

Chapter 1

GENERAL GOVERNMENT

- 1.01 Form of Government
- 1.02 Elected Officials
- 1.03 Appointed Officials
- 1.04 Boards and Commissions
- 1.05 Municipal Court
- 1.06 Elections
- 1.07 Village Boundaries
- 1.08 Legal Notices
- 1.09 Ethics Code
- 1.10 Village President and Board of Trustees term of Office Charter Ordinance

1.01 Form of Government. The Village of North Fond du Lac (herein referred to as the village) shall be governed by Chapters 61 and 66 of the Wisconsin Statutes and organized under Chapter 61 of the Wisconsin Statutes.

1.02 Elected Officials. The village will elect the following officers:

(1) **VILLAGE PRESIDENT** (a) The president, by the virtue of the office a trustee, shall serve a two year term, elected in odd numbered years.

(b) The powers and duties of the village president are those generally prescribed by Wisconsin State Statutes and those delegated by the village board.

(c) Beginning in April 2005, compensation for the village president shall be \$5,100 annually. The base salary shall be adjusted annually by the cost of living adjustment given to village employees.

(2) **TRUSTEES.** (a) The village shall have four trustees, two of whom are elected in even numbered years and two in odd numbered years, each for two year terms.

(b) The powers and duties of the trustees

are those prescribed generally in Wisconsin State Statutes (Wis. Stats.) and specifically in Wis. Stats. §61.34.

(c) **COMPENSATION.** Beginning in April 2005, compensation for trustees elected in 2005 shall be \$3,750 annually. For trustees elected in 2006 the compensation shall be \$3,750 plus the annual cost of living adjustment given to village employees. The annual salary shall be adjusted each year by the annual cost of living increase given to village employees.

(3) MUNICIPAL JUDGE.

(a) Court established. Pursuant to the authority granted by Chapter 755 of the Wisconsin Statutes there is hereby created and established a Municipal Court to be designated "Municipal Court for the Villages of North Fond du Lac and Rosendale and the Town of Ripon" said court to become operative and functional on June 1, 2001.

(b) **Municipal Judge.** 1. **Qualification.** The Joint court shall be under the jurisdiction of and presided over by a Municipal Judge, who resides in one of the municipalities.

2. **Oath and Bond.** The Judge shall, after election or appointment to fill a vacancy,

take and file the official oath as prescribed in Wis. Stats §755.02(1), and at the same time, the Judge shall execute and file an official bond with clerk of the municipality in an amount of \$1,000. The judge shall not act until the oath and bond have been filed as required by Wis. Stats. §19.01(4)(c) and the requirements of Wis. Stats. §755.03(2) have been compiled with.

(3) Salary. The salary of the Municipal Judge shall be fixed by the Village Board of North Fond du Lac and shall be in lieu of fees and costs. No salary shall be paid to the Judge for any time during which such judge has not executed and filed the official bond or official oath as required by Wis. Stats. §19.01(4)(c).

(c) Elections. (1) Term. The Municipal Judge shall be elected at large in the spring election for a term of four years commencing on May 1. All candidates for the position of Municipal Judge shall be nominated by nomination papers as provided in Wis. Stats. §8.10 and selection at a primary election if such is held as provided in Wis. Stat. §8.11. The state election board shall serve as the filing officer for the candidates.

(2) Electors. Electors in all municipalities that are parties to the agreement shall vote for the judge.

(3) Vacancy. Any vacancy occurring in the office of Municipal Judge shall be filled pursuant to state law.

(d) Jurisdiction. The Municipal Court shall have jurisdiction over incidents occurring on or after June 1, 2001 as provided in Article VII, §14 of the Wisconsin Constitution, Wis. States. §755.045 and 755.05, and as otherwise provided by State Law. In addition, it shall have exclusive jurisdiction over actions in

which the municipalities seek to impose forfeitures for violations of municipal ordinances, resolutions and by-laws.

The Municipal Judge may issue civil warrants to enforce matters under the jurisdiction of the Municipal Court under §755.045(2), §66.122 and §66.123, Wis Stats.

The Municipal Court has jurisdiction over juvenile offenders when it enacts an ordinance under the authority of §938.17(2)(cm), Wis Stats.

(e) Municipal Court.

(1) Hours. The Municipal Court for the Villages of North Fond du Lac and Rosendale and Town of Ripon shall be open as determined by order of the Municipal Judge.

