

## CHAPTER 2

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#### **2.01 ELECTED OFFICIALS**

(1) Trustees. There shall be 6 Trustees of the Village of Montfort. Three Trustees shall be elected at each annual spring election for a term of two years, commencing on the 3rd Tuesday of April in the year of their election.

(2) Election of Village President. The Village President for the Village of Montfort shall be elected at the regular spring election in the odd numbered years for a term of two years commencing on the 3rd Tuesday of April in the year of his/her election.

#### **2.02 APPOINTED OFFICIALS**

(1) Clerk-Treasurer and Assessor. The Village Board of the Village of Montfort shall appoint a clerk-treasurer and an assessor who shall qualify, hold office and shall have such powers and duties as for forth in Wisconsin State Statute.

(2) Facilities Maintenance Supervisor. The facilities maintenance supervisor shall be appointed by majority vote of the Village Board on the basis of merit, training, experience, administrative ability, efficiency and general qualifications and fitness for performing the duties of the position. Proper licensure for water and wastewater treatment plant operation is also required. The supervisor shall have general charge and supervision of all public works in the Village.

**2.03 EMERGENCY GOVERNMENT.** This Joint Action Emergency Government ordinance between Grant County and the Village of Montfort is adopted to cope with emergencies resulting from enemy action and with emergencies resulting from natural disasters.

(1) County Ordinance Adopted by Reference. A joint action ordinance of the Board of Supervisors of Grant County providing for a county-municipal joint action emergency government

plan of organization, adopted by said County Board, is made a part hereof, by reference, and is hereby ratified and accepted by the Village of Montfort. This ratification and acceptance of the Joint Action Ordinance shall constitute a mutual agreement between the Village of Montfort and Grant County, as provided by Sec. (4)(j) of said Joint Action Ordinance.

(2) Emergency Government Director. The County-Municipal Emergency Government Director, appointed and employed by the Grant County Board, as provided in the referred-to ordinance, is hereby designated and appointed Emergency Government Director for the Village of Montfort, subject to the conditions and provisions as set forth in the Wisconsin Statutes and the Grant County Joint Action Ordinance.

## **2.04 GENERAL REGULATIONS GOVERNING ALL VILLAGE OFFICERS**

(1) Effect. The provisions of this section shall apply to all officers of the Village, regardless of the time of creation of the office or selection of the officer unless otherwise specifically provided by ordinance or resolution of the Village Board.

(2) Oath of Office. The president, clerk and treasurer of the Village and each trustee, before entering upon their duties and within 5 days of their election or appointment, shall take the oath of office prescribed by law and file said oath in the office of the Village Clerk, except the Village Clerk who shall file his or her oath in the office of the Village President. Any person reelected and reappointed to the same office shall take and file an official oath for each term of service.

### (3) Bonding and bond exemption

(a) Employee bonding. Per Wis. Stat. § 62.09(4)(b), the Village elects to maintain public officials' dishonesty insurance policy coverage in an amount as established by the Board, in lieu of requiring Village employees who collect and/or handle money as a requirement of their position duties to execute and file an official bond. Any Village employee collecting or handling any city money on a regular basis shall be included in this insurance policy coverage, and the cost of the dishonesty insurance policy shall be paid by the Village.

(b) County bond exemption. The Village elects not to give the bond on the treasurer, in his or her capacity as treasurer, provided for by Wis. Stat. § 70.67(1).

(c) Village liable for default of treasurer. Pursuant to Wis. Stat. § 70.67(2), the Village shall be obligated to pay, in case the treasurer shall fail to do so, all state and county taxes required by law to be paid by such treasurer to the county treasurer.

(4) Salaries. All officers of the Village shall receive such salaries as may be provided from time to time by the Village Board. No officer receiving a salary from the Village shall be entitled to retain any portion of any fee collected by him/her for the performance of his/her duties

as such officer in the absence of a specific law or ordinance to that effect. The compensation paid to any elected official may not be increased or decreased during his or her term of office.

(5) Vacancies. Vacancies in elected and appointed offices may be filled by appointment by a majority of vote of the Village Board for the remainder of the unexpired term.

## **2.05 BOARD OF REVIEW**

(1) The Board Review shall be composed of the President, the Clerk, and trustees. The Assessor shall not be a member of the Board of Review.

(2) The provisions of Wis. Stat. § 70.46(2), (3) and (4) are incorporated into this Code by reference.

## **2.06 PLAN COMMISSION**

(1) The Village Board of the Village of Montfort hereby establishes a (7) member Plan Commission under Wis. Stat. §§ 61.35 and 62.23. The Village Board elects to exercise the authority granted to it under Wis. Stat. § 62.23(1)(a) and determines that the membership of the Plan Commission shall be determined by this ordinance. The Plan Commission shall be considered the "Planning Agency" under Wis. Stat. §§ 236.02 and 236.45, which authorize, but do not require, Village adoption of a subdivision or other land division ordinance.

