessor must have the appropriate certification under Wis. Stats. § 73.09. For purposes of this subsection, the term "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.

Sec. 2-3-10 Village Administrator
(a) *Appointment.* The Village Board may appoint a Village Administrator pursuant to section 2-3-2. The position of Village Administrator is not mandated, but is discretionary within the purview of the Village Board, so that appointments thereto and vacancies therein are determined by the Village Board from time to time, giving consideration to the needs of the Village in its management and operation. The person appointed to this position may either solely perform the duties of village administrator or in combination with any other appointed position within the Village (e.g. clerk-treasurer, chief of police, director of public works).

(b) *Powers and duties.* The Village Administrator shall be accountable to the Village Board, and shall be responsible for the proper administration of the business affairs of the Village. The Village Administrator shall have the powers, duties and responsibilities set forth below:
(1) Financial. The Village Administrator shall:
a. Report to the Village Board on a regular basis relative to Village operations and finance.
b. Assist in the preparation of the Village budget, in accordance with guidelines provided by the Village Board in coordination with department heads, providing guidance in efforts to achieve Village program implementation and long-term objectives.
c. Consult the Village Board on issues involving insurance procurement and other services the Village must obtain from outside sources and obtain information and rate quotes as directed.
d. Prepare and maintain procedures for inventory and asset management.

e. Stay informed concerning the availability of federal, state and county funds for local programs, submit appropriate recommendations to the Board and oversee grant applications and all other efforts to secure funds from all sources available.
f. Promote the economic well-being and growth of the Village through public and private sector cooperation, including assisting in the negotiation and implementation of developer's agreements.

(2) Personnel. The Village Administrator shall serve as Personnel Officer for the Village and implement the Personnel Policy, and shall:
a. Act as the central clearing agent for all personnel activities and aid all departments in effectively carrying out their responsibilities in personnel-related matters.
b. Maintain complete personnel records, including applications, date of hire, wage rates, classifications, insurance forms, changes of status of employees, notices of verbal and written reprimands, discipline, suspensions and discharges and all other records that do now or may pertain to employees in the future.
c. Perform annual performance reviews of department heads.
d. Cultivate sources of employee supply, recruit and advertise for all personnel openings, assist in the development and maintenance of job descriptions, and perform position analyses and evaluations.
e. Maintain standards and procedures to ensure uniformity in the application of discipline and the processing of employee grievances, prepare and implement the procedures necessary to carry out personnel policies and submit reports requested by the Village Board.
f. Conduct exit interviews and conduct second-step grievance procedures and participate in third- and fourth-step grievance procedures as necessary.

(3) Public information. The Village Administrator shall:
a. Act as public information liaison for the Village, ensuring that the news media is kept informed regarding Village operations and that open meeting rules and regulations are followed.
b. Facilitate communications between citizens and Village government so as to efficiently and expeditiously handle recommendations, complaints and other matters.
c. Manage Village social media accounts

(4) General. The Village Administrator shall:
a. Establish methods of implementation of Village Board directives or actions where and when required and report relative to their operation.
b. Be responsible for the daily operations of the Village and provide guidance and a conduit for information between individuals, departments, and officials in any combination, and promulgate, subject to Village Board approval, administrative policies and procedures for Village operation.
c. Monitor the operation of Village departments and develop and recommend administrative procedures in the interest of increased effectiveness or efficiency to the Village Board and/or department heads and assist in the implementation and operation of such procedures where necessary.
d. Advise the Village Board regarding interdepartmental activities affecting the smooth operation of Village management and service.
e. Oversee the preparation of information and reports to assist the Village Board.
f. Ensure that the Village is apprised of activities of extraterritorial governmental agencies affecting the Village, and represent the Village or ensure Village representation when needed in such regards and in matters involving legislative and intergovernmental affairs as authorized and directed by the Village Board.
g. Advise and inform the Board concerning current federal, state and county legislation and administrative rules, making appropriate reports and recommendations to the Board.
h. Attend board and committee meetings and other meetings as required.
i. Do all other things required to fulfill these objectives and as otherwise directed by the Village Board.

