

CHAPTER 1.00 VILLAGE GOVERNMENT

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1.01 FORM OF GOVERNMENT.

The Village of Jackson operates under the president-trustee form of government pursuant to Chapter 61, Wis. Stats.

1.02 ELECTED OFFICIALS.

The elected officials of the Village shall be the Village President and 6 (six) Trustees.

- A. TERMS OF OFFICE. The term of office of the Village President and the 6 (six) Trustees shall be 2 years and shall commence on the third Tuesday of April. The Village President and 3 Trustees shall be elected at the annual spring election in odd-numbered years. Three Trustees shall be elected at the annual spring election in the even-numbered years.
- B. ORGANIZATIONAL MEETING. On the third Tuesday of April an organizational meeting of the Village Board will be held at 7:30 p.m. or at such other time as may be set by the Village Board.

1.03 APPOINTED OFFICIALS.

The officials described in the following sections shall be appointed in accordance with the Wis. Stats and this Sub-Chapter. Each appointed official shall serve a probationary period to be established at the time of the appointment.

- A. VILLAGE ADMINISTRATOR.
 - 1. Appointment. The Village Administrator shall be appointed by an affirmative vote of three-fourths of the members of the Village Board for an indefinite term or the term of office and conditions of employment may be a matter of contract between the village and the person appointed to said position.
 - 2. Powers and Duties. The Village Administrator shall:

- a. Be responsible for directing, coordinating and expediting the activities of all village departments, except for such authority vested by the Wisconsin Statutes in certain boards and commissions. The Administrator shall make or direct such studies as are necessary to determine the most economical and efficient operation of such departments, sources and programs from the various departments when deemed necessary.
 - b. Be, at all times, responsible to the President and the Board of Trustees and shall be responsible for effectuating all actions of the same which require administrative implementation or where the President and the Trustees have directed the Administrator to act.
 - c. Direct and coordinate, with the cooperation of department heads, the preparation of the annual Village budget for submission to the Village Board. In the event that the Administrator does not agree with the budget, as submitted by a department head, the Administrator shall notify the department head accordingly and the matter shall be placed on the Village Board agenda so that both the Administrator and the department head can be given an opportunity to state their positions. The Village Board shall resolve such disputes.
 - d. Make such reports as the President and Trustees may require as to the current fiscal status of budget items and to review and report to the President and Trustees any variations in the operations of the Village budget.
 - e. Submit, as deemed necessary, recommendations or suggestions for improving the health, safety or welfare of the Village and shall institute and operate a system whereby Village departments, as well as persons having business with the President and/or Trustees or any Village department, may properly and efficiently conduct such business.
 - f. Be responsible for the efficient operation, utilization and physical security of all Village-owned buildings and grounds.
 - g. Perform such other duties and responsibilities, not inconsistent with the law, as may be prescribed by the President and Trustees.
3. Residency Required. The Administrator shall be a resident of the Village. In the event that at the time of the Administrator's appointment, the Administrator is not a resident of the Village, the Administrator shall establish residency within the Village within 1 (one) year from the date of appointment. This requirement may be waived by the Village Board.

B. VILLAGE CLERK.

1. Appointment. The Village Clerk shall be appointed by a majority of the members of the Village Board for an indefinite term, subject to removal pursuant to the provisions of Wis. Stats. or the term of office and conditions of employment may be a matter of written contract between the Village and the person appointed to the

position. The offices of Village Clerk and Village Administrator may be combined by vote of the Board of Trustees.

2. Powers and Duties. The powers and duties of the Village Clerk shall be those prescribed by Wis. Stats. and as specified in the job description for the position as may be established by the Village Board.
3. Residency Required. The clerk shall be a resident of the Village. In the event that at the time of the Clerk's appointment, the Clerk is not a resident of the Village, the Clerk shall establish residency within the Village within 1 (one) year from the date of appointment. The Village Board may waive this requirement.

C. VILLAGE TREASURER.

1. Appointment. The Village Treasurer shall be appointed by a majority of the members of the Village Board for an indefinite term, subject to removal pursuant to the provisions of Wis. Stats. or the term of office and conditions of employment may be a matter of written contract between the Village and the person appointed to the position.
2. Powers and Duties. The powers and duties of the Village Treasurer shall be those prescribed by Wis. Stats. and as specified in the job description for the position as may be established by the Village Board.
3. Residency Required. The Treasurer shall be a resident of the Village. In the event that at the time of the Treasurer's appointment, the Treasurer is not a resident of the Village, the Treasurer shall establish residency within the Village within 1 (one) year from the date of appointment. The Village Board may waive this requirement.

D. VILLAGE ATTORNEY.

1. Appointment. The Village Attorney shall be appointed by a majority of the Board of Trustees for an indefinite term. The terms and conditions of the office shall be a matter of contract between the Village and the Village Attorney.
2. Powers and Duties. The Village Attorney shall be chief legal advisor to the Village President, the Village Board, and the Village Administrator and shall be responsible for preparing and drafting legal opinions, Ordinances, and rules and regulations as may be required for expediting Village matters. The Village Attorney shall also serve as prosecuting attorney for the Village and shall represent the Village in courts and commission hearings as directed.