(2) Employees. The Judge shall, in writing, appoint such clerks and deputy clerks as are authorized by the Village Board of North Fond du Lac. Their salaries shall be fixed by the Village Board of North Fond du Lac.

(3) Location. The Municipal Judge shall keep his/her office and hold court in the Village of North Fond du Lac Municipal Building, 16 Garfield Street, North Fond du Lac. However, the Municipal Judge may issue process and perform ministerial functions at any place in the county.

(f) Collection of Forfeitures and Costs.

The Municipal Judge may impose punishment and sentences as provided by Wis. Stats. Chapters 800 and 938 and as provided in ordinances of the municipalities that are parties to the agreement. All forfeitures, fees, assessments, surcharges and costs shall be paid to the treasurer of the Village of North Fond du Lac within seven (7) days of collection. At such time, the Municipal

Court shall report to the treasurer the title, nature of offense and total amount of judgments imposed in actions and proceedings in which such monies are collected.

(g) Contempt of Court. The Municipal Judge, after affording an opportunity to the person accused to be heard in defense, may punish for contempt as provided in Wis. Stats. §800.12, and may impose a forfeiture therefore not to exceed fifty dollars (\$50) or upon nonpayment of the forfeiture, penalty assessment under Wis. Stats. §165.87, and jail assessment under Wis. Stats. §302.46, a jail sentence not to exceed seven (7) days.

(h) Stipulations and Deposits.

(1) Deposits for ordinance violations. The Municipal Judge shall establish and submit to the Village Boards of both North Fond du Lac and Rosendale and to the Town Board of Ripon for approval in accordance with §800.03(3), Wis. Stats., a schedule of deposits for violations of each village’s ordinances, resolutions and bylaws.

(2) Deposits for Traffic and Boating violations. The deposit schedule established by the Wisconsin Judicial Conference and the procedures set forth in Chapters 23 and 345, Wis. Stats., shall apply to stipulations and deposits for violations of traffic regulations enacted in accordance with §345.27 and boating regulations enacted in accordance with §30.77, Wis. Stats.

(3) Stipulations and Deposits in Lieu of Court Appearance. Persons cited for violations of Village of North Fond du Lac or Rosendale and Town of Ripon ordinances, resolutions or bylaws or violations of traffic or boating regulations for which a deposit has been established, shall be permitted to make a stipulation of no contest

and a deposit in lieu of court appearance as provided in §800.03, §800.04, §800.09 Wis. Stats.

Section 1. All ordinances or parts of ordinances contravening or inconsistent with the provisions of this ordinance are hereby repealed.

1.03 Appointed Officials. (1) CHARTER ORDINANCE CHANGING ELECTED TO APPOINTED OFFICIALS

(a) The village, pursuant to Wis. Stats. §66.0101, has elected, by its charter ordinance dated 5/19/52, not to be governed by the portion of Wis. Stats. §61.19 providing for the election of the assessor and its charter ordinance dated 4/4/56 not to be governed by the portion of Wis. Stats. §61.19 providing for the election of the clerk and treasurer.

(b) In lieu of the statutory requirement of the election of these officers, the offices of village clerk, treasurer, and assessor shall be filled by appointment of the village board for such terms as shall be determined.

(2) APPOINTMENT AND TERM. (a) Officials shall be appointed on the basis of merit with due regard to training, experience, administrative ability and general fitness for the office, by a majority vote of the village board, pursuant to Wis. Stats. §61.197(c).

(b) This section, however, shall not preclude the village board from establishing other employment terms and conditions not inconsistent with the provisions of this code.

(c) The appointed officials shall hold an indefinite term of office unless specified by Wisconsin Statutes or specific provisions of this code.

(d) The police chief and fire chief shall be appointed according to the provisions of

Wis. Stats. §62.13 by the village police and fire commission.

(e) The library director shall be appointed according to the provisions of Wis. Stat. §43.58(4).

(3) TERMINATION. Appointed village officials may be terminated pursuant to the provisions of Wis. Stats. §17.12 unless otherwise stated in Wisconsin Statutes.

(4) COMPENSATION. Compensation for appointed officials may be set from time to time by the village board of trustees as required.

(5) OFFICIAL OATH. All village officials shall be required to take an oath of office pursuant to Wis. Stats. §19.01(1).