Sec. 2-3-11 Municipal judge; municipal court.
The Village of Boyceville's Municipal Court was disbanded effective February 11th, 2020. All future violations are to be filed with the Dunn County Circuit Courts.

Sec. 2-3-12 Eligibility for office.
(a) Elected officials must be citizens of the United States and Wisconsin and be an elector of the Village.

(b) An appointee rejected by the Village Board is ineligible for appointment to the same office for one year thereafter.

Sec. 2-3-13 Oaths of office.
(a) *Oath of office.* All officers must take an oath after their election or appointment and before permoring any official duties. Any person reelected or reappointed to the same office must take and file an official oath for each term of service.
(b) *Form, procedure.* The form, filing, and general procedure for the taking oaths is governed by subchapter I (Official Oaths and Bonds) of Wis. Stats. ch. 19 (General Duties of Public Officials).

Sec. 2-3-14 Vacancies.
(a) *How occurring.* Except as provided in subsection (c) of this section, vacancies in elective and appointive positions will occur as provided in Wis. Stats. §§ 17.03 and 17.035.

(b) *How filled.* Vacancies in elective and appointive offices are filled per Wis. Stats. § 17.23.

(c) *Temporary incapacitation.* If any officers are temporarily absent for any cause, the Board may appoint a person to perform the duties until they are able to return to their positions.

Sec. 2-3-15 Removal from office.
(a) *Elected officials.* Elected officials may be removed by the Village Board as provided in Wis. Stats. §§ 17.12(1)(a) and 17.16.

(b) *Appointed officials.* Appointed officials may be removed as provided in Wis. Stats. §§ 17.12(1)(c) and 17.16.

Sec. 2-3-16 Custody of official property.
Village officers must adhere to Wis. Stats. § 19.21 (Custody and delivery of official property and records).

CHAPTER 4: BOARDS, COMMISSIONS AND COMMITTEES
Sec. 2-4-1 Board of review.
(a) *Establishment and Composition.* The Board of Review is established pursuant to Wis. Stat. § 70.46 and is composed of the Village president, clerk-treasurer, and the Village trustees. The Village clerk-treasurer serves as clerk of the Board of Review. The assessor attends all meetings of the Board of Review but does not vote.

(b) *Compensation.* The members of the Board of review receive compensation as determined by resolution of the Village Board.

(c) *Duties.* The duties of the Board of Review are as proscribed by statute (see Wis. Stat. § 70.47), but generally consist of three primary duties: 1) adjust property assessments when they have been proven incorrect; 2) correct any errors or omissions in the description or computations found on the assessment roll; and, 3) check the assessment roll for omitted property and double assessments.

(d) *Meetings.* In accordance with Wis. Stats. § 70.47(3)(b), the Village Board will designate hours for the annual Board of Review proceedings other than those set forth in Wis. Stats. § 70.47(3)(a). The Board may adjourn until business is completed, providing that adequate notice of each adjournment is given.

(e) *Objections to valuations.* Persons are not permitted to appear and object to the valuation of any property before the Board of Review unless the objection was previously made in writing and filed with the clerk of the Board of Review.

(f) If the assessor obtains income and expense information during the course of the assessor's duties, that information is confidential, unless an exception applies per Section Wis. Stat. § 70.47(7)(af).

Sec. 2-4-2 Zoning Board of Appeals.

(a) *Establishment and purpose.* The Zoning Board of Appeals is established pursuant to Wis. Stat. § 62.23(7)(e) for the purpose of hearing appeals of people aggrieved by a decision of the zoning administrator and granting variances to the provisions of the Village's Zoning Ordinance. The Zoning Board of Appeals consists of five citizen members and two alternate members, appointed by the Village Board, for a three-year term of office. Members may be removed by the Village Board for cause upon written charges and public hearing. The Village president designates one member as chairperson.

