

LEGISLATIVE/LICENSING COMMITTEE MEETING

Tuesday, August 1, 2023, at 4:15 p.m.

Caledonia Village Hall – 5043 Chester Lane

1. Call to Order
2. Approval of Minutes
3. Discussion on Change To Zoning Code to Allow Parking Lots As Not Just An Accessory Structure
4. Ordinance No. 2023-XX - An Ordinance To Amend Section 7-2-17(B) (1) Of The Code Of Ordinances For The Village Of Caledonia, Racine County, Wisconsin, Relating To Restrictions On The Issuance Of Liquor Licenses (*Legislative & Licensing Committee: 7/18/2023*)
5. Ordinance No. 2023-XX - An Ordinance To Create A New Chapter 21 Of Title 7, Weights And Measures Program Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin (*Legislative & Licensing Committee: 7/18/2023*)
6. Ordinance No. 2023-XX – An Ordinance Of The Village Board Of The Village Of Caledonia To Amend Section 7-1-26(D) (4) Relating To Chicken Coops (*Legislative & Licensing Committee: 7/18/2023*)
7. Public Hearing Document Review (*Legislative & Licensing Committee: 7/18/2023*)
8. Title 2 Chapter 6 – Ethical Standards Discussion on Language Revisions to the Ordinance (*Legislative & Licensing Committee: 7/18/2023*)
9. Committee and Commission Attendance Discussion on Ordinance Language Addition or Policy Formation (*Legislative & Licensing Committee: 7/18/2023*)
10. Suggested Agenda Items to Be Placed on The Next Meeting Agenda (With No Action)
11. Adjournment

Dated July 28, 2023

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, July 18, 2023

1. **Call to Order**

Trustee Martin called the meeting to order at 4:15 p.m. In attendance were:

Committee Members: Trustee Martin, Trustee Pierce, and Trustee Hammes.

Absent: None.

Staff/Others Present: Also present were Village Administrator Kathy Kasper, and Development Director Peter Wagner.

2. **Approval of minutes**

Trustee Pierce motioned to approve the minutes as printed from June 20, 2023.
Seconded by Trustee Hammes. Motion carried unanimously.

3. **Text Amendment Review - Review a proposed text amendment that will amend Sections 16-11-6(a)(1) and 16-11-6(a)(2) of the zoning code pertaining to temporary sign permits regulating the number of temporary signs, the number of days temporary signs can be displayed, and the number of temporary sign permits that can be issued in a calendar year.**

Wagner summarized the process.

Motion by Trustee Pierce to approve the proposed text amendment. Seconded by Trustee Hammes. Motion carried unanimously.

4. **Ordinance No. 2023-XX - An Ordinance To Create A New Chapter 21 Of Title 7, Weights And Measures Program Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin**

Motion by Trustee Pierce to lay over Ordinance No. 2023-XX - An Ordinance To Create A New Chapter 21 Of Title 7, Weights And Measures Program Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin to the next meeting. Seconded by Trustee Hammes. Motion carried unanimously.

5. **Discussion Of Restrictions on Liquor Licenses**

Motion by Trustee Hammes to direct Staff to provide sample language. Seconded by Trustee Pierce. Motion carried unanimously.

LEGISLATIVE/LICENSING COMMITTEE MEETING
CALEDONIA VILLAGE HALL
5043 CHESTER LANE, RACINE, WI 53402
Tuesday, July 18, 2023

6. Public Hearing Document Review

Motion by Trustee Pierce to send back for revisions. Seconded by Trustee Hammes.
Motion carried unanimously.

7. Review of Chicken Cost

Motion by Trustee Hammes to direct Staff to modify the Ordinance to possibly change the language for exemption by certain square footage. Seconded by Trustee Pierce.
Motion carried unanimously.

8. Suggested Agenda Items To Be Placed On The Next Meeting Agenda (With No Action)

Committee/Commission attendance; Adopt Ethical guidelines from State Statute in Village Municipal Code.

9. Adjournment

There being no further business, Motion by Trustee Hammes to adjourn the meeting at 4:53 p.m. Seconded by Trustee Pierce. Motion carried unanimously.

