

Title 1

GENERAL PROVISIONS\*

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Chapter 1.01

CODE ADOPTION\*\*

Sections:

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1.01.010 Adoption. Pursuant to the provisions of Section 66.035 of the Wisconsin Statutes Annotated, there is hereby adopted the "Grafton Municipal Code" as published by Book Publishing Company, Seattle, Washington, and all previously adopted general ordinances of the village of Grafton are hereby repealed except that the code of general ordinances hereby adopted shall not be deemed to repeal any special or charter ordinances of the village of Grafton or any general ordinance or part thereof relating to the following subjects and not conflicting with any of the provisions of the Grafton Municipal Code:

1. The issuance of bonds, notes or other obligations of the city (village);
2. The fixing of salaries or wages of public officials or employees;
3. Rights, licenses, permits or franchises or the creation of any contractual obligation with the (city) (village);
4. Establishment of street or sidewalk grades, curb or bulkhead lines, width of sidewalks or streets;
5. Lighting of streets, sidewalks and alleys;

6. Naming or changing of, extension, vacation or opening of streets or public ways, public grounds and parks and other public places;
7. Letting of contracts with or without bids;
8. Tax and special assessment levies or charges;
9. Release of persons, firms or corporations from liability;
10. Construction of any public works;
11. Ratification or rescission of any agreements with the (city) (village) or the act of any municipal officer, board or commission;
12. Water, sewer and electric main and line construction;
13. Budget ordinances;
14. Claim approvals;
15. Municipal utility regulations. (Ord. A-380-79 SS1, 1979).

1.01.020 Title--Citation--Reference. This code shall be known as the "Grafton Municipal Code" and it shall be sufficient to refer to such code as the "Grafton Municipal Code" in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the Grafton Municipal Code. Further reference may be had to the titles, chapters, sections and subsections of the Grafton Municipal Code and such references shall apply to that numbered title, chapter, section or subsection as it appears in the code. (Ord. A-380-79 SS2, 1979).

1.01.030 Codification authority. This code consists of all the regulatory and penal ordinances and certain of the administrative ordinances of the village of Grafton, Wisconsin, codified pursuant to the provisions of Section 66.035 of the Wisconsin Statutes Annotated. (Ord. A-380-79 SS3, 1979).

1.01.040 Ordinances passed prior to adoption of the code. The last ordinance included in this code was Ordinance A-362-78, passed August 7, 1978. The following ordinances passed subsequent to ordinance A-362-78, but prior to the adoption of this code, are hereby adopted and made a part of this code: Ordinances A-363-78 through A-379-79. (Ord. A-380-79 SS4, 1979).

1.01.050 Reference applies to all amendments. Whenever a reference is made to this code as the Grafton Municipal Code or to any portion thereof, or to any ordinance of the village of Grafton, Wisconsin, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made. (Ord. A-380-79 SS5, 1979).

1.01.060 Title, chapter and section headings. Title, chapter and sections this code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section of this code. (Ord. A-380-79 SS6, 1979).

1.01.070 Reference to specific ordinances. The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code. (Ord. A-380-79 SS7, 1979).

1.01.080 Effect of code on past actions and obligations. Neither the adoption of this code nor the repeal or amendments hereby of any ordinance or part or portion of any ordinance of the village shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date of this code, nor be construed as a waiver of any license, fee, or penalty at such effective date due and unpaid under such ordinances, nor be construed as affecting any of the provisions of such ordinances relating to the collection of any such license, fee or penalty, or the penal provisions applicable to any cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect. (Ord. A-380-79 SS8, 1979).

1.01.090 Effective date. This code shall become effective on the date the ordinance adopting this code as the Grafton Municipal Code shall become effective. (Ord. A-380-79 SS9, 1979).

1.01.100 Constitutionality. If any section, sub-section, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The council declares that it would have passed this code, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect. (Ord. A-380-79 SS10, 1979).

\* Editor's Note: Current village boundary ordinances are on file in the village clerk's office.

\*\* For statutory provisions authorizing villages to adopt codification of their general ordinances, see Wis. Stat. 1975 SS66.035.