E. CHIEF OF POLICE.

1. Appointment. The Chief of Police shall be appointed by a majority of the members of the Police and Fire Commission for an indefinite term, subject to removal pursuant to the provisions of Wis. Stats.

2. Powers and Duties.

- a. The powers and duties of the Chief of Police shall be those prescribed by Wis. Stats. for the positions of Police Chief, and as specified in the job description for the position as may be established by the Village Board.
- b. Be responsible for the administrative work in directing and coordinating all activities and employees of the Village of Jackson Police Department. The Chief of Police also provides the staff support for the Police and Fire Commission.
(#12-08)

3. Residency Required. The Chief of Police shall be a resident of the Village. In the event that at the time of the Chief of Police's appointment, the Chief of Police is not a resident of the Village, the Chief of Police shall establish residency within the Village within 1 (one) year from the date of appointment. This requirement may be waived by the Village Board. (#03-14)

F. DIRECTOR OF PUBLIC WORKS / ENGINEER.

1. Appointment. The Director of Public Works/Engineer shall be appointed by the Village Board for an indefinite term, subject to removal pursuant to the provisions of Wis. Stats. or the term of office and conditions of employment may be a matter of written contract between the Village and the person appointed to the position.
2. Powers and Duties. The powers and duties of the Director of Public Works/Engineer shall be those as prescribed by Wis. Stats and as specified by the Village Board.
3. Residency Required. The Director of Public Works/Engineer shall be a resident of the Village. In the event that at the time of the Director of Public Works/Engineer's appointment, the Director of Public Works/Engineer is not a resident of the Village, residency shall be established within the Village within 1 (one) year from the date of the Director of Public Works/Engineer's appointment. This requirement may be waived by the Village Board.

G. VILLAGE ASSESSOR.

1. Appointment. The Village Board shall, by majority vote, contract with a corporation or an independent contractor to serve as Village Assessor for an indefinite term.
2. Powers and Duties. The powers and duties of the Village Assessor shall be those as prescribed by Wis. Stats and as specified in the contract between the Village and the corporation or independent contractor. The contract shall contain the terms and conditions of employment between the Village and the corporation or independent contractor.
 - a. This Ordinance adopts by reference Wis. Statutes Sec 70.47 (7)(af). Income and expense information provided by a property owner to an assessor for the purposes of establishing the valuation for assessment purposes by the income method of

valuation shall be confidential and not a public record open to inspection or copying under Sec. 19.35 (1) of Wis. Statutes.

- b. Exceptions. An officer may make disclosure of such information under the following circumstances:
1. The assessor has access to such information in the performance of his/her duties.
 2. The Board of Review may review such information when needed, in its opinion, to decide upon a contested assessment.
 3. Another person or body has the right to review such information due to the intimate relationship to the duties of an office or as set by law.
 4. The officer is complying with a court order.
 5. The person providing the income and expense information has contested the assessment level at either the Board of Review or by filing a claim for excessive assessment under Sec. 74.37, in which case the base records are open and public.
- c. Severability. The several sections of this Ordinance are declared to be severable. If any section or portion thereof 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, sections, or portions thereof of the Ordinance. The remainder of the Ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provision of this Ordinance are hereby repealed as to those terms that conflict.
(Ord. #10-07)

H. BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER.

1. Appointment. The Building Inspector/Code Enforcement Officer shall be appointed for an indefinite term, subject to removal pursuant to the provisions of Wis. Stats. or the term of office and conditions of employment may be a matter of written contract between the Village and the person appointed to the position.
2. Powers and Duties. The Building Inspector, under the direction of the Village Administrator, shall enforce the Village Building and Zoning Codes as well as perform other duties as provided in the Village Code. The Building Inspector shall direct and supervise the activities of building, plumbing, electrical, and heating inspections.

I. HEALTH OFFICER.

1. Appointment. The Health Officer shall be appointed by a majority vote of the Board of Trustees for an indefinite term. The terms and conditions of the office shall be a matter of contract between the Village and the Health Officer.

2. Powers and Duties. The Health Officer shall have all the powers and duties conferred on local health officers by the Wis. Stats and shall discharge such other duties as may be directed by the Village Board from time to time.