(6) OFFICIAL BOND. Village officials shall be bonded according to Wis. Stat. §61.22. (a) The bonds of all village officers shall be furnished by a surety company licensed to do business in the State of Wisconsin.

(b) The premiums of the bonds shall be paid by the village.

(7) OFFICERS OF THE VILLAGE ENUMERATED. The village shall have the following appointed officials with powers and duties as described herein. (a) *Administrator* 1. 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 president and the village board.

2. The job description of the village administrator as adopted by the village board, and updated from time to time, is hereby incorporated by reference.

3. Cooperation. All officials and employees of the village shall cooperate with and assist the administrator so that the

village government shall function effectively and efficiently.

4. The administrator shall also serve as deputy clerk/treasurer.

(b) *Clerk-Treasurer*

1. The clerk-treasurer shall carryout all of the powers and duties of village clerk set forth in Wis. Stats. §61.25 and the powers and duties of the village treasurer as set forth in Wis. Stats. §61.26.

2. The job description of the clerk-treasurer as adopted by the village board, and updated from time to time, is hereby incorporated by reference.

3. The clerk shall carryout the duties assigned by this code or as established by the Village Board.

(c) *Police Chief*. The police chief shall have administrative control over the police department. The police chief shall be appointed according to the provisions of section 1.02(d) of this code. As the police chief he/she shall have the powers and duties prescribed in section 4.02 of this code.

(d) *Fire Chief*. The fire chief shall have the powers and duties prescribed in section 4.03 of this code. The fire chief shall be appointed according to the provisions of section 1.02(d) of this code.

(e) *EMS Director*. The emergency medical services director shall have the powers and duties prescribed in section 4.04 of this code. (f) *Emergency Government Director*. The emergency government director shall serve as head of emergency government services according to Wis. Stats. §166.03(4).

(g) *Public Works Director* (herein called the director) shall carryout the powers and duties prescribed in this code.

(h) *Village Assessor*. The assessor shall

be appointed in accordance with Wis. Stats. §61.197(1)(f). The assessor shall have all of the powers and duties assigned to them by Wis. Stats. ch 70.

(i) *Village Attorney(s)*. The attorney(s) shall be licensed to practice law in the State of Wisconsin. The village attorney(s) will have the powers and duties as specified from time to time by the village board.

(j) *Weed Commissioner*. The weed commissioner shall be appointed in accordance with Wis. Stats. §66.0517 and have all of the powers and duties of Wis. Stats. §66.0517 and section 9.19 of this code.

(k) *Inspector(s) for Building, Electrical, Plumbing, and Heating, Ventilating, Air Conditioning*. The position of inspector may be appointed separately or as combined positions depending upon the qualifications of the candidates at the time of appointment. The duties of the inspector(s) shall be those prescribed by chapters 8, 9, and 21 of this code.

(l) *Zoning Administrator*. The zoning administrator shall have all of the powers and duties as assigned by chapter 21 of this code.

(m) *Library Director*. The library director shall have all of the powers and duties assigned by the library board through 1.04(3)(d) of this code.

1.04 Boards and Commissions.

(1) **GENERAL RESPONSIBILITIES.** Every board and commission of the village shall:

(a) establish a date, time, and place for regular meetings, unless otherwise directed by Wisconsin Statutes or village ordinances;

(b) comply with open meeting laws and requirements as established by Wis. Stats. chapter 19 for regular and special meetings;

(c) record its proceedings showing the consideration, deliberation, recommendations, and vote of each member. The secretary of the committee shall file a copy of the record with the administrator;

(2) **TERMS OF THE OFFICE.** The following terms will apply to all boards and commissions unless otherwise stated in the Wisconsin Statutes: (a) The members of all commissions and boards shall be appointed by the village president, according to statutory guidelines, subject to confirmation by the village board;

(b) the members of all commissions and boards may be removed prior to the end of their terms according to the provisions of Wis. Stats. §17.13 and §17.14;

(c) vacancies on village commissions and boards will be filled in accordance with Wis. Stats. §17.24;

(d) the village president shall designate a chairperson of each commission and board unless the method of appointment is provided for by statute;

(e) appointed members of commissions and boards shall serve without compensation unless otherwise specified by resolution of the village board.

(3) **BOARDS ENUMERATED.** The village shall have the following boards and commissions with powers and duties as described. (a) *Board of Zoning Appeals*. The village hereby creates a Board of Appeals pursuant to Wis. Stats. §62.23(7)(e) with all of the duties and functions prescribed therein.