Chapter 1.04

GENERAL PROVISIONS

Sections:

- 1.04.010 Definition.
- 1.04.020 Title of office.
- 1.04.030 Interpretation of language.
- 1.04.040 Grammatical interpretation.
- 1.04.050 Acts by agents.
- 1.04.060 Prohibited acts include causing and permitting.
- 1.04.070 Computation of time.
- 1.04.080 Construction.
- 1.04.090 Repeal shall not revive any ordinances.

1.04.010 Definitions. The following words and phrases, whenever used in the ordinances of the village of Grafton, Wisconsin, shall be construed as defined in this section unless from the context a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

- A. "County" means the county of Ozaukee.
- B. "Law" denotes applicable federal law, the Constitution and statutes of the State of Wisconsin, the ordinances of the village of Grafton, and, when appropriate, any and all rules and regulations which may be promulgated thereunder.
- C. "May" is permissive.
- D. "Month" means a calendar month.
- E. "Must" and "shall" are each mandatory.
- F. "Oath" includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases and words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."
- G. "Owner," applied to a building or land, includes any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety, of the whole or a part of such building or land.
- H. "Person" includes a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.
- I. "Personal property" includes money, goods, chattels, things in action and evidences of debt.
- J. "Preceding" and "following" mean next before and next after, respectively.
- K. "Property" includes real and personal property.
- L. "Real property" includes lands, tenements and hereditaments.
- M. "Sidewalk" means that portion of a street between the curblineline and the adjacent property line intended for the use of pedestrians.

N. "State" means the State of Wisconsin.

O. "Street" includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs or other public ways in this village which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state.

P. "Tenant" and "occupant," applied to a building or land, including any person who occupies the whole or a part of such building or land, whether alone or with others.

Q. "Village" and "town" each means the village of Grafton and town of Grafton, Wisconsin, or the area within the territorial limits of the village of Grafton, Wisconsin, and such territory outside of the village over which the village has jurisdiction or control by virtue of any constitutional or statutory provision.

R. "Village board" means the village board of the village of Grafton. "All its members" or "all its trustees" means the total number of trustees holding office.

S. "Wisconsin Statutes" means the statutes for the year 1975 and shall include the 1977 Session Laws.

T. "Written" includes-printed, typewritten, mimeographed, multigraphed or otherwise reproduced in permanent visible form.

U. "Year" means a calendar year. (Ord. A-355-78 Part 1(part), 1978; Ord. A-336-77 Part 1, 1977: prior code SS19.01(2)).

1.04.020 Title of office. Use of the title of any officer, employee, department, board or commission means that officer, employee, department, board or commission of the village. (Ord. A-355-78 Part 1(part), 1978).

1.04.030 Interpretation of language. All words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning. (Ord. A-355-78 Part 1(part), 1978).

1.04.040 Grammatical interpretation. The following grammatical rules shall apply in the ordinances of the village of Grafton, unless it is apparent from the context that a different construction is intended:

A. Gender. Each gender includes the masculine, feminine and neuter genders.

B. Singular and Plural. The singular number includes the plural and the plural includes the singular.

C. Tenses. Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable. (Ord. A-355-78 Part 1(part), 1978).

1.04.050 Acts by agents. When an act is required by an ordinance, the same being such that it may be done as well by an agent as by the principal, such requirement shall be construed to include

all such acts performed by an authorized agent. (Ord. A-355-78 Part 1(part), 1978).

1.04.060 Prohibited acts include causing and permitting. Whenever in the ordinances of the village of Grafton any act or omission is made unlawful, it shall include causing, allowing, permitting, aiding, abetting, suffering or concealing the fact of such act or omission. (Ord. A-355-78 Part 1(part), 1978).

1.04.070 Computation of time. Except when otherwise provided, the time within which an act is required to be done shall be computed by excluding the first day and including the last day, unless the last day is Sunday or a holiday, in which case it shall also be excluded. (Ord. A-355-78 Part 1(part), 1978).

1.04.080 Construction. The provisions of the ordinances of the village of Grafton, and all proceedings under them are to be construed with a view to effect their objects and to promote justice. (Ord. A-355-78 Part 1(part), 1978).

1.04.090 Repeal shall not revive any ordinances. The repeal of an ordinance shall not repeal the repealing clause of an ordinance or revive any ordinance which has been repealed thereby. (Ord. A-355-78 Part 1(part), 1978).