J. EMERGENCY GOVERNMENT DIRECTOR.

1. Appointment. The Emergency Government Director shall be appointed by a majority vote of the Village Board of Trustees for an indefinite term, subject to removal pursuant to the provisions of Wis. Stats. or the term of office and conditions of employment may be a matter of written contract between the Village and the person appointed to the position.
2. Powers and Duties.
 - a. The Director shall be the executive head of the Emergency Government Department and shall be directly responsible for the organization, administration and operation of the Emergency Government Department subject to the direction and control of the Village Board. The Director shall coordinate all activities for emergency government within the Village and shall cooperate and maintain a liaison with emergency government agencies and organizations of other political jurisdictions and the State and Federal governments, and shall participate in County and State emergency government activities upon request, and shall have such additional authority, duties and responsibilities as are authorized by this section and which may be required by the Village.
 - b. In accordance with the State plan format and the County Ordinance of compliance, the Director shall prepare a comprehensive general plan for the emergency government of the Village and shall present such a plan to the Village Board for its approval. When the Village Board has approved the plan by Resolution, it shall be the duty of all municipal agencies and all emergency government forces of the Village to perform the duties and functions assigned by said plan as approved. The plan may be modified in like manner.

K. ZONING ADMINISTRATOR.

1. Appointment. The Zoning Administrator shall be appointed by a majority vote of the Village Board for an indefinite term subject to removal pursuant to the provisions of Wis. Stats. or the term of office and conditions of employment may be a matter of written contract between the Village and the person appointed to the position.
2. Powers and Duties. The Zoning Administrator shall have the powers and duties as set forth in Chapter 14 of the Village Code.

L. FIRE CHIEF.

1. Appointment. The Fire Chief shall be appointed by a majority of the members of the Village Board for an indefinite term, subject to removal pursuant to the provisions of Wis. Stats.

2. Powers and Duties.
 - a. The powers and duties of the Fire Chief shall be those prescribed by Wis. Stats. for the position of Fire Chief, and as specified in the job description for the position as may be established by the Village Board.
 - b. Be responsible for the administrative work in directing and coordinating all activities and employees of the Village of Jackson Fire Department.
3. Residency Required. The Fire Chief shall be a resident of the Jackson Fire Department's Fire District. In the event that at the time of the Fire Chiefs appointment, the Fire Chief is not a resident of the Village, the Fire Chief shall establish residency within 1 (one) year from the date of appointment. (#03-14)

1.04 BOARDS, COMMISSIONS, COMMITTEES.

All meetings of Committees, Boards and Commissions are subject to the State of Wis. Stats.

A. BOARD OF REVIEW.

1. Membership. The Board of Review shall consist of the Village President, the Village Clerk, and a citizen member appointed by the Village President and confirmed by the Village Board. The citizen member shall be appointed for a term of 2 (two) years.
 - a. Pursuant to Section 70.47(6m)(c) and Section 70.46 (1) of Wis. Statutes the Village Board hereby provides for the appointment of alternates to serve on the Village Board of Review in the event a standing Board member of the Board of Review is removed or unable to serve for any reason. The appointments made will be for the year in which the appointment is made and for succeeding years or until such appointments are rescinded by action of the Village Board. (Ord.#10-06)
2. Powers and Duties. The Board shall have the powers and duties prescribed in Section 70.47, Wis. Stats.

B. BOARD OF HEALTH. The Village Board of the Village of Jackson shall also be the Board of Health.

C. PLAN COMMISSION. (See Sec. 62.23 Wis. Stats.) Appointments are made by The Village President subject to Village Board approval.

1. Membership. The Plan Commission shall consist of 9 (nine) members. One member shall be the Village President, who shall preside as Chairperson. One member shall be a Village Trustee selected for a term to coincide with the member's term of office. Other members shall be the Village Engineer, a representative of the Park and Recreation Committee, and 5 (five) citizens members-at-large. These citizens shall be appointed by the Village Board. Members shall be appointed, having staggered

terms. The Vice Chairperson shall be elected by the Plan Commission. All members in accordance with Wis. Stats shall take official oaths.

2. Powers and Duties. The Plan Commission shall have such powers as may be necessary to enable it to perform its functions and duties and promote municipal planning as set forth in Section 62.23 and such other powers and duties as shall be vested in the Commission by the Village Board.
 3. Rules of Procedure. The Plan Commission shall organize and adopt rules for its own governance in accordance with the provisions of this Subsection.
 4. Meetings. Meetings shall be held monthly on the last Thursday of each month, or at any other time as may be set by a majority of the full Commission, and shall be open to the public. (#03-16)
 5. Committees. The Chairperson may appoint standing and special committees.
- D. ZONING BOARD OF APPEALS. The Zoning Board of Appeals shall consist of 5 (five) citizens of the Village appointed by the Village President, subject to confirmation by the Village Board, for terms of 3 (three) years beginning on May 1st succeeding appointment, provided that of those first appointed, 1 (one) shall serve for 1 (one) year, 2 (two) for 2 (two) years, and 2 (two) for 3 (three) years. Its powers shall be defined as set forth in Wisconsin State Statutes.
- E. JOINT VILLAGE & TOWN PARKS AND RECREATION COMMITTEE. (Ordinance #06-09)
1. Purpose: The purpose of this Committee is to provide the Village and Town with a group of interested citizens to assist in the development, acquisition and maintenance of Village and Town parks and open spaces. Moreover, the role of the Committee is to direct the Joint Recreation Department/Boys & Girls Club through financial planning, annual budgeting, and providing recommendations and continuity to the recreation programs and staff.
 2. Membership: The Committee shall consist of 8 (eight) members, 4 appointed by the Village President and confirmed by the Village Board, and 4 appointed by the Town Chairman and confirmed by the Town Board. All appointed members shall represent the Village or Town at large with no elected officials. All members shall hold office for staggered 3 (three) year terms. The Parks & Recreation Director shall act as an ex-officio member and vote only when a tie situation occurs.
 3. Powers and Duties: The Joint Parks & Recreation Committee shall have such powers as may be necessary to enable it to perform its functions and duties and promote Parks & Recreation through recommendations to the Village Board and/or Town Board, depending on the action/funding required. The Committee is not a board of park commissioners under sec. 27.08 Wis. Stats. (#04-13)

