CHAPTER 1

GENERAL GOVERNMENT

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1.01 VILLAGE BOARD. (Charter Ordinance No 813) The Village Board shall consist of a Village President and six Trustees. The term of office of the President and Trustees of the Village of Sussex, hereafter elected, shall be three years and until their respective successors are duly elected and qualified, except as follows:

(A) At the 2017 annual election the Trustee receiving the highest number of votes shall be elected for a term of three years and the other two Trustees shall be elected for a term of two years.

(B) At the 2018 annual election the Trustee receiving the lowest number of votes shall be elected for a term of two years, and the other two Trustees shall be elected for a term of three years.

1.02 CODE OF ETHICS.

(1) 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 governmental 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 of Sussex 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 twofold: 1. To establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the Village of Sussex. 2. By directing disclosure by such officials and employees of private financial or other interests in matters affecting the Village. The provisions and purpose of this code and such rules and regulations as may be established are hereby declared to be in the best interests of the Village of Sussex.

(2) 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 municipality 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.

(3) DEDICATED SERVICE. All officials and employees of the Village of Sussex should be loyal to the objectives expressed by the electorate and the programs developed to attain these objectives. Appointive 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 so doing by law or by officially recognized confidentiality of their work.

(4) FAIR AND EQUAL TREATMENT.

(A) 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.

(B) Obligations to Citizens. No official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

(5) CONFLICT OF INTEREST.

(A) Financial and Personal Interest Prohibited. No 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 official duties in the public interest contrary to the provisions of this ordinance or would tend to impair independence or judgement or action in the performance of official duties.

(B) Definitions.

1. 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.
2. 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. Person. Any person, corporation, partnership or joint venture.

(C) Specific Conflicts Enumerated.

1. Incompatible Employment. No 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 official duties or would tend to impair independence of judgement or action in the performance of official duties, unless otherwise permitted by law and unless disclosure is made as hereinafter provided.
2. 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 use such information to advance the financial or other private interest of the official or employee or others.
3. 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, firm or corporation which to the official or employees 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 the official or employee in the discharge of official duties, or grant in the discharge of official duties any improper favor, service or thing of value. Favors shall include, but are not limited to, admission tickets to sports or entertainment events, restaurant meals, transportation for personal purposes, and providing accommodations at a hotel or resort.

   Specific Exemptions. Modest ceremonial events, i.e. ground breakings, grand openings as well as business lunches, outings and conferences shall be exempt, provided that the value does not exceed $25.00. Mementos such as coffee cups, provided the value is less than $10.00 and that distribution is of a general nature. Any Village of Sussex sponsored recognition or appreciation event is specifically exempted as it is sponsored by the Village without intent to influence committee members.

   Gifts received under unusual circumstances should be referred to the Administrator or Village Board within thirty (30) days for recommended disposition.
4. Representing Private Interests Before Village Agencies or Courts. No officer or employee shall appear on behalf of any private person, other than themselves, their 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 their constituents in the course of their duties as a representative of the electorate or in the performance of public or civic obligations.

(D) Contracts with the Village. No Village officer or employee who in their capacity as such officer 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 their part, shall enter into any contract with the Village unless, within the confines of S. 946.13, Wis. Stats.:

(E) 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 and extent of such interest.

(6) CAMPAIGN CONTRIBUTIONS. Campaign contributions shall be reported by all candidates for Village office in strict conformity with the provisions of the Wisconsin Statutes. Any campaign contribution tendered to or accepted by a candidate subsequent to the final statutory report shall be reported to the Village Board.

(7) PENALTY AND SANCTIONS. Violation of any provision of this Ordinance may constitute a cause for suspension, removal from office or employment or other disciplinary action.

1.03 MUNICIPAL ELECTIONS.

(1) Pursuant to the provisions of SS 6.27, Wis. Stats., the Village has elected that registration shall be required for all primaries and elections.

(2) Candidates for municipal offices to be filled at spring election shall be nominated by nomination papers and selected in the primary election as required by State Law.

(3) DATE OF PRIMARY. A spring primary, when required, shall be held on the third Tuesday in February to nominate candidates to be voted for at the spring election.

(4) NOMINATION PAPERS - SPRING ELECTION. Nomination papers for offices to be filled in the spring election shall be filed no later than 5:00 P.M. on the first Tuesday in January. They shall conform to the requirement to the provisions of S. 6.27, Wis. Stats., the Village hereby elects that registration shall be required for all primaries and elections.

(5) If the number of candidates for any elective Village office does not exceed 2 times the number to be elected to such office, no primary shall be held for such office and the names of such candidates shall be printed on the official ballot for the ensuing election.

(6) VILLAGE ELECTION - TIME AND NOTICE. Notice of every primary shall be given by the Clerk pursuant to SS 10.66, Wis. Stats.

1.04 SALARIES: VILLAGE BOARD AND COMMITTEES OF THE BOARD. The salaries of the Village President, the members of the Village Board and all members of committees, commissions, boards and authorities of the Village shall be established and fixed by resolution, unless otherwise provided and until changed pursuant to State law.

1.05 PAULINE HAASS PUBLIC LIBRARY BOARD. Pursuant to the authority of Wisconsin Statute Chapter 43 the Pauline Haass Public Library Board, hereinafter Library Board is hereby created in 2014.

