

Chapter 2

Title 2

ADMINISTRATION AND PERSONNEL

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Chapter 2.02

ELECTED OFFICIALS*

Sections:

- 2.02.010 Trustees.
- 2.02.020 Village President

2.02.010 Trustees. There shall be six trustees of the village, three (3) of whom shall be elected annually at the spring election for terms of two years. (Ord.009, Series 2008, Part 1; Ord. No. 018, Series 1995, Part I, 1995.Prior code SS3.01(1))(;)_)

2.02.020 Village President. The Village President shall be elected at the spring election, in odd-numbered years, for a term of two (2) years. (Ord. 009, Series 2008, Part 2; Ord. No. 018, Series 1995, Part 2, 1995 Ord. A-248; SS1, 1973: prior code SS3.01(2))().

* For statutory provisions on election of village officers, see Wis. Stat. 1975 SS61.19 et seq.

Chapter 2.04

APPOINTED OFFICIALS*

Sections:

- 2.04.010 Appointment of village officials.

2.04.010 Appointment of village officials. A. Pursuant to Section 61.195 and Section 66.01 of the Wisconsin Statutes, the village elects not to be governed by these portions of Section 61.19 and 61.23 of the statutes which relate to the selection and tenure of the village clerk, treasurer and assessor.

B. 1. The village administrator shall appoint subject to the confirmation of the village board the following positions.

- a. Director of Public Works;
- b. Treasurer/controller;
- c. Clerk;
- d. Plumbing inspector;
- e. Assessor;
- f. Building inspector;
- g. Community Activities Director;
- h. Engineer;
- i. Planner

2. The incumbent in each position is subject to removal at any time by the village administrator, subject to the confirmation of a majority vote of the incumbent village board.

C. The village officials set forth in this section shall be appointed at the regular meeting of the village board on the third Monday in December. The appointments shall be made by the village president with the approval of a majority of the members of the village board, unless otherwise provided by ordinance. The village president shall not vote on such confirmation. The term of office of each such official shall be as indicated and all terms shall commence on the first day of January for the following appointment:

1. Village attorney, two years;
2. Civil defense director, one year;

(Ord. 028, Series 2002; Ord. A-016-91 Part 2, 1991; Ord. A-356-78 Part 1(part), 1978; Ord. A-285-75 Part 1, 1975; Ord. A-281-75 Part 1, 1975; Ord. A-202 Part 1, 1971; Ord. A-185 Part 1, 1970; Ord. A-111 Part 1(part), 1967; prior code SS3.02(1)).

* For statutory provisions on appointment of village officers, see Wis. Stat. 1975 SS61.197; for provisions on changing the method of selection of village officers,

Chapter 2.06

VACANCIES*

Sections:

- 2.06.010 Occurrence.
- 2.06.020 Filling vacancies.
- 2.06.030 Temporary vacancies.

2.06.010 Occurrence. A vacancy in the office shall result from the happening of any event listed in Section of the Wisconsin Statutes. (Ord. A-104 Part 1(part), 1966: prior code SS3.03 (1)) .

2.06.020 Filling vacancies. A. Elected Officials. A vacancy in any elective office may be filled by appointment of a majority of the members of the village board for the residue of the unexpired term or until a special election is held pursuant to Section 17.24 (2) of the Wisconsin Statutes. A trustee may be appointed to fill an unexpired term of a vacated village president.

B. Appointed officials. A vacancy in an appointive office shall be filled in the same manner as the original appointment. (Ord. A-104 Part 1(part), 1966: prior code SS3. 03 (2) (a) , (b)) .

2.06.030 Temporary vacancies. Temporary vacancies resulting from incapacity or absence of any village official may be filled by appointment by the village board. (Ord. A-104 Part 1(part), 1966: prior code SS3.03(2)(c)).

* For statutory provisions on vacancies in village offices, see Wis. Stat. 1975 SS17.24.

Chapter 2.08

VILLAGE BOARD*

Sections:

- 2.08.010 Regular meetings.
- 2.08.020 Special meetings.
- 2.08.030 Adjournment of meetings.
- 2.08.040 Order of business.
- 2.08.050 Presiding officer--Village president.
- 2.08.060 Presiding officer--In absence of president.
- 2.08.070 Presiding officer--Vacating chair.
- 2.08.080 Committees--Appointment.
- 2.08.090 Committees--Composition.
- 2.08.100 Ordinances and resolutions.
- 2.08.110 Deliberations of board.
- 2.08.120 Reconsideration of question.
- 2.08.130 Suspension of rules.

2.08.010 Regular meetings. Regular meetings of the Village Board shall be held on the first Monday evening and on the third Monday evening of each calendar month at six p.m. (6:00 p.m.), except that in the month of April of each year, the regular meetings of the village board shall be held on the first Monday evening and the third Tuesday evening at six p.m. (6:00 p.m.) (Ord. 006, Series 2008, Part 1; Ord. 027, Series 2003, Part 1)

B. Any regular meeting falling on a legal holiday, in which the Village offices are closed, shall be held on the next following day at the same hour and place. All meetings of the board and adjourned meetings, except when otherwise directed by the Village Board, shall be held in the Village Hall. (Ord. 027, Series 2003, Part 1; Ord. A-008-91 SS2, 1991; Ord 008-94, Part 1, 1994; Ord. #011, Series 1995, Part 1, 1995).

2.08.020 Special meetings. Special meetings of the village board may be called by any two trustees in writing, filed with the clerk at least twenty-four hours prior to the time specified for such meetings. The clerk shall immediately notify each trustee of the time and purpose of such meeting by causing a written notice thereof to be delivered to each trustee personally if he can be found, and if he cannot be found, then by leaving a copy of such notice at the home of such trustee. The clerk shall cause an affidavit showing service of such notice as provided in this section to be filed in his office prior to the time fixed for such special meeting. Special meetings may be held without such notice when all members of the village board are present in person, or consent in writing to the holding of such meeting, such written consent to be filed with the clerk prior to the beginning of the meeting. Public notice of such special meeting shall be given at least twenty-four hours prior to the commencement of such meeting, unless for good cause such notice is impossible or impractical, in which case shorter notice may be given, but in no case may the notice be

provided less than two hours in advance of the meeting. (Ord. A-358-78 Part 1 (part), 1978: prior code SS2.01(2)).

2.08.030 Adjournment of meetings. The board may, by a majority of those present but not less than three affirmative votes, adjourn from time to time to a specific date and hour. (Prior code SS2.01(3)).

2.08.040 Order of business. The business of the board shall be conducted in the following order.

- A. Pledge of Allegiance to the Flag;
- B. Roll call of trustees;
- C. Roll call of officers and department heads;
- D. Conduct Public Hearing(s), if applicable;
- E. Approval of minutes;
- F. Public participation;
- G. Business presented by president;
- H. Resolutions/ordinances/action items;
- I. License application;
- J. Department and officers' reports;
- K. Report of bill list;
- L. Call for old business;
- M. Call for new business;
- N. Adjournment. (Ord. A-009-91 SS2, 1991).

(Ord. 027, Series 2003, Part 2)

2.08.050 Presiding officer--Village president. The village president at the stated hour shall call the meetings to order. He shall preserve order and decorum, decide all questions of order, and conduct the proceedings of the meeting in accordance with the parliamentary rules contained in Robert's Rules of Order, unless otherwise provided by statute or these rules. Any member shall have the right of appeal from a decision of the presiding officer. No appeal shall be debatable, and the appeal may be sustained by a majority of the members present, exclusive of the president. (Prior code SS2.03(1)).

2.08.060 Presiding officer--In absence of president. If the president is absent at the designated time for any meeting, the clerk, or, in his absence, the senior trustee present based on date of original election as trustee, shall call the meeting to order and preside until the board shall, by motion, select an acting president for that meeting. (Prior code SS2.03(2)).

2.08.070 Presiding officer--Vacating chair. Whenever the presiding officer shall desire to speak upon any question, or to make any motion, he shall vacate the chair and designate a trustee to preside temporarily. (Prior code SS2.03(3)).

2.08.080 Committees--Appointment. The following committees shall be appointed by the village president, subject to the approval of the majority of the village board, at the second regular meeting in April of each year:

- A. Committee on finance, includes claims, insurance, codes, and personnel; (Ord. 006, Series 1999, Part 1).

B. Committee on public safety, includes police, fire, civil defense, emergency government, health, traffic, communications, building and electrical inspection. (Ord. 007, Series 2002) Ord. A-560-90 Part 2, 1990: Ord. A-255 Part 1, 1973: prior code SS2.04(1) Ord. 016, Series 1997, Part 1).

2.08.090 Committees--Composition. A. The composition of the Committee on Finance shall be as follows: four (4) Village Board members. The Village President shall be the chairperson. Each member shall serve as appointed unless excused by a majority of the members of the board. (Ord. 008, Series 2013, Part 1; Ord. 017, Series 2002)

2.08.100 Ordinances and resolutions. A. Form. No ordinance or resolution shall be considered by the board unless presented by a trustee in writing.

B. Referral to Committee. All ordinances, resolutions, communications and other matters submitted to the village board shall be read by title and author and referred to the appropriate committee by the president. The clerk shall read and record each such reference by title. Any trustee may require the reading in full of any matter at any time it is before the board. All bills and other financial claims against the village shall, upon receipt thereof, be immediately referred by the clerk to the committee on finance and claims for report thereon at the ensuing meeting of the board.

C. Committee Report. Each committee shall, at the next regular meeting, submit a written report on all matters referred to it, unless a longer time be granted by vote of the board, and such report shall be entered in the proceedings. Such report shall recommend a definite action by the board on each item, shall be signed by a majority of the committee, and shall be filed with the clerk prior to each meeting. Minority reports may be submitted. Previous notice of each committee meeting shall be filed with the clerk, and each meeting shall be open to the public. Any committee may require any village officer to confer with it and supply information needed in connection with any matter pending before the committee.

D. Vote on Committee Report. Any aye and nay vote shall be taken on each committee report immediately following its submission, provided, that any trustee may require a separate vote on any ordinance, resolution or other matter in any report. Action upon a specific matter included in any committee report shall be deferred until the next regular meeting following the submission of the report upon the request of any two trustees. The approval of a committee report in which the adoption of an ordinance or resolution is recommended shall comprise final action on such ordinance or resolution, and likewise for other actions recommended by the committee on any matter.

E. Appropriations. All ordinances or resolutions appropriating money or creating any charge against the village other than the payment of claims for purchases or work previously authorized by the board, shall only be acted upon by the board at the next regular meeting; provided, that this provision may be suspended by affirmative action by three-fourths of all members of the board. A roll-call vote shall be taken and recorded on all appropriations. (Prior code SS2.05).

2.08.110 Deliberations of board. The deliberations of the village board shall be conducted in the following manner:

A. No trustee shall address the board until he has been recognized by the presiding officer. He shall there upon address himself to the president and confine his remarks to the question under discussion and avoid all personalities.

B. When two or more members simultaneously seek recognition the presiding officer shall name the member who is to speak first.

C. No person other than a member shall address the board, except by vote of a majority of the members present.

D. No motion shall be discussed or acted upon unless and until it has been seconded, unless the rules permit one trustee to initiate action. No motion shall be withdrawn or amended without the consent of the person making the same and the person seconding it.

E. When a question is under discussion, no action shall be in order, except:

1. To adjourn;
2. To lay on the table;
3. The previous question;
4. To postpone to a certain day;
5. To refer to a committee;
6. To amend;
7. To postpone indefinitely.

These motions shall have precedence in the order listed.

F. Any member desiring to terminate debate may move the previous question, in which event the president shall announce the question as "Shall the main question now be put?" If a majority of the members present vote in the affirmative, the main question shall be taken without further debate, its effect being to put an end to all debate and bring the board to a direct vote, first upon any pending amendments, and then upon the main question.