Respectfully submitted,
Joslyn Hoeffert
Village Clerk

36 sq/ft

Ordinance No. 2023-XX

AN ORDINANCE TO AMEND SECTION 7-2-17(b) (1) OF THE CODE OF ORDINANCES FOR THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO RESTRICTIONS ON THE ISSUANCE OF LIQUOR LICENSES

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

1. That Section 7-2-17(b) (1) of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:

“SEC. 7-2-17 REVOCATION AND SUSPENSION OF LICENSES; NON-RENEWAL

- (a) **Procedure.** The Village may revoke, suspend or refuse to renew any license or permit under this Chapter, as provided in this Section. Whenever the holder of any license under this Chapter violates any portion of this Chapter—125 of the Wisconsin Statutes, Chapter or Title 11, Chapter 4, of this Code of Ordinances, proceedings for the suspension and revocation of such license may be instituted in the manner and under the procedure established by this Section.

“(b) ~~Cancellation of Premised Licenses.~~

- (1) **Grounds for Cancellation for Nonuse of License.** In addition to grounds set forth by applicable Wisconsin Statute, aAny Class A or Class B Fermented Malt and/or Intoxicating Liquor Licenses granted under this Chapter for which the subject premises:

- a. Is not open for business to the public and utilizes~~utilizing~~ such license to conduct sales of alcoholic beverages in the manner for which such license was issued~~granted~~ within ninety (90) days of the granting issuance of such license (and thereafter continues to actively use such license accordingly actively); or
- b. Is not open for business to the public and utilizes~~ing~~ such license to conduct sales of alcoholic beverages in the manner for which such license was issued~~granted~~ for a period of ninety (90) consecutive days or more; or
- c. Is not open for business to the public and utilizing~~es~~ such license to conduct sales of alcoholic beverages in the manner for which such license was issued~~granted~~ at least fifty percent (50%) of the days within any twelve (12) month period, either within a licensing year or overlapping two (2) licensing years.

~~shall~~may be cancelled unless, after notice and hearing as provided in Subsection (2) hereof~~this Section~~, the Village Board ~~shall determine~~s that good cause exists for the failure of the licensee to be open for business for periods in excess of the minimums set forth in this Subsection. If such cause is found to exist, the Village Board may set such terms as it deems appropriate to the continuation of the license with respect to minimum

days of operation or a time frame within which the subject premises must open for business to avoid cancellation of the subject license(s)."

~~(2) Notice and Hearing. Prior to cancellation of any license, the Village Clerk shall notify the licensee in writing of the Village's intention to cancel the license for nonuse and provide the licensee with an opportunity for a hearing. Such notice shall also specify the time, place and date of the hearing, which shall be not less than fifteen (15) days after the date of the notice. Such hearing shall be conducted as provided in accordance with Section 125.12(2)(b) of the Wisconsin Statutes, or any amendments thereto.~~

(c) **License Revocation or Suspension; Notice and Hearing.** License ~~nonrenewal~~, revocation or suspension notice, procedures and hearing shall be as prescribed by Chapter Section 125.12, 125, Wis. Stats.

(d) **Other Provisions.** Any license issued pursuant to this Chapter shall be subject to such further regulations and restrictions as may be imposed by the Village Board by amendment to this Section or by the enactment of new ordinances. If any licensee shall fail or neglect to meet the requirements imposed by such new restrictions and regulations, his the license may be revoked in accordance with this Section. In case of revocation of any license or any ~~violation~~ of any provision of this Chapter in accordance with this Section or by the court or for any reasonable cause except the imposition of new restrictions, no refund shall be made of any part of the license fee."

2. This ordinance shall take effect upon adoption and publication as provided by law. Adopted by

the Village Board of the Village of Caledonia, Racine County, Wisconsin, this
_____ day of July August, 2023.

VILLAGE OF CALEDONIA

By: _____
Thomas R. Weatherston, President

Attest: _____
Joslyn Hoeffert, Clerk

770272.100 (title 7)

Ordinance No. 2023-XX

**AN ORDINANCE TO AMEND SECTION 7-2-17 OF THE CODE OF ORDINANCES FOR THE
VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO RESTRICTIONS ON
THE ISSUANCE OF LIQUOR LICENSES**