The Library originally known as the Sussex Public Library, known since 1988 as the Pauline Haass Public Library was established in 1980.

(1) MEMBERSHIP.

(A) Originally the Library Board shall consist of eleven (11) members with the makeup and appointment of the board following Wisconsin Statutes 43.54 and 43.60. The school district represented will be the Hamilton School District. Seven (7) of the members are appointed by the Village President subject to approval by the Village Board. The remaining members and numbers of the same are appointed according to Wisconsin Statutes 43.60(3).

(B) The term of office of the Library Board members shall be in accordance with Wisconsin Statute 43.54. The term of appointments shall commence on May 1 except for the terms for the initial establishment of the Library Board, which shall be established at the time of original appointment process.

(2) ORGANIZATION.

(A) A President shall be selected annually in May by the Library Board members in accordance with Wisconsin Statute 43.54.

(B) The Library Board may establish bylaws under 43.58 for its operations including any other officer positions whose terms shall follow Wisconsin Statute 43.54.

(C) The Library Board shall keep a written record of its proceedings, to include all actions taken, a copy of which shall be provided to the Village Clerk upon approval by the Library Board.

(3) DUTIES AND RESPONSIBILITIES.

(A) The Library Board will have those duties and responsibilities delineated in Wisconsin Statute 43.58 and in compliance with Wisconsin Statute 43.52.

(B) The Library Board shall appoint a Library Director, who shall carry out duties outlined under Wisconsin Statutes Chapter 43 and as established by the Library Board policy. The Library Director shall annually prepare and submit to the Village a library budget after consideration by the Library Board. The budget shall be submitted in a manner consistent with the Village budget process. The Village Board may levy such taxes and assessments as may be necessary to provide funds for the budget.

1.06 **PLAN COMMISSION**. The Plan Commission was created in 1924.

(1) MEMBERSHIP. The Plan Commission shall consist of seven (7) members: The Village President, one (1) Village Trustee and five (5) citizens. Citizen members shall be persons of recognized experience and qualifications. Plan Commission members shall be residents of the Village.

(A) The Village Trustee Member shall be appointed in April for a one (1) year term by the Village President, subject to confirmation by a 2/3 vote of the Village Board. Said term shall commence on May 1.

(B) The citizen members shall be appointed in April by the Village President, subject to confirmation by the Village Board, to hold office for a term of three (3) years beginning May 1. The Citizen member terms shall be staggered so that not more than two (2) citizen member terms end in one (1) year. Citizen members shall take the official oath of office as required by S. 19.01, Wis. Stats., which oath shall be filed with the Village Clerk.

(C) All vacancies on the Plan Commission shall be filled for the unexpired term in the same manner as appointed for the full term.

(2) ORGANIZATION. The Village President shall be the Chairman and presiding officer of the Plan Commission. The Village Administrator or their designee shall serve as Administrative Officer for the Plan Commission.

(A) The Plan Commission may make such other bylaws and regulations for its own government not inconsistent with the Law as it may deem necessary. Meetings shall be held regularly as set forth by resolution of the Village Board or as necessary at the request of the Chairperson or Administrative officer. The Commission shall keep written record of its proceedings, to include all actions taken, and a copy shall be filed with the Village Clerk.

(B) The Administrative Officer and their staff shall provide service to the Plan Commission and may utilize such experts and pay for their services and such other expenses as may be necessary and proper within the limits of the budget established by the Village Board or placed at its disposal through gift, and subject to any ordinance or resolution enacted by the Village Board. As far as possible, the Plan Commission shall utilize the services of existing Village officials and employees.

(3) POWERS AND DUTIES. The Plan Commission shall have the powers and duties prescribed in S. 62.23, Wis. Stats., and such other powers and duties as shall be vested in it from time to time by the Board.

1.07 <u>ARCHITECTURAL REVIEW BOARD.</u> The Architectural Review Board was established in 2003. See Section 17.1100 of the Village of Sussex Municipal Code.

1.08 <u>ZONING BOARD OF APPEALS</u>. The Zoning Board of Appeals was established in 1924. See Section 17.1200 of the Village of Sussex Municipal Code.

1.09 <u>BOARD OF FIRE APPEALS</u>. The Board of Fire Appeals was established in 1980,

(1) MEMBERSHIP. The Board of Fire Appeals shall consist of three (3) members, the Chairman of the Public Safety and Welfare Committee of the Village Board and two (2) citizen members. Members of the Board of Fire Appeals shall be Village residents.

(A) The citizen members of the Board shall be appointed in April for a two (2) year term by the Village President, subject to confirmation by the Village Board. Said term shall commence on May 1.

(2) ORGANIZATION. The Board of Fire Appeals shall elect their chairperson and vice-chairperson at their first meeting of the year. The Village Administrator or their designee shall serve as the Administrative officer of the Board of Fire Appeals. The Village Clerk or their designee shall serve as the Secretary. The Board of Fire Appeals shall organize and adopt rules or procedure for its own government in accordance with the provisions of this Ordinance.