(b) *Powers.* The Zoning Board of Appeals has the following powers:

(1) Hear and decide errors made by an administrative official in the enforcement of the zoning code or Village ordinance adopted under Wis. Stats. § 62.23, 61.35 or 62.231 (wetlands), 87.30 or 281.31 (flood plains) or Wis. Stats. ch. 91 (farmland preservation).

(2) Special exceptions to the terms of the Village zoning and floodplain zoning regulations upon which the Board of Appeals is required to pass.

(3) Variance authorizations from the Village zoning regulations not contrary to the public interest, and where a literal enforcement will result in practical difficulty, unnecessary hardship, or conflicts with the spirit of the zoning code, public safety and welfare. The Zoning Board of Appeals will not grant use variances in floodplain, wetland, or conservancy districts. In all other districts, use variances may not be granted unless the applicant has first petitioned for a zoning amendment or conditional use permit, if applicable, and upon a showing that no lawful and feasible use of the subject property can be made in the absence of the variance. Any use variance granted is limited to the specific use described in the Board's decision and does not allow for variances in yard, area, or other requirements of the 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 purposes 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 that it determines ought to be made in the premises. The concurring vote of four members of the Zoning Board of Appeals is 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 zoning code. The grounds of determinations must be stated and recorded. Orders of the Zoning Board of Appeals granting a variance is valid for a period of no longer than six months from the date of an order unless the land use permit is obtained within the period and the erection or alteration of a building is commenced within that period.

(c) *Meeting and rules.*

(1) All meetings and hearings of the Zoning Board of Appeals are open to the public, except that the Board may go into executive session to deliberate after a hearing or an appeal. The final vote on an appeal must be taken in open session by roll call vote, recorded, and open for public inspection in the Board's office. Wisconsin Open Meeting Law must be complied with.

(2) Special meetings may be called by the chairperson or by the secretary at the request of two members. Notice of a special meeting will be mailed to each member at least 48 hours prior to the time set for the meeting, or announcement of the meeting will be made at any meeting at which all members are present.

(3) Hearings may be held at any regular or special meeting at the time set by the chairperson.

(4) A quorum for any meeting or hearing will consist of four members, but a lesser number may meet and adjourn to a specified time.

(5) The Board will keep minutes of its proceedings, showing the vote of each member for each question, or, if absent or failing to vote, indicating such fact, and keep records of its examination and other official actions, all of which are immediately filed with the Village clerk-treasurer and are public record. The Board will adopt its own rules of procedure not in conflict with this Code or with the applicable state statutes.

(6) Board members may not participate in the decision of or vote upon any case in which the member is financially interested, directly or indirectly; the chairperson will direct an alternate member to act instead. Disqualification of a member for interest will not decrease the number of votes required for acting upon any matter, but a member may be counted in determining whether a quorum is present for the transaction of business.

(d) *Offices.* The Village Board will provide suitable offices for holding hearings and the presentation of records, documents, and accounts.

Sec. 2-4-3 Library Board.

(a) *Organization; terms.*

(1) A library board pursuant to Wis. Stats. ch. 43 (Libraries), consisting of five members, is established in the Village.

(2) Terms are from May 1 in the year of their appointment, and thereafter each regular appointment is for a term of three years. Not more than one member of the Village Board be at any one time a member of the library Board. Citizen members are appointed by the Village Board. The trustee member is appointed annually by the Village Board. The Village Board will appoint a library Board member the school district administrator, or designee, to represent the public school.

(3) A majority of the membership of the Board constitutes a quorum.

(4) Within thirty (30) days of establishment, and annually thereafter, the members of the library Board must organize elect a president and other offices that necessary to prescribe and adopt rules and regulations for the operation of the library.

(b) *Duties and powers.* The library board has the duties and powers as prescribed by Wis. Stats. ch. 43, and more particularly set forth in Wis. Stats. § 43.58.

Sec. 2-4-4 General provisions regarding meetings and public notice.

