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## ARTICLE I IN GENERAL\*

### Sec. 2.100. Fees and charges.

All fees and charges required by the village are set by the board from time to time in the village fee schedule, and none of the provisions of this Code or the ordinance adopting this Code shall affect such fees and charges.

## ARTICLE II VILLAGE BOARD\*

### DIVISION 1 GENERALLY

### Sec. 2.200. How constituted.

The trustees of the village shall constitute a board to be designated "Village Board of Weston," four of whom shall constitute a quorum, except when otherwise provided by law. The president may administer oaths and affidavits in all matters pertaining to the affairs of the village. Meetings of the board shall be held in the municipal center. Such board shall have the duties and powers as provided in this article.

(Code 1982, § 1.10(1): Ord. of 12-10-2011)

### Sec. 2.201. President.

The president shall be by virtue of the office a trustee, and shall preside at all meetings of the board, and have a vote as trustee. The president shall sign all ordinances, rules, bylaws, regulations, commissions, licenses and permits adopted or authorized by the board and all orders drawn on the treasury except as provided by Wis. Stat. § [66.0607](#). The president shall maintain peace and good order, see that the ordinances are faithfully obeyed, and in case of disturbance, riot or other apparent necessity appoint as many special marshals as the president shall deem necessary, who for the time being shall possess all the powers and rights of constables. The president shall have charge of the village jail, which the president shall conduct in the manner provided in Wis. Stat. § [62.09\(13\)\(c\)](#); but the president may delegate this duty to the constable or any police officer of the village.

(Ord. of 12-10-2011)

**State Law References**--Similar provisions, Wis. Stat. § [61.24](#).

\* **Cross References**--Elections, Chapter 30.

**Sec. 2.202. Powers.**

- (a) General grant. Except as otherwise provided by law, the board shall have the management and control of the village property, finances, highways, streets, navigable waters and the public service, and shall have 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.
- (b) Cooperation with other municipalities. The board, on behalf of the village, may join with other villages or cities 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.
- (c) Temporarily Incapacitated. The board will appoint a Vice President who will discharge the duties of the President if they are temporarily incapacitated because of physical or mental disability.

(Ord. of 12-10-2011 and Ord. No. 15-030 of 12-09-2015)

**Sec. 2.203. Acquisition and disposal of property.**

The board may:

- (1) Acquire property, real or personal, within or outside the village, for parks, libraries, recreation, beautification, streets, water systems, sewage or waste disposal, harbors, improvement of watercourses, public grounds, vehicle parking areas, and for any other public purpose;
- (2) Acquire, improve and beautify real property within or contiguous to the village, by means other than condemnation, for industrial sites;
- (3) Construct, own, lease and maintain buildings on such property for instruction, recreation, amusement and other public purposes; and
- (4) May sell and convey such property.
- (5) Condemnation shall be as provided by Wis. Stats. [Chapter 32](#).

(Ord. of 12-10-2011)

**Sec. 2.204. Village finances.**

The board may:

- (1) Levy and provide for the collection of taxes and special assessments;
- (2) Refund any tax or special assessment paid, or any part thereof, when satisfied that it was unjust or illegal;
- (3) Generally manage the village finances.

The board may loan money to any school district located within the village or within which the village is wholly or partially located in such sums as are needed by such district to meet the immediate expenses of operating the schools, and the board of the district may borrow money from the village accordingly and give its note for the money. No such loan shall be made to extend beyond August 30 next following its making or in an amount exceeding half the estimated receipts for such district as certified by the department of education and the local school clerk. The rate of interest on any such loan shall be determined by the village board.

**State Law References**--Similar provisions, Wis. Stat. § [61.34\(1 through 4\)](#).

(Ord. of 12-10-2011)

#### **Sec. 2.205. Construction of powers.**

For the purpose of giving to villages the largest measure of self-government in accordance with the spirit of [ARTICLE XI Section 3](#), of the Wisconsin State Constitution, it is declared that this article shall be liberally construed in favor of the rights, powers and privileges of the village to promote the general welfare, peace, good order and prosperity of the village and its inhabitants.

(Ord. of 12-10-2011)

### DIVISION 2 MEETINGS

#### **Sec. 2.206. Generally.**

The board shall be vested with all the powers of the village not specifically given some other officer. A majority of the members shall constitute a quorum, but a less number may adjourn from time to time. The president shall preside at all meetings when present. In the president's absence the board may select another trustee to preside. Regular meetings shall be held at such time as may be prescribed by bylaws. Special meetings may be called by any two trustees in writing, filed with the village clerk, who shall thereupon seasonably notify all the trustees of the time and place of the meetings in the manner directed by the bylaws. All meetings shall be open to the public. The board shall keep a record of all its proceedings, and the board shall cause the proceedings to be posted in the manner under Wis. Stat. § [985.02\(2\)](#). The proceedings for the purpose of publication shall include the substance of every official action taken by the board. Nothing in this section shall be construed as requiring the republication of any proceeding,

ordinance or other matter or thing that has already been published according to law; nor shall anything in this section be construed to relieve the village from publishing any proceeding, ordinance or other matter or thing required by law to be published. Notwithstanding the provisions of Wis. Stat. § [985.08\(4\)](#), the fee for any such publication shall not exceed the rates specified in Wis. Stat. § [985.08\(1\)](#). The board has power to preserve order at its meetings, compel attendance of trustees and punish nonattendance, and it shall be judge of the election and qualification of its members. The president and board may by a three-fourths vote of all the members of the board determine that an annual salary be paid the president and trustees. Salaries heretofore established shall so remain until changed by ordinance and shall not be increased or diminished during their terms of office.

(Ord. 09-04-2007; Ord. of 12-10-2011)

**State Law References**--Similar provisions, Wis. Stat. § [61.32](#).

**Sec. 2.207. Regular meetings.**

The regular meetings of the board shall be held at the municipal center on the first and third Monday, of each month at 6:00 p.m. Any regular meeting falling on a legal holiday shall be rescheduled at the preceding meeting.

(Code 1982, § 1.18(1); Ord. of 4-22-2011; Ord. of 12-10-2011; Amended via Ord. 16-051, 12/22/2016; Amended via Ord. 19-008, 05-14-2019)

**Sec. 2.208. Special meetings.**

Special meetings of the board may be called by the president at such times as he may appoint by oral or written notice of the purpose and time thereof to each member, which notice shall be given within a reasonable time prior to the meeting.

(Code 1982, § 1.18(2); Ord. of 12-10-2011)

**Sec. 2.209. Adjournments.**

Any regular or special meeting of the board may be adjourned by a majority of the members present at a board meeting.

(Code 1982, § 1.18(3); Ord. of 12-10-2011)



**Sec. 2.210. Meetings shall be public.**

Except as provided in Wis. Stat. § [19.85](#), all regular meetings of the Board shall be open and public, and all its procedures shall be recorded by the Village Clerk or under their authorization in record books kept for that purpose.

(Code 1982, § 1.18(4); Ord. of 12-10-2011; Ord. of 6-21-2013)

**Sec. 2.211. Call to order.**

The President shall promptly call each meeting of the Board to order at the hour fixed for the holding of such meeting. In case of the absence of the President, the senior Trustee shall call the meeting to order, and the Trustees present shall elect one of their number president pro tem.

(Code 1982, § 1.18(5); Ord. of 12-10-2011; Ord. of 6-21-2013)

**Sec. 2.212. Attendance; leave of absence.**

No member of the Board, the Village Clerk, the Chief of Police or designee whose duty it shall be to attend a Board meeting shall absent themselves from the meetings of the Board unless for illness or other good cause without first having obtained an authorized absence.

(Code 1982, § 1.18(6); Ord. of 12-10-2011; Ord. of 6-21-2013)

**Sec. 2.213. Disturbance, how suppressed.**

Whenever any disturbance or disorderly conduct shall occur in board meetings or rooms or halls adjacent to such meetings, the President or other presiding officer of the Board shall have power and authority by and with the aid of the Chief of Police or designee in attendance upon the meeting of the Board to cause the meeting to be cleared of all persons except members and officers of the Board.