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

1. That Section 7-2-17 of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:

“SEC. 7-2-17 REVOCATION AND SUSPENSION OF LICENSES; NON-RENEWAL

- (a) **Procedure.** The Village may revoke, suspend or refuse to renew any license or permit under this Chapter, as provided in this Section. Whenever the holder of any license under this Chapter violates any portion of Chapter 125 of the Wisconsin Statutes, Chapter or Title 11, Chapter 4, of this Code of Ordinances, proceedings for the suspension and revocation of such license may be instituted in the manner and under the procedure established by this Section.
- (b) **Grounds for Cancellation for Nonuse of License.** In addition to grounds set forth by applicable Wisconsin Statute, any Class A or Class B Fermented Malt and/or Intoxicating Liquor Licenses granted under this Chapter for which the subject premises:
- a. Is not open for business to the public and utilizing such license to conduct sales of alcoholic beverages in the manner for which such license was granted within ninety (90) days of the issuance of such license (and thereafter continues to actively use such license accordingly); or
 - b. Is not open for business to the public and utilizing such license to conduct sales of alcoholic beverages in the manner for which such license was granted for a period of ninety (90) consecutive days or more; or
 - c. Is not open for business to the public and utilizing such license to conduct sales of alcoholic beverages in the manner for which such license was granted at least fifty percent (50%) of the days within any twelve (12) month period, either within a licensing year or overlapping two (2) licensing years.

may be cancelled unless, after notice and hearing as provided in this Section, the Village Board determines that good cause exists for the failure of the licensee to be open for business for periods in excess of the minimums set forth in this Subsection. If such cause is found to exist, the Village Board may set such terms as it deems appropriate to the continuation of the license with respect to minimum days of operation or a time frame within which the subject premises must open for business to avoid cancellation of the subject license(s).

- (c) **License Revocation or Suspension; Notice and Hearing.** License nonrenewal, revocation or suspension notice, procedures and hearing shall be as prescribed by Section 125.12, Wis. Stat.
- (d) **Other Provisions.** Any license issued pursuant to this Chapter shall be subject to such further regulations and restrictions as may be imposed by the Village Board by amendment to this Section or by the enactment of new ordinances. If any licensee shall fail or neglect to meet the requirements imposed by such new restrictions and regulations, the license may be revoked in accordance with this Section. In case of revocation of any license or any violation of any provision of this Chapter in accordance with this Section or by the court or for any reasonable cause except the imposition of new restrictions, no refund shall be made of any part of the license fee."

2. This ordinance shall take effect upon adoption and publication as provided by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this ____ day of August, 2023.

VILLAGE OF CALEDONIA

By: _____
Thomas R. Weatherston, President

Attest: _____
Joslyn Hoeffert, Clerk

770272.100 (title 7)

Ordinance No. 2023-XX

**AN ORDINANCE TO CREATE A NEW CHAPTER 21 OF TITLE 7 OF THE CODE OF ORDINANCES
FOR THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO A WEIGHTS
AND MEASURES PROGRAM**

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

1. That Title 7, Chapter 21, Section 1 of the Code of Ordinances for the Village of Caledonia be, and hereby is, created to read as follows:

"SEC. 7-21-1 WEIGHTS AND MEASURES PROGRAM

- A. **Purpose.** This section adopts the State of Wisconsin Weights and Measures Regulations and establishes a Weights and Measures Program wherein any person or entity subject to said regulations must obtain a license in order for the Village to comply with and recoup the costs of enforcing said regulations. This section is adopted pursuant to the provisions of Chapter 98, Wis. Stats.
- B. **Application of state codes.** Except as otherwise explicitly provided in this section, the statutory provisions provided in this section, the statutory provisions of Wis. Stats. Ch. 98, Weights and Measures, and Admin. Code, ATCP 90, 91, 92, Weighing and Measuring Devices, are hereby adopted and by reference made part of this section as if fully set forth herein. Any act required to be performed or prohibited by any statute or code incorporated herein by reference is required or prohibited by this section. Any future amendments, revisions, or modifications of the statutes incorporated herein or Wisconsin Administrative Code provisions incorporated herein are intended to be made part of this section.
- C. **Contract with the State of Wisconsin; Appointment of inspectors; Compliance required.**
 - (1) **Contract with the State of Wisconsin.** In lieu of enforcing the weights and measures ordinance, the Village Board of Caledonia may contract with the State of Wisconsin Department of Agriculture, Trade and Consumer Protection to furnish the services and perform the duties of sealers of weights and measures required in Wis. Stats. § 98.04(1), as amended. In the event the Village contracts with the state or renews any existing contract, the Village may collect fees not to exceed the costs pursuant to the statute.
 - (2) **Appointment of inspectors.** The provisions of the contract set forth in Subsection C(1) shall provide for the enforcement of the statutes and regulations set forth herein, and the Village hereby grants the authority and duties of sealers and inspectors required by this section to the State of Wisconsin Department of Agriculture, Trade and Consumer Protection.
 - (3) **Compliance required.** All persons and entities required to be licensed hereunder shall comply with the enforcement of the statutes and regulations set forth herein, shall

comply with the orders and inspections of the inspectors appointed herein, and shall comply with the licensing requirements set forth herein.