## Chapter 1.08

### GENERAL PENALTY\*

#### Sections:

- 1.08.010 Penalty where no penalty is provided.
- 1.08.020 Continuing offenses.
- 1.08.030 Suspension or revocation of driving privileges.
- 1.08.040 Restitution.
- 1.08.050 Penalties for nonpayment of forfeitures.

1.08.010 Penalty where no penalty is provided. In any case where there is a violation of any ordinance for which no penalty is provided, the defendant shall be subject to a forfeiture of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each offense, plus all taxable costs, surcharges, and

assessments required or permitted by state statute, plus additional penalties as provided in this chapter. (Ord. 012, Series 2010, Part 1)

1.08.020 Continuing offenses. Each day on which a violation of any ordinance continues, exists, or occurs shall be considered a separate offense for which a separate penalty may be imposed. (Ord. 012, Series 2010, Part 1)

1.08.030 Suspension or revocation of driving privileges. In any case where there is a violation of an ordinance enacted in conformity with state statute, and a state statute permits the court to suspend or revoke the defendant's driving privileges as a penalty, the court may order such a suspension or revocation, but only for a duration authorized by state statute. In any case where there is a violation of an ordinance enacted in conformity with state statute, and a state statute requires the court to suspend or revoke the defendant's driving privileges as a penalty, the court shall order such a suspension or revocation, but only for a duration authorized by state statute. (Ord. 012, Series 2010, Part 1)

1.08.040 Restitution. The court may order the defendant to pay restitution pursuant to Wis. Stat. § 800.093, or any equivalent version of that statute as later amended or renumbered. (Ord. 012, Series 2010, Part 1)

1.08.050 Penalties for nonpayment of forfeitures. Penalties and remedies for nonpayment of forfeitures shall be pursuant to Wis. Stat. § 800.095, or any equivalent version of that statute as later amended or renumbered. (Ord. 012, Series 2010, Part 1)

## Chapter 1.12

### ISSUANCE OF CITATIONS

#### Sections:

- 1.12.010 Statutory authority.
- 1.12.020 Citations--Contents required.
- 1.12.030 Schedule of deposits.
- 1.12.040 Citations--Issuance.
- 1.12.045 Delegation of enforcement authority by the Director of Public Works.
- 1.12.050 Default options and procedure--State statutes adopted.
- 1.12.060 Non-exclusivity.

1.12.010 Statutory authority. Pursuant to the authority of Section 66.119 of the Wisconsin Statutes, the village elects to use the citation method of enforcement of ordinances including those for which a statutory counterpart exists. (Ord. A-514-88 Part 1, 1988: Ord. A-369-79 Part 1 (part), 1979: prior code SS19.08(1)).

1.12.020 Citations--Contents required. The citation shall contain the following:

A. The name and address of the alleged violator;  
B. Factual allegations describing the alleged violation;  
C. The time and place of the offense;  
D. The section of the ordinance violated;  
E. A designation of the offense in such manner as can readily be understood by a person making a reasonable effort to do so;

F. The time at which the alleged violator may appear in court;

G. A statement which in essence informs the alleged violator:

1. That a cash deposit based on the schedule established by this chapter may be made which shall be delivered or mailed to the chief of police of the village prior to the time of the scheduled court appearance,

2. That if a cash deposit is made, no appearance in court is necessary unless subsequently summoned,

3. That if a cash deposit is made and the alleged violator does not appear in court, the nonappearance will be deemed a plea of no contest for which a forfeiture not to exceed the amount of the deposit is submitted, or, if the court does not accept the plea of no contest, a summons will be issued ordering the alleged violator to appear in court to answer the complaint,

4. That if no cash deposit is made and the alleged violator does not appear in court at the time specified, an action may be commenced to collect the forfeiture up to the maximum permitted by law;

H. A direction that if the alleged violator elects to make a cash deposit, the statement which accompanies the citation shall be signed to indicate that the statement required under subsection G of this section has been read. Such statement shall be sent or brought with the cash deposit;

I. Such other information as the village deems necessary;

J. The form of the citation is on file in the village administrative offices and is incorporated into this chapter by reference. (Ord. A-369-79 Part 1 (part), 1979: prior code SS19.08(2)).