G. Any trustee may demand any aye and nay vote on any matter, and such vote shall be entered in the proceedings. Every member shall vote when a question is put, unless the board, by a majority vote of those present, excuses him for special cause. A majority vote of all members of the board in favor of any proposed ordinance, resolution or appointment shall be necessary for passage or approval, unless a larger number is required by statute. Except as otherwise provided, a majority vote of those present shall prevail in other cases.

H. A motion to adjourn shall always be in order, and a motion to adjourn, to lay on the table, and a call for the previous question shall be decided without debate. (Prior code SS2.06).

2.08.120 Reconsideration of question. It shall be in order for any member who voted with the prevailing side to move for a reconsideration of the vote on any question at that meeting or at the succeeding regular meeting. A motion to reconsider being put and lost shall not be renewed. A trustee cannot change his vote on any question after the result has been announced. (Ord. 016, Series 1998, Part 1; Prior code SS2.07).

2.08.130 Suspension of rules. The rules enumerated in this chapter or any part thereof may be temporarily suspended in connection with any

matter under consideration by a recorded vote of two-thirds of the members present. (Prior code SS2.08).

* For statutory provisions on village board meetings, see Wis. Stat. 1975 SS61.32.

Chapter 2.10 Fire Inspector / Repealed in its entirety: Ord. 005, Series 2013, Part. 1

Chapter 2.10

PUBLIC SAFETY COMMISSION

Sections:

<u>2.10.010</u>	<u>Membership--Organization.</u>
<u>2.10.020</u>	<u>Appointment.</u>
<u>2.10.030</u>	<u>Ex officio members.</u>
<u>2.10.040</u>	<u>Quorum.</u>
<u>2.10.050</u>	<u>Vacancies.</u>
<u>2.10.060</u>	<u>Powers and duties.</u>

2.10.010 Membership--Organization. The Public Safety Commission of the village shall consist of five members - three appointed by the Village of Grafton Board and two appointed by the Town of Grafton Board.

2.10.020 Appointment. The Village Trustee members of the Public Safety Commission shall be appointed by the Village President and confirmed by the Village Board annually at the second Village Board meeting in April. The Village Trustee members of the Public Safety Commission shall serve for one (1) year unless his/her office becomes vacant.

2.10.030 Ex officio members. The Village President, the Village Administrator, Police Chief, Fire Chief, Emergency Management Director, and Building Inspector shall be ex officio members of the Public Safety Commission.

2.10.040 Quorum. A quorum of the Public Safety Commission for meetings in which non-Fire Department related items are listed on the meeting agenda shall be two Village Trustee members. A quorum of the Public Safety Commission for meetings on which Fire Department related items are listed on the meeting agenda shall be three members of the Public Safety Commission.

2.10.050 Vacancies. Vacancies shall be filled, for the unexpired term of members whose terms become vacant, in the same manner as originally appointed.

2.10.060 Powers and duties. The Public Safety Commission shall act in an advisory capacity to the Village Board regarding matters related to the following:

A. To ensure overall public safety through review of police, fire and inspection operations and recommendations to other pertinent committees or boards;

B. To periodically review and update those ordinances concerned with overall public safety, and make recommendations to the Village Board;

C. To review the regulations of traffic;

D. To recommend to council the approval of certain purchases relative to police and fire matters;

E. To recommend a forum for the public to review various permits and inspection complaints, to include special use permits and make recommendations to the Village Board;

F. To review the Police, Fire and Inspection Departments' proposed budgets annually and make recommendations to the Finance Committee;

G. To recommend to the Village Board the adoption of such ordinances that will promote safety to our citizens;

H. To review inspection procedures relating to fire and safety;
and

I. To review parking, traffic or pedestrian complaints, and make recommendations to the Village Board.

(Chapter 2.10 - Recreated: Ord. 008, Series 2013, Part 2).

Chapter 2.14

CHIEF OF POLICE*

Sections:

- 2.14.010 Offices of marshal and constable abolished.
- 2.14.020 Office of chief of police created.
- 2.14.030 Statutory duties and power of chief.
- 2.14.040 Enforcement of laws.
- 2.14.050 Orders of village board.
- 2.14.060 Supervision of department.
- 2.14.070 Care of equipment.
- 2.14.080 Records.

2.14.010 Offices of marshal and constable abolished. Pursuant to Sections 61.195 and 61.197 of the Wisconsin Statutes, the village elects not to be governed by those portions of Sections 61.19 and 61.23 relating to the selection and tenure of constable and marshal and hereby abolishes the offices of constable and marshal. (Prior code SS3.06(1)).

2.14.020 Office of chief of police created. There is created the office of village chief of police, who shall be appointed as the village board shall determine by ordinance. (Prior code SS3.06(2)).

2.14.030 Statutory duties and power of chief. The chief of police shall have the powers, privileges and duties of village marshal and village constable under Sections 61.28 and 61.29 of the Wisconsin Statutes, and shall perform such other duties as may be required by the village board. (Ord. A-21 Part 1, 1960: prior code SS3.06(3)).

2.14.040 Enforcement of laws. The chief shall possess the powers, enjoy the privileges and be subject to the liabilities conferred and imposed by law upon village marshals and constables. He shall cause the public peace to be preserved and see that all laws and ordinances of the village and state are enforced, and whenever any violation thereof shall come to his knowledge, he shall cause the requisite complaint to be made and see that the evidence is procured for the prosecution of the offender. (Prior code SS8.04(1)).

2.14.050 Orders of village board. The chief shall obey all lawful written orders of the village board and of the board of health of the village. (Prior code SS8.04(2)).

2.14.060 Supervision of department. The chief of police shall supervise all personnel of his department and shall formulate rules and

regulations for the discipline, equipment and uniforms of policemen, subject to the approval of the village board.

He shall have the authority to suspend without pay for a period not exceeding thirty days, to demote or remove from employment any police officer for misconduct, incompetence, inefficiency, cowardice, failure to perform duties or to observe rules and regulations of the department, subject to the right of the aggrieved party to appeal to the village board. (Prior code SS8.04(3)).

2.14.070 Care of equipment. It shall be the sole responsibility of the chief of police to care for the equipment of the department. (Prior code SS8.04(4)).

2.14.080 Records. The chief shall keep an accurate and complete record of all complaints, arrests, traffic violations, convictions and dispositions of the department. (Prior code SS8.04(5)).

* For statutory provisions authorizing discontinuance of the offices of village marshal and constable, see Wis. Stat. 1975 SS61.195; for provisions on the power and duties of the marshal, see Wis.Stat. 1975 SS61.28; for provisions on the power and duties of the constable, see Wis.Stat. 1975 SS61.29.

Chapter 2.16

DIRECTOR OF PUBLIC WORKS

Sections:

2.16.010 Powers and duties.

2.16.010 Powers and duties. The director of public works shall have the following powers and duties, subject to the direction of the village board:

A. He shall be responsible for the administration and shall supervise all maintenance, repairs and construction of streets, alleys, curbs and gutters, sidewalks, bridges, street signs and house numbering, traffic-control devices, signs and markings, village buildings, parks and recreational facilities and all machinery and equipment used in any activity under his control.

B. He shall have charge of such public services as garbage and refuse collection and disposal, and snow and ice removal and the village shade and street tree program.

C. He shall have full power to hire and fire all personnel of departments and activities under his supervision but the number and wages or salaries of such employees shall be fixed by the village board.

D. He shall keep all records and documents required by law or ordinance for activities under his supervision.

E. He shall be in charge of the operation and management of the village storm sewer system. (Ord. A-111 Part I (part),, 1967; Ord. A-31 Part 1, 1961; prior code SS5.02).

Chapter 2.18

VILLAGE ADMINISTRATOR

Sections:

- 2.18.010 Office of the village administrator.
- 2.18.020 Appointment, term of office and removal.
- 2.18.030 Residency.
- 2.18.040 Functions and duties of the administrator.

2.18.010 Office of the village administrator. In order to provide the village with a more efficient, effective and responsible government under a system of part-time village president and part-time village trustees at a time when village government is becoming increasingly complex, there is created the office of the village administrator for the village (hereinafter referred to as "administrator"). (Ord. A-562-90 SS2(part), 1990).

2.18.020 Appointment, term of office and removal. The administrator shall be appointed on the basis of merit with due regard to training, experience, administrative ability and general fitness for the office, by a two-thirds vote of the village board of trustees. The administrator shall hold office for an indefinite term subject to removal at any time by a one-half vote of the village board of trustees. This section, however, shall not preclude the village board of trustees from establishing other employment terms and conditions not inconsistent with the provisions of this chapter or this code. (Ord. 009, Series 1998, Part 1; Ord. A-562-90 SS2(part), 1990).

2.18.030 Residency. The administrator shall become a resident of the village within one year following the date of appointment, unless this requirement is specifically waived or varied by village board ordinance or by contract authorized by the village board of trustees, and entered into with the administrator, covering the terms and conditions of residency. (Ord. A-562-90 SS2(part), 1990).

2.18.040 Functions and duties of the administrator. The administrator, subject to the limitations defined in resolutions and ordinances of the village and Wisconsin State Statutes, shall be the chief administrative officer of the village, responsible only to the village board of trustees (consisting of the village president and other trustees) for the proper administration of the business affairs of the village pursuant to the Statutes of the state of Wisconsin, the ordinances of the village of Grafton, and the resolutions, board motions and directives of the village board of trustees, with power and duties as follows:

A. General Duties.

1. Carry out directives of the village board of trustees which require administrative implementation, reporting promptly to the village board of trustees any difficulties encountered therein;
2. Be responsible for the administration of all day to day operations of the village government including the monitoring of all village ordinances, resolutions, board meeting minutes and state statutes;
3. Prepare a plan of administration, including an organization chart, which defines authority and responsibility for all non-statutory positions of the village; and submit it to the village board of trustees for adoption as the official organization and administrative procedure plan for the village;
4. Establish when necessary administrative procedures to increase the effectiveness and efficiency of village government according to current practices in local government, not inconsistent with subdivision 3 of this subsection or directives of the village board of trustees;
5. Serve as ex-officio nonvoting member of all boards, commissions and committees of the village, except as specified by the village board of trustees or Wisconsin State Statutes;
6. Keep informed concerning current federal, state and county legislation and administrative rules affecting the village and submit appropriate reports and recommendations thereon to the village board of trustees;

7. Keep informed concerning the availability of federal, state and county funds for local programs. Assist department heads and the village board of trustees in obtaining these funds under the direction of the village board of trustees;

8. Represent the village in matters involving legislative and intergovernmental affairs as authorized and directed as to that representation by the village board of trustees;

9. Act as public information officer for the village with the responsibility of assuring that the news media are kept informed about the operations of the village and that all open meeting rules and regulations are followed:

10. Establish and maintain procedures to facilitate communications between citizens and village government to assure that complaints, grievances, recommendations and other matters receive prompt attention by responsible officials, and to assure that all such matters are expeditiously resolved;

11. Promote the economic well being and growth of the village through public and private sector cooperation.

B. Responsibilities to the Village Board.

1. Attend all meetings of the village board of trustees (unless excused by the village president or majority vote of the village board of trustees), assisting the village president and other village trustees as required in the performance of their duties;

2. In coordination with the village president, the village board of trustees, and the village clerk, ensure that appropriate agendas are prepared to all meetings of the village board of trustees, all village board committees, and all other appropriate committees and commissions of the village, together with such supporting material as may be required; with nothing herein being construed as to give the administrator authority to limit or in any way prevent matters from being considered by the village board of trustees, or any of its committees or commissions;

3. Assist in the preparation of ordinances and resolutions as requested by the village president or village board of trustees, or as needed;

4. Keep the village board of trustees regularly informed about the activities of the administrator's office by oral or written report at regular and special meetings of the board of trustees;

5. In the event that action normally requiring village board approval is required at a time when the village board cannot meet, the administrator shall receive directives from the village president.

