

CHAPTER 5

Commissions and Committees

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
2-5-1	Board of Review	2001-11	8/21/01
		2005-09	06/07/05
		Charter 2011-02	12/06/11
		2017-02	02/20/17
2-5-2	Advisory Committees to the Village Board		
2-5-3	Village Plan Commission	2003-12	1/20/2004
		Charter 2006-002	03/21/06
		Charter 2006-003	06/29/06
		Charter 2011-02	12/06/11
2-5-4	Board of Police and Fire Commissioners	2010-03	08/10/10
		Charter 2011-02	12/06/11
		2013-23	10/21/13
2-5-5	Caledonia Parks and Recreation Advisory Committee.	Charter 2006-002	03/21/06
		Charter 2011-02	12/06/11
		Charter 2020-01*	03/16/20
2-5-6	REPEALED	2005-12	Repealed
2-5-7	Caledonia Economic Development Committee	2005-05	04/19/05
		Charter 2011-02	12/06/11
2-5-8	Caledonia East Sewer and Water Utility Districts and Caledonia West Sewer and Water Utility Districts	2001-01	2/19/01
		Charter 2006-002	03/21/06
		Charter 2006-005	12/19/06
		Charter 2010-01	10/05/10
		Charter 2011-02	12/06/11
2-5-9	REPEALED	Charter 2012-01	11/05/12
		Charter 2017-01	10/16/17
		2001-01	2/19/01
		Charter 2006-002	03/21/06
		Charter 2006-005	12/19/06
2-5-10	Historical Protection Commission	Charter 2011-001	07/19/11
		Charter 2011-002	12/06/11
		2013-21	11/30/13
		2017-20	Repealed
		2002-20	8/6/02
		2001-01	2/19/01
		Charter 2006-002	03/21/06
		Charter 2006-005	12/19/06

* Changed to be an ordinary regulatory ordinance.

SEC. 2-5-1 BOARD OF REVIEW.

- (a) **MEMBERSHIP.** The Board of Review shall consist of a Village Trustee and four (4) residents of the Village to be appointed by the Village Board for a term of three (3) years, and one alternate member who is also a resident of the Village. The alternate member shall serve on the Board of Review when standing members are removed from individual cases pursuant to Section 70.47(6m) of the Wisconsin Statutes. The alternate member is to be appointed by the Village Board, and shall serve for a term of three years.
- (b) **Duties.** The Board of Review shall have the duties and powers prescribed by Section 70.47, Wis. Stats.
- (c) **Meetings, Minutes and Record.** The Board of Review shall meet annually at any time during the 30-day period beginning on the 2nd Monday of May, and may be adjourned from time to time as the Board so designates. The Village Clerk, or designee, shall attend the meetings of the Board of Review and shall take the minutes of the proceedings and keep an accurate record of all of the proceedings.
- (d) **Confidentiality.** Whenever the Assessor, in the performance of the Assessor's duties, requests or obtains income and expense information pursuant to Section 70.47(7)(af), Wis. Stats., or any successor statute thereto, such income and expense information that is provided to the Assessor shall be held by the Assessor on a confidential basis, except, however, that the information may be revealed to and used by persons in the discharging of duties imposed by law; in the discharge of duties imposed by office (including, but not limited to, use by the Assessor in performance of official duties of the Assessor's office and use by the Board of Review in performance of its official duties); or pursuant to order of a court. Income and expense information provided to the Assessor under Section 70.47(7)(af), unless a court determines that it is inaccurate, is, per Section 70.47(7)(af), not subject to the right of inspection and copying under Section 19.35(1), Wis. Stats.
- (e) **Compensation.** The members of the Board of Review, except members who are officers of the Village who already receive compensation, shall serve without compensation.

SEC. 2-5-2 ADVISORY COMMITTEES TO THE VILLAGE BOARD.

- (a) **Purpose.** The Village Board of the Village of Caledonia may appoint such advisory committees as it may, from time to time, determine to be in the best interests of the Village.
- (b) **Scope of Section.** This Section shall apply to all advisory committees appointed by the Village Board, unless the Village Board, by resolution or ordinance, directs otherwise.
- (c) **Method of Appointment.** Each member of the Village Board shall appoint one (1) person to serve on each Village advisory committee for a term of two (2) years, commencing on the first day of June following the election of the supervisor making the appointment. In the event of a vacancy, any person may be

appointed to fill out the remainder of the term of office by the supervisor whose appointment is vacant.