(A) The Board of Fire Appeals may make such other bylaws and regulations for its own government not inconsistent with the law as it may deem necessary, but such bylaws are subject to approval by the Village Board. Meetings shall be held as necessary to hear appeals or at the request of the chairperson or Administrative officer. Minutes of the proceedings and a record of all actions shall be kept by the secretary, or other designated person, showing the vote of each member upon each question, the reasons for the Board's determination, and its findings of fact. These records shall be immediately filed in the office of the Board of Fire Appeals and shall be a public record. A quorum shall be two (2) members.

(B) The Administrative Officer and their staff shall provide service to the Board of Fire Appeals and may utilize such experts and pay for their services and such other expenses as may be necessary and proper within the limits of the budget established by the Village Board or placed at its disposal through gift, and subject to any ordinance or resolution enacted by the Village Board. As far

as possible, the Board of Fire Appeals shall utilize the services of existing Village officials and employees.

(C) The Concurring Vote of a majority of the Board shall be necessary to approve an application or grant a permit.

(D) Appeals and Applications shall be made by the owner or lessee of the structure or land to be affected, the appellant's attorney and shall include the following information:

1. Name and address of the appellant.
2. Address and description of the subject property.
3. Plans and specifications of sufficient detail to describe the physical layout of the subject property and any and all proposed changes to the same.
4. The requirements of the applicable provisions of the Fire Prevention Code to the subject property.
5. The nature and extent of the variance from the applicable provisions of the Fire Prevention Code requested.
6. A copy of the Fire Chief's original decision.
7. A list of the names and addresses of landowners within 200 feet of the subject property.
8. Any and all additional information required by the Fire Board of Appeals or the Fire Chief.

(E) Hearings shall be set at a reasonable time and place and public notice thereof shall be posted in a public place likely to give notice to persons affected and placed electronically on the website maintained by the Village at least once each week for two (2) consecutive weeks, the last publication of which shall be at least one (1) week before the public hearing. Additionally, notice shall be given to all landowners within 200 feet of the subject property by regular mail to the last known address. The appellant and Fire Chief shall be given notice of the nearing and all notice is subject to the open meetings law in the State of Wisconsin. At the hearing the appellant may appear in person, by agent, or by attorney.

(3) POWERS AND DUTIES. The Board of Fire Appeals shall hear and determine all appeals provided in S 5.15(11) of this Code. The Board may request assistance from other Village officers, departments, commissions and boards. The Chairperson may administer oaths and compel the attendance of witnesses.

(A) The Board of Fire Appeals shall upon review have the power on a case by case basis to grant individual variances from the provisions of the Fire Prevention Code, as will not be contrary to public interest, when, owing to special conditions, a literal enforcement of the Fire Prevention Code will result in practical difficulty or unnecessary hardship, provided the spirit and purposes of the Fire Prevention Code shall be observed, public safety, welfare, and justice secured.

(B) The Board of Fire Appeals shall decide all appeals and applications within a reasonable amount of time no to exceed ninety (90) days after the public hearing and shall transmit a signed copy of the Board's decision to the appellant, Fire Chief and Bureau of Fire Prevention.

1. Conditions may be placed upon any permit ordered or authorized by this Board.
2. Permits granted by the Board of Fire Appeals shall expire within six (6) months unless substantial work has commenced pursuant to the permit.

(C) REVIEW BY COURT OF RECORD. Any person or persons aggrieved by an decision by the Board of Fire Appeals may present to the Court of Record a Petition duly verified setting forth that such decision is illegal and specifying the grounds of the illegality. Such Petition shall be presented to the Court within 30 days after the filing of the decision in the Office of the Fire Board of Appeals.

1.10 <u>BOARD OF REVIEW</u>. The Board of Review was established in 1924.

(1) MEMBERSHIP. The Board of Review shall consist of three (3) members: The Village President; One (1) Village Trustee; and the Village Clerk.

(A) The Village Trustee member shall be appointed annually in April by the Village President, subject to confirmation by the Village Board. Said term shall commence on May

(B) The Village President shall appoint two (2) Village Trustees subject to confirmation by the Village Board each year as Alternate 1 and Alternate 2 to the Board of Review. If the Village President or Village Trustee appointed to the Board of Review are absent, refuses, or are otherwise unavailable to hear an objection, the Village Trustee appointed as alternate 1 shall serve and if any two (2) of the Village President, Village Trustee, and Alternate 1 members are absent, refuses, or otherwise are unavailable to hear an objection, the Village Trustee appointed as Alternate 2 shall serve.

(C) If the Village Clerk is absent, refuses, or is otherwise unavailable to hear an objection, the Deputy Village Clerk shall serve.

(2) ORGANIZATION. At the first meeting of the Board of Review, to be held during the thirty day period beginning on the 2nd Monday of May, pursuant to §70.47(1) of Wisconsin Statutes, the members shall organize by the election of a chairperson and a vice-chairperson. The Clerk shall serve as a secretary of the Board.

(A) The Board of Review may make such other bylaws and regulations for its own government not inconsistent with the Law as it may deem necessary. Meetings shall be held as necessary at the request of the Chairperson or Village Clerk. The Board of Review shall keep written record of its proceedings, to include all actions taken, and a copy shall be filed with the Village Clerk.