C. Personnel.

1. Be responsible for the administrative direction and coordination of all employees of the village according to the established organizational procedures;

2. Recommend to the village board of trustees the appointment, promotion and, when necessary for the good of the village, the suspension or termination of department heads;

3. Be responsible for the appointment, promotion, suspension or termination of all other employees under the direct operating authority of the village board in consultation with the appropriate department heads;

4. Serve as personnel officer for the village with responsibilities to see that complete and current records, including specific job descriptions for all village employees, are kept; evaluate in

conjunction with department heads the performance of all employees on a regular basis; recommend salary and wage scales for village employees not covered by collective bargaining agreements; develop and enforce high standards of performance by village employees; assure that the village employees have proper working conditions; work closely with department heads to promptly resolve personnel problems or grievances;

5. Be responsible for labor contract negotiations and collective bargaining issues;

6. Work closely with department heads to assure that employees receive adequate opportunities for training to maintain and improve their job-related knowledge and skills and acts as the approving authority for requests by employees to attend conferences, meetings, training schools, etc.; provided, that funds have been budgeted for these activities.

D. Budgeting and Purchasing.

1. Be responsible for preparation, posting and publishing, and all official notices required, of the annual village budget and village budget proceedings, in accordance with guidelines as may be provided by the village board of trustees and in coordination with department heads, and pursuant to state statutes, for review and approval by the village board of trustees;

2. Administer the budget as adopted by the village board of trustees;

3. Report regularly to the village board of trustees on the current fiscal position of the village;

4. Supervise the accounting systems of the village and insure that these systems employ methods in accordance with current professional accounting practices;

5. Serve as purchasing agent for the village, supervising all purchasing and contracting for supplies and services, subject to the purchasing procedures established by the village board and any limitations contained in the Wisconsin State Statutes. (Ord. A-562-90 SS2(part), 1990).

Chapter 2.22

JOINT LIBRARY BOARD**

Sections:

- 2.22.010 Administration of library.
- 2.22.020 Powers and duties.
- 2.22.030 Returning library materials.

2.22.010 Administration of library. The library of the village shall be administered by a joint library board appointed by resolution adopted from time to time by the village. The trustee members of such joint library board shall be appointed at the second regular meeting in April of each year. (Ord. A-560-90 Part 4, 1990: Ord. A-53 Part 1, 1963: prior code SS3.09(1)).

2.22.020 Powers and duties. The library board shall have the duties and powers as prescribed in Sections 43.52, 43.54, 43.56, 43.58, 43.60, 43.62 and 43.72 of the Wisconsin Statutes. (Ord. A-358-78 Part 3, 1978: prior code SS3.09 (2)).

2.22.030 Returning library materials. A. Definitions. For the purposes of this section certain words and terms are defined as follows:

1. "Library" means any public library, library of an educational or historical organization or society, or museum, and specifically the public libraries within the village.

2. "Library material" means and includes any book, plate, picture, photograph, engraving, painting, drawing, map,, newspaper, magazine, pamphlet, broadside, sound recording, audio-visual materials in any format, magnetic or other tapes, electronic data processing records, or other tapes, artifacts or other documentary, written or printed materials, regardless of physical form or characteristic, belonging to, on loan to or otherwise in the custody of a library.

B. Concealment. The concealment of library material beyond the last station for borrowing library material in a library is evidence of intent to deprive the library of possession of the material. The discovery of library material which has not been borrowed in accordance with the library's procedures or taken with the consent of a library official, agent or employee and which is concealed upon the person or among the belongings of another is evidence of intentional concealment on the part of the person so concealing the material.

C. Detention Based on Probable Cause. An official or adult employee or agent of the library who has probable cause for believing that a person has violated this section in his or her presence may detain the person in a reasonable manner for a reasonable length of time to deliver the person to the library investigator appointed by the library board, or to the person's parent or guardian in the case of a minor. The detained person shall be promptly informed of the purpose of the detention and be permitted to make telephone calls, but shall not be searched against his or her will before the arrival of the library investigator, who may conduct a lawful interrogation of the accused person. Compliance with this section entitles the official, agent or employee effecting the detention to the same defense in any action as is available to a peace officer making an arrest in the line of duty.

D. Failure to Return Materials. Any person who has charged out any books or other materials from the U.S.S. Liberty Memorial Public Library in accordance with the rules and regulations adopted by the Grafton joint library board of trustees and who has failed to return said books or materials on or before the date that said books or materials were to have been returned to the U.S.S. Liberty Memorial Public Library and who has received a written notice to return materials owned by or in charge of the

U.S.S. Liberty Memorial Public Library, or any person to whom the library has attempted to send such a notice but is unable to do so because said person failed to inform the library of a change of address, and who fails to return said materials according to the rules and regulations adopted by the Grafton joint library board of trustees shall be fined. (Ord. 019, Series 2009, Part 1):

E. The failure to return any single book, periodical, pamphlet, picture, recording or any other item belonging to or in the charge of the U.S.S. Liberty Memorial Public Library shall constitute a separate offense. (Ord. A-556-90 Part 1, 1990).

Cross Reference: For provisions on citation deposits and enforcement officials for violations of this section, see Section 1.12.020 and 1.12.030, respectively, of this code

*

For statutory provisions on village boards of health, see Wis. Stat. 1975 SS141.015.

** For statutory provisions on joint library boards, see Wis. Stat. 1975 SS43.56; for provisions on powers and duties of municipal library boards, see Wis. Stat. 1975 SSS43.58 and 43.60.

Chapter 2.24

FIRE AND POLICE COMMISSION*

Sections:

2.24.010 Composition.

2.24.010 Composition. A. The fire and police commission shall consist of five citizens appointed pursuant to Section 61.65 of the Wisconsin State Statutes. The Village President shall annually, between the last Monday of April and the first Monday of May, appoint in writing as necessary members for a term of five (5) years, subject to confirmation by the Village Board.

B. Powers and Duties. The Police and Fire Commissioners shall perform such duties as are imposed by Sec 62.13, Wis. State Stats., except sub. (6) therein.

(Ord. 006, Series 2013 Part 1).Ord. 033, Series 1999, Part 1;)(Ord. 239 Part 2, 1972: prior code SS3.17

* For statutory provisions on village police and fire departments, see Wis. Stat. 1975 §61.65(1) and §62.13.

Chapter 2.25 Fire Department Plan Review Committee / Repealed in its entirety: Ord. 007 Series 2013, Part. 2

Chapter 2.25

FIRE DEPARTMENT

Sections:

- 2.25.010 Establishment of Fire Department
- 2.25.020 Composition of Fire Department
- 2.25.030 Fire Chief

2.25.010 Establishment of the Fire Department: The Village of Grafton Fire Department consists of a Fire Chief, and such number of officers as shall from time to time be provided for and authorization to hire by the Village Board and appointed by the Fire Chief. The Department is organized under Wis. Stats. § 62.13, and it operates

pursuant to the laws of the State of Wisconsin and ordinances of the Village Board, under the direct supervision of the Fire Chief, who is responsible for the program of fire defense and prevention and emergency medical services for the citizens and property within the Village and within any areas outside the Village that are subject to fire service contracts.

2.25.020 Composition Of Fire Department: A. The Fire Department of the Village of Grafton shall be comprised of a combination of paid and voluntary paid-on-call personnel with salaries, benefits, expenses, and payments to be determined from time to time by the Village Board.

B. The Fire Department of the Village of Grafton shall consist of a Fire Chief, who shall be the head of the department and who shall be subject to the general supervision of the Village Administrator.

C. The Chief shall appoint such deputies, assistant chiefs, captains, and lieutenants as determined to be in the best interests of the department, provided funding has been appropriated by the Village Board for such positions. The appointments of any such subordinate officers are subject to approval by the Police and Fire Commission.

D. The Chief shall appoint volunteer paid-on-call firefighters as determined to be in the best interests of the department and such appointees are subject to the approval of the Police and Fire Commission.

2.25.030 Fire Chief: A. Head of Department: The Fire Department shall be under the direction of the Fire Chief, subject to the Village Administrator's general supervision.

B. Appointment; Removal: The Chief of the Village of Grafton Fire Department shall be appointed by the Village of Grafton Police and Fire Commission "Commission" for an indefinite term, subject to suspension, reduction in rank, or removal by the Commission for just cause under Wis. Stats. § 62.13(5) and the rules and regulations of the Commission. The Chief shall be selected on the basis of demonstrated qualifications in fire prevention and control, emergency medical services, and management.

C. Duties and Responsibilities: The Chief shall have the following duties and responsibilities:

1. To appoint, assign and promote individuals to deputy chief, assistant chief, captain, lieutenant, and paid-on-call volunteer firefighter within the department in accordance with Wis. Stats. § 62.13, the appropriations necessary to fund such positions, the rules and regulations of the Commission, and the written personnel policies and procedures of the Village and the department. All appointments and promotions are subject to the approval of the Commission.

2. To administer the Village of Grafton Fire Department pursuant to the laws and applicable regulations of the State of Wisconsin and the ordinances and resolutions of the Village of Grafton.

3. To administer and enforce, or cause to be enforced, all laws relating to fire prevention and control and emergency medical services, including the provisions of this chapter.

4. To develop organizational structure, written department policies, and procedures to achieve the goals of the department, or as required by the State of Wisconsin.

5. To develop written department policies and standard operating guidelines to provide for operation of the Department, or as required by the State of Wisconsin. The prevention of accidents, injuries, and occupational illnesses shall be primary considerations at all times.

6. To administer the annual department budget in accordance with policies established by the Village Administrator.

(Chapter 2.25 - Recreated: Ord. 007, Series 2013, Part 1).

Chapter 2.26

PARKS AND RECREATION BOARD

Sections:

<u>2.26.010</u>	<u>Membership--Organization.</u>
<u>2.26.020</u>	<u>Appointment.</u>
<u>2.26.030</u>	<u>Ex officio members.</u>
<u>2.26.040</u>	<u>Vacancies.</u>
<u>2.26.050</u>	<u>Powers and duties.</u>
<u>2.26.060</u>	<u>Parks and Recreation Director.</u>

2.26.010 Membership--Organization. The Parks and Recreation Board of the village shall consist of seven members. All seven members shall be Village residents. Insofar as possible, memberships shall be as follows: two Village Board Trustees, one senior citizen and four residents.

2.26.020 Appointment. A. Trustee Members. The Village Trustee members of the Parks and Recreation Board shall be appointed by the Village President and confirmed by the Village Board annually at the second Village Board meeting in April. The Village Trustee members of the Parks and Recreation Board shall serve for one (1) year unless his/her office becomes vacant.

B. Citizen Members. The five citizen members shall be appointed by the Village President, and confirmed by the Village Board at the first regular meeting in May of each year. Each citizen term shall be staggered and each term shall be for a three (3) year period.

2.26.030 Ex officio members. The Village President, the Village Administrator and the Director of Parks and Recreation shall be ex officio members of the Parks and Recreation Board.

2.26.040 Vacancies. Vacancies shall be filled, for the unexpired term of members whose terms become vacant, in the same manner as originally appointed.

2.26.050 Powers and duties. The Parks and Recreation Board shall act in an advisory capacity to the Village Board regarding matters related to the following:

A. Review planning, scheduling, supervision and staffing of family aquatic center, youth, adult and senior recreation programs, and all other activities as carried out by the Parks and Recreation Director.

B. Review planning, development and maintenance of all public parks, public plazas, greenbelts, and grounds including public recreation buildings and facilities such as public playgrounds, multipurpose senior center, family aquatic center, ice rinks, athletic fields, public centers, and other similar public property.

C. Review rules, regulations and policies to govern the Parks and Recreation Department and its responsibilities.

2.26.060 Parks and Recreation Director. A. The Director of Parks and Recreation shall have the responsibility of administering the operation and maintenance of all public parks, public plazas, greenbelts, and grounds including public recreation buildings and facilities such as playgrounds, multi-purpose senior center, family aquatic center, ice rinks, athletic fields, public centers and other similar public property. The Director shall have the responsibility of administering approved recreation programs, including the supervision of personnel hired as necessary to operate these facilities and programs. The Director shall have full power to hire and fire all seasonal personnel of the Department under his/her supervisor.