(Code 1982, § 1.18(7); Ord. of 12-10-2011; Ord. of 6-21-2013)

DIVISION 3 COMMITTEES

**Sec. 2.214. Standing committees.**

- (a) ***Appointments.*** The President appoints standing committees of the Village, subject to confirmation by the Board. The appointments to each Committee will be made at the first Village Board meeting in May. Standing committees shall review such matters as

may be referred to them by the Board and shall submit recommendations for Board action. The Administrator and President, except where the President is designated a member of a Committee, shall serve on each committee as ex officio members.

- (b) ***Conflicting provisions.*** While this section represents guidelines detailing committee roles and responsibilities, the provisions regarding the Administrator shall prevail in any area in which a conflict arises. In any instance where statutes may conflict with these provisions, the statutes shall apply.
- (c) ***Membership.*** Unless otherwise noted, each committee shall consist of five members, two of which shall be Village Trustees. The President shall not serve as the chairperson of any committee, unless expressly designated by law.
- (d) ***Established.*** The following standing committees are established:
  - (1) **Finance Committee.**
    - a. Present the annual budget to the Board first in temporary form for a public hearing, and in final form for board approval. To enable the committee to prepare the budget, all budget requests shall be filed with the Administrator in a timely fashion to allow the Administrator to prepare a recommended budget for consideration by the committee.
    - b. Monitor expenditures, supervise collection of accounts and coordinate and investigate village borrowing.
    - c. Review requests for non-budgeted or emergency expenditures and make recommendations to the full Board.
    - d. Review any proposed changes in Village insurance coverage and risk management programs.
    - e. Recommend establishment of user and license fees.
    - f. Coordinate Village requests for grant funding.
    - g. Make recommendations on the issuance and conditions of issuance of licenses and franchises.
    - h. Supervise the cable television franchise and conduct negotiations relating to such franchise.
    - i. In cooperation with the Administrator, recommend Board consideration of policies and procedures regarding the financial operations of the Village and the delivery of services to the public.

- j. Consider any other matter the Board may refer.

**(2) Human Resources.**

- a. Advise the board regarding potential and pending litigation involving the Village.
- b. In cooperation with the Administrator, recommend for Board consideration policies and procedures regarding personnel issues of the Village.
- c. Oversee the selection of contract services for labor negotiation services.
- d. Monitor, in cooperation with the Administrator, the general personnel policies for the Village, including such things as sick leave, vacations, holidays and leaves of absence.
- e. In cooperation with the Administrator, review and make recommendations for additions and deletions of positions to the Board and make recommendations regarding disciplinary actions involving Village employees.
- f. Make recommendations to the Board for establishment of a village safety program and, after such a program is in place, supervise such program.
- g. Act on all matters so enumerated in the Village of Weston Employee Policy and Procedure Manual as being assigned to the Human Resources Committee.
- h. Consider any other matter the Board may refer.

**(3) Public Works and Utility Committee.**

- a. Review and recommend a property and infrastructure budget to the Administrator and Finance Committee.
- b. In cooperation with the Administrator, recommend Board consideration of appropriate policies and procedures regarding public works, utility operations, property and buildings operations and the delivery of services to the public.
- c. Coordinate the Village's refuse collection activities.
- d. Recommend actions regarding use and maintenance of Village streets.
- e. Review and finalize the annual capital improvements program.

- f. Review bidding documents and requests for proposals for capital projects for public works projects. Review contractor proposals and bids for all authorized public works construction, and recommend contract awards to the Board for appropriate action.
- g. Be responsible for the construction and maintenance of all Village streets and sidewalks, the operation and maintenance of all sewer and water systems, and make appropriate recommendations to the board regarding the operation, maintenance and improvements to such systems.
- h. Develop and recommend policies and guidelines for public works projects and activities such as special assessments.
- i. Review and approve any unusual requests for use of village buildings.
- j. Review and recommend any proposed changes, improvements, remodeling, additions, etc., to the municipal building, other village buildings or other property.
- k. Recommend policy guidelines regarding public improvements.
- l. Mediate disputes between property owners and the Village regarding public improvements.
- m. Review bidding documents and requests for proposals (RFPs) for municipal building projects. Review contractor proposals and bids for all authorized municipal building construction and recommend contracts to the board for appropriate action.
- n. Review traffic and pedestrian safety matters and recommend needed action for Board approval.
- o. Develop emergency operation plans.
- p. Consider any other matter the Board may refer.

**(4) Parks and Recreation Committee.**

- a. Prepare and maintain long-range plans for parks and recreational facilities.
- b. Recommend the acquisition, purchase, acceptance by gift, sale or such other disposition of property and/or equipment to the Board for appropriate action.

- c. Prepare and submit grant applications to the appropriate agencies for the acquisition and development of parks and recreational facilities.
- d. Operate and maintain the Village park and recreational trail system.
- e. Review and recommend a parks and recreation budget to the Administrator and Finance Committee.
- f. In cooperation with the Administrator, recommend Board consideration of policies and procedures regarding parks and parkway operations and the delivery of such services to the public.
- g. In cooperation with the Community Development Authority govern, manage, improve and care for all public parks and parkways located within the Village.
- h. Consider any other matter the Board may refer.

(5) **Community Development Authority.**

- a. ***Need.*** The Village declares that a need for blight elimination, slum clearance, urban renewal programs and community development projects and housing projects exists in the Village of Weston.
- b. ***Creation.*** Pursuant to Wis. Stat. § [66.1335](#) the Village hereby creates a housing and community development authority which shall be known as the “Community Development Authority” of the Village of Weston. It is a separate body politic for the purpose of carrying out blight elimination, slum clearance, urban renewal programs and projects and housing projects.
- c. ***Powers and Duties.*** The Community Development Authority has all powers, duties and functions set out in Wis. Stats. §§ [66.1201](#) and [66.1333](#) for housing and redevelopment authorities. As to all housing projects initiated by the Community Development Authority it shall proceed under Wis. Stat. § [66.1201](#). As to all projects relating to blight elimination, slum clearance, urban renewal and redevelopment programs the Community Development Authority shall proceed under Wis. Stats. §§ [66.1105](#), [66.1301](#) to [66.1329](#), [66.1331](#), or [66.1337](#) as determined appropriate by the Village Board on a project by project basis. As to all Community Development Programs and activities undertaken by the Village under the [Federal Housing and Community Development Act of 1974](#), the Community Development Authority shall proceed under all applicable laws and ordinances not inconsistent with the laws of this state. The Community Development Authority shall act as agent of the Village to perform all acts, except the development of the general plan of the Village,

which may be otherwise performed by the plan commission under Wis. Stats. §§ [66.1105](#), [66.1301](#) to [66.1329](#), [66.1331](#) or [66.1337](#).

- d. ***Other Functions.*** In addition to the above duties, the Community Development Authority, as an agent of the Village, shall carry out the following additional functions:
  - 1. Provide oversight and development of the Village’s business and industrial parks which include business recruitment, land sales, grant development, and park design;
  - 2. Provide technical support and counsel in the administration of revolving loans fund for business development; and
  - 3. Recommend policy to the Village Board on the enhancement of Village infrastructure and zoning policy to spur economic growth.
- e. ***Appointment of Members.*** The Village President shall, with the confirmation of the Board, appoint seven (7) resident persons having sufficient ability and experience in the fields of urban renewal, community development and housing, as Commissioners of the Community Development Authority. Two (2) of the Commissioners shall be members of the Board and shall serve during their term of office as Board trustees. The terms of non-Board members shall be four (4) years.
- f. Consider any other matter the Board may refer.
- (e) ***President to designate chairpersons; other appointments.*** The President shall designate the chairperson of each standing committee. All committee appointments except designation of chairperson shall be subject to confirmation by a majority vote of the Board.
- (f) ***Chairperson to designate a Trustee to discharge members’ duties.*** In the absence of a meeting quorum the Chairperson may appoint a Village Trustee to discharge a committee member’s duties.
- (g) ***Term of office.*** Unless otherwise noted, the term of office for each committee shall be for three years, and shall become effective after appointment at the first Village Board meeting in May. Terms of office for Village Trustees shall be one year of their elected term.
- (h) ***Meetings.*** Each standing committee shall meet as necessary to accomplish the responsibilities of each committee. All committee meetings shall convene at the municipal building unless otherwise noticed.

