

ORDINANCE #23-07

TO AMEND SEVERAL SECTIONS OF VILLAGE CODE PERTAINING TO THE POSITIONS OF VILLAGE CLERK AND VILLAGE TREASURER

WHEREAS, the Village of Jackson adopted Code of Ordinances recognizes a Clerk-Treasurer role and a Treasurer role in various sections of Village Code; and

WHEREAS, it is in the best interest of the Village to update the Village Code of Ordinances so as to reflect current staffing, duties, and procedures; and

WHEREAS, the Village of Jackson day to day staffing, duties and procedures have included the separate roles of a Village Clerk and Village Treasurer since the addition of a Deputy Clerk/Treasurer role in 2019.

NOW, THEREFORE BE IT RESOLVED, the Village of Jackson Village Board, Washington County Wisconsin **ORDAINS AS FOLLOWS:**

Section 1. Amending "Village Officials" as revised below.

Brian Heckendorf, Village President; Brian Emmrich, Tim Engelhardt, John Kruepke, Randy Matter, Donald Olson, Traci Wells, Village Board of Trustees.

Section 2. Amending "Preface" as revised below.

The publisher is most grateful to the Village Clerk for their cooperation and assistance during the progress of the work on this publication.

Section 3. Amending Sec. 1-2 as revised below.

Sec. 1-2 Definitions and rules of construction.

Village officers or departments. The term "administrator," "clerk," "treasurer," "police chief," "fire chief," "public works director," "building inspector/code enforcement," "park and recreation director" or other village officers or departments, when referred to by title only, means the village administrator, clerk, treasurer, police chief, fire chief, public works director, building inspector/code enforcement, park and recreation director or such other municipal officers or departments of the village.

Section 4. Amending Sec. 1-7 as revised below.

Sec. 1-7 Certain ordinances not affected by code.

(17) Any administrative ordinance; and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code. Such ordinances are on file in the village clerk's office.

Section 5. Amending Sec. 2-2 as revised below.

Sec. 2-2 Official Village Map.

(g) Filing with county. The village clerk shall be responsible, immediately upon adoption of the official map or any amendment thereto, for recording a true copy of the official map with the county register of deeds.

Section 6. Amending 2-59 as revised below.

Sec. 2-59 Verification of wages and salaries required.

Regular wages or salaries of village officers and employees shall be verified by the proper village official or department head and filed with the village treasurer in time for payment on the regular pay day.

Section 7. Amending 2-78 as revised below.

Sec. 2-78 Village clerk.

(a) Appointment. The village clerk shall be appointed by a majority of the members of the village board for an indefinite term, subject to removal pursuant to the provisions of state law or the term of office and conditions of employment may be a matter of written contract between the village and the person appointed to the position. The offices of village clerk and village administrator may be combined by vote of the board of trustees.

(b) Powers and duties. The powers and duties of the village clerk shall be those prescribed by state law and as specified in the job description for the position as may be established by the village board.

Section 8. Create Sec. 2-89 to read as set forth below.

Sec. 2-89 Village treasurer.

(a) Appointment. The village treasurer shall be appointed by a majority of the members of the village board for an indefinite term, subject to removal pursuant to the provisions of state law or the term of office and conditions of employment may be a matter of written contract between the village and the person appointed to the position. The offices of village treasurer and village administrator may be combined by vote of the board of trustees.

(b) Powers and duties. The powers and duties of the village treasurer shall be those prescribed by state law and as specified in the job description for the position as may be established by the village board.

Section 9. Amending Sec. 2-146 as revised below.

Sec. 2-146 Public appearance.

Any village resident wishing to have the board make a decision on an issue or request shall submit a written request to the village clerk not less than four business days prior to the meeting. All other village residents who wish to address the board may do so at the regularly scheduled village board meeting.

Section 10. Amending Sec. 2-184 as revised below.

Sec. 2-184 Tourism commission.

Reporting. Beginning in 2017, annually or before May 1, the treasurer will certify, and report required detail to the Wisconsin state department of revenue on the form provided by the Wisconsin state department of revenue.

Section 11. Amending Sec. 2-309 as revised below.

Sec. 2-309 Public facilities needs assessment.

(b)All facilities need reports that form the basis of any impact fee or sewer service fee imposed by the village shall be kept on file in the office of the village clerk at least 20 days prior to any public hearing to be held on the creation of this division and any amendments. A Class 1 notice is required prior to any required hearing.