(2) The Plan Commission consists of the Village Board, Village Clerk-Treasurer and such other citizen member or members as may be appointed pursuant to s. (3) below.

(3) The Village President shall appoint the members of the Plan Commission and designate a Plan Commission Chairperson during the month of April to fill any expiring term. All appointments are subject to the approval of the Village Board. In a year in which any Village Board member is elected at the spring election, any appointment or designation by the Village President shall be made after the election and qualification of the Village Board members elected. Any citizen appointed to the Plan Commission shall take and file the oath of office within five (5) days of notice of appointment, as provided under Wis. Stat. § 19.01.

(4) The term of office for the Plan Commission Chairperson and each Commission member shall be for a staggered three-year term, ending on April 30, or until a successor is appointed and qualified.

(5) A person who is appointed to fill a vacancy on the Plan Commission shall serve for the remainder of the term.

(6) The Plan Commission shall have all the powers specified under Wis. Stat. § 62.23(4). Matters described in Wis. Stat. § 62.23(5) and the following matters shall be referred to the Plan Commission for report:

- (a) An application for initial licensure of a child welfare agency or group home under Wis. Stat. § 48.68(3).
- (b) An application for initial licensure of a community-based residential facility under Wis. Stat. § 50.03(4).
- (c) Proposed designation of a street, road or public way, or any part thereof, wholly within the jurisdiction of the Village, as a pedestrian mall under Wis. Stat. § 66.0905.
- (d) Matters relating to the establishment or termination of an architectural conservancy district under Wis. Stat. § 66.1007.
- (e) Matters relating to the establishment of a reinvestment neighborhood required to be referred under Wis. Stat. § 66.1107.
- (f) Matters relating to the establishment or termination of a business improvement district required to be referred under Wis. Stat. § 66.1109.
- (g) A proposed housing project under Wis. Stat. § 66.1211(3).
- (h) Matters relating to urban redevelopment and renewal in the Village required to be referred under subch. XIII of ch. 66, Wis. Stats.
- (i) The adoption of a Village subdivision or other land division ordinance under Wis. Stat. § 236.45(4).
- (j) The creation and adoption of a comprehensive plan under Wis. Stat. §§62.23 and 66.1001.
- (k) Any other matter required by the Wisconsin Statutes to be referred to the Plan Commission.”

## **2.07 ZONING BOARD OF APPEALS**

(1) Establishment. A zoning board of appeals shall be appointed as specified in Wis. Stats. § 62.23(7)(e). The zoning board of appeals shall consist of five members and two alternate members, appointed by the Village President, subject to confirmation by the Village Board for staggered three-year terms of office. The members shall be removable by the Village Board for cause upon written charges and upon public hearing. The Village President shall designate one of the members chair. The zoning board of appeals shall annually, elect a secretary. Vacancies shall be filled for unexpired terms of members whose terms become vacant. The alternates shall act in

accordance with Wis. Stats. § 62.23(7)(e)2. The above provisions with regard to removal and the filling of vacancies shall apply to such alternates.

(2) Powers. The zoning board of appeals shall have the powers as provided Wis. Stat. § 62.23(7)(e).

**2.08 COMMITTEES.** The following committees and appointments shall be made by the President at the beginning of his or her term and shall last for 2 years.

- (1) Weed Commissioner
- (2) Committee on Finances and Audit (including licenses)
- (3) Committee on Public Property
- (4) Committee on Water Works and Sewers.
- (5) Committee on Street and Sidewalk
- (6) Committee on Fire, Police & Civil Defense
- (7) Pool Committee
- (8) Library Board

**2.09 ASSESSMENT CONFIDENTIALITY**

(1) Records to be Held Confidential. Whenever the Assessor, in the performance of the Assessor’s duties, requests or obtains income and expense information pursuant to Wis. Stat. § 70.47(7)(af), or any successor statute thereto, then, such income and expense information that is provided to the Assessor shall be held by the Assessor on a confidential basis, except, however, that said information may be revealed to and used by persons: in the discharging of duties imposed by law; in the discharge of duties imposed by office (including, but not limited to, use by the Assessor in performance of official duties of the Assessor’s office and use by the Board of Review in performance of its official duties); or pursuant to order of a court. Income and expense information provided to the Assessor under § 70.47(7)(af), unless a court determines that it is inaccurate, is, per § 70.47(7)(af), not subject to the right of inspection and copying under Wis. Stat. § (1). If any portion of this section shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions of this section. The remainder of this section shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this section are hereby repealed as to those terms that conflict.

(2) Penalty for Violation. Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than \$10.00 nor more than \$100.00, plus the applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.

## **2.10 APPOINTMENT OF ELECTION INSPECTORS**

There shall be three (3) election inspectors at each polling place at each election. Pursuant to Wis. Stat. § 7.30(1), the Village of Montfort hereby allows for the selection of two (2) or more sets of officials to work at different times on election day and hereby permits the Clerk or his/her designee to establish different working hours for different officials assigned at the same polling place.