[Ord. of 9-18-2000, § 1; Ord. of 5-21-2001(1), § 1; Ord. of 4-22-2011; Ord. of 12-10-2011; Ord. of 6-21-2013; Ord. of 02-21-2014; Ord. No. 15-007 of 6-16-2015; Amended via Ord. 15-012, 6-17-15; Ord. No. 15-030 of 12-09-2015; Ord. No. 18-001 of 01-20-2018; Ord. No. 18-010 of 03-29-2018; Ord. No. 19-009 of 8-21-2019 ]

**Sec. 2.215. Committee of the whole.**

The president may call for a meeting of the entire board as a committee of the whole for discussion on any matter. The president shall be chairperson of the committee of the whole.

(Ord. of 12-10-2011; Ord. 16-051, 12/22/2016)

**Sec. 2.216. Revolving loan fund committee.**

A revolving loan fund committee is established composed of seven citizen members who shall be responsible for the management of the village's revolving loan program, consistent with state requirements.

(Ord. of 12-10-2011)

**Sec. 2.217. Special committees.**

The president may, from time to time, appoint such special committees as he deems advisable or as provided for by motion or resolution by the board stating the number of members and object thereof to perform such duties as may be assigned to them.

**ARTICLE III OFFICER AND EMPLOYEES\***

**DIVISION 1 GENERALLY**

**Sec. 2.300. Appointive officials.**

- (a) **Term.** All appointive officials, except as otherwise provided, shall hold their office for the term of two years and until their successors are lawfully appointed and qualified.
- (b) **Filling of vacancies.** Vacancies in appointive offices shall be filled by appointment for the residue of the unexpired term by the appointing power and in the manner prescribed in this division for making regular full-term appointments.

- (c) ***Certificate of appointment.*** When an appointive official has filed the oath and bond as required, the village clerk/human resource director shall issue to him a certificate of appointment. If the appointment is to a commission, the appointee shall file the certificate with the secretary of the commission.

(Code 1982, §§ 1.03(2), 1.05(3), 1.06(2); Ord. of 12-10-2011)

**Sec. 2.301. Filling of vacancies.**

A vacancy shall occur in case of the dismissal or death of any official or in case of the removal of any officer from the Village, or when any officer elected or appointed in, for or from any part of the Village shall remove his residence without the limits of such Village, or when any official shall refuse or neglect for 20 days after notice of his election or appointment to qualify and enter upon the discharge of his duties.

(Code 1982, § 1.06(3); Ord. of 12-10-2011)

\* Cross References--Any ordinance setting salaries of village officers and employees or any personnel regulations saved from repeal, § 1.110(13).

DIVISION 2 ADMINISTRATOR

**Sec. 2.302. Appointment, term of office and removal.**

The Village Administrator shall be appointed by a majority vote of the Board on the basis of merit with due regard to training, experience, administrative ability and general fitness for the office. The Village Administrator shall hold office for an indefinite term subject to removal at any time by a majority vote of the Board. This section, however, shall not preclude the Board from establishing other employment terms and conditions not inconsistent with the provisions of this Code or statute.

(Ord. of 7-29-1991, § 1(2, 5); Ord. of 12-10-2011)

**Sec. 2.303. Functions and duties.**

The Village Administrator, subject to the limitations defined in resolutions and ordinances of the Village, statutes and administrative rules, shall be the chief administrative officer of the Village, responsible only to the President and the Board for the proper and efficient administration of the business and affairs of the Village with powers and duties as follows:

- (1) **General duties.**



- a. Be responsible for the administration of all day-to-day operations of the village government, including the monitoring of all ordinances, resolutions, board meeting minutes, statute and administrative rules.
- b. Maintain a plan of administration, including an organization chart, which defines the authority and responsibility for all non-statutory positions of the Village; and submit it to the Board for adoption as the official organization and administrative procedure plan for the Village and make suggestions for amendments and/or changes when needed.
- c. Establish when necessary administrative procedures to increase the effectiveness and efficiency of the village government consistent with current practices in local government and not inconsistent with subsection (1)c. of this section or the directives of the President and Board.
- d. Serve as ex officio nonvoting member of all boards, commissions and committees of the Village, except as specified by the Village Board or statute. Serve as an alternate for the village president, and/or village trustees, and/or other village committee members and representatives on all non- Village, (except the Everest Metro Police Department Joint Finance Committee and the S.A.F.E.R. Board of Directors) boards, commissions, and committees, except as directed by the village board, by-law, or statute.
- e. Keep informed concerning current federal, state and county legislation and administrative rules affecting the Village, and submit appropriate reports and recommendations to the board.
- f. Represent the village in matters involving legislative and intergovernmental affairs as authorized and directed as to that representation by the President and Board.
- g. Act as public information officer for the Village, with the responsibility of assuring that the news media are kept informed about the operations of the Village and that all open meeting rules and regulations are followed.
- h. Establish and maintain procedures to facilitate communications between citizens and village government to assure that complaints, grievances, recommendations and other matters receive prompt attention by the responsible official, and to assure that all such matters are expeditiously resolved.
- i. Promote the economic well-being and growth of the Village through public and private sector cooperation.
- j. The Administrator shall be the head of emergency management services for the Village of Weston per Wis. Stat. § [323.14\(1\)\(b\)\(2\)](#).

(Ord. No. 15-030 of 12-09-2015; Ord. No. 19-004 of 2/21/2019)

**(2) Responsibilities to the Board.**

- a. Carry out all directives of the President and Board that require administrative implementation and make prompt and complete reports to the president and board of any difficulties or problems encountered.
- b. Attend all meetings of the Board, assisting the President and the Board as required in the performance of their duties.
- c. In coordination with the President, the Board, and the village clerk, ensure that appropriate agendas are prepared to all meetings of the board, all board committees, and all other appropriate committees and commissions of the Village, together with such supporting material as may be required, with nothing in this subsection being construed as to give the Village Administrator authority to limit or in any way prevent matters from being considered by the board, or any of its committees and commissions.
- d. Assist in the preparation of ordinances and resolutions as requested by the President or the Board, or as needed.
- e. Keep the President and Board regularly informed about the activities of the Village Administrator's office by oral or written report at regular and special meetings of the board.

(Ord. No. 15-030 of 12-09-2015)

**(3) Personnel.**

- a. Be responsible for the administrative direction and coordination of all employees of the Village according to established organization procedures.
- b. Recommend to the board the hiring, appointment, promotion, and suspension of department heads. Recommend to the board the termination of certain department heads, except for statutory officers.
- c. In consultation with the appropriate department head, be responsible for the hiring, appointment, promotion, and when necessary for the good of the Village, the suspension or termination of employees below the department head level.
- d. Nothing in this section shall preclude an employee from exercising their grievance rights under state law.

- e. Serve as personnel officer for the Village with responsibilities to see that complete and current personnel records, including specific job descriptions, for all village employees are kept; evaluate in conjunction with department heads the performance of all employees on a regular basis; recommend salary and wage scales for village employees not covered by collective bargaining agreements; develop and enforce high standards of performance by village employees; assure that village employees have proper working conditions; work closely with department heads to promptly resolve personnel problems or grievances.
- f. Assist in labor contract negotiations and collective bargaining issues.
- g. Work closely with department heads to assure that employees receive adequate opportunities for training to maintain and improve their job-related knowledge and skills and act as the approving authority for requests by employees to attend conferences, meetings, training schools, etc., provided that funds have been budgeted for these activities.
- h. All duties as so enumerated in the Village of Weston Employee Policy and Procedure Manual as being assigned to the Administrator.

(Ord. No. 15-030 of 12-09-2015; (Ord. No. 18-010 of 03-27-2018)

**(4) Budgeting.**

- a. Be responsible for preparation of the annual village budget in accordance with guidelines as may be provided by the Board, and in coordination with department heads and pursuant to statute, for review and approval by the president and the Board prior to submission to the annual budget hearing.
- b. Administer the budget as adopted by the Village at its annual budget hearing.
- c. Keep informed concerning the availability of federal, state and county funds for local programs. Assist department heads and the board in obtaining these funds under the direction of the president and the board.

(Ord. of 7-29-1991, § 1(4); Ord. of 12-10-2011; Ord. No. 15-030 of 12-09-2015)

**Sec. 2.304. Cooperation.**

All officials, employees and the Administrator of the Village shall cooperate with one another so that the village government shall function effectively and efficiently.