(c)All facilities need assessment reports shall remain on file in the office of the village clerk for the entire period during which impact fees or sewer service fees arising out of a specific report and this division are collected prior to expenditure, and such reports shall, after expenditure of all impact fees or sewer service fees, be maintained as a public record for such time period as required by law.

Section 12. Amending Sec. 2-312 as revised below.

Sec. 2-312 Payment of impact fees.

All required impact fees, unless expressly accepted in a section of this division, or unless otherwise payable as specified herein, shall be paid to the village by the developer prior to being issued a building or plumbing permit, or both, whichever permits are applicable. Impact fee payments shall be assumed to be the responsibility of the owner of the record at the time the fee is imposed on a particular parcel.

Section 13. Amending Sec. 2-313 as revised below.

Sec. 2-313 Appeals.

(a)The developer or property owner upon whom an impact fee is imposed may contest the amount, collection, or use of an impact fee as specified herein. An appeal to contest either the amount or collection of an impact fee imposed on a developer shall be commenced at any time prior to endorsement of the approval certificate of any subdivision plat or certified survey map by the village clerk but not later than 30 days from the date of notification of final action approving such plat or survey. An appeal to contest the amount or collection of an impact fee may be commenced within 30 days from the date of the notification of final action approving such plat or survey. An appeal to contest the amount or collection of an impact fee may be commenced within 30 days of application for a building or plumbing permit, if applicable to the particular impact fee. An appeal to contest the use of an impact fee shall be commenced not later than 30 days prior to the award of any public contract for expenditure of the collected fee revenues.

Section 14. Amending Sec. 2-462 as revised below.

Sec. 2-462 Clerk's election duties.

As provided in Wis. Stats. § 7.15, the village clerk shall have charge of and supervise all elections held in the village.

Section 15. Amending Sec. 2-463 as revised below.

Sec. 2-463 Election officials' appointment, duties, and powers.

Election officials for each polling place shall be appointed pursuant to Wis. Stats. §§ 7.30, 7.31 and 7.32. Election officials shall have the powers and perform the duties prescribed for such officers by state law. Inspectors shall serve as clerk of election as may be necessary. The village clerk is authorized to select alternate officials or two sets of officials to work at different times on election day. The clerk may also reduce the number of election officials for any given election to not less than three.

Section 16. Amending Sec. 4-22 as revised below.

Sec. 4-22 Applications for licenses.

Application for a license to sell or deal in intoxicating liquor or fermented malt beverages shall be made in writing on the form prescribed by law, shall be sworn to by the applicant as provided by Wis. Stats. ch. 125 and shall be filed with the village clerk not less than 15 days prior to the granting of such license. Such application shall be accompanied by the cost of publication as provided by Wis. Stats. ch. 125. Application for operator's license shall be made in the manner prescribed in division 2 of this article.

Section 17. Amending Sec. 4-52 as revised below.

Sec. 4-52 Application; fees.

Application for an operator's license to sell or serve intoxicating liquor or fermented malt beverages shall be made in writing on a form provided by the village clerk and filed in the office of the village clerk. The operator's license shall be operative only within the village limits. No license shall be issued until the applicant has complied with the examination and investigation provisions of this division. Fees for operator's licenses shall be as provided in the village fee schedule and are nonrefundable.

Section 18 Amending Sec. 4-54 as revised below.

Sec. 4-54 Review procedure; granting or denial of license.

(c)Final action by village board. Upon receipt of recommendation from the chief of police, the village clerk shall cause the name of the applicant to be placed on the next regular village board agenda for action to either grant or deny the application for license.

Section 19. Amending Sec. 4-56 as revised below.

Sec. 4-56 Temporary License.

After investigation and recommendation by the chief of police, the village clerk may issue a temporary operator's license to applicants who qualify for the issuance of an operator's license and who are employed by, or who are donating their services to, nonprofit entities pursuant to Wis. Stats. § 125.17. A temporary operator's license shall be valid for a period of from one day to 14 days as designated on the license. No person may hold more than one temporary operator's license per year pursuant to Wis. Stats. § 125.17.

Section 20. Amending Sec. 8-334 as revised below.

Sec. 8-334 Review by Zoning board of appeals.