1. **Rules of Procedure.** The board shall adopt its own rules of procedure not in conflict with this section or with applicable Wisconsin Statutes.

(b) *Board of Review*.

1. The board of review shall be composed of the village president, clerk treasurer, two trustees and one village representative from the county board.

a. The county board position shall be rotated between the two resident supervisors.

b. The term of office for the trustees shall run concurrent with their elected terms, one being appointed in each odd and even year.

c. Trustees shall be appointed by the village president, subject to confirmation by the village board.

2. The duties and powers of the board of review shall be as defined in Wis. Stats. §70.46 and §70.47.

3. In accordance with Wis. Stats. §70.47(3)(b) the village board does hereby exercise its right to designate hours for the annual board of review proceedings other than those set forth in Wis. Stats. §70.47(3)(a) by resolution of the village board.

4. Except as otherwise provided by Wisconsin statutes, information relating to income and expenses provided to the village assessor shall be confidential. Such information shall only be released to individuals whose need for the information is justified by the discharge of their duties imposed by law, or of the duties of their office, or by order of a court. Unless a court determines that the information is inaccurate, the information is not subject to the right of inspection and copying under Wis. Stat. §19.35(1).

(c) Plan Commission.

1. Membership and terms of office of the plan commission shall be pursuant to Wis. Stat § 62.23(1)(a) and (d). The commission shall consist of two trustees, the director of

public works, and four citizens.

2. Four members shall constitute a quorum, but all actions taken shall require the affirmative approval of a majority of all commission members.

3. The commission shall organize at the first meeting held following their appointment each year, and shall elect a vice-chairperson and such other officers as may in their judgement be necessary.

4. The building/zoning inspector shall serve as the secretary of the plan commission.

5. Monthly meetings may be called as needed by the plan commission chair at a time to be established by the plan commission. The secretary shall give notice of meetings called by the commission.

6. The powers and duties of the plan commission shall be as defined in Wis. Stats. §62.23 and ch 236 and in ch 21 of this code.

(d) Library Board. 1. The library board shall be appointed according to the provisions of Wis. Stat. §43.54.

2. The powers and duties of the board shall be those assigned by Wis. Stat. §43.58.

(e) Administrative Rules Appeals Board.

1. The administrative rule appeals board shall consist of the village president, one trustee, and one citizen. The trustee shall be appointed by the village president, subject to confirmation by the board. The citizen member shall be appointed for a three year term by the village president, subject to confirmation by the board.

2. The administrator shall serve as the non-voting chair of the meeting.

3. The duties and powers of the board shall be those described in ch 23 of this code.

(f) Police and Fire Commission.

1. Membership. The police and fire

commission shall consist of five members appointed by the village president for staggered terms of five years according to the provisions of Wis. Stat. §62.13. Membership in the commission shall not be limited to village residents. Every effort will be made to appoint members of recognized professional status. Appointments to the police and fire commission, by the village president, are subject to 2/3 confirmation by the village board.

2. Powers and Duties. The commission shall have the powers and duties prescribed by Wis. Stats. §62.13 (1-5m).

3. Compensation. The police and fire commission members shall be paid a per diem fee as set from time to time by resolution of the board.

(g) *Community Development Authority.*

1. The community development authority shall be appointed according to the provisions of Wis. Stat. §66.1335(2).

2. The powers and duties of the board shall be those assigned by Wis. Stat §66.1335(4).

1.05 Municipal Court. (1) COURT ESTABLISHED. Pursuant to the authority granted by Chapter 755 of the Wisconsin Statutes there is hereby created and established a Municipal Court to be designated Lakeside Municipal Court serving the Villages of North Fond du Lac, Rosendale, Campbellsport, Brandon, Fairwater, Oakfield, the City of Fond du Lac, and the Towns of Ripon, Empire and Taycheedah said court to become operative and functional after each member of Lakeside Municipal Court passed a copy of this ordinance.

(2) MUNICIPAL JUDGE.

(a) *Qualifications.* The joint court shall be under the jurisdiction of and presided over by a Municipal Judge, who resides in one of the municipalities.

