

LEGISLATIVE/LICENSING COMMITTEE MEETING**Monday, July 11, 2022, at 3:30 p.m.****Caledonia Village Hall – 5043 Chester Lane**

1. Call to Order
2. Approval of Minutes
3. **Ordinance 2022-12** - An Ordinance To Amend Sections 7-3-1 And 7-3-2 Of The Code Of Ordinances For The Village Of Caledonia Relating To The Licensing Of Tobacco Products And The Licensing Sale Of Nonintoxicating Beverages And To Repeal Section 7-3-3 Of The Code Of Ordinances For The Village Of Caledonia Relating To Licensing Sale Of Soda Water Beverages
4. **Ordinance 2022-13** - An Ordinance To Create Title 5 Chapter 11 Containing Sections 5-11-1 Through 5-11-4 Entitled Disposal Of Abandoned And Seized Property, To Renumber And Amend Title 5 Chapter 7 Sections 5-7-1 To 5-7-6 To Be Title 3 Chapter 6 Sections 3-6-1 To 3-7-6 Entitled Disposal Of Surplus Property Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin, Relating To The Disposal Of Abandoned And Seized Property
5. **Ordinance 2022-14** - An Ordinance To Amend Section 9-1-1(E), Section 9-2-1(A)(4), And Section 9-4-1(E) Of Title 9 For Public Utilities To Change References From The Village Utility Director To The Village Public Services Director And To Change Reference To District Manager To Utility Supervisor In Section 9-4-4 In The Code Of Ordinances For The Village Of Caledonia
6. **Ordinance 2022-15** - An Ordinance To Amend Section 15-1-24 (A) Relating To Minimum Fees To Include A Dishwasher Fee; And To Create Section 15-1-24(L) Relating To Plumbing Permit And Inspection Fee Schedule And Entitled Commercial Plumbing; And To Amend Section 15-1-25 (C) To Adjust The Fees For Electrical Work For Commercial, Industrial And Agricultural Structures Or Properties, And To Amend Section 15-1-25 (D) To Adjust The Minimum Fees For Residential And Commercial Electrical Work, All Of Which Sections Are Of The Village Of Caledonia Code Of Ordinances
7. **Ordinance 2022-XX** - An Ordinance Amending Chapter 4 Of Title 2 Of The Code Of Ordinances For The Village Of Caledonia Relating To Village Officers And Employees
8. **Charter Ordinance 2022-001** - A Charter Ordinance To Repeal And Recreate Sec. 2-4-8 Of The Village Of Caledonia Municipal Code Of Ordinances Related To The Office Of Village Clerk
9. Animals at Large Discussion
10. Adjournment

Dated July 8, 2022

Joslyn Hoeffert
Village Clerk

Only committee members are expected to attend. However, attendance by all Board members (including non-members of the committee) is permitted. If additional (non-committee) Board members attend, three or more Board members may be in attendance. Section 19.82(2), Wisconsin Statutes, states as follows:

If one-half or more of the members of a governmental body are present, the meeting is rebuttably presumed to be for the purposes of exercising the responsibilities, authority, power or duties delegated to or vested in the body.

To the extent that three or more members of the Caledonia Village Board actually attend, this meeting may be rebuttably presumed to be a "meeting" within the meaning of Wisconsin's open meeting law. Nevertheless, only the committee's agenda will be discussed. Only committee members will vote. Board members who attend the committee meeting do so for the purpose of gathering information and possible discussion regarding the agenda. No votes or other action will be taken by the Village Board at this meeting.

**LEGISLATIVE/LICENSING COMMITTEE MEETING
CALEDONIA VILLAGE HALL
5043 CHESTER LANE, RACINE, WI 53402
Tuesday, May 24, 2022**

1. Call to Order

Trustee Martin called the meeting to order at 9:30 a.m. In attendance were:

Committee Members: Trustee Martin and President Dobbs who sat in for Trustee Stillman.

Absent: Trustee Weatherston and Trustee Stillman were excused.

Staff/Others Present: HR Manager Michelle Tucker, Village Clerk Joslyn Hoeffert, Village Attorney Elaine Ekes, and Village Administrator Kathy Kasper.

2. Approval of minutes

President Dobbs motioned to approve the minutes as printed from May 9, 2022. Seconded by Trustee Martin. Motion carried unanimously.

3. Ordinance 2022-XX - An Ordinance To Repeal And Recreate Chapter 12 Of Title 7 Licensing And Regulation Of Festivals, Amusement Parks, And Carnivals Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin

Clerk Hoeffert explained the new Ordinance that Attorney Ekes and herself have put together. The old Ordinance was out of date and Clerk Hoeffert would like to get this up to date for any future carnivals that come to the Village. The application process would go through the Clerk's office. A public hearing will not be required, but it would be required to go through the Legislative and Licensing Committee and then forwarded to the Village Board for final approval.

Clerk Hoeffert explained to the committee what is included on the application. The Committee discusses changes that could be made to the application as well as what groups would fall under this application.

The Committee discussed the details of the Ordinance and changes that could be made.

Motion by Trustee Martin to have Clerk Hoeffert and Attorney Ekes make the recommended changes to Ordinance 2022-XX - An Ordinance To Repeal And Recreate Chapter 12 Of Title 7 Licensing And Regulation Of Festivals, Amusement Parks, And Carnivals Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin and to forward to the Village Board for final approval. Seconded by President Dobbs. Motion carried unanimously.

4. Adjournment

There being no further business, Motion by President Dobbs to adjourn the meeting at 10:02 a.m. Trustee Martin seconded. Motion carried unanimously.

Respectfully submitted,
Megan O'Brien
Deputy Village Clerk

AN ORDINANCE TO AMEND SECTIONS 7-3-1 AND 7-3-2 OF THE CODE OF ORDINANCES FOR THE VILLAGE OF CALEDONIA RELATING TO THE LICENSING OF TOBACCO PRODUCTS AND THE LICENSING SALE OF NONINTOXICATING BEVERAGES AND TO REPEAL SECTION 7-3-3 OF THE CODE OF ORDINANCES FOR THE VILLAGE OF CALEDONIA RELATING TO LICENSING SALE OF SODA WATER BEVERAGES.

The Village Board of the Village of Caledonia, Racine County, do ordain as follows:

1. That Section 7-3-1 of the code of ordinances for the Village of Caledonia “Cigarette License” be, and hereby is, amended to read as follows:

“SEC. 7-3-1 CIGARETTE LICENSE.

- (a) **License Required.** No person shall, in any manner, directly or indirectly, upon any premises, or by any device, sell, exchange, barter, dispose of, give away, or keep for sale, any cigarette, cigarette paper, cigarette wrappers, or any substitute, without first obtaining a license.
- (b) **Application for License; Fee.** Every person applying for a license under this section shall file a written application with the Village Clerk stating the name of the applicant and the name and address of the premise for which the license is requested. The applicant shall pay a license fee in an amount set by resolution of the Village Board from time to time.¹
- (c) **Issuance and Term of License.** Licenses for the sale, exchange, barter, disposition of, or giving away, or keeping for sale of cigarette paper or cigarette wrappers or any substitute shall be issued by the Village Clerk. Each license shall be issued on the first day of July in each year, or from the date approved, if after July 1, and shall continue in force from the date of issuance until the succeeding June 30th unless revoked for any violation of this section.
- (d) **Statutory Provisions.** The provisions of § 134.65 and 134.66 and Chapter 139, Wis. Stats., regulating the use of tobacco products shall be adopted in this section.”

2. That Section 7-3-2 of the Code of Ordinances for the Village of Caledonia “Licensing Sale of Nonintoxicating Beverages” be, and hereby is, amended to read as follows:

“SEC. 7-3-2 LICENSING SALE OF NONINTOXICATING BEVERAGES.

- (a) **License Required.** No person or corporation shall maintain, operate or

¹ Need resolution to set fee of one hundred dollars (\$100.00) to the Village Treasurer.

conduct within the limits of the Village of Caledonia the business of selling non-intoxicating beverages as defined in Sec. 66.0433, Wis. Stat., either in retail or at wholesale, without first procuring a license so to do as provided in this Section.

(b) **Application.**

- (1) Application for such license shall be filed with the Village Clerk for the presentation to the Village Board at any regular or special meeting thereof. All such applications shall be accompanied by the fee fixed by Subsection (c) for such license.
- (2) Such application shall contain questions as to what premises are to be licensed and whether the applicant is a person or corporation and, if it is a corporation, whether it is a domestic corporation, whether the applicant is a resident of the Village of Caledonia, whether the applicant has been convicted of a felony and, if so, whether he has been restored to civil rights.
- (3) In the event applicant is a person not a resident of the Village of Caledonia, or if the applicant is not domestic corporation, or if the applicant has been convicted of a felony and has not been restored to civil rights, the license shall be denied per Sec. 66.0433(2), Wis. Stat.
- (4) If the applicant meets the qualifications established in Sec. 66.0433(2), Wis. Stat., the Village Board shall further consider the character of the applicant, the proposed nature of conduct of the business, and the location of the premises to be licensed and, if satisfied that the granting of the license is not contrary to public interest, shall grant the license.

(c) **Issuance; Fee.** Such license, when issued by the Village Clerk under the authority of the Village Board, shall entitle the holder thereof to engage in the business of selling nonintoxicating beverages at the premises mentioned in said license such to the limitations imposed by this section. The fee for such license shall be set by the Village Board by resolution from time-to-time but shall conform to the standards set forth in Sec. 66.0433(1), Wis. Stats. ² The full license fee shall be charged for the whole or fractional part of the year. No such license shall be transferable from one (1) person to another nor shall such license be transferable to any other location without the consent of the Village Board.

(d) **Term; Expiration.** All licenses issued pursuant to the provisions of this Section shall expire on the 30th day of June next succeeding the date of issue.

(e) **Display of License.** All persons granted licenses under this Section shall cause their license to be prominently displayed in their place of business.”

3. That Section 7-3-3 of the Code of Ordinances for the Village of Caledonia “Licensing Sale of Soda Water Beverages” be, and hereby is, repealed.

4. That this ordinance shall take effect upon adoption and publication as required by law.

² The fee for a license shall be not less than \$5 nor more than \$50, to be fixed by the board or council, except that where these beverages are sold for consumption off the premises the license fee shall be \$5.

Adopted by the Village Board of the Village of Caledonia, Racine County,
Wisconsin, this ____ day of _____, 2022.

VILLAGE OF CALEDONIA

By: _____
James Dobbs
Village President

Attest: _____
Joslyn Hoeffert
Village Clerk

Ordinance No. 2022-13

AN ORDINANCE TO CREATE TITLE 5 CHAPTER 11 CONTAINING SECTIONS 5-11-1 THROUGH 5-11-4 ENTITLED DISPOSAL OF ABANDONED AND SEIZED PROPERTY, TO RENUMBER AND AMEND TITLE 5 CHAPTER 7 SECTIONS 5-7-1 TO 5-7-6 TO BE TITLE 3 CHAPTER 6 SECTIONS 3-6-1 TO 3-7-6 ENTITLED DISPOSAL OF SURPLUS PROPERTY OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO THE DISPOSAL OF ABANDONED AND SEIZED PROPERTY

The Village Board of the Village of Caledonia, Racine County, Wisconsin, do ordain as follows:

1. That Title 5 Chapter 11 Sections 5-11-1 through 5-11-4 of the Code of Ordinances for the Village of Caledonia be, and hereby is, created to read as follows:

“CHAPTER 11 ABANDONED AND SEIZED PROPERTY

SEC. 5-11-1 ABANDONED PROPERTY

- (a) **Authority.** This section is enacted pursuant to the authority of Wis. Stat. § 66.0139.
- (b) **Findings; Intent.** It is necessary and in the public interest, welfare and safety to enact a process that must be followed as to the disposition of abandoned property that is found within the boundaries of the Village and comes to be in possession of a Village department.
- (c) **Disposal of Personal Property.**
 - (1) The Village of Caledonia by any department head may dispose of personal property, other than cash, that has been abandoned, not needed for evidence or court proceedings, or remained unclaimed for a period of 30 days after taking possession of such property. The property may be retained or disposed of by any means that is determined to be in the best interest of the Village by the department head (i.e. donation, public or internet auction, converted to department use, etc).
 - (2) The department head, or designee, shall attempt to return to the rightful owner, if the owner can reasonably be determined, such items of personal property which have substantial value.
- (d) **Disposal of Abandoned Cash.**
 - (1) Personal property consisting of cash that has been abandoned and is not needed for evidence or court proceedings, or that has remained unclaimed for a period of

5 years after taking possession of such property, shall be disposed of according to the Revised Uniform Unclaimed Property Act under Chapter 177, Wis. Stats.

- (2) The department head, or designee shall attempt to return to the rightful owner, if the owner can reasonably be determined, such cash prior to disposal per subsection (1) above.

(e) **Disposal of Seized Cash.**

- (1) For the purpose of this section, “controlled substance,” “controlled substance analog,” and “marijuana” shall have the meaning defined in Wis. Stat 961.01.
- (2) Abandoned or unclaimed personal property consisting of cash which has been seized as part of controlled substance, controlled substance analog, or marijuana arrest or investigation shall be held by the Police Department until such time that the municipality or the rightful owner of the abandoned or unclaimed seized cash brings a forfeiture proceeding for its disposal or recovery per Wis. Stat. § 968.20 or § 961.555.
- (3) If the funds were seized pursuant to state or federal asset forfeiture proceedings, the funds will be maintained pursuant to the requirements associated with the forfeiture laws. Federal Asset forfeiture funding may only be used for items deemed a “permissible use” as outlined in the current Federal Equitable Sharing guidelines. Any funds received as a result of this section shall not be used in any manner to reduce the budget appropriation for the Police Department in any year.