(Ord. 008, Series 2009)

- * For statutory provisions on village boards of parks and recreation commissioners, see Wis. Stat. 1975 SS27.08 and 27.13; for provisions on expenditure estimates of village boards of park and recreation commissioners, see Wis. Stat. 1975 SS27.10(1)(a).
Cross-reference: For provisions on citation deposits and enforcement officials for violations of this chapter, see SS1.12.020 and 1.12.030, respectively, of this code.

Chapter 2.28

PLAN COMMISSION

Sections:

- 2.28.010 Membership.
- 2.28.020 Appointment.
- 2.28.030 Presiding Officer and Chairman.
- 2.28.040 Official Oaths.
- 2.28.050 Compensation.
- 2.28.060 Organization.
- 2.28.070 Powers of the Plan Commission.
- 2.28.080 Duties of the Plan Commission.
- 2.28.090 Referrals.
- 2.28.100 Additional Duties and Powers,
- 2.28.110 Fees for Special Plan Commission Meetings or Hearings,

2.28.010 Membership. A. The Village of Grafton Plan Commission shall consist of seven members as follows: the Village President, a Village Trustee, a citizen member of the Architectural Review Board and four random citizens. Citizen members shall be persons of recognized experience and qualifications.

2.28.020 Appointment. A. Trustee Members. The Village Trustee member of the Plan Commission shall be appointed by the Village President and confirmed by the Village Board annually at the second Village Board meeting in April. The Village Trustee member of the Plan Commission shall serve for one (1) year unless his office becomes vacant.

B. Citizen Members. The five citizen members shall be appointed by the Village President, and confirmed by the Village Board at the first regular meeting in May of each year. Each citizen term shall be staggered and each term shall be for a three (3) year period.

2.28.030 Presiding Officer and Chairman. The presiding officer and Chairman shall be the Village President.

2.28.040 Official Oaths. The official oaths shall be taken by all members according to Section 19.01 of the Wisconsin Statutes within ten (10) days of receiving notice of their appointments.

2.28.050 Compensation. The citizen members of the Plan Commission shall receive such compensation as the Village Board shall from time to time designate.

2.28.060 Organization The Plan Commission shall organize and adopt rules for its own government according to the provisions of this Ordinance.

A. Meetings. Meetings shall be held monthly (if necessary) and at the call of the Village President or a majority of the full Plan Commission and shall be open to the public.

B. Standing and Special Committees. Standing and special committees may be appointed by the Chairman.

C. Quorum. Quorum shall be four (4) members, and all actions shall require approval of a majority of the Commission present.

D. Minutes. Minutes shall be kept showing all actions taken, resolutions, findings, determinations, transactions, and recommendations made. A copy of the minutes shall be filed with the Village Clerk (or other Village Board authorized agent) as a public record.

2.28.070 Powers of the Plan Commission. A. The Plan Commission shall have such powers as may be necessary to enable it to perform its functions and duties and promote municipal planning. Such powers shall include, but are not to be limited to, the following:

1. Employment of Experts. To employ experts and a Staff and to pay for their services, supplies, equipment, and such other expenses as may be necessary and proper, not to exceed the appropriations and regulations made by the Village Board.

2. Reports and Recommendations. To make reports and recommendations relating to the plan and development of the municipality to public officials, agencies, utilities, and other organizations and citizens.

3. Request Available Information. To request available information from any public official to be furnished within a reasonable time.

4. Enter Upon Any Land. The Plan Commission, its members, and employees may enter upon any land in the performance of its functions, make examinations and surveys, and place and maintain necessary monuments and marks thereon.

2.28.080 Duties of the Plan Commission. A. The Plan Commission shall have the following functions and duties:

1. Make and Adopt a Comprehensive Plan. To make and adopt a comprehensive Plan for the physical development of the municipality including any areas outside its boundaries according to Section 62.23 and 66.1001 of the Wisconsin Statutes.

2. Make and Recommend an Official Map. To make and recommend an Official Map to the Village Board according to Section 62.23 of the Wisconsin Statutes.

3. Prepare and Recommend a Zoning District Plan and Regulations. To prepare and recommend a zoning district plan and regulations to the Village Board according to Section 62.23 of the Wisconsin Statutes.

4. Prepare and Recommend Land Division Regulations. To prepare and recommend land division regulations to the Village Board according to Section 236.45 of the Wisconsin Statutes.

5. Changes to the Comprehensive Plan. To make any changes to the Comprehensive Plan they deem necessary or desirable and to recommend any changes or amendments to the Village Board that they deem necessary or desirable concerning the Official Map and Official Map Ordinance, Zoning and Land Division Ordinance, and other Ordinances as deemed related.

6. Matters Referred to the Plan Commission. To consider and report or recommend on all matters referred to them including, but not limited to, Conditional Use Permits.

7. Variances to the Land Division and Platting Provisions of Title 18 "Subdivisions" of the Village of Grafton Municipal Code. The granting of variances to the land division and platting related aspects of Title 18 "Subdivisions" of the Village of Grafton Municipal Code shall be the sole charge of the Plan Commission [See State ex rel. Westbrook v. City of New Berlin, 120 Wis.2d 256, 354 N.W.2d 206 (Ct. App. 1984)].

8. Hear and Grant Applications for Temporary Uses. To hear and grant applications for temporary uses in any district if such uses are of a temporary nature, do not involve the erection of a substantial structure, and are compatible with the neighboring uses. The permit shall be temporary, revocable, subject to any conditions required by the Plan Commission, and shall be issued for a period not to exceed twelve (12) months. Compliance with all other provisions of this Ordinance shall be required.

9. Hold Public Hearings and Informational Meetings. To hold public hearings and informational meeting on matters referred to the Plan Commission.

2.28.090 Referrals: The Village Board or other public body or officer of the Village, having final authority thereon, shall refer to the Plan Commission, for its consideration and report before final action is taken, the following matters:

A. Public Buildings: Location and architectural design of any public building.

B. Statues and Memorials: Location of any statue or other memorial.

C. Streets, Alleys, or Other Public Way, Park, Playground, Airport, Parking Area, or other Memorial or Public Grounds: Location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition, or lease of land for any street, alley, or other public way, park, playground, airport, parking area, or other memorial or public grounds.

D. Public Utilities: Location, extension, abandonment, or authorization for any public utility whether publicly or privately owned.

E. Public or Semi-Public Housing, Slum Clearance, Relief of Congestion, or Vacation Camps for Children: Location, character, and extent, or acquisition, leasing, or sale of lands for public or

semipublic housing, slum clearance, relief of congestion, or vacation camps for children.

F. Annexations, Incorporations, or Consolidations: All annexations, incorporations, or consolidations affecting the Village.

G. Division of Land: All division of lands within the Village's extraterritorial platting jurisdiction.

H. Changes and Amendments. All proposed or requested changes and amendments to the Village's Comprehensive Plan, Official Map, Zoning Ordinance, Subdivision, and Land Division Ordinances.

2.28.100 Additional Powers and Duties: The Plan Commission shall have all additional powers and duties granted or assigned by the Village Board or by Village ordinances. All the powers and duties granted or assigned by the Wisconsin Statutes to Plan Commissions and any amendments thereto are hereby granted or assigned to the Plan Commission and such statutes are hereby adopted by reference.

2.28.110 Fees for Special Plan Commission Meetings or Hearings: Whenever an applicant requests that there be a special meeting or a special hearing of the Plan Commission, the applicant shall pay with such request, the sum as set forth in the Village of Grafton "Fee Schedule."

Chapter 2.28 (Ord. 025, Series 2008, Part 2)

* For statutory provisions on city plan commissions applicable to villages, see Wis.Stat. 1975 SSSS61.35 and 62.23.

Chapter 2.30

BOARD OF REVIEW*

Sections

2.30.010 Composition.
2.30.020 Compensation.

2.30.010 Composition. The board of review of the

village shall be composed of five members. The members shall be appointed by the village president subject to confirmation of the village board for staggered three-year terms. The year of appointment to be as follows: one member for one year, two members for two years and two members for three years. The village president shall designate one of the members chairperson. (Ord. A-009 Part 2 (part), 1992).

2.30.020 Compensation. The members of the board shall receive such compensation as the village board shall designate from time to time. (Ord. A-009 Part 2 (part), 1992).

* For statutory provisions on boards of review see Wis. Stat. 1975 SS70.46 et seq.

Chapter 2.32

ARCHITECTURAL REVIEW BOARD

Sections:

- 2.32.010 Establishment
- 2.32.020 Compliance
- 2.32.030 Membership
- 2.32.040 Organization
- 2.32.050 Powers of the Architectural Review Board
- 2.32.060 Application
- 2.32.070 Findings
- 2.32.080 Decision
- 2.32.090 Appeals
- 2.32.100 Compensation

2.32.010 Establishment: There is hereby established an Architectural Review Board for the Village of Grafton for promoting compatible development, aesthetics, stability, or property values, and to prevent impairment or depreciation of existing developments.

2.32.020 Compliance No structure shall hereafter be erected, moved, reconstructed, extended, enlarged, or have its exterior altered or changed without the Architectural Review Board's approval, (or its recommendation in the case of structures also requiring Site Plan Review under Division 19.06.0100). Small accessory structures are exempt unless the Zoning Administrator requests a determination by the Architectural Review Board.

2.32.030 Membership A. The Architectural Review Board shall consist of five (5) regular members. The Village Building Inspector shall be an ex officio member. Members shall be residents of the Village of Grafton appointed by the Village President, subject to confirmation by the Village Board.

B. Composition. The Architectural Review Board shall consist of one (1) Village Trustee, One (1) Plan Commissioner not also serving as a Trustee, and three (3) citizen members.

C. Appointment of members.

1. Village Trustee Member. The Village Trustee member of the Architectural Review Board shall be appointed by the Village President and confirmed by the Village Board. Such member shall be confirmed by the Village Board at the second Village Board meeting in April, of each year. The Village Trustee member shall serve in one (1) year term increments, except when the office is or becomes vacant

2. Plan Commission member. There shall be (1) one member of the Plan Commission on the Architectural Review Board who shall be appointed by the Village President and confirmed by the Village Board. Such member may be a Village Trustee or a Citizen member of the Plan Commission. such appointment shall occur no later than the first meeting in May, of a given year.

3. Citizen Members. Three (3) citizen members shall be appointed by the Village President and confirmed by the Village Board. Such members shall be confirmed by the Village Board at the first regular meeting of the Village Board in May of each year. Citizen members shall serve staggered three (3) year terms, except that the initial three citizen appointees shall have one (1), two (2), and three (3) year terms respectively, at the discretion of the Village President. Citizen members shall be persons of recognized experience and qualifications, and shall include a minimum of two (2) design professionals if available.

D. Chairperson. The Architectural Review Board shall designate one (1) of its members as Chairperson.

E. Officials Oaths. The official oaths shall be taken by all members according to Section 19.01 of the Wisconsin Statutes within ten (10) days of receiving notice of their appointments.

F. Vacancies. Vacancies shall be filled for the unexpired term in the same manner as appointments for the full term.

2.32.040 Organization The Architectural Review Board shall organize and adopt rules for its own government according to the provisions of this subsection.

A. Meetings. Meetings shall be held according to the adopted schedule and shall be open to the public.

B. Minutes. shall be kept showing all actions taken and shall be a public record. The grounds for every decision shall be stated.

C. Quorum. Quorum shall be three (3) members, and all actions shall require the concurring vote of a majority of the Board present.

2.32.050 Powers of the Architectural Review Board The Architectural Review Board shall have the following powers:

A. Hear and Decide Applications. Hear and decide applications for permission to erect, move, reconstruct, extend, alter, or change the exterior of all structures.

B. Approve, Deny, or Conditionally Approve the Application. Approve, deny, or conditionally approve the application, or in the case of structures also requiring Site Plan Review, recommend

approval, denial, or conditional approval to the Plan Commission. The Architectural Review Board may request such modifications as it may deem necessary to carry out the purpose of this Ordinance.

