

PART I ADMINISTRATIVE LEGISLATION

Chapter 4 GOVERNING BODY

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4.01 Meetings

- A. The village of Lake Delton board of trustees regular meetings shall be held on the second Monday of each month. The time of the meetings shall be 4:00 p.m. The place of the meeting shall be the Lake Delton Municipal Building.
- B. The Board may adjourn from time to time, and the president or any two trustees may call special meetings by giving each member of the board one day's notice. The president or the clerk may give notices of the meetings to the trustees either in writing either or by telephone communication.

4.02 Conduct of meetings

- A. The president shall, at the stated hour, call the meeting to order, and shall preserve order and decorum. In the absence of the president, the clerk, or a deputy clerk, if present, shall call the meeting to order; otherwise any trustee may do so.
- B. In the president's absence, the trustees present shall elect one of their number president pro tem.
- C. The clerk shall call the roll, noting those present and absent, and if it shall appear there is not a quorum present, any adjournment shall be taken, or those members present may compel the attendance of absentees. If less than a quorum of members is present, the members shall have, nevertheless, the power to adjourn to a fixed hour and give notice to the absent members, and the meeting at such adjourned hour shall in all respects be deemed regularly called. Four members of the village board, the president also being considered a member, shall constitute a quorum.
- D. Video Conferencing.
 - 1. Subject to the provisions of this subsection 4.02(D) members appearing via video conference shall be considered the same as attending in person. The primary purpose of allowing

attendance by remote presence is to accommodate the government body and to allow for meetings to occur when circumstances would prevent the physical attendance of a quorum of the body's members. A secondary purpose is to ensure that all members can participate in the business of the body to which they were elected.

2. The Village shall provide, at the location where the government body is physically present, communication equipment consisting of an audio and visual display and a camera and microphone so that the person(s) participating via video conference, the members of the government body in physical attendance, and the members of the public in physical attendance, may all actively participate in the meeting. The communication equipment at the meeting's physical location should allow for all meeting attendees to see, hear and fully communicate with the video conferencing participant(s).

3. Members of a government body attending a public meeting via video conference are deemed present for all purposes including participating in a roll call vote. However, the member of the government body presiding over the meeting must be present at the physical address where notice was given to the public of the meeting. If the presiding member is only available via video conference, the most senior member physically present shall preside over the meeting.

4. Remote appearances by village officials, staff, and citizens. The remote appearance by village officials, staff, agents, representatives and citizens shall be arranged in advance and with the consent of the presiding officer.

5. If at any time during the meeting one or more of the elements of the video conference is compromised such that any participants are unable to see, hear or fully communicate, the chair shall call a recess until such time as communication is re-established. If communication is not restored within 5 minutes, the chair may entertain a motion to continue the meeting in the absence of the video conferencing member(s). If a video conference appearance by a participant becomes disruptive or interferes with the proceeding, the chair may [discontinue] or [entertain a motion to discontinue] the video conference. If meeting continues without the video conference participant(s) then from the time of the compromise forward, the video conference participant(s) will be deemed absent and this absence shall be reflected in the meeting minutes.

6. If the absence of the video conferencing member results in the loss of a quorum, the recess shall continue until the quorum is restored, or the meeting shall adjourn.

7. If the members of the governing body vote to go into closed session and one or more members appear by video conference, all state and local laws related to closed sessions shall apply. If in closed session, members appearing by video conference shall take all reasonable measure to ensure that no members of the public present at their location are able to see, hear or otherwise observe the closed session.

8. In any open or closed session, the minutes taken shall reflect the member(s) physically present and those appearing remotely.

9. The words used in the section are defined as follows:

"Video conference" shall refer to a means of communication via an electronic connection made up of three components: a. a live two-way video transmission of the person not in physical attendance; b. a live audio transmission allowing person not in physical attendance to be heard by those in physical attendance; and c. a live audio transmission allowing the person not in physical attendance to hear those in physical attendance.

"Physical presence" means being at the location of the meeting.

"Remote" and Remote presence" means attending via video conference.

4.03 Order of business

The following shall be the regular order of business:

- A. Calling of the roll
- B. Reading and correcting the minutes of the last preceding meeting
- C. Reports of committee of the whole
- D. Reports of committees
- E. Reports of officers
- F. Any business that may have been made the special order for the present meeting
- G. Unfinished business
- H. The reception and reference of petitions and communications
- I. New business
- J. Adjournment

4.04 Meetings general rules

- A. No trustee shall address the board until the presiding officer recognizes him. He shall thereupon 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 when recognized by the presiding officer.
- D. No motion shall be discussed or acted upon unless and until it has been seconded. 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. To move 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 desirous of terminating the debate may move the previous question, in which event the president shall announce the question as follows: "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 ending amendments, and then upon the main question.