(f) **Abandoned, Unclaimed or Seized Dangerous Weapons or Ammunition.**

- (1) Abandoned or Unclaimed or Seized Dangerous Weapon(s) or Ammunition may be disposed of in accordance with the procedure set forth in Wis. Stat. § 968.20.
 - a. If the dangerous weapons or ammunition is not required for evidence or use in further investigation and has not been disposed of pursuant to a court order at the completion of a criminal action or proceeding, the village shall make reasonable efforts to notify all persons who have or may have an authorized rightful interest in the dangerous weapon or ammunition of the application requirements set forth in Wis. Stat. § 968.20(1).
 - b. If, within 30 days after the notice, an application is not made and the seized dangerous weapon(s) or ammunition is not returned by the officer, the village may retain the dangerous weapon(s) or ammunition and authorize its use by a law enforcement agency, provided the dangerous weapon was not used in the commission of a homicide, or is a handgun as defined in Wis. Stat. § 175.35(1)(b).
 - c. If a dangerous weapon other than a firearm is not retained by the village, the village or custodian shall safely dispose of the dangerous weapon or sell the weapon if that weapon is a motor vehicle.
 - d. If a firearm or ammunition is not retained by the village, the village or custodian shall ship the firearm or ammunition to the state crime laboratories and it is then property of the laboratories.

(g) **Disposal of Abandoned or Unclaimed Flammable, Explosive or Incendiary Substance Materials or Devices.**

- (1) Any Village employee, at the direction of the Chief of Police or his designee, may safely dispose of abandoned or unclaimed flammable explosive or incendiary substance, materials or devices that pose a danger to life or property in their storage, transportation, or use immediately after taking possession of the substance, materials or device without a public auction.
- (2) If the substance, materials or device appears to be or is reported stolen, an attempt to return the substance, materials or device to its rightful owner shall be made.
- (3) If the substance, materials or device appears to have a commercial value and does not pose an immediate threat to life or property, an attempt to return the substance, materials or device to its rightful owner shall be made.

(h) **Records to be kept.**

- (1) If the disposal of the property is in the form of a sale, all receipts from the sale, after deducting the necessary expenses of keeping the property and conducting the sale, shall be paid into the Village Treasury.
- (2) If the property is not disposed of in a sale open to the public, the department head shall maintain an inventory of the property, a record of the date and method of disposal, including the consideration received for the property, if any, and the name and address of the person taking possession of the property. The inventory shall be kept as a public record for a period of not less than 2 years from the date of disposal of the property.

SECTION 5-11-2. PENALTY.

Violation of any provision of this Chapter can and will result in the imposition of penalties according to Section 1-1-6 of this Code of Ordinances.

SECTION 5-11-3. SEVERABILITY.

The provisions of this Ordinance are severable. If any provision of this Ordinance is found to be void or unconstitutional by a court of competent jurisdiction, such finding shall not affect the remaining portions of this ordinance which will be deemed in full force effect.”

2. That Title 5 Chapter 7 Sections 5-7-1 to 5-7-6 relating to the Disposal of Surplus Property, be, and hereby are, renumbered for placement in Title 3 Chapter 6 and amended to read as follows:

“SEC. 3-6-1 DEFINITIONS.

- (a) “Arm’s Length Transaction” means a sale in an open and unrestricted market between a willing buyer and a willing seller who are knowledgeable and informed and who are acting independent of each other.
- (b) “Book Value” means the recorded value of a piece property at the time of purchase less the accumulated depreciation of the property on the date of the proposed disposal of the property. The valuation of property shall be supported by generally accepted accounting principles.
- (c) “Fair Market Value” means the value of a piece of property if it were sold on the open market in an Arm’s Length Transaction.
- (d) "Surplus Village Property" means property that has no further usefulness to the Village as determined by the Department Head that oversees the property. No further usefulness means a piece of property that is no longer used, relied on, or needed.

SEC. 3-6-2 DETERMINATION AND DISPOSITION OF SURPLUS VILLAGE PROPERTY.

- (a) Property with a Book Value of Less than Five-Hundred Dollars. Property with a Book Value of less than five hundred dollars (\$500.00) shall be determined to be Village Surplus Property by the Department Head of the property. The Department Head shall notify the Village Administrator and the Finance Department of his or her determination that a piece of property is Surplus Village Property. The Department Head’s notice to the Village Administrator and Finance Department shall include a property description, asset number, Book Value, reasons for disposal, and recommended means of disposal. Upon receipt of the notice of the Department Head’s determination, the Village Administrator or designee shall dispose of the Surplus Village Property by one of the methods listed in Section 3-6-3. Once the Village Administrator or designee has disposed of the Surplus Village Property, proof of such disposal shall be provided to the Finance Department and be reflected on the Village assets list if necessary, within seven (7) days of receipt of the sale.
- (b) Property with a Book Value of Five-Hundred Dollars or More.
 - (1) If the Department Head of a piece of property determines that a piece of property has no further usefulness, and the property has a Book Value of five hundred dollars (\$500.00) or more as determined by the Finance Department, the Department Head shall notify the Village Administrator and Finance Department in writing of the property’s disposal request. The Department Head’s notice to the Village Administrator and Finance Department shall include a property description, asset number, Book Value, and reasons for disposal.
 - (2) The Village Administrator shall advise all other departments in the Village of the available property and transfer it to any Department that has requested the property. The Village Administrator shall provide proof of any transfer of Surplus Village Property between Village Departments to the Finance Department.

- (3) If no other Department requests the property, the Village Administrator shall forward the property information (description, asset number, date of purchase, original purchase cost, accumulated depreciation, net Book Value to be written off) to the Finance Committee. The Finance Committee shall review and recommend to the Village Board a determination on whether property is Surplus Village Property and how the property should be disposed of under Section 3-6-3. The Village Board shall make the final determination of whether property is Surplus Village Property and, if the property is determined to be Surplus Village Property, direct the Village Administrator or designee to dispose of the property by one of the methods set forth in Section 3-6-3.
- (4) Once the Surplus Village Property disposal occurs, proof of such disposal shall be provided to the Finance Department and be reflected on the Village assets list if necessary within seven (7) days of receipt of the sale.
- (c) Fair Market Value. All disposals of Surplus Village Property shall be based on Fair Market Value, which may match the Book Value.
- (d) Discounts for Other Services. Surplus Village Property shall not be disposed of by taking a discount on other services invoiced.

SEC. 3-6-3 DISPOSAL PROCESS FOR SURPLUS VILLAGE PROPERTY

- (a) Whenever property is determined to be Surplus Village Property, the property shall be disposed by one of the following methods:
 - (1) Negotiated sale (support documentation required)
 - (2) Sale by sealed bid (publicly advertised)
 - (3) Public auction (approved online or local auction)
 - (4) Scrap (support documentation required)
 - (5) Donation to a nonprofit organization within the Village, a nonprofit organization that provides services to the Village, or to a governmental agency.
 - (6) Trading property for another piece of property or a discount on the purchase price of another piece of property.
- (b) Department Heads responsible for Surplus Village Property shall not donate or sell property under Sec. 3-6-3(a)(1), (2), (4), and (5) to a member of their own family without approval of donation or sale by the Finance Committee.

SEC. 3-6-4 PUBLIC AUCTIONS OR SALES BY SEALED BIDS.

- (a) In the event of a public auction or sale by sealed bid, the property shall be sold in "as-is" condition to the person or entity submitting the highest bid. The Village Board may accept a lower bid submitted by a nonprofit organization or governmental agency. The Department Head responsible for the property shall determine a time frame that the successful bidder shall remove the property. In the event that the property is not removed within that time frame, the property shall revert to the Village and the paid amount of the bid shall be forfeited to the Village. The Village Board shall dispose of property if the Village receives no bids.
- (b) The Village Board shall authorize the Department Head to hire an auctioneer or auction or bid company to assist in the public auction or sale by sealed bid. The fees and costs of an

auctioneer or auction or bid company shall not exceed the payment received by the Village from the auction or sale of the property.

SEC. 3-6-5 ITEMS NOT SURPLUS VILLAGE PROPERTY.

The following shall not be Surplus Village property:

- (a) Land or buildings
- (b) Property that is obtained by the Village as a result of abandonment or loss by the property's original owner
- (c) Library materials used by the public library for lending purposes

SEC. 3-6-6 DISPOSAL OF NON-SURPLUS VILLAGE PROPERTY.

Only the Village Board may dispose of Village property that is not Surplus Village Property as defined in this Chapter. Abandoned and seized personal property shall be disposed of in accordance with Title 5 Chapter 11.”

- 3. That the sections of Title 5 Chapter 7 shall be marked as reserved for future use.
- 4. This ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin,
this ____ day of _____, 2022.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, President

Attest: _____
Joslyn Hoeffert, Clerk

Ordinance No. 2022-14

AN ORDINANCE TO AMEND SECTION 9-1-1(e), SECTION 9-2-1(a)(4), AND SECTION 9-4-1(e) OF TITLE 9 FOR PUBLIC UTILITIES TO CHANGE REFERENCES FROM THE VILLAGE UTILITY DIRECTOR TO THE VILLAGE PUBLIC SERVICES DIRECTOR AND TO CHANGE REFERENCE TO DISTRICT MANAGER TO UTILITY SUPERVISOR IN SECTION 9-4-4 IN THE CODE OF ORDINANCES FOR THE VILLAGE OF CALEDONIA

The Village Board of the Village of Caledonia do ordain as follows:

1. That Section 9-1-1(e) entitled of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:

“(e) Public Services Director. The Public Services Director shall oversee the Caledonia Water Utility District. Per Section 2-4-19 of this Code of Ordinances the Public Services Director shall be appointed by the Village Board for an indefinite term of office and shall serve at the pleasure of the Village Board.”

2. That Section 9-2-1(a)(4) of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:

“(4) Public Services Director. The Public Services Director shall oversee the Caledonia Storm Water Utility District. Per Section 2-4-19 of this Code of Ordinances the Public Services Director shall be appointed by the Village Board for an indefinite term of office and shall serve at the pleasure of the Village Board.”

3. That Section 9-4-1(e) of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:

“(e) Public Services Director. The Public Services Director shall oversee the Caledonia Sewer Utility District. Per Section 2-4-19 of this Code of Ordinances the Public Services Director shall be appointed by the Village Board for an indefinite term of office and shall serve at the pleasure of the Village Board.”

4. That Section 9-4-4 of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows

UTILITY SUPERVISOR

A Utility Supervisor shall be appointed by the Village Board to enforce all provisions of this Chapter. The Supervisor shall be responsible for the day to day operations of the District, including, but not limited to, filing reports as may be required concerning the operations of the District.

That this ordinance shall take effect after adoption and publication as provided by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin,
this _____ day of _____, 2022.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs
Village President

Attest: _____
Joslyn Hoeffert
Village Clerk

770272.100 (Title 2 Public Services Director)

TITLE 9

Public Utilities (2010-04 – 09/21/10)

<i>Title Number</i>	<i>Title Name</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
Chapter 1	Caledonia Water Utility Regulations and Rates	2002-01 2010-04	1/15/02 9/21/10
Chapter 2	Lake Michigan Storm Sewer Utility and Root River Storm Sewer Utility District Regulations and Rates	2005-13	09/20/05
Chapter 3	Reserved for Future Use		
Chapter 4	Caledonia Sewer Utility District Regulations and Rates	2003-08 2010-05	10/21/03 9/21/10

CHAPTER 1

Caledonia Water Utility Regulations and Rates

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
<u>Article A</u>	<u>Rates</u>		
9-1-1	The Village of Caledonia Water Utility	2017-19	10/23/17
9-1-2	Public Fire Protection Service -- F-1	2013-13	09/03/13
9-1-3	Private Fire Protection Service – Unmetered – UPF-1		
9-1-4	General Water Service – Metered – Mg-1		
9-1-5	General Water Service – Unmetered –UG-1		
9-1-6	Public Service – MPA-1		
9-1-7	Reconnection Charges – R-1		
9-1-8	Water Lateral Installation Charge – CZ-1		
9-1-9	Purchase Water Adjustment Clause-PWAC-1		
9-1-10	Other Charges --- OC-1		
9-1-11	Amendment to Rates		
9-1-12 through 9-1-22	Reserved for Future Use		
<u>Article B</u>	<u>Rules and. Regulations</u>		
9-1-23	Compliance with Rules		
9-1-24	Establishment of Service		
9-1-25	Service Contract		
9-1-26	Temporary Metered Supply, Meter and Deposits		

9-1-27	Water for Construction		
9-1-28	Use of Hydrants for Construction; Temporary Supply		
9-1-29	Operation of Valves and Hydrants; Unauthorized Use of Water; Penalty		
9-1-30	Service Connections (or Water Laterals)		
9-1-31	Service Piping for Meter Settings		
9-1-32	Turning on Water		
9-1-33	Failure to Read Meters		
9-1-34	Complaint Meter Tests		
9-1-35	Thawing Frozen Services		
9-1-36	Stop Boxes		
9-1-37	Installation of Meters		
9-1-38	Repairs to Meters		
9-1-39	Replacement and Repair of Service Pipe		
9-1-40	Charges for Water Wasted Due to Leaks		
9-1-41	Inspection of Premises		
9-1-42	Customer's Deposits		
9-1-43	Disconnection and Refusal of Service		
9-1-44	Surreptitious Use of Water		
9-1-45	Vacation of Premises		
9-1-46	Repairs to Mains		
9-1-47	Duty of Utility With Respect to Safety of the Public		
9-1-48	Handling Water Mains and Service Pipes in Sewer or Other Trenches		
9-1-49	Settling Main or Service Trenches		
9-1-50	Protective Devices		
9-1-51	Cross-Connection Control	2005-18	11/01/05
9-1-52	Water Main Extension Rule		
9-1-53	Water Main Installations in Platted Subdivisions		
9-1-54	Reimbursement of Costs		
9-1-55	Standard Specifications		
9-1-56	Impact Fees	2011-05	05-17-11
9-1-57	Mandatory Connection to Water Mains	2005-14	09/20/05
		2006-12	12/19/06

ARTICLE A

Rates

SEC. 9-1-1 CALEDONIA WATER UTILITY DISTRICT.