- (d) **Officers.** Each advisory committee shall annually select from among its members a Chairperson, a Secretary, and such other officers, as it may deem necessary. No person shall serve more than two (2) consecutive terms as Chairperson, unless the committee, by unanimous vote, chooses to waive this restriction.
- (e) **Meeting.** Each advisory committee shall meet monthly and at the call of the Chairperson, a majority of the members, or the Village Board. Quorum for a meeting shall be three (3) members. All meetings shall be posted in advance and shall be open to the public. A written record of the proceedings shall be kept by the Secretary and a copy shall be left on file with the Village Clerk as a public record.
- (f) **Removal of Members.** Any time at which it appears that any member of an advisory committee is not attending meetings of the committee or is failing to perform the duties of membership, the supervisor who appointed that member shall be notified and may remove that person from membership by appointing another person to the advisory committee.
- (g) **Abolition of Committee.** Any time at which it appears that an advisory committee has completed its tasks or at any other time whatsoever, the Village Board may abolish that committee.
- (h) **Limitation of Authority of Advisory Committees.** No officer or member of any advisory committee shall purport to commit the Village Board or the Village of Caledonia to any course of action, contract, obligation, or indebtedness. Membership on any advisory committee does not confer upon a member status as an agent, employee, or officer of the Village of Caledonia. This Subsection applies to all committees of the Village of Caledonia, unless expressly waived by the Village Board.

SEC. 2-5-3 VILLAGE PLAN COMMISSION.

- (a) **Establishment.** There is established a Village Plan Commission for the Village of Caledonia, Racine County, Wisconsin, in accordance with Sections 61.35 of the Wisconsin Statutes.
- (b) **Membership, Appointment and Term.**
 - (1) The Village Plan Commission shall consist of seven (7) members who shall serve without compensation. Membership of the Plan Commission shall include the Village President, one Village Trustee and five (5) citizen members who have recognized experience and qualifications but are not Village officials.
 - (2) The Village President shall appoint members of the Plan Commission, subject to confirmation by the Village Board.
 - (3) Each citizen member shall serve a three (3) year term, commencing on May 1st. Initially, the terms of various members shall be staggered for one, two and three years so that a proportionate number of terms shall expire each year.

- (4) Official oaths shall be taken by all members in accordance with Sec. 19.01 of the Wisconsin Statutes within five (5) days after receiving notice of their appointment.
 - (5) A person who is appointed to fill a vacancy on the Plan Commission shall serve for the remainder of the term.
- (c) **Organization.**
- (1) The Village President shall serve as President of the Plan Commission. The Village Plan Commission shall annually elect a Vice President and Secretary from among its members.
 - (2) The Village Plan Commission shall organize and adopt rules and procedures for its own governance in accordance with the provisions of the Wisconsin Statutes and this Code of Ordinances.
 - (3) Meetings shall be monthly, and at the call of the President or a majority of either the full Commission or the Village Board.
 - (4) A quorum shall consist of four (4) members.
 - (5) Written records shall be kept showing all actions taken, resolutions, findings, determinations, transactions, and recommendations made; and a copy shall be filed with the Village Clerk as a public record.
 - (6) Special and Standing Committees may be appointed by the President.
 - (7) The Village Engineer shall appear, as requested, at meetings of the Plan Commission.
- (d) **Powers.** The Village Plan Commission shall have such powers as may be necessary to enable it to perform its functions and duties and promote municipal planning in the Village. Such powers shall include the following:
- (1) To employ experts and a staff and to pay for their services, supplies, equipment, and such other expenses as may be necessary and proper, not to exceed the appropriations and regulations made by the Village Board.
 - (2) To make reports and recommendations relating to the plan and development of the Village to public officials, agencies, utilities, and other organizations and citizens.
 - (3) To recommend public improvement programs and proposed financing to the Village Board.
 - (4) To request available information from any public official to be furnished within a reasonable period of time.
- (e) **Duties.** The Village Plan Commission shall have the following functions and duties:
- (1) To make and to recommend to the Village Board a plan for the physical development of the Village, including changes therein from time to time.
 - (2) To recommend land division regulations to the Village Board in accordance with Sec. 236.45 of the Wisconsin Statutes.
 - (3) To make recommendations to the Village Board regarding zoning district plans and regulations and amendments thereto.
 - (4) To make recommendations to the Village Board regarding proposed neighborhood plans.
 - (5) To recommend any changes or amendments to the Village Board that it deems necessary or desirable concerning the Official Map, zoning