(B) The Village Administrator and their staff shall provide service to the Board of Review and may utilize such experts and pay for their services and such other expenses as may be necessary and proper within the limits of the budget established by the Village Board or placed at its disposal through gift, and subject to any ordinance or resolution enacted by the Village Board. As far as possible, the Board of Review shall utilize the services of existing Village officials and employees.

(3) POWERS AND DUTIES. The Board of Review shall have the powers and duties prescribed in Chapter 70 Wis. Stats. and such other powers and duties as shall be vested in it from time to time by the Board.

1.11 <u>COMMUNITY DEVELOPMENT AUTHORITY</u>. The community development authority (CDA) was established in 2003 to be governed by the "Village of Sussex Community Development Authority Commission" which will be referred to in this text as the "CDA".

(1) MEMBERSHIP. The CDA shall consist of seven members who shall all be residents of the Village. Two (2) Village Board members and five (5) citizen members. All powers of the CDA are vested in the CDA.. In making appointments to the CDA, the Village Board shall give consideration to the general interest of the appointee in redevelopment programs. The Village Board shall, whenever possible, select representatives from the general public, labor, industry, finance, business group and civic organizations. Appointees shall have sufficient ability and experience in related fields, especially finance and management to maintain efficiency in the redevelopment program and its planning and direction. The members of the CDA shall be residents of the Village.

(A) The Two (2) Village Board members shall be appointed annually in April by the Village President, subject to confirmation by the Village Board. Said term shall commence May 1.

(B) The citizen members shall be appointed in April, by the Village President, subject to confirmation by the Village Board, to hold office for a term of four (4) years beginning May 1. The Citizen member terms shall be staggered so that not more than two (2) citizen member terms end in one (1) year. Citizen members shall take the official oath of office as required by S. 19.01, Wis. Stats., which oath shall be filed with the Village Clerk.

(C) Each Commissioner shall hold his/her office until a successor has been appointed and qualified. All vacancies on the CDA shall be filled for the unexpired term in the same manner as appointed for the full term. Removal of Commissioners shall be governed by Section 66.1201, Wis. Stats.

(2) ORGANIZATION. At the first meeting of the CDA after May 1 the members shall organize by the election of a chairperson, a vice-chairperson, and a Treasurer. The Executive Director of the CDA shall be the Village Administrator, who shall serve the CDA as its secretary and advisor and shall perform all duties requested by the CDA. The Executive Director shall appoint an Assistant Director to act in the absence of the Executive Director, whose appointment is subject to majority confirmation of the CDA.

(A) The CDA may make such other bylaws and regulations for its own government not inconsistent with the Law as it may deem necessary, but such bylaws are subject to approval by the Village Board. Meetings shall be held regularly as setforth by resolution of the Village Board or as necessary at the request of the Chairperson or Executive Director. The CDA shall keep written record of its proceedings, to include all actions taken, and a copy shall be filed with the Village Clerk.

(B) The Executive Director and their staff shall provide service to the CDA and may utilize such experts and pay for their services and such other expenses as may be necessary and proper within the limits of the budget established by the Village Board or placed at its disposal through gift, and subject to any ordinance or resolution enacted by the Village Board. As far as possible, the CDA shall utilize the services of existing Village officials and employees.

(C) The CDA may employ such personnel as is required to carry out its duties and responsibilities subject only to budget constraints as outlined in this section. On or before September 1 of each year, the Executive Director on behalf of the CDA shall prepare and submit to the Village Board for approval a budget prepared in conformity with Section 65.90, Wis. Stats. The Village Board shall have the power to alter or modify said budget relating to salaries, office operations or facilities. The Village Board may levy such taxes and assessments as may be necessary to provide funds for the budget.

(3) POWER AND DUTIES.

(A) Jurisdiction. Upon the effective date of this Ordinance, except as provided in (b) below, the Village shall thereafter be precluded from exercising the powers provided in Section 66.1331(4), Wis. Stats. and the CDA shall have exclusive power to proceed to carry on the redevelopment projects in the Village.

(B) Reservation of Rights. The Village shall not be precluded from applying for, accepting and contracting for federal grants, advances or loans where the conditions of said grants, advances or loans require the participation of the Village.

(C) Legal Status of the CDA. Upon the effective date of this Ordinance, the Village of Sussex CDA is deemed an independent, separate and distinct public body and a body corporate and politic and shall have its own seal.

(D) Powers and Duties. The CDA is hereby empowered with all of the powers and duties granted to it by Sections 66.1201, 66.1301 to 66.1327(3), 66.1331, 66.1333, 66.1337 and 66.1105,

Wis. Stats., and by any other statute, code, ordinance, rule or regulation applicable to enable it to carry out its powers and duties under Section 66.1335, Wis. Stats. The CDA, in addition to all its powers granted herein, shall have specific authority to take title to real and personal property in its own name, excluding the right of eminent domain under Chapter 32, Wis. Stats., or any other law relating to eminent domain for redevelopment authority. The Chairperson, or the Vice-Chairperson in absence of the Chairperson, and the Executive Director, or the assistant Director in the absence of the Executive Director, shall have the authority to execute all documents on behalf of the CDA.