G. Every member shall vote when a question is put, unless the board by a majority vote of those present shall excuse him for a 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. Any trustee may amend an aye and nay vote on any matter before the results are announced, and such vote shall be entered in the proceedings.

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.

I. It shall be in order in those situations where no vested rights are incurred for any member voting in the majority to move for a reconsideration of the vote of any question to that meeting or at the succeeding regular meeting. A motion to reconsider being put and lost shall not be renewed. A trustee may not change his vote on any question after the result has been announced.

J. Robert's Rules Of Order are hereby adopted as the rules of order covering this board, except as otherwise required herein.

K. The president may speak upon any question pending before the board and shall be entitled to vote upon any question.

4.05 Suspension of rules

A. No rule or bylaw shall be suspended except by unanimous consent of all trustees present, and with the president's or presiding officer's consent.

B. No suspension of rules shall continue beyond the meeting at which they are suspended.

C. Enforcement of any ordinance may not be suspended except upon approval of the village president and the committee to which the matter in question relates.

4.06 Ordinances and bylaws

A. Every ordinance, bylaw or resolution in the nature of an ordinance shall be first introduced at a meeting of the village board, then shall be published following such meeting, and may be acted upon at any subsequent meeting after being published.

B. Publication of ordinances and all matters requiring official publication shall be in the *Wisconsin Dells Events*, a newspaper published in Columbia County, and for a general circulation in the village.

C. All resolutions, bylaws or ordinances shall be in writing, and at the second reading the questions shall be, "Shall the ordinance, resolution or bylaw pass?" The clerk shall call the roll, and if a majority of trustees vote in the affirmative, the ordinance shall be declared duly passed.

4.07 Claims and demands against the village

A. All demands, accounts or claims against the village shall be in writing, and upon request by the village board, shall be verified by the claimant's affidavit, or in case the amount has been paid or incurred on behalf of the village by any officer thereof, then the affidavit of such officer for reimbursement.

B. The village board shall approve all claims.

4.08 Duties of the president

The president's duties shall be those as defined in s. 61.24, Wis. Stats., and as hereafter amended and in duly enacted resolutions and ordinances.

4.09 Duties of the clerk

The clerk's duties shall be those as defined in s. 61.25, Wis. Stats., and as hereafter amended and as specified in duly enacted resolutions and ordinances.

4.10 Duties of the treasurer

The treasurer's duties shall be those as defined in s. 61.26, Wis. Stats., and as hereafter amended and as specified in duly enacted resolutions and ordinances.

4.11 Clerk and treasurer offices combined

- A. The offices of clerk and treasurer are hereby combined, and hereafter the office of clerk-treasurer shall be elected as provided in the present section and s. 61.19, Wis. Stats., for the office of village clerk.
- B. The said clerk-treasurer shall hold office for a term as provided by present section and s. 61.23, Wis. Stats., for the office of village clerk.
- C. The clerk-treasurer's duties and compensation shall be set by the village board.

4.12 Clerk-treasurer selection by appointment

The office of clerk-treasurer shall hereafter be an appointive office by the village board of the village of Lake Delton in place of election as provided by s. 61.19, Wis. Stats.

4.13 Duties of the chief of police

- A. The village board shall appoint the chief of police.
- B. Pursuant to s. 61.195, 61.197, and 66.0101, Wis. Stats., the offices of marshal and constable are abolished.
- C. The chief of police shall have control of the police department and it is his duty to obey all laws and written or verbal orders of the village board. He shall perform the duties required of a marshal or constable and have such authority as prescribed under the statutes of the state of Wisconsin of a peace officer, marshal and constable. He and the members of his department shall be enforcement officers of the village ordinances and the laws of the state of Wisconsin within such jurisdiction as is set forth by the statutes of the state of Wisconsin. The chief of police shall be responsible for the efficiency and general good conduct of the police department and shall report in writing to the personnel committee of the complaints made against any member of police force.
- D. The chief of police, with the president's approval, has the power to appoint as many special policemen for emergency service as they deem necessary to preserve the peace and order of the village, and, in such case, shall make a full statement of such appointments, with the reasons therefor, at the next regular meeting of the village board.
- E. The chief of police shall, on the village board's request, execute and file an official bond covering any liability arising out of the performance of his duties.

4.14 Duties of the building inspector

- A. The building inspector is hereby made responsible for enforcing this chapter. All inspections, enforcement, orders or matters relating to violations of this chapter shall be under his direction and supervision. He may appoint or designate such other public officials or village employees to perform duties as may be necessary for enforcement. The building inspector shall make inspections pursuant to the plans for inspection authorized by this chapter or in response to a complaint that an alleged violation of this chapter's provisions or of applicable rules or regulations pursuant thereto has been committed; or when the building inspector has valid reason to believe a violation of this chapter or any rules and regulations pursuant thereto has been committed.