1.12.030 Schedule of deposits. A. The following schedule of cash deposits is established for use with citations issued under this chapter. The officer issuing any citation shall add to the bond amount listed herein all applicable court costs, fees, and surcharges as required by the court and/or by state statute.

A. \$75.00 deposit for all instances:

Bicycle Violations

B. For the following offenses, \$75.00 deposit for the first offense; \$125.00 deposit for the second offense; \$175.00 for the third offense;

Curfew Violations

Fireworks Violations

Library Violations

Park Violations

Skateboard / Play Vehicle Violations

Snowmobile Violations

Tobacco Violations

C. For the following offenses, \$300.00 deposit for the first offense; \$400.00 deposit for the second offense; \$500.00 deposit for the third offense:

Licensed Premises Open After Hours

Battery

Disorderly Conduct

Possession of Drug Paraphernalia

Graffiti Violations

Lewd and Lascivious Behavior

Possession of Marijuana

Obstructing or Resisting an Officer

Theft-related Property Crimes

Retail Theft

Weapons Violations

D. For any violation not otherwise listed in sections A through C which is a violation of a municipal ordinance adopting by reference a state statute classified in the statute as a misdemeanor or felony offense, a deposit of \$500.00 for the first and any subsequent offense

E. For any violation not otherwise listed in sections A through D, a deposit of \$125.00 for the first offense, a deposit of \$200.00 for the second offense, and a deposit of \$300.00 for the third offense.

F. For all violations, fourth and subsequent offenses shall issue with a deposit of \$500.00.

G. In determining the number of prior offenses for false alarm citations, the issuing officer shall only consider prior violations occurring in the calendar year of the violation in question

(Ord. 017, Series 2009, Part 1; Ord. 003, Series 2004, Part 1; Ord. 016, Series 2000, Part 1; Ord. 029, Series 1996, Part 1, part; Ord. A-004-92 Part 2, 1992; Ord. A-001 Part 2, 1992; Ord. A-010-91 Part 2, 1991; Ord. A-001-91 Part 1, 1991; Ord. A-565-90 Part 3, 1990; Ord. A-528-89 Part 19, 1989; Ord. A-442-83 Part 1, 1983; Ord.

A-369-79 Part 1 (part), 1979: Ord 030-93 Part 1, 1993; prior code SS198.08(3); Ord 015-94, Part IV, 1994 Ord. 022, Series 1997, part 1).

1.12.040 Citations--Issuance.\* A. Any law enforcement officer may issue citations for enforcement of any ordinances authorized under this chapter.

B. The following officials of the village are authorized to issue citations for enforcement of those ordinances specified. Such officials may delegate authority to their subordinates upon approval by the village board.

<u>Portion of Code</u>	<u>Offense</u>	<u>Enforcement Official</u>
Ch. 2.26	Violation of park regulations	Chief of police
Ch. 2.50	Civilian defense	Chief of police, Civilian defense director

<u>Portion of Code</u>	<u>Offense</u>	<u>Enforcement Official</u>
Ch. 5.08	Auction sales	Chief of police
Ch. 5.12	Coin-operated and automatic dry- cleaning operations	Health officer, Chief of police
Ch. 5.20	Registration of amusement and music devices	Chief of police
Ch. 5.24	Peddlers, canvassers and transient, merchants	Chief of police
Ch. 5.32	Public amusements and shows	Chief of police, Health officer, Building inspector

\* Editor's Note: Sections of the 1959 Code of the Village of Grafton dealing with water and sewage were not codified in this edition of the Grafton Code. These provisions are on file in the office of the water and wastewater commission. The enforcement officers for the following offenses are derived from Part 1, SS4 of Ord. A-369-79:

<u>1959 Code Section</u>	<u>Offense</u>	<u>Enforcement official</u>
7.05	Unauthorized operation of valves and hydrants	Chief of police
7.21	Waterworks and sewers	Chief of police, Plumbing inspector
10.04	Compulsory connection to public sewer and water	Plumbing inspector
Ch. 6.04	Keeping of animals and fowl	Chief of police
Ch. 6.08	Regulation and licensing of dogs and cats	Chief of police
SSSS8.20.010-- 8.20.130	Garbage and refuse collection and disposal	Chief of police, Director of public works, Building inspector
SS8.20.140	Village dump	Chief of police, Director of public works
SS8.24.010	Swimming prohibited in Milwaukee River	Chief of police
Ch. 8.25	Misuse of E911	Chief of police
SSSS8.40.010,	Creating a nuisance	Health officer,
<u>Portion of Code</u>	<u>Offense</u>	<u>Enforcement Official</u>
9.32.030 and 9.40.030	Nuisances	Chief of police
SS9.02.010	Assistance by civilians	Chief of police
SSSS9.40.010 and 9.40.020	Public nuisances	Chief of police
Ch. 10.68	Milwaukee River markers and navigation aids	Chief of police
Ch. 11.08	Street, alley and sidewalk grades	Director of public works, Building inspector
SS11.36.010	Snow and ice removal	Chief of police, Director of public works

SS11.40.010	Streets, alleys and sidewalks	Director of public works
SS12.08.070	Sewer use	Director of public works, water and wastewater director and building inspector
Title 14	Trailers and trailer coaches	Chief of police, Health officer, Chief of fire department, Building inspector
Ch. 16.04	Wisconsin Uniform Building Code adopted by the village	Building inspector
SS16.08.180	Electrical code	Electrical inspector
SSSS16.12.090-- 16.12.140	Plumbing permits	Plumbing inspector
SS16.12.190	Foundation drains and sump pumps	Building inspector
SS16.12.220	Plumbing code	Plumbing inspector
Ch. 16.20	Private alarm systems	Chief of Police
Title 19	Zoning code	Building inspector
Title 21	Floodplain code	Zoning administrator
Title 22	Shoreland/Wetland	Zoning administrator
Title 23	Stormwater Manement	Director of Public Works

(Ord. 031, Series 2003; Ord. 029, Series 1996, Part 1, part; Ord. A-004-92 Part 3, 1992; Ord. A-001 Part 3, 1992; Ord. A-010-91 Part 3, 1991; Ord. A-001-91 Part 1, 1991; Ord. A565-90 Part 4, 1990; Ord. A-528-89 SSSS2, 3, 18, 1989; Ord. A-369-79 Part 1 (part), 1979: prior code SS19.08(4)).

1.12.045 Delegation of enforcement authority by the director of public works. Wherever in Section 1.12.040 the director of public works is named as the enforcement official, the director of public works is authorized to delegate his citation enforcement authority to the field supervisor of public works. (Ord. A-528-89 Part 1, 1989).

1.12.050 Default options and procedure--State statutes adopted. The provisions of Section 66.119(3), Wisconsin Statutes, relating to violator's options and procedure on default, are adopted and incorporated in this chapter by reference. (Ord. A-369-79 Part 1 (part), 1979: prior code SS19.08(5)).

1.12.060 Nonexclusivity. Adoption of this chapter in no way precludes the adoption of any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or any other matter. The issuance of a citation under this chapter in no way precludes

the proceeding under any other law or ordinance relating to the same or any other matter. (Ord. A-369-79 Part 1 (part), 1979: prior code SS19.08(6)).

## Chapter 1.16

### POSTING OF LEGAL NOTICES

#### Sections:

1.16.010 Procedure--Location.

1.16.010 Procedure--Location. A. Pursuant to Section 985.05(1) of the Wisconsin-Statutes, the Village of Grafton directs that legal notices may be posted upon the official bulletin boards of the village whenever the same is not contrary to law.

B. The bulletin boards located in the following locations are declared to be the official bulletin boards of the village:

1. The bulletin board located in the outer lobby of the Grafton Police Department, 1981 Washington Street;

2. The bulletin board located inside the U. S. S. Liberty Memorial Library - 1620 Eleventh Avenue.

3. The bulletin board located at the northwest corner of the intersection of Seventh Avenue and Wisconsin Street. (Ord. A-450-83 Part 1, 1983;Ord. #033, Series 1994, Part 1 , 1994

Chapter 1.20

ADVISORY REFERENDUMS

Sections:

- 1.20.010 Purpose.
- 1.20.020 Limitations.
- 1.20.030 Notice of intent to circulate an advisory referendum petition.
- 1.20.040 Review of referendum question - administrative or legislative matter.
- 1.20.050 Requirements for filing advisory referendum request.
- 1.20.060 Board to submit question to electors.
- 1.20.070 Publication of question.
- 1.20.080 Vote to be advisory in nature.