(E) COMPREHENSIVE PLAN OF REDEVELOPMENT. Except for such redevelopment projects as may be given to the CDA by the Village Board, the CDA shall not commence or undertake any redevelopment projects until it has created an acceptable comprehensive plan of redevelopment as provided for in Section 66.1333(6), Wis. Stats.

(F) LIMITATION OF POWERS. Except as expressly reserved or defined in this Ordinance, the CDA is hereby granted all other powers permitted by law.

1.12 PARK AND RECREATION BOARD/TREE BOARD. Pursuant to Sections 27.08 and 27.13 Wis. Stats, the Park and Recreation Board was established in 1974; which shall serve to provide guidance on matters of Park and Recreation Services in the Village of Sussex.

(1) MEMBERSHIP. The Park and Recreation Board shall consist of seven (7) members, one (1) Village Trustee, and six (6) citizen members. Citizen members shall be persons of recognized experience and qualifications. Park and Recreation Board members shall be residents of the Village.

(A) The Village Trustee Member shall be appointed in April for a one (1) year term by the Village President subject to confirmation by the Village Board. Said term shall commence on May 1.

(B) The citizen members shall be appointed in April by the Village President, subject to confirmation by the Village Board for a term of three (3) years beginning on May 1. The terms shall be staggered so that not more than two (2) citizen member terms end in one (1) year. Citizen members shall take the official oath of office as required by S. 19.01, Wis. Stats., which oath shall be filed with the Village Clerk.

(C) There shall also be one (1) alternate member, which may be the Village President or a Village Trustee. Said alternate member shall be appointed annually by the Village President subject to confirmation by the Village Board, for a term of one (1) year, commencing on May 1, of each year. The alternative member shall serve if a regular member of the Park and Recreation Board is absent, refuses, or is otherwise unavailable to serve.

(D) All vacancies on the Park and Recreation Board shall be filled for the unexpired term in the same manner as appointed for the full term.

(2) ORGANIZATION. The Park and Recreation Board shall elect their chairperson and vice-chairperson each year in May. The Village Administrator or their designee shall serve as the Administrative officer of the Park and Recreation Board.

(A) The Park and Recreation Board may make such other bylaws and regulations for its own government not inconsistent with the law as it may deem necessary. Meetings shall be held regularly as set forth by resolution of the Village Board or as necessary at the request of the chairperson or Administrative officer. Minutes shall be kept showing all actions taken and a copy shall be filed with the Village Clerk as a public record

(B) The Administrative Officer and their staff shall provide service to the Park and Recreation Board and may utilize such experts and pay for their services and such other expenses as may be necessary and proper within the limits of the budget established by the Village Board or placed at its

disposal through gift, and subject to any ordinance or resolution enacted by the Village Board. As far as possible, the Park and Recreation Board shall utilize the services of existing Village officials and employees. All funds received for the purposes of the Park and Recreation System, whether from the general fund or from approved donations, or from such reasonable fees as may be charged for activities, facilities or services shall be deposited in the general fund of the Village and appropriately accounted for by the Village Administrator or their designee.

(3) POWERS AND DUTIES. The Park and Recreation shall have only the following powers and duties as shall be granted herein:

(A) To plan for and recommend to the Village Board for the design, standards and desired outcomes of the park and recreation system. Said duty shall include the adoption of an annual report by May for the preceding year's activities, outcomes, and progress towards the long term goals of the Park and Recreation System.

(B) To recommend to the Village Board policies that will govern, the use of all Village parks or recreation lands, facilities , activities, and equipment.

(C) To recommend to the Village Board the purchase, lease, sale or exchange of park or recreation lands, facilities and equipment.

(D) To recommend to the Village Board the acquisition of any park or recreation lands, facilities and equipment by gift, devise, bequest or condemnation, either absolutely or in trust; money, real or personal property, or any incorporated right or privilege.

(E) To consider and make recommendations to the Village Board of applications, contracts, or requests for use of Village park or recreation lands, facilities, and equipment.

(F) To serve as the Villages Tree Board.

(G) Additional powers as may be assigned by the Village Board from time to time.

1.13 <u>SENIOR CITIZEN ADVISORY COMMITTEE.</u> The Senior Citizens Advisory Committee was established in 2006; which shall serve as an advisory body for senior programming and operations in the Village of Sussex.

(1) MEMBERSHIP. The Senior Citizen Advisory Committee shall consist of seven (7) members, one (1) to be a member of the Village Board, and six (6) members who are representatives of the senior community throughout the greater Sussex region.

(A) The members shall be appointed in April for a one (1) year term by the Village President subject to confirmation by the Village Board. Said term shall commence on May

(B) There shall also be one (1) alternate member, which may be the Village President, a Village Trustee or a citizen. Said alternate member shall be appointed annually by the Village President subject to confirmation by the Village Board, for a term of one (1) year, commencing on May 1, of each year. The alternative member shall serve if a regular member of the Senior Citizen Advisory Committee is absent, refuses, or is otherwise unavailable to serve.

(2) ORGANIZATION. The Senior Citizen Advisory Committee shall elect their chairperson and vice-chairperson each year in May. The Village Administrator or their designee shall serve as the Administrative officer of the Senior Citizen Advisory Committee.