- (a) **Water Utility District Creation.** There shall be one water utility district for a portion of the Village of Caledonia organized pursuant to the Wisconsin Statutes,

which shall be known as the “Caledonia Water Utility District.” Unless otherwise indicated, any reference to the Village of Caledonia Water Utility District (“Utility”) shall mean the Caledonia Water Utility District regulated by the Public Service Commission (“PSC”), and shall apply to the Caledonia Water Utility District.

- (b) **District Boundaries.** The boundaries of the Caledonia Water Utility District shall be as established by Resolution of the Village Board.
- (c) **Obligations to and of the District.** Nothing in this Section shall be construed as discharging any person, firm, corporation, or organization from any obligation to the predecessor Caledonia East Sewer and Water Utility Districts or the predecessor Caledonia West Sewer and Water Utility Districts, or their predecessor Utility Districts, incurred prior to the enactment of this Section, including, but not limited to, compliance with the rules and regulations of the District, payments of any monies owing to the District and performance of any contracts entered into with the District. Nothing herein shall affect the obligations that the District has as to any outstanding bond issuances or other debt obligations.
- (d) **Commission.** The Utility’s Commission shall have the powers and duties as specified in Section 2-5-8 of this Code of Ordinances.
- (c) ~~**Utility Director.** The Village Board shall appoint a Utility Director to oversee the Caledonia Water Utility District and whom shall report to the Village Board and be an advisor to the Commission per Section 2-4-19 of this Code of Ordinances.~~
- (e) **Public Services Director.** The Public Services Director shall oversee the Caledonia Water Utility District. Per Section 2-4-19 of this Code of Ordinances the Public Services Director shall be appointed by the Village Board for an indefinite term of office and shall serve at the pleasure of the Village Board."
- (f) **Utility District Personnel.** All of the Caledonia Water Utility District’s personnel are Village employees subject to the Village Personnel Policy Manual.

CHAPTER 2

Village of Caledonia Storm Water Utility District Regulations and Rates (2013-22 – 11/04/13)

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
9-2-1	Purpose	2017-19	10/23/17
9-2-2	Definitions		
9-2-3	Comprehensive Drainage Plan		
9-2-4	Disruption of Drainage Prohibited		
9-2-5	Drainage Requirements for New Developers		
9-2-6	Additional Requirements for Properties that are Located within the Boundaries of the Milwaukee Metropolitan Sewerage District		
9-2-7	Repealed		
9-2-8	Preparation of Annual Budget		
9-2-9	Illicit Discharges and Connections		
9-2-10	Post Construction Storm Water Management Ordinance	2016-05	04/04/16
9-2-11	Ponds		
9-2-12	Storm Water Management Fees		

SEC. 9-2-1 CALEDONIA STORM WATER UTILITY DISTRICT; PURPOSE.

- (a) **Storm Water Utility District.** The Caledonia Storm Water Utility District shall be Village-wide and shall be considered the successor entity to both the "Lake Michigan Storm Sewer Utility District" and the "Root River Storm Sewer Utility District" pursuant to Sec. 66.0827, Wis. Stats. (referred to herein as the "Storm Water District", "Storm Sewer District" or "District").
- (1) **District Boundaries.** The boundaries of the Storm Water Utility District shall match the municipal boundaries of the Village of Caledonia and shall encompass all parcels of land within the Village.
 - (2) **Obligations to and from District.** Nothing in this Section shall be construed as discharging any person, firm, corporation, or organization from any obligation to the predecessor Lake Michigan Storm Sewer Utility District or the predecessor Root River Storm Sewer Utility District incurred prior to the enactment of this Section, including, but not limited to, compliance with the rules and regulations of either District, payments of any monies owing to either District and performance of any contracts entered into with either District. Nothing herein shall affect the obligations that either District has as to any outstanding bond issuances or other debt obligations.

(3) **Commission.** The Storm Water Utility's Commission shall have the powers and duties as specified in Section 2-5-8 of this Code of Ordinances.

~~(4) **Utility Director.** The Village Board shall appoint a Utility Director to oversee the Storm Water Utility District and whom shall report to the Village Board and be an advisor to the Commission per Section 2-4-19 of this Code of Ordinances~~

~~(4)(5) **Public Services Director.** The Public Services Director shall oversee the Caledonia Storm Water Utility District. Per Section 2-4-19 of this Code of Ordinances the Public Services Director shall be appointed by the Village Board for an indefinite term of office and shall serve at the pleasure of the Village Board.~~

~~(5)(6) **Utility District Personnel.** All of the Storm Water Utility District's personnel are Village employees subject to the Village Personnel Policy Manual.~~

(b) **Purpose.** The purpose of this Chapter is to establish rules and regulations for the Village of Caledonia Storm Water Utility District, to administer drainage within the boundaries of the Village-wide District.

CHAPTER 4

Caledonia Sewer Utility District Regulations and Rates

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
9-4-1	Caledonia Sewer Utility District	2017-19	10/23/17
9-4-2	Application for Racine Sewer Ordinances		
9-4-3	Additional Regulations Pertaining to the Caledonia Sewer Utility District		
9-4-4	Utility Manager		
9-4-5	Sewerage Connection Charge	2011-05	05-17-11
9-4-6	Connections to Sewer Mains		
9-4-7	Basis for Sewer Service Charges	2021-07	09/07/21
9-4-8	Billings		
9-4-9	Sewer Construction and Connections		
9-4-10	Appeals/Waivers		
9-4-11	Reimbursement of Costs.		
9-4-12	Violations and Penalties		
9-4-13	Validity		

SEC. 9-4-1 CALEDONIA SEWER UTILITY DISTRICT

- (a) **Sewer Utility District Creation.** There shall be one sewer utility district for a portion of the Village of Caledonia organized pursuant to the Wisconsin Statutes, which shall be known as "Caledonia Sewer Utility District." Unless otherwise indicated, any reference below to "District," "Utility" or "Caledonia Sewer Utility" shall mean the Caledonia Sewer Utility District.
- (b) **District Boundaries.** The boundaries of the Caledonia Sewer Utility District shall be as established by Resolution of the Village Board.
- (c) **Obligations to and of the District.** Nothing in this Section shall be construed as discharging any person, firm, corporation, or organization from any obligation to the predecessor Caledonia East Sewer and Water Utility Districts or the predecessor Caledonia West Sewer and Water Utility Districts, or their predecessor Utility Districts, incurred prior to the enactment of this Section, including, but not limited to, compliance with the rules and regulations of the District, payments of any monies owing to the District and performance of any contracts entered into with the District. Nothing herein shall affect the obligations that the District has as to any outstanding bond issuances or other debt obligations.
- (d) **Commission.** The Caledonia Sewer Utility's Commission shall have the powers and duties as specified in Section 2-5-8 of this Code of Ordinances.
- (e) ~~**Utility Director.** The Village Board shall appoint a Utility Director to oversee the Caledonia Sewer Utility District and whom shall report to the Village Board and be an advisor to the Commission per Section 2-4-19 of this Code of Ordinances.~~

Public Services Director. The Public Services Director shall oversee the Caledonia Storm Water Utility District. Per Section 2-4-19 of this Code of Ordinances the Public Services Director shall be appointed by the Village Board for an indefinite term of office and shall serve at the pleasure of the Village Board."

- (f) **Utility District Personnel.** All of the Caledonia Sewer Utility District's personnel are Village employees subject to the Village Personnel Policy Manual.

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SEC. 9-4-4 UTILITY DISTRICT MANAGER.

A ~~District Manager~~ Utility Supervisor shall be appointed by the ~~Commissioners of the Caledonia Sewer Utility District~~ Village Board to enforce all provisions of this Chapter. The ~~Manager Supervisor~~ shall be responsible ~~to the Commission~~ for the day-to-day operations of the District, including, but not limited to, filing reports as may be required concerning the operations of the District.

Ordinance No. 2022-15

AN ORDINANCE TO AMEND SECTION 15-1-24 (A) RELATING TO MINIMUM FEES TO INCLUDE A DISHWASHER FEE; AND TO CREATE SECTION 15-1-24(L) RELATING TO PLUMBING PERMIT AND INSPECTION FEE SCHEDULE AND ENTITLED COMMERCIAL PLUMBING; AND TO AMEND SECTION 15-1-25 (C) TO ADJUST THE FEES FOR ELECTRICAL WORK FOR COMMERCIAL, INDUSTRIAL AND AGRICULTURAL STRUCTURES OR PROPERTIES, AND TO AMEND SECTION 15-1-25 (D) TO ADJUST THE MINIMUM FEES FOR RESIDENTIAL AND COMMERCIAL ELECTRICAL WORK, ALL OF WHICH SECTIONS ARE OF THE VILLAGE OF CALEDONIA CODE OF ORDINANCES

The Village Board of the Village of Caledonia do ordain as follows:

1. That Section 15-1-24(a) be amended to read as follows:

"(a) Residential Minimum Fee	\$57.00 with exception for dishwasher and water heater replacement which shall be \$25.00"
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2. That Section 15-1-24(l) be and hereby is, created to read as follows:

"(l) Commercial Minimum Fee	\$100.00"
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3. That Section 15-1-25(c) be amended to read as follows:

"Any electrical work for new construction, alterations, or additions to commercial, industrial, or agricultural structures or properties shall be subject to the following fees in addition to (b) above.

- (1) Electrical work costing \$0.00 to \$1,850.00 shall be the minimum fee of \$100.00.
- (2) Electrical work costing \$1,850.00 to \$10,000.00 shall be \$2.25 per \$100.00 of the total cost or fraction thereof plus \$100.00.
- (3) Electrical work costing over \$10,000.00 shall be \$1.25 per \$100.00 of the total cost or fraction thereof plus \$325.00."

4. That Section 15-1-25(d) be amended to read as follows:

"(d) The minimum fee for all residential electrical work shall be \$57.00. The minimum fee for all commercial electrical work shall be \$100.00."

5. That this ordinance shall take effect after adoption and publication as provided by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this
_____ day of _____, 2022.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs
Village President

Attest: _____
Joslyn Hoeffert
Village Clerk



Memorandum

Date: May 10, 2022

To: Legislative/Licensing Committee

From: Erika Waege

Public Services Administrative Coordinator

Re: Commercial Electrical & Plumbing Minimum Fee / Dishwasher Fee

The Village Ordinance currently states that the minimum permit fee for Commercial Electrical & Plumbing is (\$57.00). The Village currently pays out (\$75.00) per inspection for our Commercial Inspectors. The Building Department is requesting approval from the Legislative/Licensing Committee to consider adjusting the commercial minimum permit fee to (\$100.00) and take into consideration the potential loss of permit costs to employee earnings. In addition, the Building Department would like to adjust the replacement permit fee of (\$57.00) for a Dishwasher to match the replacement cost of (\$25.00) for a Water Heater. Therefore, the Building Department is requesting approval from the Legislative/Licensing Committee to consider these changes presented in the attached document.

Thank you,

Erika Waege

	<u>Village Caledonia</u>	<u>Proposed Fee Amounts</u>
	Minimum	New Minimum
Current Residential Electrical	\$57.00	\$60.00
	Minimum	New Minimum
Current Residential Plumbing	\$57.00	\$60.00
	Minimum	New Minimum
Current Commercial Electrical	\$57.00	\$100.00
	Minimum	New Minimum
Current Commercial Plumbing	\$57.00	\$100.00
	Per Circuit	New Fee
Electrical	\$1.45	\$1.50
	Minimum	New Fee
Electrical Solar Systems & Generators	\$57.00	\$5.00 per kw + Min. Fee + New Service Charge + Per Circuit = Total Fee
	Fees	New Fee
Well Registration / Well Abandonment	\$57.00	\$60.00
	Minimum	New Fee
Plumbing - Dishwasher	\$57.00 + Electrical Minimum Fee	\$25.00 + Electrical Minimum Fee

ORDINANCE NO. 2022-XX

**AN ORDINANCE AMENDING CHAPTER 4 OF TITLE 2 OF THE CODE OF
ORDINANCES FOR THE VILLAGE OF CALEDONIA RELATING TO VILLAGE
OFFICERS AND EMPLOYEES**

The Village Board of the Village of Caledonia, Racine County, Wisconsin do ordain as follows:

1. That Chapter 4 of Title 2 of the Code of Ordinance for the Village of Caledonia be, and hereby is, amended to read as follows as set forth on the attached **Exhibit A** incorporated herein by reference.