- ordinances, and subdivision control ordinances; to cooperate with municipal or regional planning commissions and other land use planning agencies or groups to further the Village planning program and to assure harmonious and integrated planning for the Village and adjoining areas.
- (6) To hear and make recommendations to the Village Board respecting applications for conditional use permits in accordance with the Village Zoning Ordinance.
 - (7) To perform such other duties as may be prescribed by the Wisconsin Statutes, Village ordinances or the Village Board.
- (f) **Referrals.** The Village Board shall refer to the Village Plan Commission for its consideration and report, before the final action is taken, the following matters:
- (1) Location and architectural design of any public building.
 - (2) Location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition or lease of land for any street, alley or other public way, airport, parking areas, or public grounds.
 - (3) Location, extension, abandonment, or authorization for any public utility, whether publicly or privately owned.
 - (4) Location, character, and extent or acquisition, leasing, or sale of lands for public or semi-public housing, slum clearance, relief of congestion, or vacation camps for children.
 - (5) Annexations, incorporation, or consolidations affecting the Village.
 - (6) Divisions of land within the Village's platting jurisdiction.
 - (7) Proposed or requested changes and amendments to the Village plan, the Master Plan, the Official Map, and zoning or land division ordinances.
 - (8) Proposed fire prevention regulations.
- (g) **Additional Powers and Duties.** The Village Plan Commission shall have all additional powers and duties granted or assigned by the Village Board or by the Village Ordinances. All the powers and duties granted or assigned by the Wisconsin Statutes to Village Plan Commissions and Planning Agencies and any amendments thereto are hereby granted and assigned to the Commission and such statutes are hereby adopted by reference.

SEC. 2-5-4 BOARD OF POLICE AND FIRE COMMISSIONERS.

- (a) **Creation.** There is hereby created a Board of Police and Fire Commissioners of the Village of Caledonia.
- (b) **Definitions.** For purposes of this section, “Board” shall mean the Village of Caledonia Board of Police and Fire Commissioners.
- (c) **Membership.** The Board of Police and Fire Commissioners shall be organized in the same manner as prescribed in Wis. Stat. Sec. 62.13(1), except as provided in this subsection. The Board shall consist of five (5) citizens, three (3) of whom shall constitute a quorum. The President of the Village of Caledonia, subject to confirmation by the Village Board, shall annually, by March 30th, appoint in writing to be filed with the Secretary of the Board, one (1) member for a term of five (5) years. The initial appointment shall be of the required five (5) members,

each for varying terms from one (1) to five (5) years. Terms shall commence on May 1st; provided, however, the initial appointments shall commence upon appointment and qualification. No appointment shall be made which will result in more than three (3) members of the Board belonging to the same political party.

- (d) **Organization.** The Board of Police and Fire Commissioners shall annually select a president and a secretary from among its members. The president shall preside over meetings and hearings of the Board, to see that proper notices of all meetings and hearings are given, and to issue subpoenas to compel the attendance of witnesses. The secretary, subject to the direction of the Board, shall send out all notices required by law, ordinance or the Board, keep a record of all of the proceedings of the Board, and preserve evidence received at any hearing of the Board.
- (e) **Powers and Duties.** The Board of Police and Fire Commissioners shall perform such powers and duties as are prescribed in Wis. Stat. Secs. 62.13(2) to (5) and (7) to (12), to the extent that the provisions apply to second and third class cities and shall:
- (1) Have the following powers:
 - a. Appoint the Chief of Police and Chief of the Fire Department, and establish the selection process and qualifications for these positions.
 - b. Approve appointments of subordinates made by the Police and Fire Chiefs. Prior to approving any appointments to command staff positions (not entry level positions), the Village Board shall review the vacant position(s) to determine if filling the position is appropriate at this time.
 - c. Establish the qualifications, selection process and eligibility list for entry level positions (Police Officer/Firefighter). For the establishment of such list, the Board shall adopt and may repeal or modify, rules calculated to secure the best service in the departments.
 - d. Establish the qualifications, selection process and eligibility list for other than entry level positions in the Police and Fire Departments only when said positions are not filled by promotion. The Police and Fire Chiefs shall make the determination as to whether qualified individuals are eligible for promotion. If such a list is required, the Board shall adopt, and may repeal or modify, rules calculated to secure the best service in the departments.
 - e. Hear an appeal from a subordinate who has been suspended by the Police or Fire Chief and who requests a hearing.
 - f. Hear charges filed against the Chief or charges filed by the Chief against a subordinate. May also hear charges filed by a member of the Board, the Board as a body or any aggrieved person, and determine whether there is just cause to sustain the charges, applying the criteria set forth in Wis. Stat. Section 62.13(5)(em). If the charges are sustained, the Board shall be authorized to impose only one of the following four penalties: suspension,