C. Assistance: The Architectural Review Board may request assistance from other municipal officers, departments, boards, and commissions.

D. Additional Information. Request applicant to furnish additional information.

2.32.060 Application: Applications for approval by the Architectural Review Board shall be made to the Building Inspector and shall be accompanied by information and data as required under Section 19.06.0400 of the Village of Grafton Zoning Ordinance.

2.32.070 Findings: The Architectural Review Board shall not approve or recommend approval of any application unless it finds beyond a reasonable doubt that the following facts and conditions exist:

A. Conformance with Architectural Review Principles and Standards. The exterior design proposed is in conformance with the principles and standards set forth in Section 19.06.0402 of the Village of Grafton Zoning Ordinance.

B. No Substantial Depreciation of Property Values. The exterior design is not unsightly or obnoxious and is not disharmonious or so similar to existing or proposed neighboring developments that substantial depreciation of neighboring property or development will be caused by the applicant's proposal.

2.32.080 Decision The Architectural Review Board shall decide all applications within five (5) days after its review and shall transmit a signed copy of their decision to the applicant and file a copy with the Building Inspector.

2.32.090 Appeals Any person or persons aggrieved by any decision of the Architectural Review Board may appeal the decision to the Zoning Board of Appeals. Such appeal shall be filed with the Zoning Administrator within thirty (30) days after filing of the decision with the Zoning Administrator.

2.32.100 Compensation The members of the Architectural Review Board shall receive such compensation as the Village Board shall from time to time designate.

Chapter 2.32 (Ord. 025, Series 2008; Part 5)

Chapter 2.33

Board of Public Works

Sections:

- 2.33.010 Creation of Board of Public Works
- 2.33.020 Membership-Organization
- 2.33.030 Ex-officio members
- 2.33.040 Vacancies
- 2.33.050 Powers and Duties

2.33.010 Creation of Board of Public Works. Pursuant to Wisconsin Statutes Section 66.0805(6) there is hereby created a Board of Public Works of the Village of Grafton.

2.33.020 Membership-Organization. A. The Board of Public Works shall consist of 5 members. All members shall be residents of the Village appointed, by the Village President, subject to the approval of the Village Board. The membership of the Board of Public Works shall consist of three Village Board members and two citizen members. The Village President shall designate a Chairperson of the Board of Public Works.

B. The three Village Board members shall be appointed at the second regular Village Board meeting in April and the two citizen members shall be appointed at the first regular meeting in May of each year. The citizen members shall be appointed as follows: one shall serve for a two year term and one shall serve for a three year term.

2.33.030 Ex-Officio members. The Village President, the Village Administrator, Public Works Director/Village Engineer and the Utility Director shall be ex-officio members of the Board of Public Works.

2.33.040 Vacancies. Vacancies shall be filled for the un-expired term of members whose terms become vacant in the same manner as originally appointed.

2.33.050 Powers and Duties. The Board of Public Works shall have review authority over the following: streets, sidewalks, storm water management facilities, forestry, sanitation, recycling, bridges, public buildings, municipal equipment and public sewer and water services.

(Ord. 007, Series 2002, effective May 1, 2002)

Chapter 2.34

ZONING BOARD OF APPEALS*

Sections:

- 2.34.010 Membership.
- 2.34.020 Appeal--Fee.

2.34.010 Membership. The board of appeals shall consist of five members appointed by the village president subject to confirmation of the village board for terms of three years, except that of those first appointed one shall serve for one year, two for two years and two for three years. The members of the board shall serve at such compensation to be fixed by ordinance, and shall be removable by the village president for cause upon written charges and after public hearing. The village president shall designate one of the members chairman. The board may employ a secretary and other employees. Vacancies shall be filled for the unexpired terms of members whose terms become vacant. The village president may appoint, for staggered terms of three years, two alternate members of such board, in addition to the five members provided in this section. Annually, the village president shall designate one of the alternate members as first alternate and the other as second alternate. The first alternate shall act, with full power, only when a member of the board refuses to vote because of interest or when a member is absent. The second alternate shall so act only when the first alternate so refuses or is absent or when more than one member of the board so refuses or is absent. The provisions of this section with regard to removal and the filling of vacancies shall apply to such alternates. (Ord. A-172 Part 1, 1969: prior code SS3.11(part)).

2.34.020 Appeal--Fee. A petition to the zoning board of appeals being submitted by a property owner shall be accompanied by a fee of One hundred twenty-five dollars to defray the cost of giving notice, investigations and other administrative processing. (Ord. A-282-75 Part 1, 1975: prior code SS3.11 (part)).

* For statutory provisions on city zoning boards of appeals applicable to villages, see Wis.Stat. 1975 SS62.23(7)(e).

Chapter 2.35

HISTORIC PRESERVATION COMMISSION

Sections:

- 2.35.010 Establishment
- 2.35.020 Membership
- 2.35.030 Organization
- 2.35.040 Powers
- 2.35.050 Historic Structure, Historic Site, and HPO Historic Preservation Overlay District Design Criteria
- 2.35.060 Procedures

2.35.010 Establishment: There is hereby established a Historic Preservation Commission for the Village of Grafton to safeguard, enhance and promote the Village's historic and cultural heritage. (Ord. 018, Series 2013, Part 1)

2.35.020 Membership : A. The Historic Preservation Commission shall consist of nine (9) members. Of the memberships, two (2) shall be Village Trustees. Seven (7) members shall be citizen members of recognized experience and qualifications.

B. Terms. The Village Trustee member shall be appointed at the second regular meeting in April of each year. The Village President, subject to the approval of the Village Board, shall appoint the Historic Preservation Commission commissioners for staggered terms of three (3) years.

1. Chairman. The Historic Preservation Commission shall designate one (1) of its members as Chairperson.

2. Secretary. Secretary shall be selected by the members.

3. Official Oaths. Official oaths shall be taken by all members according to Section 19.0 of the Wisconsin Statutes within ten (10) days of receiving notice of their appointment.

4. Vacancies. Vacancies shall be filled for the unexpired term in the same manner as appointments for a full term.

2.35.030 Organization. The Historic Preservation Commission shall organize and adopt rules for its own government according to the provisions of this Section.

A. Meetings. Meetings shall be held on a monthly basis, if necessary, or when requested by the Chair of the Historic Preservation Commission, Village Board or Plan Commission and shall be open to the public.

B. Minutes. Minutes shall be kept showing all actions taken and shall be a public record. The grounds for every decision shall be stated in the minutes.

C. Quorum. Quorum shall be five (5) members, and all actions shall require the concurring vote of at least five (5) members.

2.35.040 Powers: The Historic Preservation Commission shall have the following powers: A. Designation. The Historic Preservation Commission shall have the power to recommend the designation of historic structures, historic sites and HPO Districts within the Village limits. Such designations shall be made based on Sections 19.07.0210 of the Grafton Zoning Code and the provisions of this Ordinance. Historic structures, historic sites and HPO Districts shall be approved by the Village Board. Once designated, such historic structures, sites and HPO Districts shall be subject to all the provisions of this Ordinance.

B. Regulation of Construction, Reconstruction, Alteration, and Demolition. See Section 19.07.0210 of the Grafton Zoning Code.

C. Other Duties of the Historic Preservation Commission. In addition to those duties already specified in this Section, the Historic Preservation Commission shall:

1. Work for the continuing education of the citizens about the historic heritage of the Village of Grafton and the landmarks and landmark sites.

2. As it deems advisable, receive and solicit funds for landmarks preservation and historic preservation projects and programs in the Village, subject to Village Board approval. Such funds shall be placed in a special Village account for such purposes.

3. Collect, establish and maintain a catalog and provide for the display of artifacts of historical significance to the History of the Village of Grafton and its people.

4. Develop and maintain ongoing Historic Preservation Projects and Programs that will enhance the Village of Grafton as a place to live, work and play.

5. Designate Committees of the Historic Preservation Commission as needed to complete the assigned duties within this section.

2.35.050 Historic Structure, Historic Site, and HPO Historic Preservation Overlay District Design Criteria

A. Placement of a Historic Structure, Historic Site, or HPO District. For purposes of this Ordinance, a historic structure, historic site, or HPO District designation may be placed on any site, natural or improved, including any building, improvement or structure located thereon, or any area of particular historic, architectural, archeological or cultural significance to the Village such as historic structures, sites, or districts which:

1. Exemplify or reflect the broad cultural, political, economic, religious or social history of the nation, state or community; or

2. Are identified with historic personages or with important events in national, state or local history; or

3. Embody the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship; or

4. Are representative of the notable work of a master builder, designer or architect who influenced his age; or
5. Have yielded, or may be likely to yield, information to prehistory or history.

B. Operating Guidelines for Historic Structure, Historic Site and HPO District Designation. The Historic Preservation Commission shall adopt specific operating guidelines for historic structure, historic site and HPO District designation providing such are in conformance with the provisions of this Ordinance and Section 19.07.0210 of the Grafton Zoning Code.

2.35.060 Procedures. The procedures for Historic Structure, Historic Site and HPO designation shall be as outlined in Section 19.07.0210 of the Grafton Zoning Code.

(Chapter 2.35 (Ord. 025, Series 2008; Part 7)

Chapter 2.36

POLICE DEPARTMENT*

Sections:

- 2.36.010 Personnel.
- 2.36.020 Compensation.
- 2.36.030 Appointment of patrolmen.
- 2.36.040 Police officers.
- 2.36.050 Special police officers.

2.36.010 Personnel. The police department of the village shall consist of the chief of police and three regular patrolmen, and such other police officers as the village board may from time to time appoint. (Prior code SS8.01).

2.36.020 Compensation. The chief of police and the policemen of the village shall receive a salary as fixed by the village board. All fees, bail deposits and other special remuneration or funds collected or received by the department or any officer thereof shall be deposited with the village treasurer not later than the succeeding business day. (Prior code SS8.02).

2.36.030 Appointment of patrolmen. The members of the police department of the village shall be selected by police committee, subject to the approval of a majority of the members of the village board, and shall serve at the pleasure of the village board. (Prior code SS8.03).

2.36.040 Police officers. A. General Duties and Powers. Each officer of the department shall possess the powers conferred by law on village marshals and constables, shall preserve the public peace and enforce the laws and ordinances of the state and village, and shall obey the orders, rules and regulations of the chief.

B. Power of Arrest. The chief of police and every police officer shall have full power and authority, and it shall be their duty to arrest all persons within the village found in the act of violating any law of the state or ordinance of the village, or aiding or abetting in such violation, and to arrest without warrant any person who they have reason to believe has violated any law or ordinance and who will not be apprehended unless immediately arrested, and shall take all arrested persons in charge and confine them, and shall within a reasonable time bring such persons before the court of competent jurisdiction. (Prior code SS8.05).

2.36.050 Special police officers. The village president and trustees shall have and exercise the powers of peace officers and may summarily suppress any riotous or disorderly conduct in the streets or public places of the village. (Prior code SS8.06).

(Ord. 019, Series 2014, Part 1).

* For statutory provisions on the powers and duties of the marshal and constable, respectively, see Wis.Stat. 1975 SSS61.28 and 61.29; for provisions on the powers and duties of peace officers, see Wis.Stat. 1975 SS61.31.

Chapter 2.38

ADMINISTRATIVE REVIEW*

Sections:

- 2.38.010 Administrative review.
- 2.38.020 Impartial decision maker designated.

2.38.010 Administrative review. The village elects not to be governed by Chapter 68 of the Wisconsin Statutes with respect to any administrative determination by the village board or any commission, committee, agency, officer or employee of the village or any agent acting on behalf of the village, where, pursuant to an existing ordinance, or an ordinance adopted after the effective date of the ordinance codified in this chapter, a procedure is provided by such ordinance for administrative review of the determination. (Ord. A-331-77 Part 1, 1977: prior code SS3.20(1)).