F. POLICE AND FIRE COMMISSION. (Ord. 10-08)

1. Membership. The Police and Fire Commission (“Commission”) shall be constituted in accordance with Wisconsin Statutes, including Section 62.13, Wis. Stats., but none of the specified “optional powers of board”, as enumerated in sec 62.13(6) Wis. Stats. are extended to the Commission. The Commission shall consist of five (5) citizens who are residents of the Village of Jackson, three of who shall constitute a quorum. The Commission shall keep a record of its proceedings. The Village Board elects to have neither the Village President nor any other Trustees as a member of the Commission.
2. Term of Office. The Village President shall annually appoint at the organizational meeting, subject to Village Board approval, one (1) member for a term of five (5) years. Initial appointments shall be for a one (1) to five (5) year term and five (5) year terms annually as said terms expire.
3. Meetings. Meetings shall be held on the first Wednesday of the month if warranted, or as such other day as the Commission shall establish, and shall not occur less than once quarterly. Special meetings may be held upon proper notice when occasion demands.
4. Organization. The Commission shall designate a president, a vice president, and a secretary from among its members and assign duties to each of them as are common to such offices. The commission shall establish reasonable rules of procedure.
5. Powers and Duties. The powers and duties of the Commission shall be those prescribed in § 61.65, Wis. Stats. and elsewhere in the statutes.

G. PERSONNEL COMMITTEE.

1. Membership. The Personnel Committee shall consist of 3 (three) members of the Village Board, the Chair and 2 (two) other Trustees who shall be appointed by the Village President, subject to approval by the Village Board with terms of office to coincide with their term of office.
2. Powers and Duties.
 - a. The Personnel Committee shall interview prospective employees for hire and make recommendations to the Village Board for the hiring of all Village personnel, except for volunteer firefighters and seasonal employees.
 - b. The Personnel Committee is responsible to make salary, fringe, and policy recommendations concerning non-represented personnel to the Village Board for action.
 - c. The Personnel Committee is responsible to participate in union negotiating.
 - d. The Personnel Committee shall serve as an appellate body for union grievances.

- e. The Personnel Committee shall make recommendations relative to personnel policies for non-represented employees and for personnel policies in those areas not restricted by the signed bargaining agreement.

H. BUDGET AND FINANCE COMMITTEE.

1. Membership. The Budget and Finance Committee shall consist of the Village President and 2 (two) Trustees, or 3 (three) Trustees. The Trustees shall be appointed by the Village President and are subject to approval by the Village Board with terms of office to coincide with their term of office. The Committee Chair shall be appointed by the Village President subject to the Village Board approval. The Budget and Finance Committee's operation is subject to Chapter 2 of the Village Code and to Wis. Stats.
2. Duties and Responsibilities.
 - a. The Budget and Finance Committee shall meet each month or as needed.
 - b. Accept, review, monitor, modify and/or approve budgetary items and problems as they occur and generally oversee the financial operation of the Village.
 - c. Prepare timely budgets for presentation to the Village Board.
 - d. Review and approve monthly claims for recommendation to the Village Board for payment.

- I. BOARD OF PUBLIC WORKS. The Board of Public Works shall consist of the Village President, 2 (two) trustees, and 4 (four) at large citizen members, having staggered 3 (three) year terms, or 3 (three) Trustees and 4 (four) at large citizen members, having staggered 3 (three) year terms. Generally, the Board of Public Works meets on the Tuesday evening preceding the meeting of the Planning Commission. (#99-09)

J. PLANNING DEPARTMENT.

1. Appointment. The Planning Department shall consist of a Planning Director appointed by the Village Board and such other employees as selected by the Planning Director and approved by the Village Board. The Planning Director shall be appointed for an indefinite term, subject to removal pursuant to the provisions of Wis. Stats. or the term of office and conditions of employment may be a matter of written contract between the Village and the person appointed to the position of Planning Director.
2. Powers and Duties.
 - a. The Planning Department shall review and make recommendations to the Village Planning Commission and the Village Board on all plats, subdivisions, certified survey maps, road dedications, planned unit developments, condominium developments and extra territorial plat approval requests.