- reduction in rank, suspension and reduction in rank, or removal. If the Board or a member of the Board is going to file charges, the Board or the member may conduct an investigation which may lead to the filing of charges.
- g. Make rules for the administration of the disciplinary appeal review process.
- (2) Shall not have the following powers:
- a. Organize and supervise the Fire and Police Departments or prescribe rules and regulations for their control and management.
 - b. Contract for and purchase any necessary apparatus and supplies for the use of the departments under their supervision.
 - c. Audit bills, claims or expenses of the Fire and Police Departments before the same are paid by the Village Treasurer.
 - d. Determine when promotion of subordinates can or cannot be done with advantage, from within the department.
 - e. Establish an Affirmative Action Program.
 - f. Issue or remove oral or written reprimands or other forms of discipline not listed in subsection (1)(f) above.
 - j. Order any Village department or employee to conduct an investigation into any alleged impropriety; however, it may request an investigation.
- (f) **Records.** The Board of Police and Fire Commissioners shall keep a record of its proceedings and provide a copy of each record to the Village Clerk. The Village Clerk shall be the legal custodian of records.
- (g) **Rules and Regulations.** The Board shall also adopt rules and regulations necessary to carry out its duties in compliance with the provisions of Wis. Stat. Section 62.13.

SEC. 2-5-5 CALEDONIA PARKS AND RECREATION ADVISORY COMMITTEE.

- (a) **Establishment.** There is hereby established the Caledonia Parks and Recreation Advisory Committee.
- (b) **Membership.**
 - (1) The Caledonia Parks and Recreation Advisory Committee shall consist of five (5) citizen members who shall serve without compensation, and two (2) Village Trustees, who shall serve as liaisons to the Village Board for a total of seven (7) members. In addition, the Village's Public Works Director, or designee, shall serve as a non-voting ex officio member of the advisory committee. The Village Trustees shall have the same rights as the other appointed members, and shall be counted in determining the number required for a quorum or whether a quorum is present. The Village President shall appoint the citizens and Village Trustees, subject to confirmation by the Village Board. The citizen members shall be citizens of recognized experience and qualifications.

- (2) Each citizen member shall serve a three (3) year, staggered term, commencing on May 1st of the year of the appointment unless appointed to fulfill a term of a member who had left during his or her term. Initially, one citizen member shall be appointed for a one (1) year term, two citizen members shall be appointed for a two (2) year term, and two citizen members shall be appointed for a three (3) year term in order to stagger the terms of the citizen members. Thereafter, each year one or more citizen members shall be appointed for three (3) year terms, each term commencing on May 1. The Village Board liaison members shall each serve a one-year term commencing on May 1.
 - (3) Official oaths shall be taken by all members in accordance with Section 19.01 of the Wisconsin Statutes within five (5) days after receiving notice of their appointment.
- (c) **Organization.**
- (1) The Village Parks and Recreation Advisory Committee shall annually elect a Chairperson from the two Village Trustees who have been appointed. The advisory committee shall also annually elect a Vice-Chairperson and Secretary from among its citizen members at the first meeting after May 1 of each year.
 - (2) Meetings shall be monthly and at the call of the Chairperson. The Chairperson shall set the agenda items in consultation with the Public Works Director, in an agenda format designated by the Village Clerk. The agenda shall include a public comment section.
 - (3) A quorum shall consist of four (4) members not including the non-voting member.
 - (4) A written record, in a minute format designated by the Village Clerk, shall be kept by the Secretary showing the agenda, actions taken, findings, and recommendations made. A copy shall be filed with the Village Clerk as public record on a monthly basis. The written record shall be reviewed and approved by the advisory committee at the next scheduled meeting.
- (d) **Powers and Duties.** The Village Parks and Recreation Advisory Committee is advisory only and is established for the purpose of assisting the Public Works Director, or designee, and for providing community residents a resource for communicating with the Village about parks and recreation. The advisory committee shall advise the Village Board and the Public Works Director, or designee, in matters of particular concern and impact to residents in the Village as concerning the Village parks, including planning, evaluation and development of Village parks, their facilities, and recreation programming. In this capacity, it is the intention of this ordinance that the advisory committee will develop recommendations regarding physical properties, staffing and equipment needs, program content, and financial requirements for presentation to the Village Board. The activities and responsibilities of the advisory committee are set forth in the chart below:

Accounting and budgeting	<ul style="list-style-type: none"> • Review reports and make recommendations to the Public Works Director, or designee, on establishing budget priorities; • Assist in budget presentations if requested by the Public Works Director, or designee • Assist in vendor reviews if requested by the Public Works Director, or designee • Make recommendations to Village Board on fees including but not limited to rentals, uses, and programming.
Park facility, land, and open space planning	<ul style="list-style-type: none"> • Review and recommend the development of reports and master plans for Village parks, facilities, and open spaces; • Make recommendations to the Village Board
Park facility and land maintenance	<ul style="list-style-type: none"> • Formulate guidelines and maintenance schedules at the direction of the Public Works Director, or designee • Make recommendations to the Village Board
Programming and sports leagues	<ul style="list-style-type: none"> • Review and recommend to the Public Works Director, or designee, proposals for programs, sports leagues, events, and fundraisers; • Assist in programming if requested by the Public Works Director, or designee
Public Input	<ul style="list-style-type: none"> • Receive public input, requests, or complaints during the public comment section on the agenda; • Make referrals to the Public Works Director, or designee, for any necessary follow up to resolve or address the public input

SEC. 2-5-6 REPEALED.

SEC. 2-5-7 CALEDONIA ECONOMIC DEVELOPMENT COMMITTEE.

- (a) **Establishment.** There is hereby established a seven (7) person Caledonia Economic Development Committee for the Village of Caledonia, Racine County, Wisconsin.
- (b) **Membership.** The committee members shall be comprised of the President of the Village Board, one other Village Trustee and five (5) persons from the community, at least three (3) of whom shall be residents of the Village. The members of the committee shall be appointed by the President subject to confirmation by the Village Board. Each member shall serve for a three (3) year term, except that of those community members first appointed two (2) shall serve for one year, and three (3) for two (2) years. Each term shall commence on May 1st.
- (c) **Meetings.** Meetings shall be held and conducted in accordance with the provisions of Section 2-5-2 of this Code of Ordinances.
- (d) **Organization.** The Caledonia Economic Development Committee shall organize itself in accordance with the provisions of Section 2-5-2 of this Code of Ordinances.
- (e) **Duties.** The Caledonia Economic Development Committee shall have the following duties and functions along with those others the Village Board may direct:
 - (1) To investigate and report to the Village Board on the impact that any commercial or industrial development may have on the provision of services.
 - (2) Investigate and report lands within the Village of Caledonia which are suitable or potentially suitable for commercial or industrial development.
 - (3) Investigate and report to the Village Board on means by which commercial and industrial establishments may be attracted to the Village of Caledonia.
 - (4) Investigate and report to the Village Board on the economic impact any particular commercial or industrial development may have on the Village or the community in general.
 - (5) Investigate and report to the Village Board on the economic impact any particular commercial or industrial development may have on the Village or the community in general.

SEC. 2-5-8 CALEDONIA UTILITY DISTRICTS COMMISSION.