2. That this ordinance shall become effective upon adoption and publication as provided by law except for Section 2-4-8 that is being amended by Charter Ordinance No. 2022-1 on this same date and which shall become effective sixty (60) days after its passage and publication unless within such sixty (60) day period a referendum petition as provided by Section 66.0101(5) of the Wisconsin Statutes shall be filed, in which event Section 2-4-8 shall not take effect until it shall have been submitted to a referendum vote of the electors and approved by a majority of the electors voting thereon.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this ____ day of July, 2022.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, President

Attest: _____
Joslyn Hoeffert, Clerk

EXHIBIT A**CHAPTER 4**

Village Officers and Employees

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
2-4-1	Election of Village Officers; General Provisions	Charter Ord. 2010-02 2020-21	09/19/2006 10/19/2010 12/21/20
2-4-2	Temporary Vacancies	2020-21	12/21/20
2-4-3	Official Oath and Bond		
2-4-4	Compensation of Elective Village Offices	2018-15 2019-16 2020-21	10-05-18 12/03/19 12/21/20
2-4-5	Reimbursement of Expenses		
2-4-6	Compensation When Acting in More Than One Official Capacity		
2-4-7	Village Administrator	2015-02	03/16/2015
2-4-8	Village Clerk	2016-02	01/18/2016
2-4-9	Deputy Village Clerk	Charter Ord. 2020-02 2016-02 2020-21	12/21/2020 01/18/2016 12/21/2020
2-4-10	Village Treasurer	Charter 2006-002 2017-21	09/19/2006 11/20/2017
2-4-11	Deputy Village Treasurer		
2-4-12	Village Constable and Marshal	Charter 2005-001	11/28/2005
2-4-13	Assessor		
2-4-14	Building Inspector		
2-4-15	Weed Commissioner		
2-4-16	Village Attorney		
2-4-17	Chief of Police		
2-4-18	Fire Chief and Fire Inspector		
2-4-19	Village Public Services Director	2017-18 2021-12	10/16/2017 11/15/2021
2-4-20	Village Engineer	2021-12	11/15/2021
2-4-21	Municipal Court; Municipal Judge	2019-16 2021-12	12/03/19 11/15/2021
2-4-22	Village Employees	2013-23 2021-12	10/21/2013 11/15/2021
2-4-23	Custody of Official Property		
2-4-24	Residency Requirements	2012-05 2019-05 2021-12	06/19/2012 02/18/2019 11/15/2021
2-4-25	Repealed	2010-06 2021-12 2021-14	11/07/2010 11/15/2021 12/06/2021

2-4-26	Expenditure Policy	2016-03	03/21/2016
		2017-17	10/16/2017
		2021-12	11/15/2021
		2021-14	12/06/2021

SEC. 2-4-1 ELECTION OF VILLAGE OFFICERS; GENERAL PROVISIONS.

- (a) **Elected Village Officers.** At the annual spring election, members of the Village Board shall be elected pursuant to Section 2-3-1.
- (b) **Restrictions.**
 - (1) Only an elector of the Village may hold a Village office, other than an Assessor appointed under Sec. 61.27, Wis. Stats., if the Village elects to change the office of Assessor to an appointed position.
 - (2) No person may hold the offices of Village Treasurer and Village Assessor at the same time. No person may assume the office of Village Assessor unless certified by the Department of Revenue, under Sec. 73.09, as qualified to perform the functions of the office of Village Assessor. If the Village reverts to a system of electing instead of appointing the Assessor and a person is elected to the office and is not certified by June 1 of the year elected, the office is vacant and the Village Board shall fill the vacancy from a list of persons certified by the Department of Revenue.
- (c) **Notice of Election.** Within five (5) days after completion of the canvass under Sec. 7.53, Wis. Stats., the Village Clerk shall transmit a notice of election to each person elected to a Village office.
- (d) **Term of Office.**
 - (1) Every elected Village officer shall hold the office for two (2) years,
 - (2) The regular term of elected Village officers commence on the third (3rd) Tuesday of April in the year of their election.
 - (3) The provisions of this subsection do not apply to the Village Municipal Judge.
- (e) **~~Temporary Vacancy~~Refusal to Perform.**
 - (1) ~~If any elected Village officer, other than a Village Trustee, is absent or temporarily incapacitated from any cause, the Village Board may appoint, if there is no deputy officer for the office, a suitable person to discharge the duties of the office until the officer returns or the disability is removed. Appointees shall file the official oath and bond required under Sec. 61.22, Wis. Stats.~~
 - (2) If any elected Village officer, other than a Village Trustee, refuses to perform any official duty, the Village Board may appoint a suitable person to perform those duties which the officer refuses to perform. An appointee shall file the official oath and bond required of the office under Sec. 61.22, Wis. Stats. This Subsection does not preclude a finding that refusal to perform official duties constitutes cause under Sec. 17.13(3), Wis. Stats.
- (f) Village Officers Residing in New Incorporated Municipality or Annexed Territory. Notwithstanding Sec. 17.03(4), Wis. Stats., if, due to incorporation or annexation, any Village officer, except a Village Trustee or a municipal judge, becomes a resident of a

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different ~~city or village~~ municipality, the officer shall continue in the Village office and discharge the duties of the office until completion of the term for which elected.

SEC 2-4-2 TEMPORARY VACANCIES.

- (a) If any elected Village officer, other than a Trustee, is absent or temporarily incapacitated for any cause, the Village Board may appoint, if there is no deputy officer for the office, a suitable person to discharge the duties of the office until the officer returns or the disability is removed. Appointees shall file the official oath and bond required under Sec. 61.22, Wis. Stats.
- (b) Vacancies on the Village Board shall be filled by appointment in accordance with Sec. 17.24, Wis. Stat. Persons appointed under this Subsection to fill vacancies shall hold office for the residue of the unexpired term.
- (c) ~~If any elected Village officer, other than a Trustee, refuses to perform any official duty, the Village Board may appoint a suitable person to perform those duties which the officer refuses to perform. An appointee shall file the official oath and bond required of the office under Sec. 61.22, Wis. Stats. This paragraph does not preclude a finding that refusal to perform official duties constitutes cause under Sec. 17.13(3), Wis. Stats.~~

SEC. 2-4-3 OFFICIAL OATH AND BOND.

- (a) **Official Oath.** Except as provided in Subsection ~~2-4-2(ae)~~, every elected or appointed Village ~~Board member or Commissioner~~ officer shall take and file the oath under Sec. 19.01, Wis. Stats., within five (5) days after notification of election or appointment.

SEC. 2-4-4 COMPENSATION OF ELECTIVE VILLAGE OFFICES.

- (a) **Established by Village Board.** The Village Board shall establish the compensation of elective Village offices.
- (b) **Nature of Compensation.** Compensation under this Section may be:
 - (1) An annual salary.
 - (2) A per diem compensation for each day or part of a day necessarily devoted to the service of the Village and the discharge of duties.
 - (3) A combination of the above.
- (c) **Changes During Term.** Except as may be provided for in Subsections ~~2-4-4(e) and 2-4-2, 10(c)~~, the Village Board may make no changes in the compensation of an elective Village office to take effect during the term of office.
- (d) **When Established.** Compensation under this Section shall be established prior to the earliest date and time for filing nomination papers for the elective office. After that date and time, no change may be made in the compensation of the office that applies to the current term of office, except as provided for in Subsection 2-4-2~~10~~(c) for the Municipal Judge and as may be provided for under Sec. 66.0507, Wis. Stat., which provides for the adoption of automatic salary schedules for employees and officers of the Village, except

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for members of the Village Board. The compensation established for an elective office remains in effect for the ensuing terms unless changed in accordance with this Section and Wis. Stat. Sec. 61.193 and Sec. 66.0507.

SEC. 2-4-5 REIMBURSEMENT OF EXPENSES.

- (a) **Generally.** The Village ~~Board~~ may provide for reimbursement of expenses necessarily incurred by any office or employee of the Village in the performance of official Village duties. ~~The Board may determine who is eligible for expense reimbursement, which expenses are reimbursable and the amount of reimbursement.~~ Expenses reimbursable under this Section include, but are not limited to:
- (1) Traveling expenses, including mileage, lodging and meal expenses.
 - (2) Costs associated with programs of instruction related to the officer's or employee's office or employment.
- (b) **Manuals.** ~~The Village Board may purchase handbooks and manuals that will materially assist Village officials and employees in the performance of official duties.~~
- ~~(e)~~(b) **Authorized Employees.** In addition to the salary or other compensation established for an officer or employee of the Village, including members of the Village Board, reimbursement for the following expenses shall be allowed:
- (1) Mileage expenses for travel:
 - a. to and from meetings other than regularly scheduled meetings;
 - b. within the Village to respond to or investigate questions or complaints regarding Village matters; and
 - c. to meetings outside of the Village when authorized by the Village Board or its designee.
 - (2) Meal, lodging and other related expenses when authorized by the Village Board, or its designee or the Village ~~Chair~~ President in the case of a Village Board member.
 - (3) Mileage, ~~lodging and meal~~ expenses shall be reimbursed at the current rate set by the Internal Revenue Service.
 - (4) ~~Meal, lodging and related expense rates may be established by the Village Board, from time to time.~~
- ~~(d)~~(c) **Certification.** An officer or employee seeking reimbursement for expenses shall file a certified statement of the expense(s), along with supporting documentation, on a form provided by the Village.
- (e) **Advances.** ~~Persons authorized to travel on behalf of the Village may apply in advance to the Village Administrator for reimbursable expenses, but shall certify and account for all expenses, as provided in subsection (d) on completion of the travel.~~

Cross-Reference: Title 2, Chapter 7.

SEC. 2-4-6 COMPENSATION WHEN ACTING IN MORE THAN ONE OFFICIAL CAPACITY.

Except for offices combined ~~under Sec. 60.305, Wis. Stats.,~~ in accordance with Wisconsin Statutes and this Code of Ordinance, the Village may not compensate a Village officer for acting in more than one (1) official capacity or office of the Village at the same time.

State Law Reference: Sections ~~s 60.323 and~~ 946.13, Wis. Stats.

SEC. 2-4-7 VILLAGE ADMINISTRATOR.

- (a) **Office Created.** In order to provide the Village of Caledonia with a more efficient, economical, coordinated, responsible, and responsive municipal government under a system of a part-time President and part-time Trustees and at a time when Village government is becoming increasingly complex, the position of Village Administrator is created.
- (b) **Appointment, Removal.** The Village Administrator shall be appointed by a majority vote of the Village Board. As determined by written agreement, the Village Administrator shall serve at the pleasure of the Village Board or for a fixed term.
- (c) **Duties and Responsibilities.** The Village Administrator shall serve as the Chief Administrative Officer of the Village of Caledonia, responsible to and under the general direction of the Village Board for proper administration of all activities of the Village. To this end, the Village Administrator shall have the following powers and duties:
 - (1) Carry out all actions and directives of the Village Board which require administrative implementation or where the President and/or Village Board have so directed.
 - (2) Direct, coordinate, and expedite the activities of all Village departments, except where such authority is vested by Wisconsin Statute or Village ordinance in boards, commissions, or other Village officers.
 - (3) ~~Develop~~ Direct budgeting ~~procedures~~ process, ~~preparation~~ and ~~administer~~ administration of the annual operating and capital budgets in accordance with such guidelines as may be provided by the Village Board and in coordination with all Village officials.
 - (4) Supervise the purchase of all materials, supplies, and equipment for which funds are provided in the budget.
 - (5) ~~Perform the duties of personnel director, participating with department heads in the employment, training, and evaluation of all Village non-sworn personnel; recommend salary and wage rates for employees not covered by collective bargaining agreements; direct all labor negotiations for the Village.~~ For administrative positions required by statute or ordinance to be appointed by the President and confirmed by the Village Board, the Village Administrator shall submit the names of qualified individuals for consideration by the President and Village Board, and any such appointment to an administrative office shall require the endorsement of the Village Administrator.
 - (6) Act as public relations information officer and government affairs officer.

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- (7) Prepare reports and recommendations for the Village Board and advisory boards and commissions on operational or policy matters before them and on any other actions necessary to improve the overall health, safety, and welfare of the Village of Caledonia.
- (8) 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 employees, as well as persons having business with the Village Board or any Village department, may properly and efficiently conduct such business.
- (9) Establish and maintain procedures to facilitate communication between citizens and Village government to assure that complaints, grievances, recommendations, and other matters receive prompt attention and to assure that all such matters are expeditiously resolved.
- (10) Promote the economic well-being and growth of the Village through public and private sector cooperation.

DRAFTER'S NOTE: IMMEDIATELY BELOW IS THE DRAFT OF SEC. 2-4-8 WITH FORMATTING AND OTHER CHANGES ACCEPTED INCLUDED IN THE CHARTER ORDINANCE BECAUSE THE REVISED SECTION WAS HARD TO READ AND HAD FORMATTING ISSUES WITH THE TRACK CHANGES.

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“SEC. 2-4-8 VILLAGE CLERK.