(a) *Regular meetings; public notice.*

(1) Every Board, committee, and commission created by or existing under the ordinances of the Village will:

a. Schedule a date, time and place for its meetings;

b. Post, or when necessary publish, notice in or notify the official Village newspaper in advance of each such regular meeting of the date, time, and place thereof, in compliance with state law, thereof; and/or

c. Post and/or publish an agenda of the matters to be taken up at such meeting.

(2) A separate public notice must be given for each meeting at a time and date reasonably proximate to the time and date of the meeting, but not less than 24 hours prior to the commencement of such meeting unless otherwise authorized by law.

(3) Such notice must include the time, date, place and subject matter of the meeting, including subject matter intended for consideration at any contemplated closed session which may be authorized by law.

(b) *Notice to members.* Every member of any Board, commission, or committee of the Village must be notified of the meeting, the time and place of the meeting, and the subject(s) that will be considered. Members may not be intentionally excluded from any meeting by a failure to give, or reasonably attempt, proper notice.

(c) *Special meetings.* Nothing in subsection (a) of this section precludes calling a special meeting, giving notice, or posting the agenda, but special meetings will nonetheless comply with Wis. Stats. §§ 19.81 and 19.89.

(d) *Minutes to be kept.* Every Board, commission, and committee must keep a record of the minutes of its proceedings and a signed copy thereof to be filed by its secretary with the Village clerk-treasurer within one week of the meeting date.

CHAPTER 5: ETHICS

Sec. 2-5-1 Purpose and Authority.

(a) *Purpose*. The purpose of this Chapter is to regulate, limit, and control certain administrative actions of town officials and employees in the town, including unethical actions of those officials and employees, as determined under this ordinance.

(b) *Authority*. This ordinance is adopted pursuant to Wis. Stat. § 19.59 (Codes of ethics for local government officials, employees and candidates), which is hereby adopted and incorporated by reference herein.

Sec. 2-5-2 Definitions.

The following words, terms and phrases, when used in this chapter, have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) *Officials* mean those persons serving in statutory elected or appointed offices provided for in Wis. Stats. ch. 61 (Villages) and all members appointed to Village Boards, committees and commissions established or appointed by the Village president and/or Village Board pursuant to this Code, whether paid or unpaid.

(b) *Employee* means any person excluded from the definition of a official who is employed by the Village.

(c) *Anything of value* means any money or property, favor, service, payment, advance, forbearance, loan, or promise of future employment, but does not include compensation or expense reimbursement paid by the Village, honorariums, fees and expenses under the standards and reporting requirements set forth in Wis. Stats. § 19.56, campaign contributions, or hospitality extended for a purpose unrelated to Village business by a person other than a firm, corporation, partnership, or joint venture.

(d) *Business* means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual or any other legal entity which engages in profit-making activities.

(e) *Personal interest* means any interest arising from blood or marriage relationships or from close business or political associations, whether or not any financial interest is involved.

(f) *Significant interest* means owning or controlling, directly or indirectly, at least ten percent or $5,000.00 of the outstanding stock or at least ten percent or $5,000.00 of any business.

(g) *Financial interest* means any interest which will yield, directly or indirectly, a monetary or other material benefit to the officer or employee or to any person employing or retaining the services of the officer or employee.

Sec. 2-5-3 Conflict of interest.
(a) *Purpose*. The duty of a public official is to represent the best interests of the public entity, and to serve the entity with the highest degree of loyalty. This standard is at the heart of any ethics ordinance. The absence of an easily understood standard regarding conflicts of interest diminishes the effectiveness of an ethics ordinance and ignores the primary reason for having one. The fundamental concept is that a public official is not to exploit the position of power in unjust or inappropriate ways.

(b) *Loans, licenses, permits.* An official or employee may not make a loan of public funds, grant a subsidy, fix a rate, issue a license, permit or certificate, or otherwise regulate, supervise or participate in a decision that pertains to an entity in which the official or employee, or a member of his or her immediate family, has an ownership or financial or personal interest.