(A) The Senior Citizen Advisory Committee may make such other bylaws and regulations for its own government not inconsistent with the law as it may deem necessary. Meetings shall be held regularly as set forth by resolution of the Village Board or as necessary at the request of the

chairperson or Administrative officer. Minutes shall be kept showing all actions taken and a copy shall be filed with the Village Clerk as a public record.

(3) POWERS AND DUTIES. The Committee shall have the following powers, duties and responsibilities.

(A) To recommend general programs and operations for seniors in the Village of Sussex.

(B) To review and make recommendation about the budget for senior programming/ operations to the Village Board.

(C) To make recommendations to the Village Board related to alterations, remodeling or expansion of the facilities provided for Senior Citizens by the Village Board.

(D) Additional powers as may be assigned by the Village Board from time to time.

1.14 BOARD OF FIRE COMMISSIONERS. Pursuant to the authority of Section 61.65 Wis. Stats. The Board of Fire Commissioners was established in 1965. See Section 5.0200 of the Village of Sussex Municipal Code.

Sections 1.15-1.19 Intentionally left blank (Reserved for Future Use)

1.20 VILLAGE ADMINISTRATOR.

(1) CREATION. In order that the various officers, officials, employees and departments executing policy and administering the affairs of the Village may operate as efficiently as possible under a system of part-time Village President and part-time trustees, and to better insure competent, expeditious, efficient and harmonious administration and action in respect to any activity common to one or more of the Village's officers, officials and departments, and in order that there may be a uniform application of policy, there is created the office of Village Administrator.

(2) PURPOSE. The Administrator shall have administrative powers and responsibilities over all departments and department heads of the Village. The Administrator shall, have administrative powers and responsibilities over every Utility of the Village. The Administrator or their designee shall also be the Administrative Officer for every Authority, Board, Commission, Committee or otherwise body of the Village except the Village Board, the Board of Fire Commissioners, or as may be prohibited by law. They shall be ineligible for membership on any Police and Fire Board or Commission.

(3) APPOINTMENT; REMOVAL; RESIDENCY REQUIREMENT. The Administrator shall be appointed for an indefinite term by an affirmative vote of a majority of the members-elect of the Village Board. Removal from office shall require a majority vote of the members-elect. The Village Board shall select the Administrator based upon merit and give due regard to training, experience, executive, and administrative ability, and efficiency and general qualifications and fitness for performing the duties of the office, and no person shall be eligible to the office of Administrator who is not by training, experience, ability, and efficiency well qualified and generally fit to perform the duties of such office. The Administrator shall not be required to become a resident of the Village, however residency is preferred.

(4) POSITION FULL-TIME; RESPONSIBILITY. The position of Administrator shall be a full-time position, and shall be responsible to only the Village Board. The Administrator may and should delegate certain activities and powers outlined below to the appropriate Village staff to efficiently and effectively carry out the business of the Village, but the responsibility for performance of the entire Village organization ultimately rests with the Village Administrator.

(5) DUTIES. The Village Administrator shall perform the following duties:

(A) Implement the Goals of the Village Board. Effectuate all actions of the Village Board which require administrative action and report any problems or difficulties in connection therewith to the Village Board. To accomplish this the Administrator shall coordinate the administrative activities of Village departments including implementing a system whereby Village departments and persons having business with the Village may properly and efficiently conduct such business and resolve conflicts; establish procedures to facilitate communications between citizens and the Village to assure that complaints, grievances, recommendations and other matters receive prompt attention by a responsible official and to assure that all matters receive prompt attention by a responsible officer and are expeditiously resolved. The Administrator shall keep the Village Board apprised of significant actions of the Administrator and the Village organization so that the members of the Village Board are aware of matters of community concern and their resolution or status In addition the Administrator shall see that all Village ordinances are efficiently and equally enforced.

(B) Guide and support effective governance. The Administrator shall provide as reasonably possible, sufficient and equal access to information for the Village Board members so that as a body they can effectively serve the community. The Administrator shall attend, except as reasonably necessary, all official meetings of the Village Board. The Administrator shall also attend and/or have designees attend the other various authorities, boards, commissions, and committees of the Village to ensure sufficient administrative support is provided to those sub-units. By facilitating the work of governance, the Administrator shall unless otherwise prearranged prepare the agenda and order of business for board and committee meetings, however, nothing herein shall be so construed as to give the Administrator authority to limit or in any way prevent matters from being considered by the Board or its committees. They shall collaborate with the Village Board on important matters pertaining to Village administration, business and affairs; make recommendations from time to time for improving the quality; and efficiency of the services performed, and to improve the health, safety, and welfare of the Village. The Administrator shall keep the Village Board up-to-date about current state and federal legislation affecting the Village and represent the Village in intergovernmental matters and affairs.

In addition the Administrator shall serve as press officer for the Village and under the direction of the President shall be the spokesman on all matters within his authority and responsibility and shall assure that the news media are kept fully informed about the operations of the Village.