(Ord. of 7-29-1991, § 1(5); Ord. of 12-10-2011)

**Sec. 2.305. Compensation.**

The Village Administrator shall receive such compensation as the Board shall prescribe.

(Ord. of 7-1-1991, § 1(5)(c); Ord. of 12-10-2011)

**Sec. 2.306. Residency.**

Refer to Section 2.303(1)(j).

(Ord. of 7-29-1991, § 1(3); Ord. of 12-10-2011; Ord. No. 15-030 of 12-09-2015)

DIVISION 3 CLERK/EMPLOYEE RESOURCE MANAGER

**Sec. 2.307. Appointment.**

Pursuant to Wis. Stat. § [61.197\(1\)](#), the combined position of Village Clerk/Employee Resources Manager shall be through the appointment of a person by a majority of the members of the Board and for the term specified in Wis. Stat. § [61.23\(1\)](#).

(Ord. of 9-17-1996, § 1(a); Ord. of 12-10-2011; Ord. No. 18-010 of 03-27-2018)

**Sec. 2.308. Duties.**

The Village Clerk/Employee Resources Manger shall have those duties as provided by statute and this Code.

(Ord. of 9-17-1996, § 1(b); Ord. of 12-10-2011; Ord. No. 18-010 of 03-27-2018)

**Sec. 2.309. Compensation.**

The Village Clerk/Employee Resources Manager shall receive such compensation as the Board shall prescribe and pursuant to the provisions of this Code.

(Ord. of 9-17-1996, § 1(c); Ord. of 12-10-2011; Ord. No. 18-010 of 03-27-2018)

DIVISION 4 FINANCE DIRECTOR/TREASURER

**Sec. 2.310. Appointment.**

Pursuant to Wis. Stat. § [61.197\(1\)](#), the combined position of Village Finance Director/Treasurer shall be through the appointment of a person by a majority of the members of the Board and for the term specified in Wis. Stat. § [61.23\(1\)](#).

(Ord. of 9-17-1996, § 1(a); Ord. of 12-10-2011)

**Sec. 2.311. Duties.**

- a. Report regularly to the Board on the current fiscal position of the village.
- b. Supervise the accounting system of the Village and ensure that the system employs methods in accordance with current professional accounting practices.
- c. In consultation with the appropriate department heads, serve as the purchasing agent for the Village, supervising all purchasing and contracting for supplies and services, subject to the purchasing procedures established by the Board and any limitation contained in statute.
- d. The Village Finance Director/Treasurer shall have those duties as provided by statute and this Code.

(Ord. of 9-17-1996, § 1(b); Ord. of 12-10-2011; Ord. No. 15-030 of 12-09-2015)

**Sec. 2.312. Compensation.**

The Village Finance Director/Treasurer shall receive such compensation as the Board shall prescribe and pursuant to the provisions of this Code.

(Ord. of 9-17-1996, § 1(c); Ord. of 12-10-2011)

**Sec. 2.313. Receipts and earnings.**

Whenever any village officer or employee is required to turn over any receipts or earnings to the Village Finance Director/Treasurer monthly, such funds received by him during the month shall be turned over on or before the tenth day of the succeeding calendar month.

(Code 1982, § 1.25; Ord. of 12-10-2011)

## DIVISION 5 ASSESSOR

### **Sec. 2.314. Appointment.**

The Village Assessor shall be appointed by the Board.

(Code 1982, § 1.02(2)(a); Ord. of 12-10-2011)

**State Law References**--Selection of officers, Wis. Stat. § [61.197\(1\)](#).

### **Sec. 2.315. Compensation.**

The Village Assessor shall receive such compensation as the Board shall prescribe.

(Code 1982, § 1.02(2)(b); Ord. of 12-10-2011)

## DIVISION 6 ATTORNEY

### **Sec. 2.316. Appointment.**

The Village Attorney shall be appointed by the Board. The attorney need not be a resident of the Village.

(Code 1982, § 1.02(1)(a); Ord. of 12-10-2011)

### **Sec. 2.317. Compensation.**

The Village Attorney shall receive such compensation as the Board shall prescribe.

(Code 1982, § 1.02(1)(b); Ord. of 12-10-2011)

## DIVISION 7 DIRECTOR OF PUBLIC WORKS AND UTILITIES

### **Sec. 2.318. Appointment.**

The Village Director of Public Works and Utilities shall be appointed by the Board.

(Code 1982, § 1.02(3)(a); Ord. of 12-10-2011)

**Sec. 2.319. Qualifications/Duties**

- (1) **Qualifications.** The Village Director of Public Works and Utilities shall be a registered professional civil engineer licensed to practice in the state at the time of his employment or within six months thereafter. He shall also have had practical engineering experience aggregating at least five years, not less than two of which shall have been in the field of municipal engineering or public works management.
- (2). **Duties.** In addition to other duties as shall from time to time be determined by the Village Board, the Director of Public Works shall supervise the operation and maintenance of the stormwater facilities and all appurtenant structures connected to the system.

(Code 1982, § 1.02(3)(b); Ord. of 3-15-04; Ord. of 12-10-2011)

**Sec. 2.320. Compensation.**

The Village Director of Public Works and Utilities shall receive such compensation and expense allowance as the Board shall prescribe.

(Code 1982, § 1.02(3)(c); Ord. of 12-10-2011)

**ARTICLE IV BOARD OF REVIEW\***

**Sec. 2.400. Adoption of statutes.**

The duties and functions of the Village Board of Review shall be as prescribed by statute, particularly as set forth in Wis. Stat. §§ [70.46](#) and [70.47](#).

(Code 1982, § 1.13(5); Ord. of 12-10-2011)

**Sec. 2.401. How constituted.**

The Trustees of the Village shall comprise the Village Board of Review.

(Code 1982, § 1.13(1); Ord. of 12-10-2011)

**Sec. 2.402. Clerk.**

The Village Clerk/Human Resource Director shall be the village clerk of the Board of Review and keep an accurate record of all proceedings.

(Code 1982, § 1.13(2); Ord. of 12-10-2011)

**Sec. 2.403. Compensation.**

The members of the Board of Review, except members who are full-time employees or officers of the Village, shall receive such compensation as shall be established by the board. It shall be the duty of the Village Assessor to attend the sessions of the Board of Review.

(Code 1982, § 1.13(3); Ord. of 12-10-2011)

\* Cross References--Taxation and Special Assessments, Chapter 78.  
State Law References--Boards of review generally, Wis. Stat. § [70.46](#).

**Sec. 2.404. Time and place of meetings.**

The Board of Review shall meet annually on the second Monday of May at the municipal center. The board shall proceed as outlined in Wis. Stat. § [70.47](#).

(Code 1982, § 1.13(4); Ord. of 12-10-2011)

**Sec. 2.405. Confidentiality of Income and Expense Records.**

**TITLE AND PURPOSE**

This ordinance is entitled Village of Weston Ordinance Relating to Confidentiality of Income and Expense Records. The purpose of this ordinance is to provide confidentiality of the records of taxpayers who provide income and expense record information to the Village Assessor under Wis. Stat. § [70.47\(7\)\(af\)](#), and to exempt that information from being subject to the right of inspection or copying as a public record under Wis. Stat. § [19.35\(1\)](#).

**AUTHORITY**

The Village Board of the Village of Weston, Marathon County, Wisconsin, has the specific authority under Wis. Stat. § [70.47\(7\)\(af\)](#), to provide confidentiality to taxpayers of certain income and expense records provided to the Village Assessor by those taxpayers for purposes of valuation of real property in the Village of Weston, owned by those taxpayers.

**ADOPTION OF ORDINANCE**

This ordinance, adopted by a majority of the Village Board on a roll call vote with a quorum present and voting and proper notice having been given, adopts by reference Wis. Stat. § [70.47\(7\)\(af\)](#), providing for the confidentiality of information regarding income and expenses.



## ADOPTION BY REFERENCE AND CONFIDENTIALITY REQUIREMENT

Wis. Stat. § [70.47\(7\)\(af\)](#), is adopted by reference. Income and expense information provided by a property owner to the Village Assessor for the purpose of establishing valuation for assessment purposes by the income method of valuation shall be confidential and not a public record open to inspection or copying under Wis. Stat. § [19.35\(1\)](#). Unless a court determines that the information is inaccurate, the information provided to the assessor is not subject to the right of inspection or copying as a public record under Wis. Stat. § [19.35\(1\)](#).