- (a) **Office Created.** In order to provide the Village of Caledonia with a more efficient, economical, coordinated, responsible, and responsive municipal government under a system of a part-time President and part-time Trustees and at a time when Village government is becoming increasingly complex, the position of an appointed Village Clerk is created.
- (b) **Appointment, Removal.** The Village Clerk shall be appointed by a majority vote of the Village Board. The Village Clerk shall serve at the pleasure of the Village Board or for a fixed term, as determined by the Village Board. The Village Clerk shall be considered an employee of the Village and shall comply with the Village's Employee Handbook, as revised from time-to-time.
- (c) **Duties and Responsibilities.** The Village Clerk shall serve as the Clerk of the Village Board and the other Village bodies pursuant to Sec. 61.25, Wis. Stat., and carry out the duties and have the powers as specified in Sec. 61.25, Wis. Stat., for a Village Clerk and as further specified by Wisconsin Statutes, this Code of Ordinances, the job description and as may be specified by the Village Board from time-to-time including the following:
 - (1) **Meeting Attendance.** Attending meetings of the Village Board and such other bodies of the Village as directed, and keep a full record of all such proceedings;

- (2) **Clerk's Office and Oversight.** Be responsible for and oversee and monitor the day-to-day administration and coordination of Village Clerk's office and supervise any appointed Deputy Clerk(s).
- (3) **Communications; Code of Ordinances.** Oversee the Code of Ordinances, and maintain the Code of Ordinances by updating and including all adopted ordinances in the official Code of Ordinance. The Village Clerk shall keep informed concerning current Federal, State and County legislation and administrative rules affecting the responsibilities of Village Clerk and submit appropriate reports and recommendations thereon to the Board.
- (4) **Elections and Appointments.**
 - a. Perform the duties required by Chapters 5 to 12, Wis. Stats., relating to elections.
 - b. Transmit to the County Clerk, within ten (10) days after election or appointment and qualification of any Village Trustee, Treasurer, Assessor or Clerk, a written notice stating the name and post office address of the elected or appointed officer. The Clerk shall promptly notify the County Clerk of any subsequent changes in such offices.
 - c. Transmit to the Clerk of Circuit Court, immediately after the election or appointment of any Municipal Judge in the Village, a written notice stating the name of the Municipal Judge and the term for which elected or appointed. If the Judge was elected or appointed to fill a vacancy, the Clerk shall include in the notice the name of the incumbent who vacated the office.
- (4) **Sale of Real Property.** Execute the conveyance of real property of the Village.
- (5) **Notices.**
 - a. Publish and/or post ordinances and resolutions as required under Wisconsin Statutes and this Code of Ordinances.
 - b. Draft agendas and notices as directed by the Village President and Village Administrator and give notice of regular and special Village Board and other Village committees, boards, commissions, and bodies of meetings as required under applicable ordinance and the Wisconsin Statutes.
 - c. Comply with the open meetings requirements of Chapter 19 of the Wisconsin Statutes.
- (6) **Records.**
 - a. Comply with Subch. II of Chapter 19, Wis. Stats., concerning any record of which the Clerk is legal custodian.
 - b. Demand and obtain the official books and papers of any Municipal Judge if the office becomes vacant and the Judge's successor is not elected or appointed and qualified, or if any Municipal Judge dies. The Village Clerk shall retain and dispose of the books and papers as required by law.
- (7) **Licenses.** Issue any license or permit granted by the Village Board when presented with a receipt from the Village Treasurer indicating that any required fee has been paid as required by ordinance and Wisconsin Statutes.
- (8) **Property Taxes; Notice of Property Tax Revenue.** Comply with all requirements set forth in Chapters 70 to 79, Wis. Stats., assigned to municipal clerks
- (9) **In General.** Perform all other duties required by law, ordinance or lawful direction of the Village Board.
- (10) **Compensation.** The compensation of the Village Clerk shall be fixed by the Village Board.

DRAFTER'S NOTE: AS NOTED ABOVE, the above redlined changes include the changes below for 2-4-8.

SEC. 2-4-8 VILLAGE CLERK.

(a)(d) **Office Created.** In order to provide the Village of Caledonia with a more efficient, economical, coordinated, responsible, and responsive municipal government under a system of a part-time President and part-time Trustees and at a time when Village government is becoming increasingly complex, the position of an appointed Village Clerk is created.

(b)(c) **Appointment, Removal.** The Village Clerk shall be appointed by a majority vote of the Village Board. The Village Clerk shall serve at the pleasure of the Village Board or for a fixed term, as determined by the Village Board. The Village Clerk shall be considered an employee of the Village and shall comply with the Village's [Personnel Manual](#) [Employee Handbook](#), as revised from time-to-time.

(f) **Duties and Responsibilities.** ~~The Village Clerk shall serve under the general direction of the Village Board for proper administration of the Clerk's Office and all Village Clerk duties as set forth in this ordinance and the job description, as established by the Village Board. To this end, T~~the Village Clerk shall ~~have the following powers and duties: serve as the Clerk of the Village Board and the other Village bodies pursuant to Sec. 61.25, Wis. Stat., and carry out the duties and have the powers as specified in Sec. 61.25, Wis. Stat. for a Village Clerk and as further specified by Wisconsin Statutes, this Code of Ordinances, the job description and an may be specified by the Village Board from time-to-time including the following:~~

(e)(1) **Meeting Attendance.** attending meetings of the Village Board and such other bodies of the Village as directed, and keep a full record of all such proceedings;

(1) ~~Clerk of Village Board and other Village bodies.~~ Serve as Clerk of the Village Board under Sec. 61.25, Wis. Stats., and carry out the duties as specified in §61.25 of the Wisconsin Statutes for a Village Clerk and any other related duties as specified by the Village Board of Trustees including:

a. ~~Serve as Clerk of the Village Board,~~ attending meetings of the Board and such other bodies of the Village as directed, and keep a full record of all such proceedings; and

b. ~~File all accounts approved by the Village Board and enter a statement of the accounts in the Village's record books.~~

(2) **Village Board Oversight.** Carry out all actions and directives of the Village Board which require administrative implementation or where the President and/or Village Board have so directed.

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~~(3)~~(2) **Clerk's Office and Oversight.** Be responsible for and oversee and monitor the day-to-day administration and coordination of Village Clerk's office and supervise any appointed Deputy Clerk(s).

(4) ~~(3)~~ **Communications; Code of Ordinances.** Oversee the Code of Ordinances, publications including:

a. ~~Establish and maintain procedures to facilitate communication between citizens and Village government to assure that complaints, grievances, recommendations, and other matters receive prompt attention and to assure that all such matters are expeditiously resolved.~~

a. Maintain the Code of Ordinances by including all adopted ordinances in the Code of Ordinance.

b. Keep informed concerning current Federal, State and County legislation and administrative rules affecting the responsibilities of Village Clerks and submit appropriate reports and recommendations thereon to the Board.

~~(5)~~ ~~(4)~~ **Elections and Appointments.**

a. Perform the duties required by Chapters 5 to 12, Wis. Stats., relating to elections.

b. Transmit to the County Clerk, within ten (10) days after election or appointment and qualification of any Village Trustee, Treasurer, Assessor or Clerk, a written notice stating the name and post office address of the elected or appointed officer. The Clerk shall promptly notify the County Clerk of any subsequent changes in such offices.

c. Transmit to the Clerk of Circuit Court, immediately after the election or appointment of any Municipal Judge in the Village, a written notice stating the name of the Municipal Judge and the term for which elected or appointed. If the Judge was elected or appointed to fill a vacancy, the Clerk shall include in the notice the name of the incumbent who vacated the office.

~~(6)~~ ~~(5)~~ **Sale of Real Property.** Execute the conveyance of real property of the Village.

~~(7)~~ ~~(6)~~ **Notices.**

a.d. Publish and/or post ordinances and resolutions as required under Wisconsin Statutes and this Code of Ordinances.

b.e. Draft Agendas and give notice of regular and special Village Board and other Village committees, boards, ~~commission~~commissions, and bodies of meetings as required under applicable ordinance and the Wisconsin Statutes.

~~(8)~~ ~~(7)~~ **Records.**

a.c. Comply with Subch. II of Chapter 19, Wis. Stats., concerning any record of which the Clerk is legal custodian.

b.d. Demand and obtain the official books and papers of any Municipal Judge if the office becomes vacant and the Judge's successor is not elected or appointed and qualified, or if any Municipal Judge dies. The Village Clerk shall retain and dispose of the books and papers as required by law.

~~(9)~~ ~~(8)~~ **Licenses.** Issue any license or permit granted by the Village Board when presented with a receipt from the Village Treasurer indicating that any required fee has been paid. ~~Responsible for the issuance of licenses and permits as required by ordinance and Wisconsin Statutes.~~

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~~(10)~~ **Schools.**

- a. ~~Perform any municipal clerk's duties under Chapters 115 to 121, Wis. Stats., relating to public instruction.~~
- b. ~~Within ten (10) days after the Clerk's election or appointment, report his or her name and post office address to the administrator of each school district or schools which contains any portion of the Village.~~
- c. ~~Make and keep in the Clerk's office a map of the Village, showing the exact boundaries of school districts within the Village.~~
- d. ~~Apportion, as provided by law, tax revenues collected by the Village for schools.~~

~~(11)~~ **Highways and Bridges.** Perform any duties specified in Chapters 83-89 and 90, Wis. Stats., relating to highways, bridges, drains and fences.

~~(12)~~**(3)** **Property Taxes; Notice of Property Tax Revenue.** Comply with all requirements set forth in Chapters 70 to 79, Wis. Stats., assigned to municipal clerks. ~~Notify the Treasurer of the county in which the Village is located, the proportion of property tax revenue and the credits under Sec. 79.10, Wis. Stats., by the deadlines set in that statute, that is to be disbursed by the County Treasurer to each taxing jurisdiction located in the Village.~~

~~(13)~~**(4)** **In General.** Perform all other duties required by law, ordinance or lawful direction of the Village ~~meeting or Village Board.~~

~~(d)~~**(g)** **Compensation.** The compensation of the Village Clerk shall be fixed by the Village Board.

~~(e)~~ **Finance Book.** ~~Maintain a finance book, which shall contain a complete record of the finances of the Village, showing the receipts, with the date, amount and source of each receipt; the disbursements, with the date, amount and object of each disbursement; and any other information relating to Village finances prescribed by the Village Board. The financial records the Village Clerk is expected to maintain are in addition to, not in lieu of, those the Village Treasurer is expected to maintain.~~

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SEC. 2-4-9 DEPUTY VILLAGE CLERK.

When authorized by the Village Board, the Village Clerk shall appoint one (1) or more deputies for whom the Village Clerk is responsible. A deputy shall take and file the official oath and bond under Sec. 61.22, Wis. Stat., and shall be considered an employee of the Village and shall comply with the Village's ~~Personnel Manual~~Employee Handbook, as revised from time to time. The Village Clerk shall designate a deputy to perform the Clerk's duties during the absence, sickness, or other disability of the Clerk. In the event of a vacancy in the office of Village Clerk, any such appointment to deputy shall continue until the appointment of a new Village Clerk and such deputy shall perform such Clerk duties during such vacancy.

SEC. 2-4-10 VILLAGE TREASURER.

The Village Treasurer shall be appointed by a majority vote of the Village Board for an indefinite term, serving at the pleasure of the Village Board pursuant to Sec. 17.13(1), Wis. Stats. The Village Treasurer shall be considered an employee of the Village and shall comply with the Village's

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Employee Handbook, as revised from time- to- time. The Village Treasurer shall carry out the duties and have the powers as specified in Sec. 61.26, Wis. Stat. and as further specified by Wisconsin Statutes, this Code of Ordinances, the job description and as may be specified by the Village Board from time-to-time. The Village Treasurer shall:

- (a) **Receive and Disburse Village Money.**
 - (1) Receive and take charge of all money belonging to the Village, or which is required by law to be paid into the Village treasury, and disburse the money under Sec. 66.0607, Wis. Stats.
 - (2) Keep an itemized account of all moneys received and disbursed, specifying the source from which it was received, the person to whom it was paid and the object for which it was paid. The Treasurer shall issue numbered receipts for all funds received. At the request of the Village Board, the Treasurer shall present the account books, and any supporting documents requested, to the Board.
- (b) **Deposit of Village Money.**
 - (1) Deposit as soon as practicable funds of the Village in the name of the Village in the public depository designated by the Village Board. Failure to comply with this paragraph is grounds for removal from office.
 - (2) When money is deposited under Subsection (b)(1), the Treasurer and the Treasurer's sureties are not liable for any loss as defined in Sec. 34.01(2), Wis. Stats. The interest arising from the money deposited shall be paid into the Village treasury.
- (c) **Records.** Comply with Subch. II of Ch. 19, Wis. Stats., concerning records of which the Treasurer is legal custodian.
- (d) **Taxes.** Perform all of the duties relating to taxation required of the Village Treasurer under Chapters 70 to 79, Wis. Stats.
- (e) **Compliance with other statutory obligations.**
Comply with all requirements imposed upon municipal treasurers by all other applicable chapters and sections of the Wisconsin Statutes.
- (f) **Treasurer's Bond; Liability for Default.**
 - (1) Bond Eliminated. The Village elects not to give the bond on the Village Treasurer provided for by Wis. Stat. Sec. 70.67(1).
 - (2) Liability for Default. Pursuant to Wis. Stat. Sec. 70.67(2), the Village shall pay all state and county taxes required by law to be paid by the Village Treasurer to the County Treasurer, if the Village Treasurer fails to do so.

SEC. 2-4-11 DEPUTY VILLAGE TREASURER.

When authorized by the Village Board, each Village Treasurer may appoint a deputy for whom the Treasurer is responsible under Sec. 61.261, Wis. Stat. The Deputy shall take and file the official oath and bond ~~under Sec.~~. In case of the absence, sickness or other disability of the Treasurer, the Deputy shall perform the Treasurer's duties. In the event of a vacancy in the office of Village Treasurer, any such appointment to deputy shall continue until the appointment of a new Village Treasurer and such deputy shall perform such Treasurer duties during such vacancy.

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SEC. 2-4-12 VILLAGE CONSTABLE AND MARSHAL.

Pursuant to Sec. 61.195, Wis. Stats, the Village of Caledonia has abolished the offices of Constable and Marshal.

SEC. 2-4-13 ASSESSOR.

(a) **Qualification.**

- (1) The Assessor, or assessment firm, shall be certified by the Department of Revenue under Section 73.03(2)(b), Wis. Stats., as qualified to perform the functions of an Assessor. Pursuant to Sec. ~~60.307(261.27)~~, Wis. Stats., the Assessor shall be appointed by majority vote of the Village Board for a term of office as determined by employment contract.
- (2) The Village Assessor so appointed need not be a resident of the Village of Caledonia and may hold the office of Assessor for another Village or municipality with the consent of the Village Board.