(b) *Oath and Bond.* The Judge shall, after election or appointment to fill a vacancy, take and file the official oath as prescribed in Wis. Stats §757.02(1), and at the same time, the Judge shall execute and file an official bond with the clerk of the municipality in an amount of \$1,000. The judge shall not act until the oath and bond have been filed as required by Wis. Stats. §19.01(4)(c) and the requirements of Wis. Stats. §755.03(2) have been complied with.

(c) *Salary.* The salary of the Municipal Judge shall be fixed by the Village Board of North Fond du Lac and shall be in lieu of fees and costs. No salary shall be paid to the Judge for any time during which such judge has not executed and filed the official bond or official oath as required by Wis. Stats. §755.03 and filed pursuant to Wis. Stats. §19.01(40)(c).

(3) ELECTIONS

(a) *Term.* The Municipal Judge shall be elected at large in the spring election for a term of four years commencing on May 1. All candidates for the position of Municipal Judge shall be nominated by nomination papers as provided in Wis. Stats. §8.10 and selection at a primary election if such is held as provided in Wis. Stat. §8.11. The state election board shall serve as the filing officer for the candidates.

(b) *Electors.* Electors in all municipalities that are parties to the agreement shall vote for the judge.

(c) *Vacancy.* Any vacancy occurring in the office of Municipal Judge shall be filled pursuant to state law.

(4) JURISDICTION. The Municipal Court shall have jurisdiction over incidents occurring on or after January 1, 2005 as provided in Article VII, §14 of the Wisconsin Constitution, Wis. Stats. §755.045 and 755.05, and as otherwise provided by State Law. In addition, it shall have exclusive jurisdiction over actions in which the municipalities seek to impose forfeitures for violations of municipal ordinances, resolutions and by-laws.

(a) The Municipal Judge may issue civil warrants to enforce matters under the jurisdiction of the Municipal Court under §755.045(2) and §66.0119(1), (2), (3).

(b) The Municipal Court has jurisdiction over juvenile offenders when it enacts an ordinance under the authority of §938.17(2)(cm), Wis. Stats.

(5) MUNICIPAL COURT.

(a) *Hours.* The Lakeside Municipal Court shall be open as determined by order of the Municipal Judge.

(b) *Employees.* The Judge shall, in writing, appoint clerks and assistant clerks as are authorized by the Village Board of North Fond du Lac. Their salaries shall be fixed by the Village Board of North Fond du Lac. The clerk(s) shall report to the Municipal Judge, or in the absence of the municipal Judge, the Village Administrator.

(c) *Location.* The Municipal Judge shall keep his/her office and hold court in the Village of North Fond du Lac Municipal Building, 16 Garfield St, North Fond du Lac for the Communities of Villages of North Fond du Lac, Rosendale, Campbellsport, Brandon, Fairwater, Oakfield, and the Towns of Ripon, Empire and Taycheedah. The Municipal Judge shall hold court for the City of Fond du Lac at the City Police

Department, 126 North Main Street, Fond du Lac. However, the Municipal Judge may issue, process and perform ministerial functions at any place in the county.

(6) COLLECTION OF FORFEITURES AND COSTS. The Municipal Judge may impose punishment and sentences as provided by Wis. Stats. Chapters 800 and 938 and as provided in ordinances of the municipalities that are parties to the agreement. All forfeitures, fees, assessments, surcharges and costs shall be paid to the treasurer of the Village of North Fond du Lac within seven (7) days of collection. At such time, the Municipal Court shall report to the treasurer the title, nature of offense and total amount of judgments imposed in actions and proceedings in which such monies are collected.

(7) CONTEMPT OF COURT. The Municipal Judge, after affording an opportunity to the person accused to be heard in defense, may punish for contempt as provided in Wis. Stats. §800.12, and may impose a forfeiture therefore not to exceed fifty dollars (\$50) or upon nonpayment of the forfeiture, penalty assessment under Wis. Stats. §165.87, and jail assessment under Wis. Stats. §302.46, a jail sentence not to exceed seven (7) days.

(8) STIPULATIONS AND DEPOSITS.

(a) *Deposits for ordinance violations.* The Municipal Judge shall establish and submit to the Village Boards of both North Fond du Lac and Rosendale, Campbellsport, Brandon, Fairwater and Oakfield, the City of Fond du Lac, and Towns of Ripon, Empire and Taycheedah and to the Town Board of Ripon for approval in accordance with §800.03(3), Wis. Stats., a schedule of deposits for violations of each municipality's ordinances, resolutions and bylaws.