## EXCEPTIONS TO CONFIDENTIALITY

A Village officer in the Village of Weston may make public disclosure or allow access to income and expense information provided by a property owner to the Village Assessor for the purpose of establishing valuation for assessment purposes by the income method of valuation in his or her possession as provided below:

- A. The Village Assessor shall have access to the provided income and expense information in the performance of his or her duties.
- B. The Board of Review may review the provided income and expense information when needed, in its opinion, to decide upon a contested assessment.
- C. Any person or body who has the right or whose duty in his or her office is to review the provided income and expense information shall have access to the information.
- D. A Village officer who is complying with a court order may release the provided income and expense information in accordance with the court's order.
- E. If the provided income and expense information has been determined by a court to be inaccurate, the information is open and public.
- F. If the property owner has provided written approval for public disclosure or limited disclosure to that person, and the Village Board of the Village of Weston has approved the disclosure, the provided income and expense information is open and public to the extent approved.

## PENALTY PROVISIONS

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 \$500 nor more than \$1,000, 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 Village Board may seek injunctive relief from a court of record to enjoin further violations.

## SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

(Ord. of 7-21-2011; Ord. of 12-10-2011)

## ARTICLE V PUBLIC RECORDS

### Sec. 2.500. Definitions.

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

**Authority** - means any of the following Village entities having custody of a Village record: an office, Village official, agency, board, commission, committee, department or public body corporate and politic created by constitution, resolution, law, ordinance, rule or order; or a formally constituted subunit of the foregoing.

**Custodian** - means that officer, department head, division head, or employee of the Village designated under Sec. 2.502 or otherwise responsible by law to keep and preserve any Village records or file, deposit or keep such records in his or her office, or is lawfully in possession or entitled to possession of such public records and who is required by this section to respond to requests for access to such records.

**Record** - means any material on which written, drawn, printed, spoken, visual, or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. A record includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), computer printouts and optical disks. A record does not include drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent or bequest; and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.

### Sec. 2.501. Duty to Maintain Records.

- (a) Except as provided under Sec. 2.506, each officer and employee of the Village shall safely keep and preserve all records received from his or her predecessor or other persons and required by law to be filed, deposited or kept in his or her office or which are in the lawful possession or control of the officer or employee or his or her deputies, or to the possession or control of which he or she or they may be lawfully entitled as such officers or employees.
- (b) Upon the expiration of an officer's term of office or an employee's term of employment, or whenever the office or position of employment becomes vacant, each such officer or employee shall deliver to his or her successor all records then in his or her custody and the successor shall receipt therefore to the officer or employee, who shall file said receipt with the Village clerk. If a vacancy occurs before a successor is selected or qualifies, such records shall be delivered to and receipted for by the clerk, on behalf of the successor, to be delivered to such successor upon the latter's receipt.

(Ord. of 12-10-2011)

**Sec. 2.502. Legal Custodian(s).**

- (a) The Village Clerk, or in his/her absence or disability or in the case of vacancy, the Deputy Clerk, is hereby designated the legal custodian of all Village records.
- (b) Unless otherwise prohibited by law, the Village clerk or the clerk's designee shall act as legal custodian for the Village Board and for any committees, commissions, boards, or other authorities created by ordinance or resolution of the Village Board.
- (c) For every authority not specified in (a) or (b) of this subsection (c), the authority's chief administrative officer is the legal custodian for the authority, but the officer may designate an employee of his or her staff to act as the legal custodian.
- (d) Each legal custodian shall name a person to act as legal custodian in his or her absence or the absence of his or her designee.
- (e) The legal custodian shall have full legal power to render decisions and to carry out the duties of an authority under Wis. Stat. § [19.21 et seq.](#), and this article. The designation of a legal custodian does not affect the powers and duties of an authority under this article.

(Ord. of 12-10-2011)

**Sec. 2.503. Public Access to Records.**

- (a) Except as provided under Sec. 2.505, any person has a right to inspect a record and to make or receive a copy of any record as provided in Wis. Stat. § [19.35\(1\)](#).
- (b) Records will be available for inspection and copying during all regular office hours.
- (c) If regular office hours are not maintained at the location where records are kept, the records will be available for inspection and copying upon at least 48 hours' advance notice of intent to inspect or copy.
- (d) A requester shall be permitted to use facilities comparable to those available to Village employees to inspect copy or abstract a record.
- (e) The legal custodian may require supervision during inspection or may impose other reasonable restrictions on the manner of access to an original record if the record is irreplaceable or easily damaged.
- (f) A requester shall be charged a fee to defray the cost of locating and copying records as follows:
  - (1) The cost of photocopying shall be twenty-five cents per page. Said cost has been calculated not to exceed the actual, necessary and direct cost of reproduction.
  - (2) If the form of a written record does not permit copying, the actual and necessary cost of photographing and photographic processing shall be charged.
  - (3) The actual full cost of providing a copy of other records not in printed form on paper, such as films, computer printouts and audio or videotapes, shall be charged.
  - (4) If mailing or shipping is necessary, the actual cost thereof shall also be charged.
  - (5) There shall be no charge for locating a record unless the actual cost therefore exceeds fifty dollars, in which case the actual cost shall be determined by the legal custodian and billed to the requester.

- (6) The legal custodian shall estimate the cost of all applicable fees and may require a cash deposit adequate to assure payment if such estimate exceeds \$50.
- (7) Elected and appointed officials of the Village shall not be required to pay for public records they may reasonably require for the proper performance of their official duties.
- (8) The legal custodian may provide copies of a record without charge or at a reduced charge where he or she determines that waiver or reduction of the fee is in the public interest.
- (g) Pursuant to Wis. Stat. § [19.34](#), and the guidelines therein listed, each authority shall adopt, prominently display and make available for inspection and copying at its offices, for the guidance of the public, a notice containing a description of its organization and the established times and places at which, the legal custodian from whom, and the methods whereby, the public may obtain information and access to records in its custody, make requests for records, or obtain copies of records, and the costs thereof.

(Ord. of 12-10-2011)

**Sec. 2.504. Access Procedures.**

- (a) A request to inspect or copy a record shall be made to the legal custodian. A request shall be deemed sufficient if it reasonably describes the requested record or the information requested. However, a request for a record without a reasonable limitation as to subject matter or length of time represented by the record does not constitute a sufficient request. A request may be made orally, but a request must be in writing before an action to enforce the request is commenced under Wis. Stat. § [19.37](#). Except as provided below, no request may be refused because the person making the request is unwilling to be identified or to state the purpose of the request. No request may be refused because the request is received by mail, unless prepayment of a fee is required under Subsection 2.503(f)(6). A requester may be required to show acceptable identification whenever the requested record is kept at a private residence or whenever security reasons or federal law or regulations so require.
- (b) Each custodian, upon request for any record, shall, as soon as practicable and without delay, either fill the request or notify the requester of the authority's determination to deny the request in whole or in part and the reasons therefor. If the legal custodian,

after conferring with the Village Attorney, determines that a written request is so general as to be unduly time consuming, the party making the request may first be required to itemize his or her request in a manner which would permit reasonable compliance.

- (c) A request for a record may be denied as provided in Sec. 2.505. If a request is made orally, the request may be denied orally unless a demand for a written statement of the reasons denying the request is made by the requester within five business days of the oral denial. If a written request is denied in whole or in part, the requester shall receive a written statement of the reasons for denying the request. Every written denial of a request shall inform the requester that if the request for the record was made in writing, then the determination is subject to review upon petition for a writ of mandamus under Wis. Stat. § [19.37\(1\)](#), or upon application to the Attorney General or a district attorney.

(Ord. of 12-10-2011)

**Sec. 2.505. Limitations on Right to Access.**

- (a) As provided by Wis. Stat. § [19.36](#), the following records are exempt from inspection under this section:
  - (1) Records specifically exempted from disclosure by state or federal law or authorized to be exempted from disclosure by state law;
  - (2) Any record relating to investigative information obtained for law enforcement purposes if federal law or regulations require exemption from disclosure or if exemption from disclosure is a condition to receipt of aids by the state;
  - (3) Computer programs, although the material used as input for a computer program or the material produced as a product of the computer program is subject to inspection; and
  - (4) A record or any portion of a record containing information qualifying as a common law trade secret.
- (b) As provided by Wis. Stat. § [43.30](#), public library circulation records are exempt from inspection under this section.