(c) *Gifts*. An official or employee, whether paid or unpaid, must not solicit or accept (or receive, directly or indirectly) a gift or loan of money, compensation, goods, services, contribution, reward, employment, or other things of value which would tend to influence the manner in which the official or employee performs his or her official duties.

(d) *Contracts*. Except for personal employment agreements authorized by the Village Board, an official or employee must not solicit, negotiate, renegotiate, or approve, directly or indirectly, any contract, or amendment of any contract, with the Village and any of the following:

(1) himself or herself;
(2) any partnership, limited liability company or unincorporated association, or other legal entity of which the official or employee is a partner, member, owner or part owner or employee;
(3) any corporation in which the officer or employee is an owner or stockholder of more than one percent (1%) of the total outstanding stock of any class where the stock is not listed on an exchange, or of value of $25,000 or more where the stock is listed on a stock exchange or of which the official or employee is a director, officer, or employee; or
(4) any trust of which the officer or employee is a beneficiary or trustee or represents any party to such contract.

(e) *Contractors.* An official or employee must not accept any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith as an inducement for the award of a contract or order.

Sec. 2-5-4 Disclosure.
(a) *Purpose.* If a government is to be both transparent and accountable, the public must know of real and potential conflicts of interest. The public, and those within the local government organization, are entitled to know about the relationships and circumstances which might influence a public servant's performance of duty, and which might diminish an official's independence and objectivity. Public disclosure makes it possible to evaluate the potential effects of these interests upon the public official, and to prohibit participation in decision making, in the public interest. Questions about which information, how much, and when to disclose it should be resolved in favor of full, and timely, public disclosure.

(b) *Identify economic interests.* Pursuant to Wis. Stat. § 19.59(3)(a), the Village hereby requires that Village officials and employees identify any of the economic interests specified in Wis. Stat. § 19.44.

(c) *Business*. An official or employee, or his or her relative, must not engage in business with the Village, directly or indirectly, or have any financial or personal interest in any business transaction with the Village, without filing a complete written disclosure statement for each business activity, prior to engaging in the activity.

(d) *Voting, recommending*. An official or employee must not participate, as an agent or representative of the Village, in approving, disapproving, voting upon, abstaining from voting, recommending or otherwise acting upon any matter in which he or she, or a relative, has a direct or indirect financial interest without disclosing the full nature and extent of the interest.

Sec. 2-5-5 Impartiality.
(a) *Purpose*: Officials and employees must assure the public that, except for publicly approved pay and related benefits, they do not receive benefits or services that aren't available to any member of the public.

(b) *Appearances*. It is the intent of this Code that an official or employee, regardless of whether specifically prohibited by this Code, must avoid any action which might result in, or create the appearance of any of the following:

(1) Using public office or employment for private gain.
(2) Giving improper preferential treatment to any person or organization.
(3) Impeding government efficiency or economy.
(4) A lack of independence or impartiality of action.
(5) Making a government decision outside of official channels.
(6) Affecting adversely the confidence of the public in the integrity of the local government.

(c) *Limitations not intended*. It is not the intent of this Code to limit the right or ability of any official or employee to exercise his or her discretion in making legitimate policy decisions which are within their discretion so long as such action does not provide a special benefit to that person, relieve the official or employee of a particular duty, or treat that person differently than other similarly situated residents in the community.

(d) *Fair and equal treatment*. Officials and employees may not request, use, or permit the use of any consideration, treatment, advantage, or favor beyond that which is the general practice to grant or make available to the public at large. All officials and employees must treat all citizens of the local community with courtesy, impartiality, fairness, and equality under the law.

Sec. 2-5-6 Improper Use of Position
(a) *Purpose.* To the public, an official or employee is the governmental organization. An official's misuse of his or her position not only destroys public confidence in that public official, but it also destroys trust and confidence in the governmental organization as well. A public official must use the position and power of public office for the benefit of the community. Thus, a public official should not receive a greater benefit from his or her actions than anyone else in the community. Although this standard may seem unnecessary because the potential effect of the

misconduct is so obvious, a clear and specific statement establishes for all the assurance that abuse or exploitation of public office or public employment will not be tolerated.