2.38.020 Impartial decision maker designated. Pursuant to the provisions of Section 68.11(2) of the Wisconsin Statutes, the board of appeals of the village is designated and appointed an "impartial decision maker" to act as such in all proceedings brought pursuant to Chapter 68 of the Wisconsin Statutes. (Ord. A-331-77 Part 1, 1977: prior code SS3.20(2)).

* For statutory provisions on review of administrative determinations, see Wis.Stat. 1975 SS68.11; for provisions authorizing municipal governing bodies to exempt themselves from provisions of Wis.Stat. 1975 Ch. 68, see Wis.Stat. 1975 SS68.16.

Chapter 2.40

SALARIES*

Sections:

- 2.40.010 Village president.
- 2.40.020 Village trustees.
- 2.40.030 Village clerk.
- 2.40.040 Village treasurer.
- 2.40.050 Village assessor.

2.40.010 Village president. The salary of the Village President is fixed at the sum of six thousand (\$6,000) dollars per year, commencing April 18, 2000. Effective with the new April 21, 2015 term of office, the salary for the Village President is fixed at the sum of seven thousand five hundred (\$7,500) dollars per year. (Ord. 017, Series 2014, Part 1; Ord. A-463-84 Part 1 (part), 1984; Ord. A-453-84 Part 1 (part), 1984; Ord. A-364-78 Part 2, 1978; Ord. A-319-76 Part 1 (part), 1976; Ord. 026-93 Part 1, 1993; Ord. 023, Series 1998, Part 1; prior code SS3.01(3)(a)).

2.40.020 Village trustees. The salary of each village trustee is fixed at the sum of three thousand seven hundred fifty (\$3,750) dollars per year, commencing April 18, 2000. Effective with the new April 21, 2015 term of office and each term of office thereafter, the salary for Village Trustee is fixed at the sum of four thousand five hundred (\$4,500) dollars per year. (Ord. 017, Series 2014, Part 1; Ord. A-463-84 Part 1 (part), 1984; Ord. A-453-84 Part 1 (part), 1984; Ord. A-383-79 Part 1, 1979; Ord. A-319-76 Part 1 (part), 1976; Ord. 026-93 Part 2, 1993; Ord. 026, Series 1998, Part 1; prior code SS3.01(3)(b)).

2.40.030 Village clerk. The salary of the village clerk will be included in the annual salary of the village administrator when the position is held by the same person. (Ord. A-248 Part 2 (part), 1976; prior code SS3.01(3)(c)).

2.40-040 Village treasurer. The salary of the village treasurer will be included in the annual salary of the village administrator when the position is held by the same person. (Ord. A-248 Part 2 (part), 1973; prior code SS3.01(3)(d)).

2.40.050 Village assessor. The salary of the village assessor will be determined by the village board and subject to review at certain intervals. (Ord. A-292-75 Part 1, 1975; prior code SS3.01(3)(e)).

* For statutory provisions on salaries of the village president and trustees, see Wis.Stat. 1975 SS61.32.

Chapter 2.44

RESIDENCE OF EMPLOYEES

Sections:

- 2.44.010 Emergency employee defined.
- 2.44.020 Residency requirement.
- 2.44.030 Employees included.
- 2.44.040 Waiver of residency requirement.

2.44.010 Emergency employee defined. The term "emergency employee" means any administrative, public works and park and recreation employee who performs health and safety related work which may be of an emergency nature. (Ord. 008, Series 2015; Ord. 016, Series 2013, Part 1; Ord. A-237 Part 1 (part), 1972: prior code SS3.18(1)).

2.44.020 Residency requirement. A listing of the residency requirements are identified in the Personnel Handbook or in collective bargaining agreements. (Ord. 016, Series 2013, Part 1; Ord. A-294-75 Part 2, 1975: Ord. A-237 Part 1 (part), 1972: prior code SS3.18(2)).

2.44.030 Employees included. Certain employees affected by this chapter are the Office of the Village Administrator, Police Department, Fire Department, Public Works Department, and Park and Recreation Department personnel. A listing of employees are identified in the Personnel Handbook or in collective bargaining agreements (Ord. 008, Series 2015; Ord. 016, Series 2013, Part 1; Ord. A-237 Part I (part), 1972: prior code SS3.18(3)).

2.44.040 Waiver of residency requirement. The Village Board may waive the residency requirement for employees upon a finding that such waiver would serve the best interests of the Village. When waiving the residency requirement, the Village Board shall base their determination upon:

- A. The nature of the work;
- B. The location of the work;
- C. All other pertinent facts concerning employment.

(Ord. 016, Series 2013, Part 1; Ord. A-237 Part 1 (part), 1972: prior code SS3.18(4)).

Chapter 2.46

ETHICAL STANDARDS

Sections:

- 2.46.010 Ethical standards of public officials.
- 2.46.020 Responsibilities of public office.
- 2.46.025 Confidential Information.
- 2.46.030 Dedicated service.
- 2.46.040 Fair and equal treatment.
- 2.46.050 Conflict of interest.
- 2.46.060 Specific conflicts of interest.
- 2.46.070 Removal and/or sanctions.
- 2.46.080 Violations.

2.46.010 Ethical standards of public officials. The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people. The purpose of this chapter is to establish ethical standards of conduct for all such officials and to direct disclosure by such officials of private financial or other interests in matters affecting the village.

The municipal officials and employees of the village, whether elected or appointed, are "public officials and employees" within the meaning and intent of this chapter. (Ord. A-298-76 Part 1(part), 1976: prior code SS3.19(1)).

2.46.020 Responsibilities of public office. Public officials and employees are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct in both their official and private affairs shall be above reproach. Public officials are bound to uphold the Constitution of the United States and the Constitution of the state and to carry out impartially the laws of the nation, state and municipality. (Ord. A-298-76 Part 1 (part), 1976: prior code SS3.19(2)).

2.46.025 Confidential information. A. Confidential information is, at the time of proposed disclosure, information where the Village of Grafton's interests in its confidentiality or in the Village's effective functioning outweigh an interest in free speech to disclose the information. Confidential information includes but is not limited to information where the disclosure is prohibited by common law, or state or federal law or statute unless the release of same is ordered pursuant to a lawful order of a court or the informed consent of the subject, as

applicable. Information that is subject to the exemptions of a governmental body to meet in open session under Wisconsin Statute Section 19.85, unless release is authorized by the legal custodian or other proper legal authorization is given, is included. For the purposes of this section, information shall include knowledge imparted orally, recordings, and written documents or records. (Ord. 014, Series 2005)

B. No official or employee may use or disclose confidential information concerning the property, government or affairs of the Village of Grafton gained in the course of or by reason of his official position or activities, nor shall such official or employee use such information to advance the financial or private interest of such official or employee or others. (Ord. 014, Series 2005)

2.46.030 Dedicated service. Public officials and employees shall not exceed their authority or breach law or ask others to do so, and they shall work in full cooperation with other public officials and employees unless prohibited from doing so by law or by officially recognized confidentiality of their work. (Ord. A-298-76 Part 1 (part), 1976: prior code SS3.19(3)).

2.46.040 Fair and equal treatment. A. Unilateral Communications. No public official or employee shall encourage age, make or accept any application or communication from any party made out of the presence and without the knowledge of other parties in a matter under consideration when such application or communication is designed to influence official decision or the conduct of the official himself or other officials, employees or agencies in order to obtain favored treatment or special consideration to advance the personal or private interests of himself or others. Any written unilateral communication received by a public official or employee in matters where all interested parties should have equal opportunity for a hearing shall be made a part of the record by the recipient. Any oral unilateral communication received under such conditions shall be written down in substance by the recipient and also made part of the record.

B. Use of Public Property. No public official or employee shall request, use or permit the use of village-owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such official or employee in the conduct of official business.

C. Obligation of Citizen. No public official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. (Ord. A-298-76 Part 1 (part), 1976: prior code SS3.19(4)).

2.46.050 Conflict of interest. No trustee or other public official or employee, whether paid or unpaid, shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties in the public judgment or will tend to impair his independence or judgment or action in the performance of his official duties. Personal as distinguished from financial interest includes an interest arising from

blood or marriage relationships or close business or political association. (Ord. A-298-76 Part 1 (part), 1976: prior code SS3.19(5)(a)).

2.46.060 Specific conflicts of interest. Specific conflicts of interest are enumerated below for the guidance of officials. The following list is illustrative merely and not exclusive:

A. Incompatible Employment. No trustee or other public official or employee shall engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of his official duties or tends to impair his independence of judgment or action in the performance of his official duties. In the event a trustee, official or employee possesses a financial or personal interest in any business or transaction, any presumption of conflict of interest with his public duties shall be removed by his disclosure of the nature and extent of such investment to the village board for the records of that authority.

B. Gifts and Favors. No trustee or other public official or employee shall accept any gift having a value greater than five dollars, whether in the form of service, loan, thing or promise, from any person who to his knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the village; nor shall any such official or employee accept any gift, favor or thing of value that may tend to influence him in the discharge of his duties, or grant in the discharge of his duties any improper favor, service or thing of value. Any trustee or other public official or employee who accepts any gift, favor or thing of value shall, in the case of a trustee, disclose the matter in the minutes of the next board meeting, and in the case of other officials or employees, report the matter to the board for disclosure in the minutes of the next meeting. (Ord. 014, Series 2005)

C. Representing Private Interests Before Village Agencies or Courts. No trustee or other public official or employee whose salary is paid in whole or in part by the village shall appear in behalf of private interests before any agency of the village. He shall not represent private interests in any action or proceeding against the interest of the village in any litigation to which the village is a party. (Ord. 014, Series 2005)

D. Contracts with the Village. Any trustee or other public official or employee who has substantial financial interest in any business entity, entering into or proposing to enter into, any transaction or contract with the village for the sale of real estate, material supplies or services to the village shall disclose such interest to the village board to be reported in the minutes of the appropriate board meeting. And in the case of a trustee, he shall refrain from voting upon or otherwise participating (except in the performance of a ministerial act) in the transaction or the making of such contract or sale. (Ord. 014, Series 2005)

E. Disclosure of Interest in Legislation. A trustee who has a financial or other private interest in any legislation shall disclose on the records of the board the nature and extent of such interest. This provision shall not apply if the trustee disqualified himself from voting. Any other public official or employee who has a financial or other private interest, and who participates in discussion with or gives an official opinion to the board shall disclose on the record of the board the nature and extent of such interest. ((Ord. 014, Series 2005)Ord. A-298-76 Part 1 (part), 1976: prior code SS3.19(5)(b)).

2.46.070 Sanctions. A. Violation of any provision of this section should raise conscientious questions for the trustees or any other official or employee concerned as to whether voluntary resignation or other action is indicated to promote the best interest of the village. (Ord. 014, Series 2005; Ord. A-298-76 Part 1 (part), 1976: prior code SS3.19(6)).

B. A determination that an elected official's actions constitutes improper conduct under the provisions of this chapter, may constitute sanctioning, censuring, removing the official or other disciplinary action by the Village Board, as permitted by law. (Ord. 014, Series 2005)

C. A determination that an employee's actions constitutes improper conduct under the provisions of this chapter may constitute a cause for disciplining or discharging the employee, or other disciplinary action by the Village Board as permitted by law. (Ord. 014, Series 2005)

D. A determination that an appointed member of a Board, Committee or Commission's actions constitutes improper conduct under the provisions of this chapter may constitute a cause for the Village President to recommend the removal of the member from the Board, Committee or Commission. (Ord. 014, Series 2005)

E. Removals, sanctions and censures may only be approved by an affirmative vote of a two-thirds majority of all members of the Village Board. (Ord. 014, Series 2005)

2.46.080 Violations. As an alternative or in addition to the sanctions imposed herein, any person violating the provisions of this section shall be subject to a municipal forfeiture or not less than \$100 nor more than \$1,000 for each violation. (Ord. 014, Series 2005)

Chapter 2.47

EQUAL EMPLOYMENT OPPORTUNITIES

Sections:

- 2.47.010 General policy.
- 2.47.020 Discrimination prohibited.
- 2.47.030 Equal employment opportunities.
- 2.47.040 Gender-related word usage.