- (a) **Commission.** The Caledonia Water Utility District, the Caledonia Sewer Utility District, and the Caledonia Storm Water Utility District (collectively referred to herein as “the Districts”) shall be governed by one Utility District Commission, comprised of one (1) Village Board Trustee and six (6) citizen commissioners who are residents of the Village. The one (1) appointed Village Board Trustee shall serve as a liaison to the Village Board. The Village President shall appoint the liaison member, and an

alternate liaison member, subject to confirmation by the Village Board. The liaison member shall have the same rights as the other Commission members, and shall be counted in determining the number required for a quorum or whether a quorum is present. The liaison member, and his or her alternate, shall serve a one-year term commencing on May 1st. The six (6) citizen commissioners shall be appointed for staggered three (3) year terms by the Village Board, each term commencing May 1st. Initially, the terms of the various members shall be staggered so that two terms shall expire each year. The compensation paid to the six (6) citizen commissioners shall be determined from time-to-time by Resolution of the Village Board.

- (b) The Commission shall have the following powers and obligations:
- (1) The charge and management of the Projects within the Utility Districts are subject to the general control and supervision of the Village Board as provided in this Section.
 - (2) Preparation of a proposed budget for each of the Utility Districts in accord with Sec. 65.90, Wis. Stats., and shall file it with the Village Clerk for review and approval by the Village Board.
 - (3) Shall choose a president and secretary from its membership.
 - (4) Shall review the books of account in the manner and form prescribed by the Village and as required by law. Utility District expenses shall be audited by the Commission at its regular meetings, and if approved by the Commission, shall be paid by the Village Clerk and Treasurer pursuant to Sec. 66.0607, Wis. Stats. The Commission may authorize the payment of regular expenses as the Commission may determine to be paid as they become due, if approved by the Commission.
 - (5) The Commission shall from time-to-time as required by the Village Board, provide the Village Board with reports and other details of activities.
 - (6) Subject to the appropriations in the budget as approved by the Village board: (a) the Commission may employ the services and fix the compensation of such other agents or consultants as the Commission deems necessary or convenient for the operation and management of the Utility District; (b) The Commission shall have authority to enter into contracts as are necessary or convenient for the management and operation of the Utility Districts; provided, however, that contracts for any purchase, service, or project that involves an expenditure of \$25,000.00 or more shall be subject to prior approval by the Village Board. All purchasing shall occur in accordance with the Village's adopted purchasing policy under Sec. 2-4-25(d), as applicable.
 - (7) The Commission shall have the authority to administer each Utility District and set such rules and regulations for the operation of each Utility District and the delivery of services within each Utility

District as are authorized by law. Any Commission rules and regulations shall be subject to approval by the Village Board by resolution from time-to-time. The Commission may not adopt rules and regulations governing Utility District personnel. Utility District's personnel are Village employees subject to the Village Personnel Policy Manual.

SEC. 2-5-9 REPEALED.

SEC. 2-5-10 HISTORICAL PROTECTION COMMISSION

- (a) **Creation.** There is hereby created the Historical Protection Commission of the Village of Caledonia.
- (b) **Definitions.**
 - (1) "Commission" means the Historic Protection Commission created under this section.
 - (2) "Historical Preservation Covenant" means an agreement entered into under this section.
 - (3) "Historic Site" means any parcel of land of historic significance due to a substantial value in tracing the history or prehistory of man, or upon which a historic event has occurred, and which has been so designated under this section, or an improvement parcel, or part thereof, on which is situated a Historic Structure and any abutting improvement parcel, or part thereof, used as and constituting part of the premises on which the historic structure is situated.
 - (5) "Historic Structure" means any improvement which has a special character or special historic interest or value as part of the development, heritage or cultural characteristics of the Village, state or nation, and which has been so designated by under this section.
- (c) **Commission Membership and Organization.** The Commission shall be composed of seven (7) members who shall be appointed by the Village Board to five-year terms. At least six Commissioners shall be residents of the Village and all shall have a known, and preferably demonstrated interest in local, state, or national history and/or the protection of historical sites and structures. Commissioners shall not be compensated. The Commission shall appoint from among its membership a President who shall retain such title for the period of one year. The Commission shall meet as often as its membership determines necessary and in any event no less than once per month.
- (d) **Commission Powers and Duties.**
 - (1) The Commission shall designate, applying the criteria set forth in paragraph (e), Historic Sites and Historic Structures located within the Village, and prepare a list of such Historic Sites and Historic Structures against which the Village Building Department shall cross-reference parcels for which building construction, plumbing, electrical, HVAC and razing permits have been applied. When designating Historical Sites and

Historical Structures, the Commission shall cause to be recorded, either in its meeting minutes or in some other appropriate written form, the reason that each Historic Site or Historic Structure was so designated.