- b. Develop plans and make recommendations to the Planning Commission and the Village Board on land use plans; zoning districts; land use standards; parks; recreational; conservancy; and other matters relating to the proper use and developments of lands with the Village and within the Village's extra territorial zoning approval area. (#3-10)

K. REMOVAL FROM OFFICE OF APPOINTED BOARDS, COMMITTEES, AND COMMISSIONS.

Persons shall be removed from said appointments in accordance with Wis. Stats.

1.05 VILLAGE BOARD.

- A. VILLAGE BOARD POWERS. The Village Board shall have all the powers granted to it by Chapter 61, Wis. Stats. Additionally, the Board shall have the power to hire and fire all Village employees, pursuant to applicable provisions of the Wis. Stats, unless such power is delegated by the Village Board to others by Ordinance.
- B. MEETINGS. The Village Board shall hold its regular meeting on the second Tuesday of the month at 7:30 p.m., in the Village Hall provided that if such day is a legal holiday the regular meeting shall be held on the next Tuesday at such time and place.
- C. COMPLIANCE WITH STATE OPEN MEETING LAW. The Board and all Boards, Commissions, and Standing and Special Committees of the Village referred to herein as "governmental bodies" or "bodies" shall comply with the requirements of Sub-Chapter IV of Ch. 19, Wis. Stats. in particular, the requirements of Sec. 19.85, Wis. Stats., relating to the public notice of meetings.
- D. UNIFORM NOTICE GUIDELINES. All governmental bodies shall proceed as follows in preparing, mailing and posting notices of the meetings:
 - 1. Notice to Members. Except where notice of the meeting has been given at a previous meeting or in case of extreme emergency, each member of the body shall be given notice of the proposed time, date, place and agenda of the meeting.
 - 2. Additions to Agenda. Any member who desires to make additions to the agenda shall submit the same in writing to the presiding officer not less than 4 (four) days prior to the scheduled meeting.
 - 3. Notice to Public. The presiding officer or his designee shall prepare the final agenda and give notice to the public and the media of the time, date, place and subject matter of the meeting as follows:
 - a. To the official newspaper by telephone, fax, or by mailing a copy of the agenda showing the time, date and place of the meeting not less than 2 (two) days prior thereto.

- b. In the manner provided in par. (1) to any new medium which has filed a written request.
 - c. To the public by posting a copy of the agenda, showing the time, date, and place of the meeting, on the outside door of the meeting place not less than 24 hours prior thereto.
4. Other Requirements. Compliance with the notice provisions of this section does not relieve any governmental body of compliance with other provisions of the State Law of the Village Ordinances relating to notice to individuals or publications of notice of public hearings.
- E. PUBLIC APPEARANCES. Any person wishing to have the Board make a decision on an issue or request shall submit a written request to the Administrator/Clerk by 12:00 noon on the Friday preceding the meeting. All others who wish to address the Board may do so at the regularly scheduled Village Board meeting.
- F. FORM OF AGENDAS. Agendas prepared by any governmental body shall list the items of business to be discussed at the meeting.
- G. AUTHORIZED CLOSED SESSIONS.
- 1. Advanced Notice Required. No meeting of a governmental body of the Village shall be closed to the media or the public unless:
 - a. Notice thereof has been given at the same time as notice of an open meeting of the body.
 - b. A motion is made and carried at a properly convened open meeting by roll call vote recorded in the minutes.
 - c. The presiding officer announces to those present at the meeting the nature of business to be considered at such closed session and the specific exemption under Section 19.85(1), Wis. Stats. by which such closed session is authorized. Such announcement shall be made prior to recording the vote on the motion to adjourn into closed session.
 - 2. Business Limited. No business shall be taken up, discussed or acted upon at any closed session except that relating to matters contained in the announcement of the closed session by the chief presiding officer.
 - 3. Duties of Presiding Officers. The presiding officers of the bodies shall familiarize themselves with the specific exemptions of Section 19.85(1), Wis. Stats. and in cases of doubt shall consult with the Village Attorney and shall inform the members of the governmental body of the determination of the Village Attorney before a vote is taken to adjourn any meeting into closed session.
- H. SECRET BALLOTS RESTRICTED.