(C) Lead For Efficiency, Effectiveness, and Outcomes. The Administrator shall develop the capacity of the organization to overcome adversity, achieve results, and improve the quality of life for the community. In order to efficiently deliver on this duty the Administrator shall maintain relationships with professional associations, and participate in continuing education about the profession of leading communities. The Administrator shall take charge of all Village owned buildings and grounds, to administer the operation and maintenance of all Village owned property, lands, buildings and equipment, and all public ways, ditches, drains, sewer and water systems, and construction or improvements undertaken either directly or indirectly by the Village in order that these resources may be used to the highest and best purpose for the Village. In addition the Administrator shall provide for the comprehensive communication of the Village's initiatives, outcomes, and opportunities to and with the public to enable the long term success of the Village.

(D) Strategically Manage the Village's Finances. The Administrator shall provide vision and oversight of the fiscal matters of the Village while delivering timely and thorough communication to the Village Board and the community about the same. The Administrator in carrying out this duty shall prepare, in cooperation with the Department heads, the annual Village Budget for submission to the Village Board. The Administrator shall bring forth appropriate fiscal policies for Village Board consideration and administratively implement the financial policies of the Village for sound accounting and budget practices, efficient purchasing policies, debt management, and long term fiscal management of the Villages funds, resources, and opportunities. In addition, the Administrator

shall periodically make and report to the Village Board and to the community the fiscal status of the Village and its funds.

(E) Establish a Personnel System and Organizational Culture. The Administrator shall have the authority to hire all heads of Departments, all subordinate Village officials, and employees and to discipline, or remove such appointees and make such personnel decisions in a manner that is consistent with the law and Village Policy. This section shall not be construed as depriving the Board of Fire Commissioners and the Fire Chief or the Village Board of their powers under the law. In addition, the Administrator shall serve as personnel officer for the Village, maintaining personnel records for all of the Village and bringing forth a Personnel Policy for adoption by the Village Board including the updating of said policy from time to time, to ensure efficient personnel management. The Personnel Policy shall include items like salary and wage scales, job descriptions and classifications, and working conditions for those officers, officials or employees of the Village. No new position may be created without first receiving approval by the Village Board for the same and total compensation for personnel shall remain within the parameters as authorized by the Board. Any employee dismissed or suspended by the Administrator shall be entitled to a hearing before the Board at their next regularly scheduled Board meeting, at which time the Board may uphold or reverse the decision of the Administrator..

(F) Other. The Administrator shall carry out such other administrative duties and powers not inconsistent with law may be prescribed by the Village Board from time to time. In addition the Administrator will always seek clarification of any of the above duties whenever the duties are not clear.

(6) CONTRACT. The Village Board shall enter into a contract with the Administrator and said contract shall set forth details of employment relationship including the salary. The Village Board shall review such salary on an annual basis and in a manner consistent with the employment contract.

1.21 <u>ASSISTANT VILLAGE ADMINISTRATOR</u>

(1) CREATION. There is hereby created the position of Assistant Village Administrator.

(2) PURPOSE. The Assistant Village Administrator shall be hired by the Village Administrator to assist the Village Administrator with the administration of the Village. The Assistant Village Administrator shall have all the powers of the Village Administrator in the absence of the Administrator or when delegated such power by the Village Administrator.

(3) DUTIES. The duties of the position are those assigned by the Village Administrator.

1.22 <u>OFFICIALS</u>. The following Village officials shall be appointed by the Village President, subject to confirmation by the Village Board and shall serve as stated:

	Official	Term of Office
(1)	Village Assessor	By Charter Ordinance No. 68
(2)	Village Clerk-Treasurer	By Charter Ordinance No. 28

Sections 1.23-1.29 Intentionally left blank (Reserved for Future Use)

1.30 <u>MUNICIPAL COURT</u>

(1) MUNICIPAL COURT CREATED. There is hereby created and established a Municipal Court under the provisions of Chapter 755 of the Wisconsin Statutes for the City of Oconomowoc, Village of

Oconomowoc Lake, Village of Dousman, Town of Delafield, Village of Nashotah, Town of Lisbon, Town of Merton, Village of Sussex, Village of Hartland, Village of Lac LaBelle, Town of Oconomowoc, Village of Summit, Village of Chenequa, Town of Erin, Village of Merton, Village of Sullivan, Village of Johnson Creek Town of Ixonia (Contract Member), Town of Ottawa (Contract Member) and Town of Sullivan (Contract Member) or so many of those municipalities which enact an ordinance identical to the ordinance pursuant to Wis. Stat. §755.01(4).

(2) MUNICIPAL JUDGE. Such court shall be under the jurisdiction of and presided over by a Municipal Judge, who shall be an attorney licensed to practice law in Wisconsin, and who shall reside in one of the following municipalities: City of Oconomowoc, Village of Oconomowoc Lake, Village of Dousman, Town of Delafield, Village of Nashotah, Town of Lisbon, Town of Merton, Village of Sussex, Village of Hartland, Village of Lac LaBelle, Town of Oconomowoc, Village of Summit, Village of Chenequa, Town of Erin, Village of Merton, Village of Sullivan, Village of Johnson Creek, Town of Ixonia (Contract Member), Town of Ottawa (Contract Member) or Town of Sullivan (Contract Member) those municipalities which enact an ordinance identical to this ordinance and enter into an agreement pursuant to Wis. Stat. §66.0301 for the joint exercise of the power granted under Wis. Stat. §755.01. Such Municipal Judge shall be elected at large in the spring election for a term of four (4) years commencing on May 1. All candidates for the position of Municipal Judge shall be nominated by nomination papers as provided in Wis. Stat. §8.10 and selection at a primary election if such is held as provided in Wis. Stat. §8.11. The Village Board of the Village of Sussex shall provide for a primary election whenever three (3) or more candidates file nomination papers for such position of Municipal Judge as provided in Wis. Stat. §8.11(l)(a), and such primary election shall be held on the third Tuesday of February as provided in Wis. Stat. §5.02(22).