- (c) In responding to a request for inspection or copying of a record which is not specifically exempt from disclosure, the legal custodian, after conferring with the Village Attorney, may deny the request, in whole or in part, only if he or she determines that the harm to the public interest resulting from disclosure would outweigh the public interest in full access to the requested record. Examples of matters for which disclosure may be refused include, but are not limited to, the following:
- (1) Records obtained under official pledges of confidentiality which were necessary and given in order to obtain the information contained in them;
  - (2) Records of current deliberations after a quasi-judicial hearing;
  - (3) Records of current deliberations concerning employment, dismissal, promotion, demotion, compensation, performance, or discipline of any Village officer or employee, or the investigation of charges against a Village officer or employee, unless such officer or employee consents to such disclosure;
  - (4) Records concerning current strategy for crime detection or prevention;
  - (5) Records of current deliberations or negotiations on the purchase of Village property, investing of Village funds, or other Village business whenever competitive or bargaining reasons require nondisclosure;
  - (6) Financial, medical, social or personal histories or disciplinary data of specific persons which, if disclosed, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such history or data;
  - (7) Communications between legal counsel for the Village and any officer, agent or employee of the Village, when advice is being rendered concerning strategy with respect to current litigation in which the Village or any of its officers, agents or employees is or is likely to become involved, or communications which are privileged under Wis. Stat. § [905.03](#).
- (d) If a record contains information that may be made public and information that may not be made public, the custodian of the record shall provide the information that may be made public and delete the information that may not be made public from the record before release. The custodian shall confer with the Village Attorney prior to releasing any such record and shall follow the guidance of the Village Attorney when separating out the exempt material. If in the judgment of the custodian and the

Village Attorney there is no feasible way to separate the exempt material from the nonexempt material without unreasonably jeopardizing nondisclosure of the exempt material, the entire record shall be withheld from disclosure.

(Ord. of 12-10-2011)

**Sec. 2.506. Destruction of Records.**

- (a) Village officers may destroy the following nonutility financial records of which they are the legal custodians and which are considered obsolete, after completion of any required audit by the bureau of municipal audit or an auditor licensed under Wis. Stats. [Chapter 442](#), but not less than seven years after payment or receipt of any sum involved in the particular transaction, unless a shorter period has been fixed by the State Public Records Board pursuant to Wis. Stat. § [16.61\(3\)\(e\)](#), and then after such shorter period:
- (1) Bank statements, deposit books, slips and stubs;
  - (2) Bonds and coupons after maturity;
  - (3) Canceled checks, duplicates and check stubs;
  - (4) License and permit applications, stubs and duplicates;
  - (5) Payrolls and other time and employment records of personnel included under the Wisconsin Retirement Fund;
  - (6) Receipts;
  - (7) Vouchers, requisitions, purchase orders and all other supporting documents pertaining thereto;
  - (8) Special assessment records, after final payment is made.
  - (9) General Assessment rolls and related records, including board of review minutes.
  - (10) Municipal contracts and papers relating thereof.
  - (11) Insurance policies.



- (b) Village officers may destroy the following utility records of which they are the legal custodians and which are considered obsolete after completion of any required audit by the bureau of municipal audit or an auditor licensed under Wis. Stat. [Chapter 442](#), subject to State Public Service Commission regulations, but not less than seven years after the record was effective unless a shorter period has been fixed by the State Public Records Board pursuant to Wis. Stat. § [16.61\(3\)\(e\)](#), and then after such a shorter period, except that water stubs, receipts of current billings and customers' ledgers may be destroyed after two years:
- (1) Water and sewer stubs and receipts of current billings;
  - (2) Customer's ledgers;
  - (3) Vouchers and supporting documents pertaining to charges not included in plant accounts;
  - (4) Other utility records with the written approval of the State Public Service Commission.
- (c) Village officers may destroy the following records of which they are the legal custodian and which are considered obsolete, but not less than seven years after the record was effective unless another period has been set by statute, and then after such a period, or unless a shorter period has been fixed by the State Public Records Board pursuant to Wis. Stat. § [16.61\(3\)\(e\)](#), and then after such a shorter period:
- (1) Assessment rolls and related records, including board of review minutes;
  - (2) Contracts and papers relating thereto;
  - (3) Correspondence and communications;
  - (4) Financial reports other than annual financial reports;
  - (5) Insurance policies;
  - (6) Justice dockets;
  - (7) Oaths of office;

- (8) Reports of boards, commissions, committees and officials duplicated in the official council minutes;
  - (9) Resolutions and petitions;
  - (10) Voter record cards.
- (d) Unless notice is waived by the State Historical Society, at least sixty days' notice shall be given the State Historical Society prior to the destruction of any record as provided by Wis. Stat. § [19.21\(4\)\(a\)](#).
- (e) Any tape recordings of a governmental meeting of the Village may be destroyed, erased or reused no sooner than ninety days after the minutes of the meeting have been approved and published, if the purpose of the recording was to make minutes of the meeting.

(Ord. of 12-10-2011)

**Sec. 2.507. Preservation Through Microfilm.**

Any Village officer or the director of any department or division of Village government may keep and preserve public records in his or her possession by means of microfilm or other photographic reproduction method. Such records shall meet the standards for photographic reproduction set forth in Wis. Stat. § [16.61\(7\)\(a\)](#) and [\(b\)](#), and shall be considered original records for all purposes. Such records shall be preserved along with other files of the department or division and shall be open to public inspection and copying according to the provisions of state law and of sections Secs. 2.503 through 2.505 of this Chapter.

(Ord. of 12-10-2011)

**Sec. 2.508. Records Retention.**

**WISCONSIN MUNICIPAL RECORDS RETENTION SCHEDULE**

**UTILITY RECORDS (Sewer, Water & Electric)**

Refer to Sec. 2.506(b) Destruction of Records.

**WORK PERMITS** - Until Child turns 21.

**SALES & USE TAX RETENTION**

Returns, schedules, work papers, etc. - 6 years.

## **REAL PROPERTY RECORDS RETENTION**

Deeds – Permanent.

Opinions of title – Permanent.

Abstracts and certificates of title – Permanent.

Title insurance policies – Permanent.

Plats – Permanent.

Easements – Permanent.

Leases - 7 years after termination of lease and destroy.

Vacation or alteration of plat – Permanent.

## **ASSESSMENT RECORDS RETENTION**

Final assessment roll – Permanent.

Personal property blotters - 7 Years.

Assessment workroll - 2 Years.

Assessment property cards - Until superseded.

## **ACCOUNTING DOCUMENTS**

### **ACCOUNTS PAYABLE RETENTION**

Purchase invoices - 7 years and destroy provided record has been audited.

Vouchers - 7 years and destroy provided record has been audited.

### **ACCOUNTS RECEIVABLE RETENTION**

Accounts receivable invoices - 7 years and destroy provided record has been audited.

Receipts - 7 years and destroy provided record has been audited.

Collection blotters - 1 year after audit and destroy.

### **JOURNALS, REGISTERS & LEDGER RETENTION**

Receipts journal - 15 years and destroy.

Voucher/order registers - 15 years and destroy.

General journal - 15 years and destroy.

Journal voucher - 15 years and destroy.

Appropriation journal - 15 years and destroy.

Appropriation journal voucher - 15 years and destroy.

General ledger - 15 years and transfer to the State Historical Society for preservation with authority to weed.

Trial Balance - Until audited and destroy.

### **PAYROLL RETENTION**

Payroll support records - 2 years and destroy provided the record has been audited

Employee's withholding allowance certificate - 5 years after being superseded and destroy.

Employee's Wisconsin withholding exemption certificate - 5 years after being superseded and destroy.

Employee enrollment and waiver cards - 2 years after being superseded or terminated and destroy.

Employee earning records - 5 years and destroy.

Payroll check register - 5 years and destroy provided record has been audited.

Payroll distributing record - 5 years and destroy provided record has been audited.

## **PAYROLL RETENTION**

Payroll voucher - 5 years and destroy provided record has been audited.

Canceled payroll checks - 5 years and destroy provided record has been audited.

Wage and tax statement - 5 years and destroy provided record has been audited.