2.47.010 General policy. It shall be the general policy of the village to recruit and select the most qualified persons for any and

all positions within village government. This shall include full-time, part-time and limited term appointments. Recruitment and selection shall be done in an affirmative manner to ensure open competition, provide equal opportunity and prohibit discrimination because of race, color, religion, creed, sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap or marital status. The goal of this policy are that persons of disadvantaged groups be fairly represented by the village's work force and that promotional opportunities are provided for all qualified employees. (Ord. A-012-91 SS2(part), 1991).

2.47.020 Discrimination prohibited. The village board, as the duly elected legislative authority and the village administrator, as the duly appointed executive authority, of the village, do reaffirm, endorse, support and are committed to the concept of equal employment as defined and/or implied under Title VII of the Civil Rights Act of 1964 and the Equal Employment Opportunity Act of 1972. Equal employment opportunity will be assured in the municipal personnel systems and affirmative action provided in their administration. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, separation, discipline, or any other aspect of personnel administration because of race, color, religion, creed, age, sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap, or marital status is prohibited. (Ord. A-012-91 SS2 (part) , 1991) .

2.47.030 Equal employment opportunities. It is the policy of the village not to discriminate against any employee or applicant for employment because of race, color, religion, creed, age, sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap, or marital status. This policy not to discriminate in employment includes, but is not limited to the following:

A. The village will employ those applicants who possess the best qualifications, necessary skills, education and experience, without regard to race, color, religion, creed, age, sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap, or marital status.

B. The village will promote, upgrade, transfer or demote, recruit, advertise or solicit for employment without regard to race, color, religion, creed, age, sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap, or marital status.

C. The village will train during employment and select for training and apprenticeship programs without regard to race, color, religion, creed, age, sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap, or marital status.

D. No employee shall aid, abet, compel, coerce or conspire to discharge or cause another employee to resign because of race, color, religion, creed, age, sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap, or marital status.

E. The village will establish rates of pay and terms, conditions or privileges of employment without regard to race, color, religion, creed, age, sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap, or marital status.

F. The village will use for job referral purposes only those employment agencies which do not discriminate on the basis of race, color,

religion, creed, age, sex, sexual preference, national origin, ancestry, political belief, physical or mental handicap, or marital status.

2.47.040 Gender-related word usage. Use has been made of masculine pronouns in this chapter solely for the sake of brevity. Unless specifically stated to the contrary, words in this chapter referring to the masculine gender shall also be construed to apply to females, and vice versa. (State Law Reference: Sections 111.31 through 111.37, Wis. Stats.) (Ord. A-012-91 SS2(part), 1991).

Chapter 2.48

JOINT EMERGENCY GOVERNMENT*

Sections:

- 2.48.010 Ratification.
- 2.48.020 Emergency government director.

2.48.010 Ratification. A joint action ordinance of the board of supervisors of Ozaukee County, providing for a county/municipal joint emergency government plan of organization and adopted by such county board on the second day of August 1972, is attached to copies of Ordinance A-270-74, on file in the village clerk-treasurer's office, and made a part of this code, by reference, and is ratified and accepted by the village of Grafton, County of ozaukee.

This ratification and acceptance of this Joint Action Ordinance shall constitute a mutual agreement between the village and the County, as provided by in the Joint Action Ordinance. (Ord. A-270-74 Part 1, 1974: Ord. AM-102-75 Part 1. 1974).

2.48.020 Emergency government director. The county/ municipal emergency government director, appointed and employed by the Ozaukee County board as provided in the Ordinance referred to in Section 2.48.010 is designated and appointed emergency government director for the village, subject to the conditions and provisions as set forth in the Wisconsin Statutes, and the Ozaukee County Joint Action Ordinance (Ord. A-270-74 SS2, 1974: Ord. AM-102-75 Part 2, 1974).

* For statutory provisions on intergovernmental cooperation for emergency services, see Wis. Stat. 1975 SS22.16(8).

Chapter 2.50

EMERGENCY GOVERNMENT*

Sections:

- 2.50.010 Policy and purpose.
- 2.50.020 Emergency government commission--Created.
- 2.50.030 Emergency government commission--Powers and duties.
- 2.50.040 Emergency government director--Appointment-Powers and duties.
- 2.50.050 Utilization of existing services and facilities.
- 2.50.060 Emergency regulations.
- 2.50.070 Mutual aid agreements.
- 2.50.080 Declaration of emergencies.
- 2.50.090 Violation--Penalty.

2.50.010 Policy and purpose. A. By reason of the increasing possibility of disasters of unprecedented size and destructiveness, and to insure that preparations will be adequate to cope with such disasters, and to provide for the common defense, to protect the public peace, health, safety and general welfare, and to preserve the lives and property of the people, it is declared necessary to:

1. Establish a local emergency government organization;
2. Provide for the exercise of necessary powers during emergencies; and
3. Provide for the rendering of cooperation and mutual aid between this village and other political subdivisions.

B. It is further declared to be the purpose of this chapter and the policy of the village that all emergency government functions of this village be coordinated to the maximum extent practicable with existing services and facilities of this village, and with comparable functions of the federal, state and county government and other political subdivisions, and of various private agencies to the end that the most effective preparation and use may be made of manpower, resources and facilities for dealing with any disaster that may occur.

C. Definitions. As used in this chapter:

1. "Civil defense" means all measures undertaken by or on behalf of the village and its subdivisions to prepare for and minimize the effect of enemy action upon the civilian population.
2. "Emergency government" includes "civil defense" and means all measures undertaken by or on behalf of the village and its subdivisions:
 - a. To prepare for and minimize the effect of enemy action and natural or manmade disaster upon the civilian population.
 - b. To effectuate emergency repairs to, or the emergency restoration of, vital public utilities and facilities destroyed or damaged by such action or disaster.
3. "Enemy action" means any manmade hostile action which threatens the security of this village or portion thereof. (Ord. A-405-81 Part 1 (part), 1981).

2.50.020 Emergency government commission--Created. There is created an emergency government commission composed of the village president and as many additional members as may be determined by the village board by resolution, who shall be appointed by the village president, subject to the confirmation of the village board, and who shall serve without compensation. The village president shall serve as secretary of the commission. (Ord. A-405-81 Part 1 (part), 1981).

2.50.030 Emergency government commission--Powers and duties. The emergency government commission shall be an advisory and planning group and shall advise the village president, director and the village board on all matters pertaining to emergency government. The emergency government commission shall meet upon the call of the chairman. (Ord. A-405-81 Part 1 (part), 1981).

2.50.040 Emergency government director--Appointment--Powers and duties. A. Appointment. The office of director of emergency government is created. The director shall be appointed by the village president subject to confirmation by the village board and shall receive such salary as may be authorized by the village board. He shall take and file an official oath. Deputy and assistant directors may be appointed by the director, subject to the approval of the emergency government commission, as may be deemed necessary and such appointees shall receive such compensation as may be determined by the village board.

B. Duties and authority of director.

1. The director shall be the executive head of the emergency government organization and shall have direct responsibility for the organization, administration and operation of the emergency government organization subject to the direction and control of the village president and the village board. He shall coordinate all activities for emergency government within the village, and shall maintain liaison and cooperate with emergency government agencies and organizations of other political subdivisions and of the state and federal government, and shall participate in county and state emergency government activities upon request, and shall have such additional authority, duties and responsibilities as are authorized by this chapter and as may from time to time be required by the village board.

2. The director shall prepare a general plan for the emergency government of the village and shall present such plan to the village board for its approval. When the village board has approved the plan by resolution, it shall be the duty of all municipal agencies and all emergency government forces of the village to perform the duties and functions assigned by the plan as approved. The plan may be modified in like manner. (Ord. A-405-81 Part 1 (part), 1981) .

2.50.050 Utilization of existing services and facilities. In preparing and executing the emergency government plan, the director shall utilize the services, equipment, supplies and facilities of the existing departments and agencies of the village to the maximum extent practicable, and the officers and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities to the director. (Ord. A-405-81 Part 1 (part) , 1981).

2.50.060 Emergency regulations. Whenever necessary to meet an emergency government emergency for which adequate regulations have not been adopted by the village board, the village president, and in his absence, the director of emergency government, may by proclamation promulgate and enforce such orders, rules and regulations relating to the conduct of persons and the use of property as shall be necessary to protect the public peace, health and safety, and preserve lives and property and to ensure the cooperation necessary in civil defense activities. Such proclamations shall be posted in three public places and may be rescinded by the village board by resolution at any time. (Ord. A-405-81 Part 1 (part), 1981).

2.50.070 Mutual aid agreements. The director of emergency government may, subject to the approval of the village board, enter into mutual aid agreements with other political subdivisions. Copies of such agreements shall be filed with the State Director of Emergency Government. (Ord. A-405-81 Part 1 (part), 1981).

2.50.080 Declaration of emergencies. Upon the declaration by the Governor, by the village president or the emergency government director in the absence of the village president, or by the village board, of a state of emergency, the director of emergency government shall issue all necessary proclamations as to the existence of such state of emergency and shall issue such disaster warnings or alerts as shall be required in the emergency government plan. The emergency government organization shall take action in accordance with the emergency government plan only after the declaration of an emergency and the issuance of official disaster warnings. Such state of emergency shall continue until terminated by the issuing authority; provided, that any such declaration not issued by the governor may be terminated at the discretion of the village board. (Ord. A-405-81 Part 1 (part), 1981).

2.50.090 Violation--Penalty. It is unlawful for any person willfully to obstruct, hinder or delay any member of the emergency government organization in the enforcement of any order, rule, regulation or plan issued pursuant to this chapter or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this chapter. For a violation of any of the provisions of this chapter, he shall forfeit not less than one hundred dollars nor more than five hundred dollars. In the event of a failure to pay such forfeiture, where no showing of indigence is made, the defendant may be imprisoned for no more than ninety days, as the court deems fit, or until such judgment is sooner paid. (Ord. A-405-81 Part 1 (part), 1981).

* Cross-reference: For provisions on citation deposits and enforcement officials for violations of this chapter, see SSSS1.12.030 and 1.12.040, respectively, of this code.

Chapter 2.52

VOTER REGISTRATION*

Sections:

- 2.52.010 Statutory authorization.
- 2.52.020 Authority of Village Clerk.

2.52.010 Statutory authorization. The registration of electors for all elections to be hereafter held in the village is authorized and required in accordance with Section 6.27 of the Wisconsin Statutes. (Ord. A-358-78 Part 5 (part), 1978).

2.52.020 Authority of Village Clerk. The Village Clerk of the Village shall have full charge and control of the registration of voters and the Village Clerk and all employees in his or her office are authorized to execute the affidavits required by Sections 6.33, 6.35 and 6.36 of the Wisconsin Statutes. (Ord. No. 017, Series 1996, Part 1; Ord. A-358-78 Part 5 (part), 1978).

- * For statutory provisions on voter registration, see Wis.Stat. 1975 SS6.26 et seq.

Chapter 2.54

ELECTION REGULATIONS*

Sections:

- 2.54.010 Election wards.
- 2.54.020 Polling time and place.
- 2.54.030 Election officials.
- 2.54.040 Committeemen and committeewomen.

2.54.010 Election wards. A. The village, will hereinafter be divided into 14 election wards pursuant to Sections 5.02(25) and 5.15 (2)(b)sub(3) and 5.15 (2)(d) of the Wisconsin Statutes. (Ord. 015, Series 2011; Ord. 021, Series 2009, Part 1).