(b) *Deposits for Traffic and Boating violations.* The deposit schedule established by the Wisconsin Judicial Conference and the procedures set forth in Chapters 23 and 345, Wis. Stats., shall apply to stipulations and deposits for violations of traffic regulations enacted in accordance with §345.27 and boating regulations enacted in accordance with §30.77, Wis. Stats.

(c) *Stipulations and Deposits in Lieu of Court Appearance.* Persons cited for violations of Village of North Fond du Lac, Rosendale, Campbellsport, Brandon and Fairwater, Oakfield the City Council of the City of Fond du Lac and Town of Ripon ordinances, resolutions or bylaws or violations of traffic or boating regulations for which a deposit has been established, shall be permitted to make a stipulation of no contest and a deposit in lieu of court appearance as provided in Wis. Stats. §800.03, §800.04, §800.09.

1.06 Elections. The annual village election shall be held according to Wis. Stats. ch 8.

(1) **POLLING PLACES.** All wards shall vote at the Community Center, 280 Garfield St.

(2) **POLLING HOURS.** Polling hours will be from 7:00 AM to 8:00 PM each election day.

(3) **REDUCTION IN NUMBER OF ELECTION OFFICIALS.** Pursuant to Wis. Stats. §7.32 the village board elects the provisions regarding local authority to reduce the number of election officials by resolution.

(4) Pursuant to Wis. Stats. §7.30(1) and Wis. Stats. §7.32, the clerk may, as necessary, authorize the selection of two sets of election officials to work at different times on election day.

1.07 Village Boundaries. (1) The village

boundaries, including future annexations and detachments shall at all times be recorded on the official map of the village as defined by section 10.01 of this code and annexation ordinances adopted after the effective date of the code added to this section.

(2) Annexations and detachments accepted by the village board since the effective date of this code include: None

1.08 Legal Notices. (1) **POSTING PLACES.** According to Wis. Stats. §985.02(2), the bulletin boards at the following locations are designated as the legal posting places of the village: (a) *Village Hall*, 16 Garfield Street; (b) *U.S. Bank*, 718 Wisconsin Avenue; (c) *Spillman Library*, 719 Wisconsin Avenue.

(2) **POSTING.** Any notice, ordinance or other writing which by law or ordinance directed to be posted in the Village of North Fond du Lac, shall be posted by affixing the notices upon the bulletin boards.

(3) **PENALTY.** Any person who shall destroy or deface said bulletin boards or who shall remove, deface or destroy any notice posted there, except village officials exercising their official duty, shall be subject to the maximum penalty, prescribed by statute or by section 24.05 of this code.

1.09 Ethics Code. The village elects to prescribe to Wis. Stats. §19.59, code of ethics for local government officials, employees, and candidates. This code shall apply to all employees and officials of the village as well as prospective candidates for local office.

(1) **BRIBERY AND OFFICIAL MISCONDUCT.** Wis. Stats. §946.10 to §946.17, prohibit certain forms of conduct on the part of all public officials and employees, and provide

for the imposition of criminal penalties upon conviction for engaging in prohibited forms of conduct.

(2) OTHER FORMS OF CONDUCT PROHIBITED.

(a) Gifts and favors. No official or employee shall accept any gift or favor, whether an article of value, loan, service or promise, from any individual, business or group which has either a direct or indirect interest in a matter pending before the board, a commission, committee, agency or office. Nor shall any official or employee accept any gift or favor that may tend to influence the discharge of their responsibilities or duties.

(b) Representing private interests before village boards, commissions, committees or agencies. No official or employee, whose salary is paid in whole or in part by the village, shall appear on behalf of private interests before any board, commission, committee or agency of the village, or in any litigation to which the village is a party except when subpoenaed as a witness by a party involved in such litigation. A member of the board of trustees may appear before a board, commission, committee or agency on behalf of constituents providing no compensation is paid or gratuity provided to the member contingent upon a specific outcome in a constituent's matter of interest.

(c) Disclosure of interests in contracts with the village. Any official or employee having a substantial or controlling financial interest in any business entity seeking or securing a contract with the village, or in the sale of real estate, vehicles, equipment, supplies, materials or services to the village, shall make such interest known in writing to the board. A member of the board with such an interest shall ask to be excused from

voting on or otherwise participating in the matter while it is before the board or one of its committees.