Report of Wisconsin income tax withheld - 5 years and destroy provided record has been audited.

Employer's annual reconciliation of Wisconsin income tax withheld from wages - 5 years and destroy provided record has been audited.

Federal deposit tax stubs - 5 years and destroy provided record has been audited.

Quarterly report of federal income tax withheld - 5 years and destroy provided record has been audited.

Annual report of federal income tax withheld - 5 years and destroy.

State's quarterly report of wages paid - 5 years and destroy provided record has been audited.

Monthly memorandum report - 5 years and destroy provided record has been audited.

Quarterly report, payroll summary - 5 years and destroy provided record has been audited.

Premium due notices - 5 years and destroy provided record has been audited.

## **PURCHASING RETENTION**

Purchase requisitions - 1 year after purchase order issued.

Purchase orders - 7 years and destroy.

Receiving report - 7 years and destroy.

Bids, successful - 7 years after the contract has expired and destroy.

### **PURCHASING RETENTION**

Bids, unsuccessful - 1 year after purchase order issued.

Inventory of property - Retain until superseded and destroy.

### **BUDGETS AND AUDITS RETENTION**

Budget worksheets - 3 years and destroy.

Minutes of the board of estimates – Permanent.

Final budget – Permanent.

Audit reports – Permanent.

### **SPECIAL ASSESSMENTS RETENTION**

Preliminary resolution - 2 years and destroy provided a copy of the report is on file with the public works project records.

Report on special assessment notice and hearing - 2 years and destroy provided a copy of the report is on file with the public works project records.

Waiver of special assessment notice and hearing - 1 year and destroy, or retain 1 year after the final audit resolution is approved and destroy.

Final resolution – Permanent.

Certified special assessment roll - Retain until all assessments are collected or for 7 years whichever is longer.

Statement of new special assessments - 5 years and destroy provided record has been audited.

Special assessment payment register - Retain until all assessments are collected or for 7 years, whichever is longer.

## **BOARD OF REVIEW RETENTION**

Form of objection to property assessment and supporting documentation - 7 years after the final action of the Board of Review or the completion of appeal and destroy.

Minutes book of Board of Review - 7 years and then transfer to the state historical society for preservation with authority to weed.

Proceeding of the Board of Review on audio tapes or as stenographic notes including any transcriptions thereof - 7 years after the final action of the Board of Review or the completion of appeal and destroy.

Notice of determinations of the Board of Review - 7 years after the final action of the Board of Review or the completion of appeal and destroy.

## **TAX CALCULATION RETENTION**

Tax levy certification of the school district clerk - 3 years and destroy provided the record has been audited.

Certificates of apportionment - 3 years and destroy provided the record has been audited.

State shared aid payment notices, any and all - Retain 6 years and destroy provided record has been audited.

Final worksheet for determining allowable levy - 5 years and destroy provided record has been audited.

Statement of taxes - Retain final copy permanently.

Statement of new special assessments - 5 years and destroy provided record has been audited.

Statement of sewer service charges - 5 years and destroy provided record has been audited.

General property tax credit certification - 5 years and destroy provided record has been audited.

Explanation of property tax credit certification - 5 years and destroy provided record has been audited.

Real property tax roll - This record is transferred to the County Treasurer.

Personal property tax roll - Retain 15 years and then transfer to the state historical society for preservation with authority to weed.

## **TAX COLLECTION RETENTION**

Escrow account list Retain until superseded and destroy.

Receipts For cities and villages - retain 7 years and destroy provided record has been audited.  
For towns, - retain 15 years and destroy.

Receipt stub book - 7 years and destroy provided record has been audited.

Tax collection blotters - Retain until audited and destroy.

Statement of taxes remaining unpaid - Retain with the tax roll.

Tax settlement receipt - 5 years and destroy provided record has been audited.

Municipal treasurer's settlement - 5 years and destroy provided record has been audited.

Personal property tax roll - 15 years and then transfer to the state historical society for preservation with authority to weed.

## **LICENSES AND PERMITS RETENTION**

Applications accepted and rejected.

All liquor and beer related license applications - 4 years and destroy.

All other license applications - 3 years and destroy.

Receipts - 7 years and destroy.

License stubs All liquor and beer related license stubs - 4 years. All other stubs 3 years and destroy.

Cat and dog licenses monthly reported to county clerk (by treasurer) - 3 years and destroy.

## **MUNICIPAL BORROWING RETENTION**



Bond procedure record - 7 years after bond issue expires and destroy.

Bond register - 7 years after bond issue expires and destroy.

Bond payment register - 7 years after bond issue expires or following payment of all outstanding matured bonds/notes/coupons, whichever is later, and destroy.

Canceled bonds, coupons, and promissory notes - until audited and destroy.

Certificates of destruction - 7 years after bond issue expires or following payment of all outstanding matured bonds/notes/coupons, whichever is later, and destroy.

### **FIDELITY BOND RETENTION**

Fidelity bond - 5 years after bond expires and destroy.

Fidelity bond book - 5 years after last bond entered expires and destroy.

Oath of office - 5 years after the term of service covered by the oath has ended and destroy.

### **LEGAL OPINIONS RETENTION**

Legal opinions – Permanent.

### **VOTERS, CAMPAIGN & ELECTION RECORDS RETENTION**

Active registration cards - Retain the active file as long as current.

Canceled registration cards - 4 years after cancellation and destroy.

Poll list and registry list - 2 years after nonpartisan primary or election, 4 years after partisan primary or election.

Nomination papers - 90 days after the election and destroy.

Certificate listing candidates nominated by caucus - 90 days after the election and destroy.

Campaign registration statements (EB-1) - 6 years and destroy.

Campaign financial reports (EB-2) - 6 years and destroy.

Election notices in cities and villages - 90 days after the election and destroy.

Election notices in towns - 1 year after the date of the election and destroy. If the election is contested - retain one year after the contest has been settled and destroy.

Applications for absentee ballots - 90 days after the election and destroy provided applications for federal elections are retained 22 months and destroy.

Paper ballots and voting machine recorders local elections - 90 days after the election and destroy.

Voting machine recorders may be reactivated 14 days following a primary or 60 days following a spring or general election.

Tally sheets Local elections - 90 days after the election and destroy.

Inspector's statement of defective and challenged ballots Local elections - 90 days after the election and destroy.

Ballots, voting machine records, tally sheets, inspector statement of defective and challenged.

Ballots federal elections - Retain for 22 months and destroy.

## **ENGINEERING AND PUBLIC WORKS RETENTION**

Field notes – Permanent.

Benchmark books – Permanent.

Section corner monument logs – Permanent.

Aerial photographs - Retain until superseded and destroy.

Village map – Permanent

Water, storm, and sanitary sewer main maps – Permanent.

Profile and grade books – Permanent.

Excavation plans of private utilities – Permanent.

Index to maps – Permanent.

Preliminary subdivision plats - Retain until superseded by the final plat and destroy.

Final subdivision plats – Permanent.

Annexation plats – Permanent

Assessor's plats – Permanent.

Structure plans for municipal buildings and bridges - Retain for life of the structure and then transfer to the state historical society for preservation with authority to weed.

Annual reports – Permanent.

Records of the board of public works (includes minutes of the meetings of the board and supporting documents submitted to the board) – Permanent.

Records of the plan commission (includes minutes of the meetings of the board and supporting documents submitted to the board) – Permanent.

Records of the zoning board of appeals (includes minutes of the meetings of the board and supporting documents submitted to the board) – Permanent.

House number and address change file – Permanent.

Street vacations and dedications, copies - Retain for active reference life and destroy.

Permits (include permits for the excavation of streets by private utility companies) -3 years and destroy.

Petitions for street and sewer systems - 2 years and destroy.

Special assessment calculations - 2 years and destroy

TV sewer inspections records - Retain until superseded and destroy.

State highway aids program records - 7 years and destroy provided the record has been audited.

## **PUBLIC WORKS PROJECTS & CONTRACTS RETENTION**

Notice to contractors - Retain in the contract file 7 years after completion of the project and destroy. For unsuccessful bidders - retain 2 years and destroy.

Certified check - Retain until the contract has been signed and return to bidder.

Bid bond - Retain in the contract file 7 years after completion of the project and destroy. For unsuccessful bidders - retain 2 years and destroy.