B. A ward map, on file in the Village Clerk's office, showing the area covered by each of the 14 official election wards, is hereby made a part of this chapter. Said map may be amended, as necessary, to reflect the annexation or detachment of property. (Ord. 015, Series 2011; Ord. 021, Series 2009, part 1; Ord. 023, Series 2001, Part 1)

C. A detailed description of the boundaries of each of the official 14 election wards, on file in the Village Clerk's office, is hereby made a part of this chapter. (Ord. 015, Series 2011; Ord. 021, Series 2009, part 1; Ord. 023, Series 2001, Part 1) (Ord. No. 024, Series 1996, Part 1; part, 1996, Ord. A-323-77 Part 1 (part), 1977: prior code SS3.16(1)).

2.54.020 Polling time and place. The polls in Election Wards One through Fourteen inclusive, shall all be held in the gymnasium of the John Long Middle School, 700 Hickory Street, Grafton, WI, effective with elections that occur after July 21, 2009. The polls shall be opened at seven a.m. and closed at eight p.m. for all elections. (Ord. 015, Series 2011; Ord. 014, Series 2009, Part; 1Ord. 026, Series 2008; Ord. 023, Series 2001, Ord. No. 024, Series 1996, Part 2, : prior code SS3.16(2)). (Ord. 023, Series 2001, Part 2)

2.54.030 Election officials. A. Election Inspectors. There shall be five (5) election inspectors for each ward or ward group, pursuant to Section 7.30 of the Wisconsin Statutes. Election inspectors may be reduced by the village clerk to only three inspectors for each ward or ward group when deemed sufficient to effectively handle the vote.

B. Qualifications. 1. Each election inspector shall be a qualified elector in the Village of Grafton and meet all of the requirements of Section 7.30(2) of the Wisconsin Statutes.

2. Inspectors shall represent the 2 dominant recognized political parties.

C. Appointments. The Village Board, no later than second Board meeting in December of odd-numbered years, pursuant to the requirements of Section 7.30(4) Wisconsin Statutes, shall officially appoint qualified persons to serve as election inspectors for the Village of Grafton. Said appointments shall be made from a listing provided by the Village Clerk and shall be for a term of two years. (Ord. 015, Series 2011)

2. In the event of a need for additional inspectors or if a vacancy occurs, the Village Clerk may appoint qualified persons to serve as election inspectors until such time as the Village Board officially makes the bi-annual appointments.

D. Compensation. Compensation of election inspectors shall be determined by the Village Board as part of the annual budget process. (Ord. No. 024, Series 1996; Part 3, 1996).

Chapter 2.56

Municipal Court and Municipal Judge

Sections

2.56.010	Municipal Court Created
2.56.020	Municipal Court Judge
2.56.030	Bond
2.56.035	Service Fees
2.56.040	Hours
2.56.050	Contempt
2.56.060	Jurisdiction

2.56.010 Municipal Court Created. There is created and established a Municipal Court, to be designated as the "Mid-Moraine Municipal Court", under the provisions of Ch. 755, Wis. Stats., and pursuant to the Agreement for the Operation of the Municipal Court for Washington County, as amended ("Agreement"), a copy of which is on file with the Village Clerk. (Ord. No. 026, Series 1995, Part 1, 1995)

2.56.020 Municipal Court Judge. The Municipal Court shall be under the jurisdiction of and presided over by a Municipal Judge, who shall be an attorney licensed to practice law in Wisconsin and who resides in any of the Member Municipalities as defined in the Agreement. The Municipal Judge shall be elected at large in the Spring election for a term of two (2) years commencing on May 1 of the year of his or her election. The governing bodies of the Member Municipalities shall provide for a primary election in the event that more than two (2) candidates file nomination papers for the position of Municipal Judge. (Ord. No. 026, Series 1995, Part 1, 1995)

2.56.030 Bond. The amount of the bond required by Sec. 755.03(1), Wis. Stats., shall be \$2,500. (Ord. No. 026, Series 1995, Part 1, 1995)

2.56.035 Service Fees. A. Pursuant to the provisions of Section 814.70, 814.705 and 814.71 the Village of Grafton Police Department shall charge a service fee of \$35.00 when the Village Police Officers serve a warrant or commitment order upon a person. The person served with the warrant or commitment order shall be responsible for the payment of the warrant or commitment order service fee. The service fee may be collected at the time of service or as court cost through the court.

B. Multiple Warrants. The Village of Grafton Police Department shall charge a separate fee for each warrant or commitment order served on a person.

C. Disposition of fees. If warrant or commitment order service fees have been collected by the court the warrant or commitment order service fees shall be forwarded by the court to the Village of Grafton Finance Director.

(Ord. 016, Series 2010, Part 2; Ord. 023, Series 2008)

2.56.040 Hours. The Municipal Court shall be open at such times as the Municipal Judge determines, subject to the Agreement. (Ord. No. 026, Series 1995, Part 1, 1995)

2.56.050 Contempt. The Municipal Judge may impose a forfeiture for contempt of court and a jail sentence for nonpayment of the forfeiture and any applicable assessments, under Sec. 800.12(2), Wis. Stats.. (Ord. No. 026, Series 1995, Part 1, 1995)

2.56.060 Jurisdiction. This section shall be construed to limit neither the jurisdiction of the Municipal Court nor the Authority of the Municipal Court to impose penalties under the Wisconsin Statutes. (Ord. No. 026, Series 1995, Part 1, 1995)

Chapter 2.58

PUBLIC ARTS BOARD

Sections

<u>2.58.010</u>	<u>Creation of Public Arts Board</u>
<u>2.58.020</u>	<u>Definitions</u>
<u>2.58.030</u>	<u>Composition and terms of members</u>
<u>2.58.040</u>	<u>Organization and election of officers</u>
<u>2.58.050</u>	<u>Compensation</u>
<u>2.58.060</u>	<u>Duties</u>
<u>2.58.070</u>	<u>Assistance</u>
<u>2.58.080</u>	<u>Objectives</u>
<u>2.58.090</u>	<u>Review of Public Art</u>
<u>2.58.100</u>	<u>Scope of authority</u>

2.58.010 Creation of Public Arts Board. There is hereby created a Public Arts Board for the Village of Grafton. The Public Arts Board is a locally organized board and is not established by any enabling legislation of the State of Wisconsin.

2.58.020 Definitions. The following definitions shall apply to the terms used in this chapter:

A. *Art, civic* means visual art pertaining to a person, place or event relating to or belonging to a municipality.

B. *Art, public* means one or more pieces of civic, visual or performance art designed specifically for ownership by the public or display on property owned by the public.

C. *Arts, visual* means the conscious production or arrangement of colors, forms or other elements in a manner that affects the human senses in a graphic or plastic medium.

D. *Competition* means a process established by the Public Arts Board to review specific art work(s) for a specific site, for the purposes of making a recommendation to the Public Arts Board.

E. *Jury* means an ad hoc committee or individual appointed by the Public Arts Board to review specific art work(s) for the purposes of making a recommendation to the Public Arts Board.

F. *Performance art* means works of art that create a situation and are conducted for a duration determined by the artist and/or spectator.

G. *Rules of procedure* means a written description of the board's mission statement, objectives, organization of meetings, membership, terms of service, procedure for the election of officers, and procedures for the review of public art work.

2.58.030 Composition and terms of members. A. The Public Arts Board shall be appointed by the Village Board and consist of seven voting members of which one shall be a Village Board member. The Village Administrator and his/her designated representative(s) shall serve as nonvoting ex-officio members.

B. In addition to the Village Board member, at least three members of the Public Arts Board shall be residents of the Village. The remaining members and the ex-officio members may or may not be residents of the Village. In so far as possible, the members shall represent a major cultural institution (such as Milwaukee Art Museum), Cedarburg Cultural Center, a registered architect of the state, an artist, an art historian and an art consultant. Members of the Public Arts Board may also be members of the Architectural Review Board, Historic Preservation Commission, Parks and Recreation Board, or Plan Commission.

C. The initial members of the Public Arts Board shall be appointed for the following terms: two for one year, two for two years and three for three years. Thereafter, all such appointments, except to fill vacancies, shall be for a term of three years.

2.58.040 Organization and election of officers. A. The Public Arts Board shall, from its appointed members, annually elect a chairperson and vice-chairperson whose terms of office shall be fixed by the rules of procedure of the Public Arts Board. The chairperson shall preside over the Public Arts Board and shall have the right to vote. The vice-chairperson shall, in absence, or disability of the chairperson perform the duties of the chairperson and shall have the right to vote. The Village Administrator or his or her authorized representative shall act as secretary of the Public Arts Board, and maintain a record of all its proceedings.

B. The Public Arts Board shall, at its first meeting establish the rules of procedure for conducting its business.

2.58.050 Compensation. The members of the Public Arts Board shall serve as such without compensation.

2.58.060 Assistance. The Public Arts Board may call upon the Village Administrator for information and services from various Village departments as it may require. The Public Arts Board may recommend the securing of professional and consulting services as it may require; however, no expenditures of funds shall be made or contracts entered into for providing such services unless the same shall first be approved and authorized by the Village Board.

2.58.070 Objectives. A. To enrich the Village's civic and cultural heritage, the Public Arts Board is established to provide a level of expertise and objectivity to recommend to the Village Board works of art to become the property of or for display upon property owned by the Village.

B. To promote a rich, diverse, and stimulating cultural environment in order to enrich the lives of the Village's residents, business owners, employees and visitors and to enhance the Village image both nationally and internationally.

C. To establish an environment where differing points of view are fostered, expected and celebrated by providing the opportunity for such expression through the display of public art.

2.58.080 Duties. A. The Public Arts Board shall establish rules of procedure to describe the board's mission statement, objectives, and procedures for the review of public art work.

B. With the exception of art works to be placed in museums or art galleries, the Public Arts Board shall have the responsibility to review all works of art to become the property of or placed upon property owned by the Village.

C. The Public Arts Board shall have the responsibility to review publicly owned property for the purposes of consideration for the display of public art. The Public Arts Board shall recommend to the Village Board the establishment of general guidelines for site selection, maintenance program(s) for ensuring the structural integrity and aesthetic quality of the site and any work of art, including the removal of any art.

D. The Public Arts Board shall have the responsibility to pursue sources of public funding for arts and cultural education, design competitions, special events, etc., that may be necessary to advance the objectives of the Public Arts Board as outlined in this Chapter. In fulfilling such duties, the Public Arts Board may seek assistance from Village staff, and others for the completion of applications for grants, scholarships and other sources of public funding, including the administration of such funds as identified in Section 2.58.060. The Village may also accept private donations and gifts to advance the goals, objectives and duties of the Public Arts Board.

1. The Village Administrator shall be responsible for the administration of any funds, accounts or endowments created to accept such gifts or donations and to administer any honorariums or other expenses incurred for the activities of the Public Arts Board including but not limited to juries and design competitions.

E. It shall also be the responsibility of the Public Arts Board to increase public awareness and promote education of the importance of public art as an enrichment of the quality of life for the residents, business owners, employees and visitors to the Village.

F. The Public Arts Board shall prepare an annual report of its activities, accomplishments and a description of how the Public Arts Board has attempted to achieve its objectives.

2.58.090 Review of Public Art. A. The Public Arts Board, within its rules of procedure, shall establish its vision statement and processes for the review of public art works. The Public Arts Board may also appoint a jury or hold design competitions for the selection and review of public art works.

B. The Public Arts Board shall make a recommendation regarding the proposed public art work to the Village Board. However, a positive recommendation shall not be required to advance the proposed artwork for review by the Village Board.

C. In the event that a display and/or installation of civic, public or visual art is proposed on a site that is within the jurisdiction of another board of the Village, it shall be reviewed by and reported on by such Board before it is presented to the Village Board.

2.58.100 Scope of authority. A. As indicated herein, the Public Arts Board may select and appoint a jury or hold a competition for the review of any public art projects. The jury or competition held for any public art projects shall serve the Public Arts Board as an ad hoc committee for the duration of the project only.

B. The Public Arts Board is a non-administrative board, serving to make recommendations to the Village Board, but may not assume any legislative or administrative authority in the operation of any Village department or publicly owned property, except as specifically provided in this Chapter.

Chapter 2.58 - Created Ord. 006, Series 2010