1. Prohibited: Exception. No secret ballot shall be utilized to determine any decision or election of governmental bodies at any meeting; except the selection of a presiding officer, secretary or other officer of the body may be made by secret ballot.
 2. Members May Require Roll Calls. Any member of the body may require a roll call vote to be taken and recorded on any election or other decision of the body, including the election of officers of such body.
- I. MINUTES AND ROLL CALL TO BE RECORDED AND PRESERVED. Unless otherwise provided for by law, each Village body shall at its annual organizational meeting designate one member as reporter, who shall be responsible for recording all motions and roll call votes of each open and closed meeting. The records of such reporter, after approval by a majority of the body members and certification of such approval by the presiding officer, shall be filed in the office of the body, if any, or otherwise in the Clerk's office.
 - J. EXCLUSION OF MEMBER. No elected or appointed member of any body may be excluded from any meeting of such body or any meeting of a subunit thereof.
 - K. ENACTMENT OF ORDINANCES. All Ordinances shall be in writing and shall be introduced by the President or a Trustee. Each Ordinance shall be read at the meeting at which introduced, shall be subsequently published or posted the third Wednesday of each month in the official newspaper or posted in 2 public places, and may be adopted at the next meeting after publication or posting or a subsequent meeting.
 - L. SPECIAL COMMITTEES. Special committees may be provided for in a motion or Resolution designating their purpose, and unless otherwise specified, appointments there to, shall be made by the Village President.
 - M. SUSPENSION OF RULES. The rules of procedure may be suspended by a 2/3rds vote of the Village Board.
 - N. MANDATING OF EMPLOYEE BENEFITS FOR PRIVATE BUSINESSES.

No ordinance of the Village of Jackson nor any other municipal ordinance, rule, or regulation shall mandate that any business entity, other than the Village itself, shall provide certain wages or benefits to its employees or set forth the amount or type of any employee wages or benefits provided by an employer located within the Village limits.
(09-03)

- O. POWER TO AUTHORIZE PUBLIC WORKS PROJECTS.

The Village Board shall have the exclusive power to authorize expenditures on behalf of the Village pertaining to public works, specifically including the power to determine whether to approve public works contracts, to borrow funds, and to enter into contracts for public works projects. No referendum is required except as may be required by Wisconsin Statutes.(#09-03)

1.06 WARDS AND POLLING PLACE.

- A. WARDS. (as referenced by the Village of Jackson Proposed Ward Plan dated June 1, 2011). (Ord. 11-06)
1. Ward 1. Census blocks in Tract #450103 that are within the Village limits of the Village of Jackson in Washington County, Wisconsin. Block #'s 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1078, 1082, 1083, 1087, 1088. Census blocks in Tract #450104 that are within the Village limits of the Village of Jackson in Washington County, Wisconsin. Block #'s 1011, 1012, 1013, 1014, 1015, 1016, 1020, 1021, 1022.
 2. Ward 2. Census blocks in Tract #450104 that are within the Village limits of the Village of Jackson in Washington County, Wisconsin. Block #'s 1000, 1001, 1002, 1003, 1005, 1037, 1038, 1039, 1040, 1041, 1079, 1080, 1081, 1082, 1083.
 3. Ward 3. Census blocks in Tract #450103 that are within the Village limits of the Village of Jackson in Washington County, Wisconsin. Block #'s 1026, 1027, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1079, 1091. Census blocks in that part of Tract #450104 that are within the Village limits of the Village of Jackson in Washington County, Wisconsin. Block #'s 1004, 1006, 1008, 1009, 1010
 4. Ward 4. Census blocks in Tract #450103 that are within the Village limits of the Village of Jackson in Washington County, Wisconsin. Block #'s 1022, 1023, 1024, 1066, 1067, 1068, 2022, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045.
 5. Ward 5. Census blocks in Tract #450103 that are within the Village limits of the Village of Jackson in Washington County, Wisconsin. Block #'s 1063, 1064, 1065, 1076, 1077, 1080, 2061, 2062, 2063, 2064, 2065, 2066.
 6. Ward 6. Census blocks in Tract #450104 that are within the Village limits of the Village of Jackson in Washington County, Wisconsin. Block #'s 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010.
 7. Ward 7. Census blocks in Tract #450104 that are within the Village limits of the Village of Jackson in Washington County, Wisconsin. Block #'s 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2019, 2020, 2021, 2022, 2023, 2028.
 8. Ward 8. Census blocks in Tract #450103 that are within the Village limits of the Village of Jackson in Washington County, Wisconsin. Block #'s 2025, 2027, 2046, 2047, 2048, 2049, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060.

9. Ward 9. Census blocks in Tract #450104 that are within the Village limits of the Village of Jackson in Washington County, Wisconsin. Block #'s 2024, 2025, 2026, 2027, 2029, 2030, 2031, 2032, 2033, 2048, 2049, 2051.
 10. Ward 10. State Senate District 20, State Assembly District 60, Washington County Supervisory District 18 – attached by Ordinance #13-03 and #13-04 on October 8, 2013.
- B. POLLING PLACE. The polling place for all wards shall be the Village of Jackson Board Room, N168W20733 Main St. in the Village of Jackson.

1.07 PUBLIC RECORDS.

A. DEFINITIONS

1. Authority. “Authority” means any of the following Village entities having custody of a Village record: an officer, elected official, agency, board, commission, committee, council, department or public body corporate and politic created by constitution subunit of the forgoing.
2. Custodian. “Custodian” means that officer, department head, division head, or employee of the Village designated under sub. (C) 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 of, or is entitled to possess such public records and who is required by this section to respond to requests for access to such records.
3. Record. “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. “Record” includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), and computer printouts. “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.