D. **Definitions.**

- (1) **Weights and Measures.** Weights and Measures means weights and measures of every kind, instruments and devices for weighing and measuring, and any appliances and accessories used with any or all such instruments and devices, except meters for the measurement of electricity, gas (natural and manufactured) or water when the same are operated in a public utility system. Weights and measures shall include devices used or employed in establishing the size, quantity, extent, area or measurement of quantities, things, produce or articles for sale, hire or award, or in computing any basic charge or payment for services rendered on the basis of weight or measure and shall include, but not be limited to, commodities, liquid measuring devices, scales, weighing, measuring and price verification systems, timing devices and linear measuring devices
- (2) **Weights And Measures Program.** The program that includes administration and enforcement of this section, Wis. Stats. Ch. 98, and applicable Wisconsin Administrative Code provisions and any related actions.
- (3) **Commercial Weighing Or Measuring Devices.** Devices used or employed in establishing the size, quantity, extent, area, or measurement of quantities, things, produce or articles for sale, hire, or award or in computing any basic charge or payment for services rendered based on weight and measure.

E. **Weights and measures license required.**

- (1) **License requirements.** Except as provided in Subsection E(2), no person shall operate or maintain any commercial weighing or measuring devices, or any other weights and measures systems and accessories related thereto which are used commercially within the Village for determining the weight, measure, or count unless each such device is licensed by an annual weights and measures license issued pursuant to the provisions of this section.
- (2) **Exemptions.** Sales permitted at a farmers market or sales permitted by direct sellers, vendor vehicles, special event permits, transient merchants, and solicitors are exempt from licensing under this section.

F. **Application for license.** An application for a weights and measures license shall be made in writing on a form provided for such purpose by the Village Clerk and shall be signed by the owner of the commercial business or by its authorized agent. Such applications shall state the type and number of weighing and measuring devices to be licensed, the location of the devices, the applicant's full name and post office address, and whether such applicant is an individual, partnership, limited liability company, corporation, or other entity. If the applicant is a partnership, the application shall state the names and addresses of each partner. If the applicant is a corporation or limited liability company, the application shall state the name and address of all officers and agents of the applicant, including the

registered agent thereof.

- G. **Issuance of license and fees.** Upon compliance with this section, the Village Clerk's and/or Designee shall issue a license to the applicant upon payment of an annual license fee set by the Village Board. The license fee shall not be prorated for a partial year. Each store or other business shall require a separate license.
- H. **License term.** A license issued under this section shall expire on June 30 of each year.
- I. **Enforcement for nonrenewal.** A licensee shall be prohibited from operating or maintaining a weighing or measuring device until such time as a valid license has been obtained under the provisions of this section. It shall be the duty of the Village Clerk and/or Designee to notify the appropriate Village officials and to order the immediate enforcement of the provisions of this section in cases involving a failure to renew the weights and measures license.
- J. **Fees assessment.**
- (1) **Annual assessment.** The Village Board shall annually assess fees to each license holder sufficient to defray the costs of the weights and measures program as of July 1 of each year as authorized by Wis. Stats. § 98.04(3). The total of the fees assessed and the fees collected shall not exceed the actual costs of the weights and measures program.
 - (2) **Village Clerk and/or Designee to prepare assessment schedule.** The Village Clerk and/or Designee shall at least annually prepare a proposed schedule of assessments to be submitted to the Village Board. A copy of the proposed schedule, together with notice of the date and time at which the Village Board will consider the assessments, shall be mailed to each licensee.
 - (3) **Village Board determines assessment.** The Village Board will determine license fees. The Village Board shall consider the Village Clerk and/or Designee schedule of assessments and determine the schedule of assessments on a reasonable basis.
 - (4) **Failure to pay assessment.** If the assessed fee is not paid within 30 days of the date of the mailing of the invoice, an additional administrative collection charge of 10% of the total fee shall be added to the amount due, plus interest shall accrue thereon at the rate of 1.5% per month or fraction thereof until paid. To the extent permitted by law, if the licensee is the owner of the real estate premises where the licensed weights and measures devices are located, any delinquent assessment shall be extended upon the current or the next tax roll as a special charge against the real estate premises for current services. No licensee shall be issued or renewed under this section if the licensee is delinquent in the payment of a fee assessed under this section.
 - (5) **Mailing of notices.** Schedules, notices, and invoices shall be considered as having been sent to the licensee when they are sent by first-class mail, with postage paid, to the address provided on the application form.
 - (6) **Change of ownership.** If the ownership of a commercial business licensed under this section is transferred during a license year, the owner of the business as of July 1 of the license year shall be liable and responsible for the payment of the fees assessed under

this section.