- (2) The Commission shall undertake to educate the Village generally as to the historical significance and value of Historical Sites and Historical Structures within the Village, and the Commission shall also endeavor to educate the owners of Historical Sites and Historical Structures and to encourage their participation in federal, state, and local programs related to historical preservation.
 - (3) The Commission shall contact the owners of Historical Sites or Historical Structures for which raze, building construction, electrical, plumbing and HVAC permit applications have been made, ascertain whether such work, if undertaken, would threaten the Historical Site or Historical Structure, inform the property's owner of such Historical Site or Historical Structure's historical significance and, if appropriate, advise the owner of possible alternatives. Unless, in the opinion of the Village Building Inspector, such a delay would pose a serious threat to residents of the property or to the public's health or safety, no building construction, electrical, plumbing, HVAC or raze permit shall be issued for thirty days unless the Commission earlier has an opportunity to review the property's historical significance and, if appropriate, contact the owner regarding the same, and if the Commission thereafter informs the Building Inspector that the requested permit may be issued, if otherwise appropriate.
 - (4) The Commission shall advise the Board regarding the significance and advisability of accepting Historical Preservation Covenants respecting any Historical Site or Historical Structure.
 - (5) The Commission shall advise the Village Board regarding any other historical matters as the Board may, from time to time, refer to it or as may come to the attention of the Commissioners.
- (e) **Historical Criteria.** In designating any site or structure as a Historic Site or Historic Structure, pursuant to subparagraph (d)(1) above, the Commission shall find and indicate in writing that the particular site or structure possesses one or more of the following criteria, namely it:
- (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state or locality;
 - (2) Is identified with historic personages or with important events in national, state or local history;
 - (3) Embodies the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship;
 - (4) Is representative of the notable work of a master builder, designer or architect who influenced his age;
 - (5) Has yielded, or may be likely to yield, information important to prehistory or history.

- (6) Is seventy-five years old or older and, by virtue of its age and other significant characteristics, the Commission, in its discretion, determines that the structure's designation as a Historical Structure is appropriate.
- (f) **Records.** The Secretary of the Commission shall be responsible for preparing minutes of the Commission's meetings and shall be considered the Commission's records custodian for the duration of his or her term as Secretary, but such records shall be maintained at the Village Hall.
- (g) **Village Protection of Historical Sites and Historical Structures.**
 - (1) Owners of Historical Sites or Historical Structures, which have been so designated by the Commission, pursuant to subparagraph (d)(1) above, may petition the Village to enter into a Historical Preservation Covenant to protect the historical value of such site or structure for posterity. No owner of a Historical Site or Historical Structure shall be required to petition for such protection of his or her property; participation in the program shall be strictly voluntary.
 - (2) Following a petition by the owner of a Historical Site or Historical Structure, the decision for the Village to participate in a Historical Preservation Covenant with respect to any property shall be made by the Village Board, upon advice from the Commission. The Village Board shall not be required to agree to any such petition, regardless of the historical significance of the particular Historical Site or Historical Structure at issue.
 - (3) If participation is approved by the Village Board, the petitioner and the Village shall execute, in triplicate, a Historic Preservation Covenant in a form agreeable to the Village and the petitioner. The Village shall thereafter cause such Historical Preservation Covenants to be recorded in the Racine County Register of Deeds office. One such recorded Covenant shall remain with the Register of Deeds, one shall remain with the Village, and one shall be returned to the petitioner. Once a Historical Preservation Covenant has been recorded, the Historical Site or Historical Structure may not be withdrawn by the property owner from participation in the program without the Village Board's approval, although the Village may, in its discretion and by a two-thirds majority of its Board, vote to rescind any Historical Preservation Covenant. Once a Historical Preservation Covenant has been entered, work impacting on the Historical Site's or Historical Structure's historic significance may be undertaken only with the Village Board's consent thereto, on advice of the Commission.
 - (4) A Historical Site or Historical Structure participating in the Village's Historical Preservation Covenant program shall be exempt from all building construction, plumbing, electrical and HVAC permit fees, excepting any penalties for not pulling an applicable permit or not doing so in a timely manner, for the duration of the property's participation in the program.