(a)Petition for hearing. Any person affected by any notice or order which has been issued in connection with the enforcement of any provision of this division may request and shall be granted a hearing on the matter before the zoning board of appeals, subject to the following conditions:

(2)Petitions shall be in writing on forms prescribed by the board and filed in the office of the

village clerk who shall then provide a copy thereof to the building inspector. The form shall contain all necessary information for the processing of such appeal.

Section 21. Amending Sec. 10-54 as revised below.

Sec. 10-54 Permit required.

No person shall engage in the business of peddler, trucker, canvasser, solicitor, transient merchant, or seasonal merchant in the village without first obtaining a permit from the village clerk in the manner provided in this article.

Section 22. Amending Sec. 10-56 as revised below.

Sec. 10-56 Exception for certain religious, charitable, patriotic, and philanthropic entities.

(b)Any entity desiring to solicit or to have solicited in its name, donations of money or property, or desiring to sell or distribute any item of literature or merchandise for which a fee is charged or solicited, for a charitable, religious, patriotic or philanthropic purpose, must register with the village clerk, but shall be exempt from paying a fee, provided that it first files a sworn application on a form to be furnished by the village clerk which includes the following information:

Section 23. Amending Sec. 10-57 as revised below.

Sec. 10-57 Application.

Application for a permit under this article shall be submitted on the proper form together with the fee specified in the village fee schedule. The application shall be filed with the village clerk, shall be sworn by the applicant, and shall contain such information as the village clerk may require for the effective enforcement of this article, and the safeguarding of the residents of the village from fraud, misconduct, or abuse.

Section 24. Amending Sec. 10-58 as revised below.

Sec. 10-58 Investigation or background check; issuance

Upon receipt of each application and fee, the village clerk shall refer the application to the police chief, who shall institute a background check of the applicant. The police chief shall recommend approval or rejection of the application as soon as practical after receipt of the application from the clerk.

Section 25. Amending Sec. 10-60 as revised below.

Sec. 10-60 Bond.

If the village clerk determines from their investigation of the application that the interests of the village or the inhabitants of the village require protection against possible misconduct of the license, or that the applicant is otherwise qualified, but due to causes beyond their control is unable to supply all of the information required by this article, the village clerk may require the applicant to file a bond in the sum of \$500.00 with surety acceptable to the clerk running to the village, conditioned upon the fact that they will fully comply with the ordinances of the village and the laws of the state relating to peddlers, canvassers, solicitors, transient merchants or seasonal merchants, and guaranteeing to any citizen of the village doing business with them, that the property purchased will be delivered according to the representations of the applicant, provided that action to recover on the bond shall be commenced within six months after expiration of the license.

Section 26. Amending Sec.10-61 as revised below.

Sec. 10-61 Display of license.

Persons licensed under the provisions of this article shall display the license issued by the village clerk on the outermost layer of clothing on the front one third of the body at all times when engaged in the activities covered by this article.

Section 27. Amending Sec. 10-63 as revised below.

Sec. 10-63 Revocation of permit.

(a)Permits issued under this article may be revoked by the village clerk or police chief at any time for just cause, including, but not limited to, misrepresentation, or incorrect statement contained in the application or made in the course of carrying on business; conviction of the permittee of any crime or misdemeanor, or conducting the licensed business in an unlawful or disorderly manner or in such manner as to menace the health, safety, or general welfare of the public. Any ground for denial of permit issuance as provided in this article and any violation of division 3 of this article shall also be grounds for revocation.

Section 28. Amending Sec. 10-110 as revised below.

Sec. 10-110 Application.

(a)Generally; fee. Any person desiring an adult-oriented establishment license shall file a written application with the village clerk on a form provided by the clerk's office and pay the required fee in the amount provided in the village fee schedule to defray the costs of administration and investigation of the application. The information provided to the clerk shall be given under oath.

Section 29. Amending Sec. Sec. 10-111 as revised below.

Police chief and building inspector to inspect.

The village clerk shall notify the police chief and the building inspector of any adult-oriented establishment license application, and these officials shall inspect or cause to be inspected each such application and the premises to determine whether the applicant and the premises sought to be licensed comply with the regulations, ordinances, and laws applicable thereto.

Section 30. Amending Sec. 12-20 as revised below.

Sec. 12-20 Municipal Court Created.

The village has created and established a municipal court, to be designated as the "Mid-Moraine Municipal Court," under the provisions of Wis. Stats. ch. 755 and pursuant to the agreement for the operation of the municipal court for the county, as amended ("agreement"), a copy of which is on file with the village clerk.