1.20.010 Purpose. The purpose of this chapter is to establish specific guidelines and procedures for an advisory referendum in the Village of Grafton and to authorize measures for matters of substantial public interest and discussion while respecting the principles of representative democracy and the decision making responsibilities of the Village Board and other municipal offices as provided by state law.

1.20.020 Limitations. Except where an advisory referendum procedure is otherwise established by law, an advisory referendum shall be conducted only in accordance with the procedures of this Chapter. The provisions of the Chapter shall not apply to an advisory referendum presented by the Village Board of Trustees to the electorate of the Village of Grafton. Any advisory referendum referred to the electorate by the Village Board shall require a two-thirds majority (5 of 7) vote of the members-elect to proceed. (Or. 023, Series 2009, Part 1).

1.20.030 Notice of Intent to Circulate An Advisory Referendum Petition. A. An advisory referendum may be held upon the filing of a "Notice of Intent to Circulate an Advisory Referendum Petition" signed by a Committee of Electors of the Village, of not less than 10 Village of Grafton registered voters, with the Village Clerk prior to a legislative decision of the Village Board on the matter to be submitted for advisory referendum.

1.20.040 Review of Referendum Question - Administrative or Legislative Matter. A. Prior to the submission of any question for advisory referendum pursuant to this Chapter, the question to be submitted for an advisory referendum shall be submitted to the Village Clerk for forwarding to the Village Attorney. The Village Attorney shall review the question and determine if the question(s) involve an administrative or

legislative matter. The Village Attorney shall submit a report to the Village Board who shall review said report and make a final determination as to whether or not the question(s) involves an administrative or legislative matter. If the question is found to be legislative, it shall be submitted to the voters upon compliance with Section 1.20.050 of this Chapter. If the question is found to be administrative, the question shall not be submitted to the electors of the Village of Grafton.

B. Submission of the "Notice of Intent to Circulate an Advisory Referendum Petition" for an advisory referendum shall proscribe a final legislative decision on the proposed advisory question by the Village Board until:

1. The proposed advisory question is found to be an administrative not legislative matter; or
2. The allotted time for filing a verified petition has elapsed without a petition being filed; or
3. A petition is filed within the allotted time but is found to be insufficient; or
4. A sufficient petition is filed and the advisory question has been submitted to the voters.

1.20.050 Referendum Petition Requirements. A. A referendum petition signed by the number of electors equal to a minimum of thirty percent of the votes cast for Governor, at the last general election in the Village of Grafton, must be submitted within 20 calendar days of the filing of the Notice of Intent to Circulate a Referendum Petition.

B. Each page of the petition to be circulated shall contain at its head, or attached thereto, the names and addresses of the persons submitting the Notice of Intent to Circulate Petition and the exact text of the advisory referendum question.

C. Each page of the petition shall include a certificate by the circulator, verified by oath, that each signature subscribed in the petition, was made in their presence and that the circulator believes it to be the genuine signature of the person whose name it purports to be.

D. Within 15 working days, the Village Clerk shall examine the petition for its sufficiency and issue a written report to the Village Board. If the petition is found sufficient, the Village Board shall submit the advisory referendum question to the voters pursuant to the requirements of Section 1.20.060 of this Chapter. If the petition is not sufficient, the advisory referendum question shall not be submitted to the voters.

1.20.060 Board to submit question to electors. The Board of Trustees shall, without alteration, submit the question to the electors at the next spring or general election, if the election is more than six weeks after the date the order is given. If six weeks or less before the election the question shall be voted on at the next election thereafter. The Board of Trustees, by a three-fourths vote of the members-elect, may order a special election, for the purpose of submitting the question to the electorate, at any time prior to the next election.

1.20.070 Publication of question. Not more than three or less than one week before the election, the Village Clerk shall cause the question that is being submitted to a vote to be published once in the official Village newspaper.

1.20.080 Vote to be advisory in nature. The vote on the question shall be used only as a guideline to the Board of Trustees from their electors and shall be advisory only.

Chapter 1.20 / Ord. 023, Series 2003