- K. **Inspections and Seals.** The Village or its agent shall have the right to inspect and test any weighing or measuring devices used in commercial transactions within the Village. Any device found to be in violation of this section or state law shall be deemed to be in need of adjustment or repair and shall be sealed or marked by the Village or its agent until such time as the necessary adjustments or repairs have been made, and the device has been tested and approved.
- L. **Penalties.** Any person, firm, or corporation violating any provision of this section shall, upon conviction thereof, forfeit not less than \$250 and no more than \$500. Each day a violation exists or continues shall constitute a separate offense.
- M. **Severability.** If any section, subsection, sentence, clause, phrase, or portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.
- N. **Reservations.** The Village Board of the Village of Caledonia reserves the right to reserve additional sections for future use of this Code of Ordinances as needed.

2. That Sections 7-21-2 to 7-21-10 are reserved for future use.

3. That this ordinance shall take effect on _____, 2023, and upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this ____ day of _____, 2023.

VILLAGE OF CALEDONIA

By: _____
Thomas R. Weathersto, President

Attest: _____
Joslyn Hoeffert, Clerk

Ordinance No. 2023-XX

AN ORDINANCE TO AMEND SECTION 7-1-26(D) (4) OF THE CODE OF ORDINANCES FOR THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO CHICKEN COOPS

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

1. That Section 7-1-26(d) (4) of the Code of Ordinances for the Village of Caledonia be, and hereby is, created to read as follows:

" (4) **Coops.** Hen coops are required to house the Hens on a property in compliance with this ordinance. An accessory building permit is required for all Hen coops greater than 36 square feet. A Hen coop is a building structure that provides housing/shelter for Hens and shall meet the following requirements:"

3. This ordinance shall take effect on August ____, 2023 and upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this ____ day of August, 2023.

VILLAGE OF CALEDONIA

By: _____
Thomas R. Weatherston, President

Attest: _____
Joslyn Hoeffert, Clerk

Ordinance No. 2023-XX

AN ORDINANCE TO AMEND SECTION 7-1-26(D) (4) OF THE CODE OF ORDINANCES FOR THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO CHICKEN COOPS

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3. This ordinance shall take effect on August ____, 2023 and upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this ____ day of August, 2023.

VILLAGE OF CALEDONIA

By: _____
Thomas R. Weatherston, President

Attest: _____
Joslyn Hoeffert, Clerk

How do Public Hearings work?

The attached letter is notice for an upcoming Public Hearing.

Public Hearing

noun

1. A formal proceeding is held to receive testimony from all interested parties – including the general public – on a proposed issue or action as required by law or as a voluntary effort.

We want to take a moment of your time to not only notify you of the Public Hearing as required under State Statute and to address some frequently asked questions:

How does the Public Hearing process work?

If you're wondering about the Public Hearing process, the Village mails a formal notice to affected landowners.

- ✓ Hearings might be required by law or held voluntarily to garner public opinion on key issues. These could involve rezoning requests, changes to the Comprehensive Plan, proposed zoning amendments, annexations, or Ordinance revisions.

How can I know if a Public Hearing is about to take place?

If you've received this notice and are concerned about staying informed, the Village posts the agenda and additional resources for the hearing on the website every Thursday before the meeting. You're encouraged to review these materials before the hearing, either on Zoning Hub or in the packet.

How can I participate in the Public Hearing?

If you wish to participate, you must fill out a sign-up slip and give it to the Clerk. It's important to note that public hearings are not a dialogue or Q&A session between the public and an applicant or Village staff. However, your comments will be heard by the Staff and the Board/Commission, with responses provided after the Public Hearing is closed.

What are some tips for effective participation in a Public Hearing?