(b) *Special favor requests prohibited*. An official or employee must not interfere with the ordinary course of law enforcement within the Village, and must not suggest or request special favors or consideration or disposition of any law enforcement person, including the chief of police, police officers, village attorney, fire chief, or administrative staff including the Village clerk-treasurer, concerning any Village law enforcement matter including, but not limited to, parking tickets, traffic tickets, ordinance tickets, or the enforcement of Village codes.

(c) *Appearance of preferential treatment*. An official or employee must not take any action or create the appearance of giving preferential treatment to any organization or person.

(d) *Final action without open meeting*. Officials or employees must not take final action on any matter under consideration until the citizens' rights to address the issue has been provided for, which includes the open meeting provision.

Sec. 2-5-7 Hiring Relatives AKA Nepotism.
(a) *Purpose.* Whether deserved or not, the limitation or prohibition of public service by certain persons related by blood, adoption, or marriage, to others within the governmental organization avoids actual and perceived favoritism or partiality. The very fact of the relationship creates the perception of unfairness. In smaller communities it is common for related parties to work for, or to serve in, the local government, particularly in dual-income families. In these situations, the perception of favoritism can be reduced if the local government requires that such relationships be fully and publicly disclosed.

(b) *Immediate family*. This section governs the proposed hiring of individuals for full-time or part-time work as Village employees who are members of the immediate family of Village employees or elected officials. The term "immediate family" includes those relatives by blood or marriage defined in section 2-5-2 as personal interests.

(c) *Consideration*. Hiring an immediate family member of any current Village employee or elected Village official may be considered only if that individual has the knowledge and skills, experience or other job-related qualifications that warrant consideration for the position. It is required that either the current employee or the relative seeking employment will make the personal interest relationship known to the hiring authority (department head, Village Board, or commission of the Village Board) before a hiring decision is made.

(c) *Exceptions*. This section does not apply to non-elected officials who are asked to accept appointment as members of a Village Board, commission or committee; non-elected officials, however, may be expected to disqualify themselves from participation in matters under consideration which may affect the hiring, retention, classification, or compensation of their immediate family if currently employed or being considered for employment by the Village.

Sec. 2-5-8 Advisory opinions.
If an official or employee doubts the applicability of a provision of this chapter, the official or employee may apply to the Village attorney for an advisory opinion. The official or employee will have the opportunity to present interpretation of the facts at issue and of the applicability of provisions of this section before such advisory decision is made.

Sec. 2-5-9 Penalties.
(a) *Generally*. Improper conduct under the provisions of this chapter constitutes cause for suspension, removal from office, or employment or other disciplinary action. Sanctions, including any disciplinary action, that may affect employees covered under a labor agreement is consistent with the terms and conditions set forth in the applicable labor agreement.

(b) *Omission from ballot.* Pursuant to Wis. Stat. § 19.59(3)(b), the Village hereby directs the clerk-treasurer to omit the name of any candidate from an election ballot who fails to disclose his or her economic interests in accordance with the requirements of the ordinance.

(c) *Withheld pay.* Pursuant to Wis. Stat. § 19.59(3)(c), the Village Board may direct the Village clerk-treasurer to withhold the payment of salaries or expenses from any official or employee who fails to disclose his or her economic interests in accordance with the requirements of the ordinance.

(d) *Statutory standards of conduct.* Nothing in this Chapter precludes the Dunn County District Attorney from pursuing criminal offenses that relate to this Chapter, which may include the following:

(1) Wis. Stats. § 946.10. Bribery of Public Officers and Employees.
(2) Wis. Stats. § 946.11. Special Privileges from Public Utilities.
(3) Wis. Stats. § 946.12. Misconduct in Public Office.
(4) Wis. Stats. § 946.13. Private Interest in Public Contract Prohibited.