(3) ELECTIONS. The Municipal Clerk of each municipality shall see to the compliance with Wis. Stat. §§5.58(l)(c), 5.60(l)(b), 5.60(2), 7.10(l)(a), 7.60(4)(a), and 8.10(6)(a) to provide for the election of a Municipal Judge under Wis. Stat. §755.01(4).

(4) OATH AND BOND. The judge shall, after his/her election or appointment to fill a vacancy, take and file the official oath as prescribed in Wis. Stat. §757.02(l) and at the same time execute and file an official bond in the amount of $5,000. The judge shall not act until his/her oath and bond have been filed as required by Wis. Stat. §19.01(4)(c) and the requirements of Wis. Stat. §755.03(2) have been complied with.

(5) SALARY. The salary of the Municipal Judge shall be fixed by the governing bodies of the municipalities that created and established this Municipal Court, which shall be in lieu of fees and costs. No salary shall be paid for any time during his/her term during which such judge has not executed his/her official bond or official oath, as required by Wis. Stat. §755.03 and filed pursuant to Wis. Stat. §19.01(4)(c), The municipalities may by separate ordinances, resolutions, or through the budget process, allocate funds for the administration of the Municipal Court pursuant to Wis. Stat. §66.0301.

(6) JURISDICTION. The Municipal Judge of the Municipal Court shall have jurisdiction as provided by Wis. Stat. §§755.045 and 755.05 and as otherwise provided by state law. The Municipal Judge is authorized to Issue inspection warrants under Wis. Stat §66.0119.

(7) LOCATION AND HOURS. The Municipal Court shall be held in the Council Chambers of the City of Oconomowoc, all at 174 East Wisconsin Avenue, Oconomowoc, Wisconsin. The Municipal Court shall be open at such times as determined by the Municipal Judge.

(8) FINES AND FORFEITURES. The Municipal Judge may impose punishment and sentences as provided by Wis. Stat. §800.09 and as provided in the ordinances of the following municipalities: City of Oconomowoc, Village of Oconomowoc Lake, Village of Dausman, Town of Delafield, Village of Nashotah, Town of Lisbon, Town of Merton, Village of Sussex, Village of Hartland, Village of Lac LaBelle, Town of Oconomowoc, Village of Summit, Village of Chenequa, Town of Erin, Village of Merton, Village of Sullivan,

 Village of Johnson Creek, Town of Ixonia, Town of Ottawa or Town of Sullivan. All forfeitures, fees, penalty assessments, and costs shall be paid to the Treasurer of the municipality with which the case arose within 7 days after receipt of the money by the Municipal Judge or other court personnel. At the time of the payment, the Municipal Judge shall report to the Treasurer the title of the action, the offense for which a forfeiture was imposed, and the total amount of the forfeiture, fees, penalty assessments and cost, if any.

(9) STIPULATIONS AND DEPOSITS IN MUNICIPALE COURT. The Municipal Court herein established shall be operated pursuant to and in compliance with the provisions of Chapter 800 of the Wisconsin Statutes and, where applicable, other provisions of the Wisconsin Statutes as referred to in subsection (10) below. The Municipal Judge shall establish in accordance with Wis. Stat. §800.03(3) a schedule of deposits for violations of city, village, and town ordinances, resolutions, and by laws, except traffic regulations which are and shall be governed by §345.26 of the Wisconsin Statutes and boating regulations which are and shall be governed by Wis. Stat. §23.66 and §23.67. Such deposit schedule shall be approved by the respective governing bodies of the municipalities creating and establishing this court and shall be posted in the office of the Municipal Court Clerk and the police departments of the respective communities.

(10) PROCEDURES IN MUNICIPAL COURT. The procedure in Municipal Court shall be as provided by this ordinance and state law including, but not excluding because of enumeration, Chapters 66, 345, 751,755, 757 and 800 of the Wisconsin Statutes.

(11) CONTEMPT PROCEDURES.

(A) The Municipal judge may impose a sanction authorized under Wis. Stat. §800.12(2) for contempt of court, as defined in Wis. Stat. §785.01(1), in accordance with the procedures under Wis. Stat. §785.03.

(B) The Municipal Judge may impose a forfeiture for contempt under Wis. Stat §800.12(1) in an amount not to exceed $50 or, upon nonpayment of the forfeiture and the penalty assessment and other statutory costs , including Wis. Stats 757.05, a jail sentence not to exceed 7 days.

(12) ABOLISHMENT. The Municipal Court hereby established shall not be abolished while the Wis. Stat. §755.01(4) agreement is in effect.