- (b) **Duties.** The Assessor shall begin under Section 70.10, Wis. Stats., to make an assessment of all of the property in the Village liable to taxation, as prescribed by law. The Assessor shall return the assessment roll to the Village Clerk at the same time and in the same manner in which Village Assessors are required to do as required by Chapter 70, Wis. Stats.

State Law Reference: Section ~~60.307(2)61.27~~ and Ch. 70, Wis. Stats.

Annotation: Petzek vs. Graves, 33 Wis. 2d 175 (1967).

SEC. 2-4-14 BUILDING INSPECTOR.

(a) **Building Inspector Position.**

- (1) There is hereby created the position of Building Inspector who shall be appointed by the Village Board ~~and serve for~~ ~~He shall have~~ an indefinite term of office. The Building Inspector shall be fully certified by the State of Wisconsin to enforce the One- and Two-Family Building Dwelling Code and other Village building ordinances.

(b) **Powers and Duties.**

- (1) The Building Inspector shall enforce the Village's building and housing codes and all other ordinances, laws, and orders of the Village and State which relate to building construction, alteration, and repair. ~~With the consent of the Village Board, he may appoint one (1) or more Village employees or officials, with appropriate certification, as deputy building inspectors and may delegate to them the above-mentioned powers and duties but such appointment shall not carry with it any increase in salary or wages.~~
- (2) The Building Inspector shall make all inspections necessary for compliance and enforcement of the Building Code ~~and as set forth in the Wisconsin Statutes.~~
- (3) The Building Inspector shall have the power to order all work stopped on construction, alteration, or repair of buildings in the Village when such work is being done in violation of any Village ordinance. Work shall not be resumed after the issuance of such an order, except on written permission of the Inspector.
- (4) The Building Inspector shall issue or cause to be issued all proper permits for such work after payment of the fees required therefor. ~~He-They~~ shall process all applications, make all inspections, and have the authority to issue or cause to be issued a certificate of completion.

- (c) **Right Of Entry.** The Building Inspector shall have the power to make or cause to be made an entry into any building or premises where the work of altering, repairing, or constructing any building or structure is going on, including plumbing and electrical work.

SEC. 2-4-15 WEED COMMISSIONER.

The Weed Commissioner shall be appointed by the ~~Chairperson~~Village President, subject to Village Board confirmation. The term of office of the Weed Commissioner shall commence on the first day of May following ~~his or her~~the appointment. The Weed Commissioner shall take the official oath, which oath shall be filed in the Office of the Village Clerk, and shall hold office for one (1) year. The Weed Commissioner shall hold office pursuant to and fulfill the duties set out by this Code of Ordinance and Wisconsin Statutes~~in-state law~~.

State Law Reference: Sections 66.97 and 66.98, Wis. Stats.

SEC. 2-4-16 VILLAGE ATTORNEY.

- (a) **Election.** The Office of Village Attorney is an appointed position. The Village Attorney shall be appointed by the Village Board and shall serve at the pleasure of the Board.
- (b) The Village Attorney shall have the following duties:
- (1) The Attorney shall conduct all of the law business in which the Village is interested.
 - (2) ~~He~~ They shall, when requested by Village officers, given written legal opinions, which shall be filed with the Village.
 - (3) ~~He~~ They shall draft ordinances, bonds and other instruments as may be required by Village officers.
 - (4) ~~He~~ They may appoint an assistant, who shall have power to perform ~~his~~ their duties and for whose acts ~~he~~ they shall be responsible to the Village. Such assistant shall receive no compensation from the Village, unless previously provided by Ordinance.
 - (5) The Village Board may employ and compensate special counsel to assist in or take charge of any matter in which the Village is interested.
 - (6) The Village Attorney shall perform such other duties as provided by State law and as designated by the Village Board.

SEC. 2-4-17 CHIEF OF POLICE.

- (a) **Appointment.**
- (1) The Chief of Police shall be appointed by the ~~Village Board, following a recommendation from~~ the Police and Fire Commission ~~in accordance with Wisconsin Statutes.~~
 - (2) ~~The Chief of Police may be suspended, dismissed, or laid off by the Police and Fire Commission in accordance with Wisconsin Statutes.~~
 - (3) ~~The salary and other conditions of employment of the Chief of Police shall be determined by the Village Board.~~
 - (1) ~~The Chief of Police shall be responsible for supervising all policing and law~~

enforcement services and activities as are performed by the Police Department in accordance with Wisconsin Statutes and with the ordinances and policies established by the Village Board. The Chief of Police shall hold office during good behavior, subject to suspension or removal pursuant to state law. The Chief of Police shall serve a probationary period of one (1) year, unless otherwise approved for a different period by the Village Board, or if extended for a just cause by the Village Board. During the probationary period, the Village Board may, at its option, lay off, or terminate with or without cause, said probationary employee without recourse to any grievance and arbitration procedures.

- (2) ~~The compensation to be paid the Chief of Police for their services, the hours of active duty, rest days, vacation periods, and other involvement of his or her employment shall be such as may be determined by the Village Board from time to time.~~

(b) **General Duties.**

- (1) ~~The Chief of Police shall have command of the Police Department. He shall have general administration and control of the Department and shall be responsible for the Department's government, efficiency, and general good conduct. He shall perform all duties prescribed to him by laws of the State and ordinances of the Village and shall obey all lawful written orders of the Chairperson or Village Board.~~
- (2) ~~The Chief of Police shall cause the public peace to be preserved and may arrest and, with reasonable diligence, take before the proper court every person found in the Village engaged in any disturbance of the peace or violating any law of the State or ordinance of the Village. The Chief shall cooperate with other law enforcement officers in the arrest or apprehension of persons charged with crime.~~

(b) **Subordinate Personnel.**

- (1) ~~Police sworn personnel shall be appointed and promoted by the Chief of Police in accordance with the procedures set forth by the Police and Fire Commission pursuant to the applicable provisions of Wisconsin Statutes.~~
- (3) ~~The salary, work week, vacations, sick leave, holidays, uniform allowances and other fringe benefits shall be subject to collective bargaining and approval of the Village Board.~~
- (3) ~~The Chief of Police shall prepare policies, procedures, general orders and directives conducive to the efficient operation and administration of the Police Department. In cooperation with the Village Administrator, the Chief of Police shall prepare rules of conduct governing the department of members of the Police Department. These rules of conduct must be in force upon approval by the Village Board and may be revised by said Board as is necessary.~~

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SEC. 2-4-18 FIRE CHIEF AND FIRE INSPECTOR.

- (a) **Appointment.** ~~The Fire Chief shall be appointed by the Village Board, following a recommendation from the Police and Fire Committee.~~

- (1) ~~The Fire Chief shall be appointed by the Police and Fire Commission in accordance with Wisconsin Statutes.~~
- (2) ~~The Fire Chief may be suspended, dismissed, or laid off by the Police Commission in accordance with Wisconsin Statutes.~~

- (a)(b) ~~The salary and other conditions of employment of the Chief of Fire Department shall be determined by the Village Board~~

(b)(c) **Powers And Duties Of Chief.**

- (1) ~~The Fire Chief shall have general supervision of the Department, subject to this Chapter and the bylaws of the Department, and shall be responsible for the personnel and general efficiency of the Department.~~
- (2) ~~It shall be the duty of the Chief to preside at all meetings of the Department, to call special meetings, to preserve order, to decide all points of order that may arise, and to enforce a rigid observance of this ordinance and the bylaws.~~

- (3) ~~It shall be the duty of the Chief to be present at all fires, to have complete command of and entire responsibility for all firefighting operations, to plan the control of the same, to direct the action of the companies when they arrive at a fire, to observe that every company does its duty, to grant leaves of absence at a fire when he may deem it proper and to see that the fire apparatus is kept in proper condition at all times.~~
- (4)(2) ~~He~~ The Chief shall enforce all fire prevention ordinances of this Village and state laws and regulations pertaining to fire prevention and shall keep citizens informed on fire prevention methods and on the activities of the Department.
- (5) ~~He shall keep a fire record book of every fire to which any company was called and shall enter in such book the locality of fire, time alarm was received, cause of fire, where fire started, cause of delay (if any) in responding, method of extinguishment and equipment used, amount of Insurance carried on building and contents, estimated fire loss, time fire was extinguished, names of men responding and general remarks.~~

SEC. 2-4-19 PUBLIC SERVICES DIRECTOR.

The Public Services Director shall oversee the Engineering Department, the Highway Department, and Caledonia Sewer and Water Utility Districts and the Caledonia Storm Water Utility District. All references in the Municipal Code of Ordinances to the Utility Director shall be considered to mean Public Services Director.

- (a) **Appointment.** The Public Services Director shall be appointed by the Village Board for an indefinite term of office and shall serve at the pleasure of the Village Board. In the absence of an appointment, the Village Board may appoint a qualified person, firm, or corporation as Acting Public Services Director for a particular period of time or for a particular project with the same authority as specified in this Section for the Public Services Director.
- (b) **Powers, Duties and Responsibilities.** The Public Services Director shall have the following powers, duties, and responsibilities:
 - (1) Serve as an advisor to and report directly to the Village Administrator and Village Board.
 - (2) Serve as an advisor to the Utility District Commission on engineering projects for the Caledonia Sewer Utility District, Caledonia Water Utility District, and the Caledonia Storm Water Utility District.
 - (3) Carry out projects and policy at the direction of the Village Board and the Utility District Commission.
 - (4) Plan and manage the Caledonia Sewer Utility District, Caledonia Water Utility District, and the Caledonia Storm Water Utility District.
 - (5) Have general oversight of the employees of the Utility District, Highway Department, Engineering Department, Building Department, and Parks Department and assist the Village Administrator in the employment, training, and evaluation of the Village employees assigned to the Utility Districts and those departments.
 - (6) Plan and manage the Village's Highway Department, Engineering Department, Building Department, and Parks Department.
 - (7) Serve as an advisor to the Plan Commission on matters that come before it.
 - (8) All such powers, responsibilities and duties as set forth in the job description as adopted by Resolution of the Village Board from time-to-time.

SEC. 2-4-20 VILLAGE ENGINEER.

- (a) **Appointment.** The Village Engineer shall be appointed by the Village Board for an indefinite term of office and shall serve at the pleasure of the Village Board. In the absence of an appointment, the Village Board may appoint a qualified person, firm, or corporation as Acting Village Engineer for a particular project with the same authority as specified in this Section for the Village Engineer
- (b) **Powers, Duties and Responsibilities.** The Village Engineer shall have the following powers, duties, and responsibilities:
 - 1. Serve as an advisor to and report directly to the Village Public Services Director
 - 2. Organize, supervise, and direct the day-to-day operations and activities of the Engineering Department and Building Department.,
 - 3. Serve as an advisor to the Plan Commission on matters that come before it.

4. Carry out projects and policy at the direction of the Village Public Services Director.
5. Have general oversight of the employees of the Village's Engineering Department and Building Department, and assist the Village Public Services Director in the employment, training, and evaluation of those department's employees.
6. Administer and oversee development within the Village, particularly Titles 14 and 18 of this Code of Ordinances and shall have the authority to establish such procedures in accord with Titles 14 and 18 of this Code of Ordinances for the submission and review of development and construction plans as are necessary to effectuate the intent of Titles 14 and 18.
7. All such powers, responsibilities and duties as set forth in the job description as adopted by Resolution of the Village Board from time-to-time.

SEC. 2-4-21 MUNICIPAL COURT; MUNICIPAL JUDGE.

- (a) **Municipal Court Created.** Pursuant to the authority granted by Sec. 755.01, Wis. Stats., there is hereby created a Municipal Court designated "Municipal Court for the Village of Caledonia, Racine County, Wisconsin."
- (b) **Election; Term.** The Municipal Judge shall be elected at large in the spring election for a term of four (4) years, with each term commencing May 1 of the year of the judge's election.
- (c) **Salary.** The Municipal Judge shall receive a salary which will be determined by the Village Board and will be in lieu of fees and costs. The salary may be increased before the start of the 2nd or subsequent year of service of the term of the Municipal Judge, but shall not be decreased during a term. No salary shall be paid for any time during the term for which the judge has not executed the official bond and official oath, as required by Sec. 755.03, Wis. Stats., and filed under Sec. 19.01(4)(c), Wis. Stats.
- (d) **Bond; Oath.** The Municipal Judge shall, after election, take and file the official oath prescribed by Sec. 757.02(1), Wis. Stats., and file an official bond in the amount of One Thousand Dollars (\$1,000.00) in accordance with Sec. 755.03, Wis. Stats. The cost of the bond will be paid by the Village.
- (e) **Jurisdiction.** The Municipal Court shall have jurisdiction as provided in Sections 755.045 and 755.05, Wis. Stats., and any amendments.
- (f) **Procedure.**
 - (1) The Municipal Court for the Village of Caledonia shall be open as determined by the order of the Village Board of the Village of Caledonia or by the Municipal Judge.
 - (2) The Municipal Judge shall keep office and hold court in the Village of Caledonia Municipal Courtroom.
 - (1) Except as provided by law, the procedure in Municipal Court shall be as set forth in Chapter 800, Wis. Stats.
 - (4) All forfeitures, fines, and taxable costs collected as a result of any action or proceeding in Municipal Court shall be paid to the Village Treasurer no later than the fifth (5th) business day following the receipt thereof.
- (g) **Contempt of Court.**

- (1) Statutory Authority. Pursuant to Sec. 800.12, Wis. Stats., as amended from time to time, the Municipal Judge shall be empowered to assess a forfeiture not to exceed Fifty Dollars (\$50.00), or in default of payment thereof, cause imprisonment for not more than seven (7) days in the Racine County Jail for contempt of court.
- (2) **Contempt Defined.** "Contempt of court" means intentional:
 - a. Misconduct in the presence of the court which interferes with a court proceeding or with the administration of justice, or which impairs the respect due to the court;
 - b. Disobedience, resistance, or obstruction of the authority, process, or order of a court;
 - c. Refusal as a witness to appear, be sworn, or answer a question; or
 - d. Refusal to produce a record, document, or other object.