Section 31. Amending Sec. 26-26 as revised below.

Sec. 26-26 Attorney-in-fact to be appointed; post office address to be registered.

Every permittee and licensee under this article shall register his official post office address with the village clerk and shall execute and irrevocably appoint an attorney-in-fact, who shall at all times be a bona fide resident of the county, upon whom may be served any summons, complaint, pleadings, process, order or notice in any action, proceedings or matter concerning the mobile home park and arising out of the construction, maintenance or use of the mobile home park.

Section 32. Amending Sec. 26-164 as revised below.

Sec. 26-164 Responsibilities of the park management.

(d)Park register. The park management shall maintain a register containing the names of all park occupants identified by lot number or street address, the motor vehicle license numbers and the places of employment. A true copy of such register, listing all of such information and all monthly changes as of the first day of each month, shall be mailed to the village treasurer by the park management on or before the tenth day of each month.

Section 33. Amending Sec. 28-33 as revised below.

Sec. 28-33 Cost recovery.

Upon notification from the police chief that a chronic nuisance property has been identified, the village treasurer shall charge any property owner found to be in violation of this article the costs of enforcement and abatement, including administrative costs, in full or in part. All costs so charged are a lien upon such property and may be assessed and collected as a special charge. The village shall establish a reasonable charge for the costs of administration and enforcement imposed hereunder.

Section 34. Amending Sec. 35-30 as revised below.

Sec. 35-30 Fee scheduled.

The fees referred to in other sections of this article shall be established by the village engineer and may from time to time be modified by resolution. A schedule of the fees established by the village engineer shall be available for review in the office of the village clerk.

Section 35. Amending Sec. 35-67 as revised below.

Sec. 35-67 Fee Schedule.

The fees referred to in other sections of this article shall be established by the village engineer and may from time to time be modified by resolution. A schedule of the fees established by the village engineer shall be available for review in the office of the village clerk.

Section 36. Amending Sec. 36-95 as revised below.

Sec. 36-95 Appeal.

Any person aggrieved by a denial of issuance or revocation of a permit shall have the right to appeal to the village board at its next scheduled meeting following such denial or revocation. Written notice of such appeal shall be given to the village clerk no later than the last Wednesday before the next scheduled village board meeting.

Section 37. Amending Sec. 38-34 as revised below.

Sec. 38-34 Minor Subdivisions.

When it is proposed to divide land into two parcels or building sites, any one of which is less than 1½ acres in size, or when it is proposed to divide a block or out lot into not more than four parcels or building sites within a recorded subdivision plat without changing the boundaries of the block, lot, or out lot, the subdivider shall prepare the certified survey map required by this chapter and shall file the copies specified in the application form on file with the village clerk at least 21 days prior to the plan commission meeting at which a recommendation is requested.

Section 38. Amending Sec. 38-35 as revised below.

Sec. 38-35 Optional processing procedure.

If the subdivider or developer chooses to follow the optional procedure for processing the plat as provided in Wis. Stats. ch. 236, the village clerk and the village board shall modify the procedure provided in this chapter and the wording of the necessary certificate and approval accordingly.

Section 39. Amending Sec. 38-36 as revised below.

Sec. 38-36 Replat

(b)The village clerk shall schedule a public hearing before the village board when a preliminary plat of a replat of lands within the village is filed, and cause notices of the replat and public hearing to be mailed to the owners of all properties within the limits of the exterior boundaries of the proposed replat and to the owners of all properties within 200 feet of the exterior boundaries of the proposed replat.

Section 40. Amending Sec. 38-62 as revised below.

Sec. 38-62 Review within the village.

(a)Before submitting a final plat for approval, the subdivider shall prepare a preliminary plat and an application. The preliminary plat shall be prepared in accordance with this chapter and the subdivider shall file an adequate number of copies of the plat and application with the village clerk at least 21 days prior to the meeting of the village plan commission at which action is desired.

Section 41. Amending Sec. 38-87 as revised below.

Sec. 38-87 Review within the village.

(b)The village clerk shall, within two days of the filing of the final plat, transmit four copies to the county planning agency; two copies to the state department of agriculture, trade and consumer protection; two copies to the state department of transportation, if the subdivision abuts or adjoins a state trunk highway a connecting street; and the original plat on Mylar and adequate copies, as specified on the application form, to the village.