Bidder's proof of responsibility - Retain in the contract file 7 years after completion of the project and destroy. For unsuccessful bidders - retain 2 years and destroy.

Bids - Retain in the contract file 7 years after completion of the project and destroy. For unsuccessful bidders - retain 2 years and destroy.

Affidavit of organization and authority - Retain in the contract file 7 years after completion of the project and destroy. For unsuccessful bidders - retain 2 years and destroy.

Performance bond - Retain in the contract file 7 years after completion of the project and destroy.

Contract - Retain in the contract file 7 years after completion of the project and destroy.

Master project files - retain 20 years and destroy provided the files of architecturally or culturally significant projects are offered to the state historical society.

Blue prints - Retain until superseded by the as-built tracings and destroy.

As-build tracings - Retain for the life of the project and destroy provided the tracings of architecturally or culturally significant projects are offered to the state historical society.

## **STREETS AND HIGHWAYS RETENTION**

Street operations file - 2 years after created or superseded and destroy.

Street and sidewalk maintenance and repair records - 25 years and destroy.

Tree planting, inspection, trimming and removal records - 25 years and destroy.

Stock control records - 2 years after created or superseded and destroy.

Fuel usage reports - 2 years after created or superseded and destroy.

Heavy equipment and vehicle inventory ledger - Retain for the life of the equipment and/or vehicle or until the inventory ledger is superseded and destroy.

Vehicle maintenance histories - Retain for the life of the vehicle and destroy.

Vehicle expense reports - Retain for the life of the vehicle and destroy.

Payroll support records - 2 years and destroy.

Purchasing records - 7 years and destroy provided the record has been audited.

Complaint ledger - 2 years and destroy.

Monthly reports - 2 years and destroy.

Annual reports - Retain permanently.

## **PARKS RETENTION**

Master park plan - Retain permanently.

Plats - Retain permanently.

Aerial photographs - Retain permanently.

Supervisor's daily report of work completed - 2 years and destroy.

Payroll support records - 2 years and destroy provided record has been audited.

Reservation requests - 30 days and destroy. If payment receipts are attached, retain - 7 years and destroy provided record has been audited.

Master reservation book - 2 years and destroy.

Records of the park and recreation committee (includes minutes of the meetings of the board and supporting documents submitted to the board) - Retain permanently.

## **BUILDING PERMITS AND INSPECTIONS RETENTION**

Application and permits - For life of structure.

Code compliance inspection reports - For life of structure.

Inspection address file - For life of structure.

Certificates of occupancy - Retain until superseded and destroy.

Energy calculation worksheets - 3 years and destroy.

State approved commercial building plans - 4 years and destroy. Plans for structures and significant remodeling should be transferred to the state historical society for preservation with authority to weed.

Permit fee receipts - 7 years and destroy provided record has been audited.

Permit ledger - 7 years and destroy.

Village attorney's case file - copy 1 year after the case has been closed and destroy.

Quarter section maps, copies - Retain until superseded and destroy.

Records of the building board of appeals (including minutes of the meetings of the board and supporting documents submitted to the board) - Permanent. Retain office reference copies 5 years and destroy.

Records of the zoning board of appeals (includes minutes of the meetings of the board and supporting documents submit to the board) - Permanent. Retain office reference copies 5 years and destroy.

Records of the plan commission (including minutes of the meetings of the commission and supporting documents submitted to the commission) - Retain permanently.

Sign code advisory committee minutes – Permanent.

## **SANITATION AND CONSUMER PROTECTION RETENTION**

Public swimming pool survey reports, campgrounds and camping survey reports, mobile home park survey reports, recreational and education camp survey reports, restaurant and tavern survey reports, hotels, motels, tourists rooms, and rooming houses survey reports, retain dairy case and milk products reports, retail and wholesale food establishment reports, nursing home survey reports, and vending machine survey reports - 5 years and destroy.

Restaurant license applications - 3 years and destroy.

Retail dairy products licenses - 3 years and destroy.

Food handling and sale permits - 3 years and destroy.

Septic tank permits – Permanent.

Open air burning permits - 6 months and destroy.

Weights and measures, field test reports and package weighting reports - 3 years and destroy.

Complaints and follow-up reports - 5 years from the date the complaint was resolved and destroy.

Utility disconnections in private residence investigation reports - 3 years and destroy.

Request to declare a medical emergency - 3 years and destroy.

## **COMMITTEE, BOARD & COUNCIL RECORDS RETENTION**

Minutes of any kind - Retain permanently.

Audio tapes - Retain one year and destroy or erase tape, 90 days if made only for the purpose of writing the minutes.

Ordinances, resolutions - Retain permanently.

Ordinance book - Retain permanently.

Affidavits of publication - Retain 3 years and destroy provided affidavits of publication of ordinance are maintained permanently in the ordinance book.

All other records - Minimum period seven (7) years.

A NOTE ON RECORDS RETENTION: The State Historical Society no longer has facilities to house records you do not have space for. Heretofore, it was possible to store your permanent records with them. Now if a record is to be retained by your municipality permanently it is incumbent upon your municipality to find a place in which to store it. Wis. Stat. § [19.21\(4\)](#) now offers a method of destroying records which no longer have to be retained without the need to notify the Historical Society each time you destroy such records. This is accomplished by adopting a Records Retention Schedule and an Ordinance approved by them. Contact the State Historical Society for further information. The Schedule herein (for copyright reasons) is not in the format they wish you to use.

NOTE OF CAUTION: In spite of (and notwithstanding) this retention schedule, if the records you are considering to discard have anything to do with a state or federal grant or federal pass through money C Wisconsin Fund, Wisconsin Development Fund, Community Development Block Grant, Urban Development Block Grant, EPA, EDA, etc., contact the grant agency first. As a rule of thumb, do not even think about discarding these kinds of documents unless 10 years have passed.

(Ord. of 8-6-10; Ord. of 12-10-2011)

## **ARTICLE VI DISPOSITION OF PUBLIC AND PERSONAL PROPERTY**

### **Sec. 2.600. Purpose.**

The purpose of this chapter is to establish standards and procedures governing the disposition of Village-owned property. This chapter shall be construed and administered in furtherance of the Village's best interests, and to ensure that Village-owned property is disposed of at or near its fair market value to the extent reasonably practicable.

### **Sec. 2.601. Surplus criteria.**

The Joint Employee-Management Committee may make recommendations to the Property & Infrastructure Committee requesting them to declare personal property surplus if at least one of the following criteria is satisfied:

- (a) The Village has or likely soon will have no practical, efficient or appropriate use for the property;



- (b) The purpose originally served by the property or its use no longer exists;
- (c) The property is damaged, deteriorated or otherwise inoperable, and repairing the same would be unwise or impractical.

**Sec. 2.602. Disposition of Surplus property.**

Disposition of surplus property shall proceed as provided under this section.

- (1) Surplus Property Valued Under one hundred dollars (\$100). The Joint Employee-Management Committee may obtain an appraisal of the property prior to disposition thereof. If any member of the Committee has interest in obtaining the item to be appraised, they may not participate in determining the appraised value. With respect to any item of surplus property the estimated fair market value of which does not exceed one hundred dollars (\$100), if the Joint Employee-Management Committee finds employee interest in the property they may go through an employee name drawing process, or if there is no employee interest dispose of the item in any commercially reasonable manner.
- (2) Surplus Property Valued in Excess of one hundred dollars (\$100). The Joint Employee-Management Committee will obtain an appraisal of the property prior to disposition thereof. If any member of the Committee has interest in obtaining the item to be appraised, they may not participate in determining the appraised value. With respect to any item of surplus property the estimated fair market value of which exceeds one hundred dollars (\$100), the Joint-Employee Management Committee shall notify the Property & Infrastructure Committee of their intent to dispose of the property. The Joint Employee Management Committee will provide the Public Works and Utility Committee with a description of the property, its estimated fair market value, and the reason for the surplus declaration. The Joint Employee-Management Committee will make a recommendation to send the item through a bidding process, notifying the public, or send the item to auction.
- (3) The Joint Employee-Management Committee will, through a consensus, deem an item unsalable because of obsolescence, wear and tear, or other reason and will make a determination to recycle, dismantle and sell as scrap, or discard.

(Created via Ord. 16-048, 12/7/2016; Amended via Ord. 19-008, 05-14-2019)