B. DUTY TO MAINTAIN RECORDS.

1. Except as provided under Subsection (G), 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.

2. Upon the expiration of an officer's term of employment, or whenever the officer 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.

C. LEGAL CUSTODIAN (S).

1. Each selected official is the legal custodian of his or her records and the records of his or her office, but the official may designate an employee of his or her staff to act as the legal custodian.
2. 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 for the Village Board.
3. For every authority not specified in Subsections. (1) or (2), the authority's chief administrative officer is the legal custodian for the authority. The officer may designate an employee of his or her staff to act as the legal custodian.
4. Each legal custodian shall name a person to act as legal custodian in his or her absence of his or her designee.
5. The legal custodian shall have full legal power to render decisions and to carry out the duties of an authority under Sub-Chapter 11 of Chapter 19, Wis. Stats. and this section. The designation of a legal custodian does not affect the powers and duties of an authority under this section.

D. PUBLIC ACCESS TO RECORDS.

1. Except as provided in Subsection. (F), any person has a right or inspect a record and to make or receive a copy of any record as provided in Sec. 19.35(1), Wis. Stats.
2. Records will be available for inspection and copying during all regular office hours.
3. 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.
4. A requester shall be permitted to use facilities comparable to those available to village employees to inspect, copy or abstract a record.
5. 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.

6. A request to locate and copy records shall be subject to the conditions and fees as set forth by Resolution.
7. Pursuant to Sec. 19.34 of Wis. Stats. and the guidelines therein listed, each authority shall adopt, prominently display and make available for inspection and copying at the 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. Each authority shall also prominently display at its offices, for the guidance of the public, a copy of Sec. 19.31 to 19.39, Wis. Stats. and Subsections. (D) through (F) of this Ordinance. This Subsection does not apply to members of the Village Board.

E. ACCESS PROCEDURES.

1. 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 in writing before an action to enforce the request, is commenced under Sec. 19.37, Wis. Stats. 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 Subsections (D)(6). Acceptable identification may be required for any request for access to a public record whenever the requested record is kept at a private residence or whenever security reasons or federal law or regulations so require.
2. 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 therefore. 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.
3. A request for a record may be denied as provided in Subsection (F). 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 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 Sec. 19.37(1), Wis. Stats. or upon application to the attorney general, or district attorney.

F. LIMITATIONS ON RIGHT TO ACCESS.

1. As provided by Sec. 19.36, Wis. Stats. the following records are exempt from inspection under this section:
 - a. Records specifically exempted from disclosure by State or Federal law or authorized to be exempted from disclosure by State law.
 - b. 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.
 - c. The material used as input for a computer program or the material produced as a product of that program is subject to inspection.
2. A record or any portion of a record containing information qualifying as a common law trade secret.
3. 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 that 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:
 - a. Records obtained under official pledges of confidentiality, which were necessary, and given in order to obtain the information contained in them.
 - b. Records of current deliberations after a quasi-judicial hearing.
 - c. 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.
 - d. Records concerning current strategy for crime detection or prevention.
 - e. Records of current deliberations or negotiations on the purchase of village property, investing of village funds, or other village business whenever competitive bargaining reasons require non-disclosure.
 - f. 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.
 - g. 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 Sec. 905.03, Wis. Stats.

4. 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 non-disclosure of the exempt material, the entire record shall be withheld from disclosure.

G. DESTRUCTION OF RECORDS.

1. Village officers may destroy non-utility 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 Ch. 442 of the Wis. Stats. 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 Sec. 16.61(3)(e), Wis. Stats.
2. Village officers may destroy 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 Ch. 422 of the Wis. Stats. subject to State Public Service Commission regulations, but not less than 7 (seven) years after the record was effective unless a shorter period has been fixed by the State Public Records Board pursuant to Sec. 16.61 (3)(e), Wis. Stats. and then after such a shorter period, except that water stubs, receipts of current billings and customers' ledgers may be destroyed after two years.
3. Village officers may destroy records of which they are the legal custodian and which are considered obsolete, but not less than 7 (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 Sec. 16.61(3)(e), Wis. Stats.
4. Unless notice is waived to the State Historical Society, at least 60 (sixty) days notice shall be given the State Historical Society prior to the destruction of any records as provided by Sec. 19.21(4)(a), Wis. Stats.
5. Any tape recordings of a governmental meeting of the Village may be destroyed, erased or reused no sooner than 90 (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.