Section 42. Amending Sec. 38-88 as revised below.

Sec. 38-88 Approval within the village

(b)The village shall prepare a subdivision improvement agreement, which shall be agreed to and signed by the subdivider and the village upon approval by the village board. The subdivider shall be responsible for the recording of this document by the county register of deeds. The village clerk shall not certify the plat for recording by the county register of deeds unless contracts have been signed or sureties ensuring the installation of improvements are provided by the subdivider.

(g)The village board shall, within 60 days of the date of filing the original final plat with the village clerk, approve, conditionally approve, or reject such plat unless time for the approval is extended by agreement with the subdivider. If the plat is rejected, the reason shall be stated in the minutes of the meeting and a written statement shall be forwarded to the subdivider. The village board may not inscribe its approval on the final plat unless the village clerk certifies on the face of the plat that the copies were forwarded to the objecting agencies as required herein, the date thereof, and that no objections have been filed within the prescribed time

limits, or if filed, have been met. If the village board fails to act within 60 days, the time having not been extended and no unsatisfied objections having been filed, the plat shall be deemed approved.

(h)After the village board has approved the final plat and sureties ensuring the installation of required improvements are filed, the village clerk shall cause the certificate inscribed upon the plat attesting to such approval to be duly executed and the plat returned to the subdivider for recording with the county register of deeds. The register of deeds cannot record the plat unless it is offered within 30 days of last approval.

Section 43. Amending Sec. 38-121 as revised below.

Sec. 38-121 Approval

(e)The village shall prepare a subdivision improvement agreement, which shall be agreed to and signed by the subdivider and the village prior to approval by the village board. The subdivider shall be responsible for the recording of this document by the county register of deeds. The village clerk shall not certify the plat for recording by the county register of deeds unless contracts have been signed or sureties ensuring the installation of improvements are provided by the subdivider.

Section 44. Amending Sec. 40-19 as revised below.

Sec. 40-19 Preparation of the tax roll and tax receipts

(a)Aggregate tax stated on roll. Pursuant to Wis. Stats. § 70.65(2), the village treasurer shall, in computing the tax roll, insert only the aggregate amount of state, county, school and local taxes in a single column in the roll opposite the parcel or tract of land against which the tax is levied or in the case of personal property, in a single column opposite the name of the person against whom the tax is levied.

Section 45. Amending Sec. 42-31 as revised below.

Sec. 42-3 Enforcements and penalties.

(d)Parking citation for non-moving violations. Citations for all non-moving traffic violations under this chapter shall conform to Wis. Stats. § 345.28 and shall permit direct payment of the applicable minimum forfeiture to the village within five days of the issuance of the citation in lieu of court experience. The issuing officer shall specify thereon the amount of the applicable forfeiture as provided in this section.

Section 46. Amending Sec. 48-101 as revised below.

Sec. 48-101 Zoning Map

A certified copy of the zoning map, together with the supplementary flood land zoning map, shall be adopted and approved with the text as a part of this chapter and shall bear upon its face the attestation of the village president and village clerk and shall be available to the public in the office of the village clerk. Changes thereafter to the general zoning districts shall be entered and attested on the certified copy. Changes in the flood land districts shall not become effective until approved by the state department of natural resources (DNR) and the Federal Insurance Administration (FIA).

Section 47. This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

Section 48. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Section 49. The Village Clerk and Village Administrator are authorized and directed to make all changes within the Village of Jackson Code of Ordinances necessary to reflect this Ordinance.

Introduced by: Pres Heckendorf

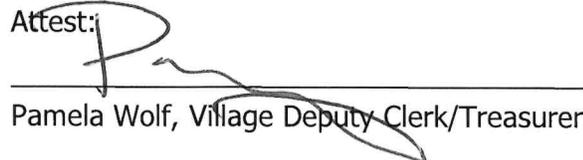
Seconded by: Tr. Engelhardt

Vote: 7 aye 0 nay

Passed and approved July 11, 2023

VILLAGE OF JACKSON

By: 
Brian J. Heckendorf, Village President

Attest: 
Pamela Wolf, Village Deputy Clerk/Treasurer

Proof of Posting:

I, the undersigned, certify that I posted copies of this Ordinance on posting boards at the Jackson Municipal Complex, Post Office and one other location in the Village.

Village Official

Date