If you're testifying at a hearing, wait to be recognized by the President or Chair. Speak from the podium directly into the microphone. Clearly state your name and address before sharing your thoughts. Please maintain respectful interaction throughout, avoiding discourteous or derogatory comments. Public reactions such as booing, cheering, or clapping are not permitted.

What rules of procedure should I be aware of during a Public Hearing?

If you're attending a hearing, remember that the process is guided by the Village of Caledonia's Ordinance.

- ✓ **Introduction:** The Chairperson or President will introduce the matter to be considered.
- ✓ **Applicant Presentation:** The applicant (and/or the applicant's representatives) will briefly introduce and support the application.
- ✓ **Staff Report:** Village staff will describe the matter being considered, including the relevant authority, present the staff report, and offer proposed conditions and/or recommendations to the decision-making body. Members of the decision-making body may pose questions to staff or the applicant.
- ✓ **Public Testimony:** The Chairperson or President will open the public hearing and may announce a time limitation for speakers. Both proponents and opponents of the application are allowed to address the decision-making body. Members of the decision-making body may pose questions to the person testifying. At the close of testimony, Village staff may be asked to address any questions raised. The public hearing will be closed once each person on the sign-up sheet has testified.
- ✓ **Board Questions and Applicant/Staff Clarification:** The Board will then ask questions of the Applicant or staff, some of which may be based on the information provided by the Public during the Public Testimony. The Chairperson or President may invite the Applicant and staff to clarify any issues or questions raised during the Public Testimony related to the Applicant's presentation. Once all testimony is heard, the public hearing will be closed.

Non-Public Hearing Participation Guide:

What should I consider when making Public Comments on non-Public Hearing Agenda items?

If you plan to comment on non-Public Hearing Agenda items, keep in mind the process set by the Village:

- ✓ The President or Chair will call the agenda item.
- ✓ Staff will provide a presentation on the matter.
- ✓ The President or Chair may invite public comment on the specific agenda item.
- ✓ If invited, wait to be recognized by the President or Chair. Speak from the podium directly into the microphone. Clearly state your name and address before sharing your thoughts. Please maintain respectful interaction throughout, avoiding discourteous or derogatory comments. Public reactions such as booing, cheering, or clapping are not permitted.
- ✓ The President or Chair will close the public engagement.
- ✓ A Motion on the matter will be made and seconded.
- ✓ The Board or Commission members will ask questions and or debate the agenda item among themselves and with staff.
- ✓ The President will call for a vote on the matter.

What's the non-Public Hearing Public Comments process during "Citizen's Reports"?

- If you wish to participate in "Citizen's Reports," be aware that comments are limited to two minutes unless authorized by the President or Chair. Use this platform to voice your concerns or interests on non-Public Hearing agenda items. As always, respect the speaking rules—wait to be recognized, speak clearly from the podium, state your name and address, and maintain a respectful demeanor throughout.

CHAPTER 6

Ethical Standards

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
2-6-1	Definitions		
2-6-2	Declaration of Policy		
2-6-3	Statutory Standards of Conduct		
2-6-4	Specific Conflicts of Interest		

SEC. 2-6-1 DEFINITIONS.

- (a) **Public Officer.** Means those persons serving in statutory elected or appointed offices provided for in Chapter ~~60-1961~~ of the Wisconsin Statutes, and all members appointed to boards, committees and commissions established or appointed by the ~~Town Chairperson~~Village President and/or ~~Town Village~~ Board, whether paid or unpaid.
- (b) **Public Employee.** Means any person excluded from the definition of a public officer who is employed by the ~~Town~~Village.

SEC. 2-6-2 DECLARATION OF POLICY.

It is declared that high ethical standards among ~~Town~~Village officers and employees are essential to the conduct of good representative government and that a code of ethics for the guidance of public officers and employees will help them avoid conflicts with improved standards of public service and will promote and strengthen the confidence of the residents of the ~~Town~~Village in their public officers and employees. The purpose of this Chapter is to establish guidelines for ethical standards of conduct for all such ~~Town~~Village officers and employees by setting forth those acts or actions that are incompatible with the public interest and which compromise, or appear to compromise, public trust in the fairness, independence and integrity of ~~Town~~Village officers and employees and their official actions.

SEC. 2-6-3 STATUTORY STANDARDS OF CONDUCT.