(d) Disclosure of interests in legislation. A member of the board who has a financial or other private interest in any legislative matter introduced for consideration before the board shall disclose such interest to the presiding officer and members of the board at the time the matter is introduced and shall ask to be excused from voting on or otherwise participating in the matter while it is before the board or one of its committees.

(e) Disclosure of interests in matters before village boards, commissions and committees. A member of any village board, commission or committee who has a financial or other private interest in a matter in which the body is expected to act shall disclose such interest to the body at the time the matter is introduced and shall ask to be excused from voting on or otherwise participating in the matter while it is before the body.

(f) Use of information. No official or employee shall make use of or permit others to make use of, for the purpose of furthering a private interest, information not made available to the public.

(g) Political activity. No officials or employee shall, during the hours in which they are performing responsibilities and duties as a village employee, engage in any activity calculated to benefit a political party, partisan or nonpartisan organization, campaign committee or candidate seeking to influence the outcome of an election or referendum. This prohibition extends to the direct or indirect solicitation of campaign contributions, including in-kind contributions, and the use of village owned

buildings, facilities, vehicles, equipment, materials or other village property to influence the outcome of an election or referendum.

(h) *Outside employment.* No official or employee shall engage in any outside employment, which might result in a conflict, or the appearance of a conflict, between the private interests of the employee and the employee's duties and responsibilities as a Village employee.

(3) **REQUESTING ADVISORY OPINIONS.** The board or any appointed officer or authority acting with the consent of a prospective appointee may request the Village Attorney to issue an advisory opinion regarding the ethical propriety of any matter to which a Village official, employee or prospective appointee is or may become a party. Such action will be taken pursuant to Wis. Stats. § 19.59 (5).

(4) **SANCTIONS.** Violation of the code of ethics created by this section should raise the question of whether the official or employee violating the ethics code should voluntarily resign or other action should be taken in the best interests of the village and its citizens.

(a) Violation of the ethics code may constitute a cause for removal from office, termination of employment, suspension, censure, reprimand, or other appropriate disciplinary action.

(b) As an alternative or in addition to sanctions imposed herein, any individual violating the ethics code shall be subject to a non-reimbursable forfeiture of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) as determined the violation of any federal or state law, village code, rule or regulation, the mismanagement or abuse of authority, a

substantial waste of public funds, or a danger to public health and safety. Nothing in this section restricts the right of the village as an employer to take appropriate disciplinary action against an employee who knowingly makes an untrue statement or releases information the disclosure of which is specifically prohibited by federal or state law, rule or regulation.

by the board.

(5) **EMPLOYEE PROTECTION.** No appointing authority, agent of an appointing authority or trustee may initiate or administer, or threaten to initiate or administer, any retaliatory action against a village employee following an employee's disclosure of information related to state law, rule or regulation.

1.10 Terms of Office. Pursuant to Wisconsin State Statutes §61.0101, the Village of North Fond du Lac elects to establish terms of office for the Village President and Board of Trustees as follows:

(1) Village President and Board of Trustees Term of Office Charter Ordinance.

(a) Pursuant to Wis. Stat. Sections 61.195 and 66.0101, the Village of North Fond du Lac elects not be governed by those portions of Wis. Stat. §61.19 and §61.20 relating to the term of office of the Village President and Trustees and hereby specifies the following schedule of elections and terms of office:

(1) Beginning with the Spring 2007 election, two trustees shall be elected, whose term of office shall be for 3 years, and , subject to subsection (3), a village President shall be elected, whose term of office shall be for 2 years.

(2) Beginning with the Spring 2008 election, two trustees shall be elected, whose term of office shall be 3 years.

(3) Beginning with the Spring 2009 election, a Village President shall be elected whose term of office shall be 3 years.

(2) All ordinances or parts of ordinances contravening the terms and provisions of this ordinance are hereby repealed.

(3) This Charter Ordinance shall be included in the Village Ordinances as section 1.10 and shall be entitled "Village President and Board of Trustees Term of Office Charter Ordinance".

(4) This Charter Ordinance shall be published as a class 1 notice, under Wis. Stat. Ch. 985.

A certified copy of this Charter Ordinance shall be filed by the Village Clerk with the Secretary of State.

(5) This is a Charter Ordinance and shall take effect sixty (60) days after its passage and publication, subject to the provisions of Wis. Stat. §66.0101.