State Law Reference: Chapters 755 and 800, Wis. Stats.

SEC. 2-4-22 VILLAGE EMPLOYEES.

- (a) **Authorization.** The Village Board or its designee, may employ on a temporary or permanent basis, people to carry out the functions of Village government and establish the qualifications and terms of employment, which may include residency, if allowed by Wisconsin Statute.
- (b) **Hiring.** The Village Board shall approve the creation of each employment position, prior to filling the position.
- (c) **Approval of Candidate.** Except as delegated under subsection (a), the Village Board shall approve the hiring of the candidate(s) to fill the positions of Administrator, Finance ~~Manager~~Director, ~~Treasurer~~, Village Engineer, ~~Manager of Building and Development and Public Services Director~~, ~~and Highway Superintendent~~ and Village Clerk prior to commencing work for the Village. All other employment positions can be filled by the appropriate department head with the approval of the Village Administrator, unless hiring authority has been delegated under another Village ordinance, Wisconsin Statute or by an agreement between the Village and another party. If hiring authority has been delegated, then hiring shall occur in accordance with such ordinance, Wisconsin Statute or agreement.
- (d) ~~Police Department and Fire Department Employees.~~ Vacancies in the Police Department and Fire Department, other than entry level positions, shall be reviewed by the Village Board prior to filling. The Village board shall determine if filling the position is appropriate, and if appropriate, shall be filled in accordance with Sec. 2-5-4 of the Village's Code of Ordinances.
- (e)(d) ~~Seasonal and Temporary Employees.~~ A list of seasonal employees, i.e., snow plow operators, poll workers, tax collection personnel, etc., shall be submitted by the appropriate department manager to the Village Board for review, on an annual basis. No seasonal or temporary employee shall be allowed to exceed 600 hours of employment per year without the approval of the Village Board.
- (f) ~~Wage Increases for Non-Contractual Employees.~~ An increase in wages for a non-contractual employee shall not be approved unless it has been submitted by the appropriate department head to the Village Administrator for review and recommendation to the

~~Finance Committee of the Village Board. The Finance Committee shall then review the information presented and submit its recommendation to the full Village Board for action.~~

SEC. 2-4-23 CUSTODY OF OFFICIAL PROPERTY.

Village officers must observe the standards of care imposed by Section 19.21, Wis. Stats., with respect to the care and custody of official property.

State Law Reference: Section 19.21, Wis. Stats.

SEC. 2-4-24 RESIDENCY REQUIREMENTS.

- (a) **Residency Required.** The Police Chief, Fire Chief, and all officers of the Police and Fire Department with a rank of Sergeant or above, and Emergency Personnel shall establish and maintain his or her actual Residence within 15 miles of the jurisdictional boundaries of the Village of Caledonia. Any such employee designated in this subsection who does not reside within the prescribed distance from the Village shall be ineligible for employment by the Village, except as otherwise provided under this Section.
- (b) **Definitions.**
 - (1) "Residence" shall be construed to mean the actual living quarters which must be maintained by an employee specified in subsection (a). Neither where an employee votes nor the payment of taxes of any kind by itself by an employee shall be deemed adequate to satisfy the requirements of this section, nor shall the provisions of this section be satisfied by the maintaining of a rented room or rooms by an employee solely for the purpose of establishing residence within 15 miles of the jurisdictional boundaries of the Village when it appears that his or her residence is outside of the prescribed distance from the Village. Ownership of real property within the Village, when not coupled with maintaining of actual living quarters within the prescribed distance from the Village as herein required, shall be deemed insufficient to meet the requirements of this Section.
 - (2) "Emergency Personnel" shall be defined as the Village Administrator, Public ~~Works Services~~ Director, Utility Director, and such other employees as designated by Resolution of the Village Board from time-to-time.
- (c) **Administration of this Section.** This Section shall be administered by the Personnel Committee or in the case of appointments made by the Police and Fire Commission, then the Police and Fire Commission.
- (d) **New Employees.** A newly hired employee shall have such period of time as determined by the Personnel Committee or the Police and Fire Commission, as applicable, not to exceed 12 months, from the date of employment in which to establish such primary residency under subsection (a) above.
- (e) **Represented Employees.** The Village recognizes that residency requirements may be different for represented employees according to the respective labor agreements and this Section shall not be construed to modify those provisions.

- (f) **Existing Employees.** Employees of the Village who do not reside within 15 miles of the jurisdictional boundaries of the Village on the date of adoption of this Section shall not be required to move their residence to comply with this Section. However, if such employees move from their current Residence, such employees shall not move further away from the Village jurisdictional boundaries unless otherwise allowed under this Section or approved by the Personnel Committee or the Police and Fire Commission, as applicable.
- (g) **Effect of Move.** Any permanent employee of the Village who is required by this Section to reside within the 15 mile radius of Village jurisdictional boundaries, and who moves his or her residence outside of the restriction, shall be deemed to resign his/her position with the Village on the date that the transfer of residency takes place, effective immediately, unless otherwise allowed under this Section.
- (h) **Extension.** Whenever it shall appear to the Personnel Committee or the Police and Fire Commission, as applicable, that good cause exists for granting extensions of time to employees of the Village to obtain residences within 15 miles of the jurisdictional boundaries of the Village under this Section, or if a new or prospective employee of the Village would require a reasonable period of time in order to establish a residence within the prescribed distance from the Village so as to meet the requirements of this Section, the Personnel Committee or the Police and Fire Commission, as applicable, may allow such employee a period of not to exceed an additional 6 months in which to satisfy the requirements of this Section.
- (i) **Exceptions.**
 - (1) The residency requirement shall not apply where, in the judgment of the Personnel Committee or the Police and Fire Commission, as applicable, the best interests of the Village will be served by the employment of a non-resident person who is particularly well-qualified for the position by reasons of education, background and experience.
 - (2) Whenever it shall appear to the Personnel Committee or the Police and Fire Commission, as applicable, that an employee should be granted a temporary exception from the requirements of this section, the Personnel Committee or the Police and Fire Commission shall review such request and make a finding based upon the evidence presented.
- (j) **Compliance.** In construing and applying the provisions of this section, the provisions of any section inconsistent herewith shall be deemed amended so as to be in all respects consistent with the provisions of this Section.

SEC. 2-4-25 REPEALED.

Editor's Note: Ordinance 2021-14 Repealed prior Section 2-4-24 - Local Board of Health.

SEC. 2-4-26 EXPENDITURE POLICY.

- (a) **Purpose.** To emphasize the importance of fiscal responsibility and provide financial protection of Caledonia taxpayers.
- (b) **Applicability.** Effective January 1, 1998, this section shall apply to all departments and entities that receive funds from the Village.

- (c) **Prohibition.** No department or entity's fiscal year budget for any line item shall be exceeded, unless a budget amendment is approved by a vote of two-thirds of the Village Board.
- (d) **Routine Purchasing.**
 - (1) General Considerations. The Finance Department is responsible for ensuring that all procurements comply with Village policies and procedures, as well as state law. The Village of Caledonia's purchasing policy may be more, but not less, restrictive than allowed under Wisconsin statutes. All purchasing decisions shall reflect the Village's finite financial resources and the effect of such decisions on Village taxpayers. Procurement transactions must be conducted in a manner that provides open and free competition. Where appropriate, employees are also encouraged to utilize cooperative purchasing opportunities with other governmental agencies, municipalities and Village departments, and to actively consider patronizing Wisconsin businesses, particularly businesses within Racine County, as well as small and minority-owned businesses, and businesses located in labor surplus areas of Wisconsin. The Village Administrator is a resource to assist and provide purchasing guidance as needed.
 - (2) Limitations.
 - a. All purchases must be made within the constraints of the approved annual Village budget, which is subject to change by the Village Board via the procedures set forth in sec. 65.90, Stats, and Village ordinance.
 - b. Contracts. Public construction contracts shall be let as required by state law and Village ordinance. All personal and professional service contracts shall be in writing. Vendor contracts, including any documents labeled as "agreements," "purchase orders," "terms of sale," or otherwise, shall, prior to execution, be reviewed by, as necessary, the department head, the Village Administrator, the Finance Director, the Village Attorney, and, when deemed necessary by such reviewers, shall be referred to the Village Board for its consideration and possible action. Once executed, the cost of a contract may not be increased without the approval of the Village Administrator and, if the proposed change would increase the contract cost by 7% or more, without the approval of the Village Finance Committee. Once executed, the scope of a contract may not be changed unless the Village Administrator prepares a written summary of the proposed change, which must be approved by the Village Board. In no event may a contract be executed or amended until sufficient funds to cover the initial or changed contract amount have been formally budgeted by the Village Board. The Village Administrator shall keep the Board apprised of the progress of executed contracts and of any issues with such contracts that may arise.
 - c. Repealed.
 - d. This purpose and goal of this subsection is to ensure that the Village receives the most advantageous purchasing terms possible; the subsection is not adopted to benefit product or service vendors. Therefore, to the maximum extent allowed by law, the Village, through its authorized agents, reserves the right, if unique circumstances so warrant, to waive any technicalities and procedures set forth in this subsection and to accept any

proposal that is deemed to be to the greatest benefit of the Village.

(3) Procedure

- a. Initiation. Department staff ("Initiator") shall identify procurement needs as they arise, discuss such needs with the department head or department manager, and perform necessary research to define specifications and identify product(s) that will meet the needs.
- b. Approval and Payment. If a proposed purchase is within the implicated department's budget, Initiator shall take the following steps, depending upon the cost of the proposed purchase. Purchases shall not be divided into smaller increments in order to avoid or circumvent the approval and payment procedures required by this subsection.
 - i. Less than \$50:
 1. Obtain prior department head approval;
 2. If applicable, complete a petty cash form and present to cashier;
 3. Complete the purchase using an authorized Purchasing Card (P-Card), when possible.
 - ii. \$50 or more, but less than \$3,000:
 1. Obtain prior department head approval;
 2. Complete the purchase using an authorized P-Card, when possible, or complete a purchase order, attach the supporting documentation, and forward to Finance Department for payment.
 - iii. \$3,000 or more, but less than \$10,000:
 1. Soliciting quotes from three (3) or more vendors who compete for the business, which may result in meaningful savings for the Village;
 2. If obtained, review quote sheet(s) from vendor(s);
 3. Obtain prior department head approval;
 4. Complete the purchase using an authorized P-Card, when possible (contact Finance Director if the cost exceeds department head's authorized limit), or, if the vendor will not accept P-Card payment, complete a purchase order, attach the supporting documentation (including the quotes), and forward to Finance Department for payment.
 - iv. \$10,000 or more, but less than \$25,000:
 1. Solicit quotes from three (3) or more vendors (quotes may be obtained via email, telephone, Internet, or fax);
 2. Review quote(s) from vendors (if less than three (3) quotes received, provide documentation of solicitation to other vendors);
 3. Forward quotes to, and obtain prior approval from, Village Administrator;

4. Complete the purchase using an authorized P-Card, when possible (contact Finance Director if the cost exceeds department head's authorized limit), or, if the vendor will not accept P-Card payment, complete a purchase order, attach the supporting documentation (including the quotes), and forward to Finance Department for payment.
- v. \$25,000 or more, and up to \$50,000:
 1. Solicit written quotes on vendor letterhead from a minimum of three (3) vendors;
 2. Review quotes with department staff and department head, identifying the lowest quote meeting specifications, and documenting why any lower quotes are not acceptable (e.g., how/why quote does not meet specs);
 3. Forward quotes to, and obtain prior approval from, Village Administrator;
 4. Forward quotes to, and obtain prior approval from, Finance Director;
 5. Complete the purchase using an authorized P-Card, when possible (contact Finance Director if the cost exceeds department head's authorized limit), or, if the vendor will not accept P-Card payment, complete a purchase order, attach the supporting documentation (including the quotes), and forward to Finance Department for payment.
- vi. Greater than \$50,000: (Formal bid or Request for Proposal (RFP) required)
 1. Contact the Clerk's Office or Village Attorney to identify the public notice and public bidding timelines;
 2. Department staff /head develops bid or RFP solicitation documents and specifications;
 3. Department staff/head manages and completes the solicitation process;
 4. Department staff/head review and evaluate vendor bids/proposals, and prepare a memorandum to the Village Administrator and Finance Director indicating that an award is recommended;
 5. Forward the award memorandum and obtain approval from Village Administrator;
 6. Forward the award memorandum and obtain approval from Finance Director;
 7. Complete the purchase using an authorized P-Card, when possible (contact Finance Director if the cost exceeds department head's authorized limit), or, if the vendor will not accept P-Card payment, complete a purchase order, attach the supporting documentation, and forward to Finance Department for payment.

c. Exceptions.

- i. Pre-existing Competitively Bid Contracts. In the event that the Village is entitled to purchase needed items under a Cooperative Purchasing Agreement or other existing contractual arrangement that was competitively bid by the Village or by another governmental agency, the quotes or bids otherwise required under sub (3)(b) are not required, but may still be solicited if there is reason to believe that such solicitation would result in savings for the Village. All other approval and payment procedures shall be followed, as provided sub (3)(b).
- ii. Sole Source Products/Specific Brands. Competitive quotes or bids otherwise required by sub (3)(b) may be omitted if there is but one proven source for a needed item, including, for example, proprietary items or specific items required for systems that the Village already owns. Similarly, quotes or bids may be limited to specific brand name items when Village needs, such as employee training, dictate that only such brand name items are acceptable, as documented by letters from relevant department heads and/or meeting minutes specifying the nature and need for the specific brand name item. When a sole source or brand-specific purchase is sought, the Village Administrator shall ensure that the sole source or brand-specific request is reasonable and necessary under the circumstances. All other approval and payment procedures shall be followed, as provided sub (3)(b).