The provisions of the following sections of the Wisconsin Statutes, as from time to time amended, are made a part of this Chapter and shall apply to all public officers and public employees whenever applicable, to wit:

- (a) **Section 946.10.** Bribery of Public Officers and Employees.
- (b) **Section 946.11.** Special Privileges from Public Utilities.
- (c) **Section 946.12.** Misconduct in Public Office.
- (d) **Section 946.13.** Private Interest in Public Contract Prohibited.
- (e) Chapter 19, Subchapter III, Code of Ethics for Public Officials and Employees

SEC. 2-6-4 SPECIFIC CONFLICTS OF INTEREST.

Conflicts of interest include, but are not limited to, the following:

- (a) **Use of Public Property.** No public officer or employee shall use or permit the use of TownVillage vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as TownVillage policy for the use of such officer or employee in the conduct of official business, as authorized by the TownVillage Board or authorized board, commission or committee.
- (b) **Conflicts of Interest; Disclosure of Interest.** Except as provided herein, no public officer or public employee shall engage in any business transaction with the TownVillage, or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties or will tend to impair his independence or judgment or action in the performance of his official duties. Any public officer or employee who has a substantial financial interest, including employment, in any business entity entering into, proposing to enter into or moving on any transaction with the TownVillage, or as part of his official duties will be making an official decision or recommendation significantly affecting a business competitor, client or regular customer, shall disclose such interest to the membership of the TownVillage Board (or committee, board or commission thereof, as appropriate) to be recorded in the minutes of that body. Upon such disclosure, it is advised that the public officer or employee abstain from voting on the matter and from participating in the discussion of the matter.
- (c) **Representing Private Interests Before the TownVillage Board or TownVillage Agencies.** No public officer or employee, including persons or firms engaged to provide professional services to the TownVillage, shall represent, for compensation, private interests before the TownVillage Board or any village board, commission or committee without disclosure of the private business relationship and explicit consent of the TownVillage Board.
- (d) **Disclosure of Confidential Information.** No public officer or employee shall, without proper authorization of the TownVillage Board, disclose confidential information concerning the property, government or affairs of the TownVillage, nor shall he use such information to advance the financial or other private interest of himself or others.
- (e) **Gifts and Favors.** No public officer or employee shall accept anything of value whether in the form of a gift, service loan or promise from any person, who, to his knowledge, has a direct financial interest in any transaction or official business with the TownVillage, which may tend to impair his independence of judgment or action in the performance of his official duties. However, it is not a conflict of interest for any public officer or employee to receive a gift of gratuity that is an unsolicited item of nominal intrinsic value, such as a meal up to Ten Dollars (\$10.00) in value.
- (f) **Outside Employment.** No full-time officer of the TownVillage shall engage in any other remunerative employment within or without the TownVillage; provided that the TownVillage Board may approve such outside employment or activity if it finds that it does not interfere or conflict with such ability of the officer or employee to perform his duties in an efficient and unbiased manner.
- (g) **Advisory Opinion.** Any questions as to the interpretation of any provisions of this Ethical Standards Chapter shall be referred to the TownVillage Attorney for an advisory opinion.

Committee and Commission Attendance

Example for discussion:

Committee, Commission or Board members, other than Village Board members, who miss more than three (3) meetings during any twelve-month period without having been excused from such absences under Section 6.0, shall be considered by the Village Board President for removal from office. Any removal action shall be in accordance with Section 17.13(1) of the Wisconsin Statutes and/or such other laws as may apply. In addition, members will not receive compensation for meetings where their absence was unexcused. If, however, the member was excused by the President or Committee/Commission chair from attending a meeting as provided in Section 6 below, such absence shall not be counted as an unexcused absence for purposes of this section.

5.1 Notwithstanding the provisions of Sections 5.0 and 6.0, the salary of any Village Board member who misses more than three (3) scheduled meetings in any twelve-month period will be reduced for each additional meeting missed regardless of whether the absences are excused or unexcused. In addition, Village Board members shall be subject to removal by a majority vote of all of the members of the Village Board because of continued physical inability to perform the duties of office or gross neglect of duty as provided in Section 17.13(2) of the Wisconsin Statutes.

6.0 EXCUSED ABSENCES:

Only the Board President may render excusals, at his/her discretion, for trustees and for Committee/Commission Chair holders. Each Commission/Committee Chair, however, may render excusals, at his/her discretion, for their respective members. Excusals may only be given prior to the start of the applicable meeting and the Commission/Committee Chairperson must inform the Village Staff as soon as possible after granting an excused absence.