1.08 CODE OF ETHICS.

- A. DECLARATION OF POLICY. The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a code of ethics for all village officials and employees, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions of the village. The purpose of this Code is to establish guidelines for ethical standards of conduct for all such employees and officials by setting forth those acts or actions that are incompatible with the best interests of the village and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the Village.
- B. RESPONSIBILITY OF PUBLIC OFFICE. Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this State and carry out impartially the laws of the nation, state and village and to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their prime concern. Their conduct in both their official and private affairs should be above reproach so as to foster respect for all government.
- C. DEDICATED SERVICE. All officials and employees of the village should be loyal to the objectives expressed by the electorate and the programs developed to attain these objectives. Appointed officials and employees should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority. Officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from doing so by law or by the officially recognized confidentiality of their work.
- D. FAIR AND EQUAL TREATMENT.
1. Use of Public Property. No official or employee shall request or permit the unauthorized use of Village-owned vehicles, equipment, materials or property for personal convenience or profit.
 2. Obligations to Citizens. No village official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.
- E. CONFLICT OF INTEREST.
1. Financial and Personal Interest Prohibited. No village official or employee, whether paid or unpaid, shall engage in any business or transaction or shall act in regard to financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties in the public interest contrary to the provisions of this Sub-Chapter or would tend to impair his independence of judgment or action in the performance of his official duties.

2. Definitions.

- a. Financial Interest. Any interest, which shall yield, directly or indirectly, a monetary or other material benefit to the officer or employee or to any person employing or retaining the services of the officer or employee.
- b. Personal Interest. Any interest arising from blood or marriage relationships or from close business or political associations, whether or not any financial interest is involved.

3. Specific Conflicts Enumerated.

- a. Incompatible Employment. No village official or employee shall engage in or accept private employment or render service for private interest when such employment or service is incompatible with the proper discharge of their official duties or would tend to impair his independence of judgment or action in the performance of his official duties unless otherwise permitted by law and unless disclosure is made as hereafter provided.
- b. Disclosure of Confidential Information. No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the village, nor shall such information be used to advance the financial or other private interest of the official, employee, or any other person.
- c. Gifts and Favors. No official or employee shall accept any valuable gift, whether in the form of service, loan, thing or promise, from any person which to their knowledge is interested, directly or indirectly, in any manner whatsoever in business dealings with the village; nor shall any such official or employee accept any gift, favor or thing of value that may tend to influence them in the discharge of their duties, or grant in the discharge of their duties any improper favor, service or thing of value.
- d. Representing Private Interests Before City Agencies or Courts. No official or employee shall appear on behalf of any private person, other than themselves, his or her spouse or minor children, before any village agency or municipal court. However, a member of the village Board may appear before village agencies on behalf of the member's constituents in the course of the member's duties as a representative of the electorate or in the performance of public or civic obligations.

- 4. Contracts with the Village. No village official or employee who, in their capacity as such official or employee, participates in the making of a contract in which they have a private pecuniary interest, direct or indirect, or performs in regard to that contract some function requiring the exercise of discretion on the official's or employee's part, shall enter into any contract with the Village unless, within the confines of Section 946.13, Wis. Stats. the contract is awarded through a process of public notice and competitive bidding.

5. Disclosure of Interest in Legislation. Any member of the Village Board who has a financial interest or personal interest in any proposed legislation before the Village Board shall disclose, on the records of the Village Board, the nature and extent of such interest. Any other official or employee who has a financial or personal interest in any proposed legislative action of the Village Board and who participates in discussion with or gives an official opinion or recommendation to the Village Board shall disclose on the records of the Village Board the nature of such interest.
- F. HEARINGS; DETERMINATION. Upon the sworn complaint of any person alleging facts which, if true, would constitute improper conduct under the provisions of this section, the Ethics Committee shall conduct a public hearing in accordance with all common law requirements of due process and, in written findings of fact and conclusions based thereon, make a determination concerning the propriety of the conduct of the subject official or employee.
- G. ETHICS COMMITTEE.
1. Membership. The Ethics Committee shall consist of 5 (five) citizen members, none of who shall be an officer or employee of the Village. The members of the Committee shall be appointed by the Village President (subject to confirmation by the Village Board) for staggered two-year terms.
 2. Powers and Duties.
 - a. All hearings held by the committee shall be either recorded mechanically or by a court reporter and the original transcript or recording of said hearings shall be filed with the Village Clerk. At all proceedings under this section, except as provided in (2), the Village Attorney shall serve as legal counsel to the Committee.
 - b. Upon a complaint by the Village Board, the Village Attorney may represent either the Village Board or the Committee and special counsel may be retained to represent the other as appropriate. Compensation for such special counsel shall be established by the Village Board and paid by the Village.
 - c. The Ethics Committee may make recommendations with respect to amendments to the Code of Ethics.
 - d. The Ethics Committee shall serve as the ethics board pursuant to Section 19.59, Wis. Stats.
- H. PENALTY AND SANCTIONS. Violation of any provision of this Sub-Chapter may constitute a cause for suspension, removal from office or employment, or other disciplinary action.

1.09 SEVERABILITY.

The provisions of this Ordinance are severable. If a section, paragraph, sentence, clause, or phrase shall be adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of this Ordinance.