(e) **Emergency Expenditures.** In the event a proposed expenditure must be made in an emergency, which is defined as a situation which imminently threatens the life, health, safety, or property of anyone, or the continuation of necessary Village operations, such that utilizing the Routine Purchasing policy set forth in sub (d) is impracticable, the proposed expenditure may be authorized by the Village Administrator or Village President, or in their absence, by any member of the Finance Committee ("Emergency Authorizer"), either verbally or in writing. All Village employees' primary responsibility shall be maintaining a safe environment. To the maximum extent feasible under the circumstances, Village employees shall contact an Emergency Authorizer and endeavor to undertake the following steps, as soon as the circumstances reasonably allow:

1. Present the facts regarding the emergency to the Emergency Authorizer;
2. Provide information that supports the emergency expenditure;
3. Verify the budget amount is sufficient to fund the proposed expenditure or, if not sufficient, work with the Finance Director to adequately fund the proposed expenditure;
4. Recommend a vendor that will provide the necessary services and materials promptly to remedy or relieve the emergency situation;
5. Receive Emergency Authorizer's approval for the proposed expenditure;
6. Enter a purchase order and attempt to expedite the approval process, as necessary; and,

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7. Submit to the Finance Department written documentation describing the emergency and the basis for selecting a particular contractor, and such other information as may be necessary to properly document the circumstances.

CHARTER ORDINANCE NO. 2022-001

A CHARTER ORDINANCE TO REPEAL AND RECREATE SEC. 2-4-8 OF THE VILLAGE OF CALEDONIA MUNICIPAL CODE OF ORDINANCES RELATED TO THE OFFICE OF VILLAGE CLERK

THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, DO HERewith ORDAIN AS FOLLOWS:

SECTION I

Pursuant to Sections 61.195 and 66.0101 of the Wisconsin Statutes, the Village of Caledonia hereby elects to (1) change the Village Clerk from an elected office to an appointed office and (2) further elects not to be governed by those provisions of Sections 61.19, 61.23, and 61.25, of the Wisconsin Statutes that are in conflict with this ordinance.

SECTION II

Section 2-4-8 of the Village of Caledonia Municipal Code of Ordinances pertaining to the Village Clerk is hereby repealed and recreated to read as follows:

“SEC. 2-4-8 VILLAGE CLERK.

- (a) **Office Created.** In order to provide the Village of Caledonia with a more efficient, economical, coordinated, responsible, and responsive municipal government under a system of a part-time President and part-time Trustees and at a time when Village government is becoming increasingly complex, the position of an appointed Village Clerk is created.
- (b) **Appointment, Removal.** The Village Clerk shall be appointed by a majority vote of the Village Board. The Village Clerk shall serve at the pleasure of the Village Board or for a fixed term, as determined by the Village Board. The Village Clerk shall be considered an employee of the Village and shall comply with the Village's Employee Handbook, as revised from time-to-time.
- (c) **Duties and Responsibilities.** The Village Clerk shall serve as the Clerk of the Village Board and the other Village bodies pursuant to Sec. 61.25, Wis. Stat., and carry out the duties and have the powers as specified in Sec. 61.25, Wis. Stat., for a Village Clerk and as further specified by Wisconsin Statutes, this Code of Ordinances, the job description and as may be specified by the Village Board from time-to-time including the following:
 - (1) **Meeting Attendance.** attending meetings of the Village Board and such other bodies of the Village as directed, and keep a full record of all such proceedings;

- (2) **Clerk's Office and Oversight.** Be responsible for and oversee and monitor the day-to-day administration and coordination of Village Clerk's office and supervise any appointed Deputy Clerk(s).
- (3) **Communications; Code of Ordinances.** Oversee the Code of Ordinances, and maintain the Code of Ordinances by updating and including all adopted ordinances in the official Code of Ordinance. The Village Clerk shall keep informed concerning current Federal, State and County legislation and administrative rules affecting the responsibilities of Village Clerk and submit appropriate reports and recommendations thereon to the Board.
- (4) **Elections and Appointments.**
 - a. Perform the duties required by Chapters 5 to 12, Wis. Stats., relating to elections.
 - b. Transmit to the County Clerk, within ten (10) days after election or appointment and qualification of any Village Trustee, Treasurer, Assessor or Clerk, a written notice stating the name and post office address of the elected or appointed officer. The Clerk shall promptly notify the County Clerk of any subsequent changes in such offices.
 - c. Transmit to the Clerk of Circuit Court, immediately after the election or appointment of any Municipal Judge in the Village, a written notice stating the name of the Municipal Judge and the term for which elected or appointed. If the Judge was elected or appointed to fill a vacancy, the Clerk shall include in the notice the name of the incumbent who vacated the office.
- (4) **Sale of Real Property.** Execute the conveyance of real property of the Village.
- (5) **Notices.**
 - a. Publish and/or post ordinances and resolutions as required under Wisconsin Statutes and this Code of Ordinances.
 - b. Draft agendas and notices as directed by the Village President and Village Administrator and give notice of regular and special Village Board and other Village committees, boards, commissions, and bodies of meetings as required under applicable ordinance and the Wisconsin Statutes.
 - c. Comply with the open meetings requirements of Chapter 19 of the Wisconsin Statutes.
- (6) **Records.**
 - a. Comply with Subch. II of Chapter 19, Wis. Stats., concerning any record of which the Clerk is legal custodian.
 - b. Demand and obtain the official books and papers of any Municipal Judge if the office becomes vacant and the Judge's successor is not elected or appointed and qualified, or if any Municipal Judge dies. The Village Clerk shall retain and dispose of the books and papers as required by law.
- (7) **Licenses.** Issue any license or permit granted by the Village Board when presented with a receipt from the Village Treasurer indicating that any required fee has been paid as required by ordinance and Wisconsin Statutes.

Draft 7-7-22

- (8) **Property Taxes; Notice of Property Tax Revenue.** Comply with all requirements set forth in Chapters 70 to 79, Wis. Stats., assigned to municipal clerks
- (9) **In General.** Perform all other duties required by law, ordinance or lawful direction of the Village Board.
- (10) **Compensation.** The compensation of the Village Clerk shall be fixed by the Village Board.”

SECTION III

Should any section, clause or provision of this charter ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid.

SECTION IV

All ordinances, or parts thereof, in conflict with any of the provisions of this charter ordinance are hereby repealed.

SECTION V

This Charter Ordinance shall take effect sixty (60) days after its passage and publication unless within such sixty (60) day period a referendum petition as provided by Section 66.0101(5) of the Wisconsin Statutes shall be filed, in which event this ordinance shall not take effect until it shall have been submitted to a referendum vote of the electors and approved by a majority of the electors voting thereon.

This charter ordinance was approved by at least a two-thirds (2/3) vote of the Village Board on this ____ day of July, 2022.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, President

Attest: _____
Joslyn Hoeffert, Clerk

SEC. 2-4-8 VILLAGE CLERK.

- (a) **Office Created.** In order to provide the Village of Caledonia with a more efficient, economical, coordinated, responsible, and responsive municipal government under a system of a part-time President and part-time Trustees and at a time when Village government is becoming increasingly complex, the position of an appointed Village Clerk is created.
- (b) **Appointment, Removal.** The Village Clerk shall be appointed by a majority vote of the Village Board. The Village Clerk shall serve at the pleasure of the Village Board or for a fixed term, as determined by the Village Board. The Village Clerk shall be considered an employee of the Village and shall comply with the Village's [Personnel Manual](#)~~Employee Handbook~~, as revised from time-to-time.
- (c) **Duties and Responsibilities.** ~~The Village Clerk shall serve under the general direction of the Village Board for proper administration of the Clerk's Office and all Village Clerk duties as set forth in this ordinance and the job description, as established by the Village Board. To this end, T~~the Village Clerk shall ~~have the following powers and duties: serve as the Clerk of the Village Board and the other Village bodies pursuant to Sec. 61.25, Wis. Stat., and carry out the duties and have the powers as specified in Sec. 61.25, Wis. Stat. for a Village Clerk and as further specified by Wisconsin Statutes, this Code of Ordinances, the job description and an may be specified by the Village Board from time-to-time including the following:~~
- (1) **Meeting Attendance.** attending meetings of the Village Board and such other bodies of the Village as directed, and keep a full record of all such proceedings;
- (1) **Clerk of Village Board and other Village bodies.** ~~Serve as Clerk of the Village Board under Sec. 61.25, Wis. Stats., and carry out the duties as specified in §61.25 of the Wisconsin Statutes for a Village Clerk and any other related duties as specified by the Village Board of Trustees including:~~
- a. ~~Serve as Clerk of the Village Board, attending meetings of the Board and such other bodies of the Village as directed, and keep a full record of all such proceedings; and~~
- b. ~~File all accounts approved by the Village Board and enter a statement of the accounts in the Village's record books.~~
- (2) **Village Board Oversight.** ~~Carry out all actions and directives of the Village Board which require administrative implementation or where the President and/or Village Board have so directed.~~

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~~(3)~~(2) **Clerk's Office and Oversight.** Be responsible for and oversee and monitor the day-to-day administration and coordination of Village Clerk's office and supervise any appointed Deputy Clerk(s).

~~(4)~~(3) **Communications; Code of Ordinances.** Oversee the Code of Ordinances, publications including:

a. ~~Establish and maintain procedures to facilitate communication between citizens and Village government to assure that complaints, grievances, recommendations, and other matters receive prompt attention and to assure that all such matters are expeditiously resolved.~~

a. Maintain the Code of Ordinances by including all adopted ordinances in the Code of Ordinance.

b. Keep informed concerning current Federal, State and County legislation and administrative rules affecting the responsibilities of Village Clerks and submit appropriate reports and recommendations thereon to the Board.

~~(5)~~ **(4) Elections and Appointments.**

a. Perform the duties required by Chapters 5 to 12, Wis. Stats., relating to elections.

b. Transmit to the County Clerk, within ten (10) days after election or appointment and qualification of any Village Trustee, Treasurer, Assessor or Clerk, a written notice stating the name and post office address of the elected or appointed officer. The Clerk shall promptly notify the County Clerk of any subsequent changes in such offices.

c. Transmit to the Clerk of Circuit Court, immediately after the election or appointment of any Municipal Judge in the Village, a written notice stating the name of the Municipal Judge and the term for which elected or appointed. If the Judge was elected or appointed to fill a vacancy, the Clerk shall include in the notice the name of the incumbent who vacated the office.

~~(6)~~ **(5) Sale of Real Property.** Execute the conveyance of real property of the Village.

~~(7)~~ **(6) Notices.**

a. Publish and/or post ordinances and resolutions as required under Wisconsin Statutes and this Code of Ordinances.

b. Draft Agendas and give notice of regular and special Village Board and other Village committees, boards, ~~commission~~commissions, and bodies of meetings as required under applicable ordinance and the Wisconsin Statutes.

~~(8)~~ **(7) Records.**

a. Comply with Subch. II of Chapter 19, Wis. Stats., concerning any record of which the Clerk is legal custodian.

b. Demand and obtain the official books and papers of any Municipal Judge if the office becomes vacant and the Judge's successor is not elected or appointed and qualified, or if any Municipal Judge dies. The Village Clerk shall retain and dispose of the books and papers as required by law.

~~(9)~~ **(8) Licenses.** Issue any license or permit granted by the Village Board when presented with a receipt from the Village Treasurer indicating that any required fee has been paid. ~~Responsible for the issuance of licenses and permits as required by ordinance and Wisconsin Statutes.~~

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~~(10)~~ **Schools.**

- a. ~~Perform any municipal clerk's duties under Chapters 115 to 121, Wis. Stats., relating to public instruction.~~
- b. ~~Within ten (10) days after the Clerk's election or appointment, report his or her name and post office address to the administrator of each school district or schools which contains any portion of the Village.~~
- c. ~~Make and keep in the Clerk's office a map of the Village, showing the exact boundaries of school districts within the Village.~~
- d. ~~Apportion, as provided by law, tax revenues collected by the Village for schools.~~

~~(11)~~ **Highways and Bridges.** ~~Perform any duties specified in Chapters 83-89 and 90, Wis. Stats., relating to highways, bridges, drains and fences.~~

~~(12)(3)~~ **Property Taxes; Notice of Property Tax Revenue.** ~~Comply with all requirements set forth in Chapters 70 to 79, Wis. Stats., assigned to municipal clerks. Notify the Treasurer of the county in which the Village is located, the proportion of property tax revenue and the credits under Sec. 79.10, Wis. Stats., by the deadlines set in that statute, that is to be disbursed by the County Treasurer to each taxing jurisdiction located in the Village.~~

~~(13)(4)~~ **In General.** ~~Perform all other duties required by law, ordinance or lawful direction of the Village meeting or Village Board.~~

(d) **Compensation.** The compensation of the Village Clerk shall be fixed by the Village Board.

(e) **Finance Book.** ~~Maintain a finance book, which shall contain a complete record of the finances of the Village, showing the receipts, with the date, amount and source of each receipt; the disbursements, with the date, amount and object of each disbursement; and any other information relating to Village finances prescribed by the Village Board. The financial records the Village Clerk is expected to maintain are in addition to, not in lieu of, those the Village Treasurer is expected to maintain.~~

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