4.15 Village well inspector

The village board hereby establishes the office of village well inspector. The village president shall appoint the village well inspector subject to village board approval. The village well inspector shall be responsible for inspecting wells, reviewing applications for well operation permits, reviewing applications for well abandonment permits and inspecting abandoned wells, maintaining records and files on operating and abandoned wells within the village, and enforcing the provisions of this Article II as well as state and federal laws and regulations concerning well operation and abandonment.

4.16 Duties of the zoning administrator

A. Zoning Administrator. The zoning administrator is hereby authorized to administer the provisions of this ordinance. The zoning administrator shall have the following duties and powers:

1. Advise applicants of the provisions of this ordinance; assist them in preparing permit applications and appeals, and insure that the regional flood elevation for the proposed development is shown on all permit applications.
2. Issue permits and inspect properties for compliance with provisions of this ordinance and issue certificates of compliance where appropriate.
3. Keep the official records of all water surface profiles, floodplain zoning maps, floodplain zoning ordinances, nonconforming uses and nonconforming structures and changes thereto, permit applications, permits, appeals, variances and ordinance amendments related to this ordinance.
4. Submit copies of all decisions granting or denying variances and appeals, all map and text amendments, case-by-case analysis, annual reports, and any other required information to the appropriate District Office of the Department of Natural Resources. An annual summary showing only the number and types of all floodplain-zoning actions taken by the Village shall also be submitted to the Department by the zoning administrator.
5. Investigate and report violations of this ordinance to the appropriate Village zoning committee. The zoning committee shall submit its recommendations on each violation to the Village attorney for prosecution. Copies of the violation reports shall also be sent to the appropriate District office of the Department of Natural Resources.
6. Submit copies of text amendments and annual report to FEMA.
7. Maintain on file a list of all documentations of certified elevations.
8. Administrative Procedures:
 - a. Land use permit. A land use permit shall be obtained from the zoning administrator before any new development, as “development” is defined in Section X, A, 9, or any change in the use of an existing building or structure may be initiated. Application for a permit shall be made to the zoning administrator upon furnished application forms and shall include, for the purpose of proper enforcement of these regulations, the following data:
 - (1) Name and address of the applicant, property owner and contractor-builder;
 - (2) Legal description of the property, including the type of proposed use, and an indication as to whether new construction or a modification to an existing structure is involved;

- (3) The elevation of the lowest floor using National Geodetic and Vertical Datum (NGVD);
- (4) A site development plan which accurately locates or describes the proposal with respect to the floodway and flood fringe districts showing the dimensions of the lot and locations of all existing and proposed structures from lot lines, center lines of all abutting highways, and the ordinary high-water mark of any abutting or nearby watercourses;
- (5) Information concerning all private water supply systems and on-site sewage disposal systems to be installed, the location of all existing wells, structures, and on-site sewage disposal systems, and the ordinary high-water mark of all streams and lakes within 100 feet of a proposed sewage disposal site.
- (6) Data sufficient to determine the regional flood elevation at the location of the development and to determine whether or not the requirements of Section II, L are met. This may include any of the information noted in Section VII, D, 2.

b. Certificate of Compliance. No vacant or developed land shall be occupied in the floodplain, and no building or structure hereafter erected, altered or moved into the floodplain shall be occupied or used, until the applicant obtains a certificate of compliance from the zoning administrator. The zoning administrator shall issue a certificate only after the applicant has submitted a certification signed by a registered professional engineer or registered land surveyor that the fill and lowest/basement floor elevations were placed in compliance with the development standards contained in this ordinance. If flood proofing is required pursuant to Section VII, E, the zoning administrator shall issue a certificate only after the applicant has submitted a certificate signed by a registered professional engineer or architect that the structure is adequately constructed to comply with the provisions of Section VII, E.

4.17 Assessor selection by appointment

Pursuant to s. 61.195, 61.197, and 66.0101, Wis. Stats., the village of Lake Delton elects not to be governed by those sections of Sections 61.19 and 61.23 of the Statutes that relate to the office of village assessor, and which are in conflict with the provisions of this section.

A. The method of selection of the village assessor is hereby changed from election by the voters of the village to appointment by the village board, and hereafter the office of village assessor shall be appointed by the village board as provided by s. 61.197 (c), Wis. Stats.

B. The said assessor shall hold office for a term as provided by s. 61.23, Wis. Stats., for the office of village assessor.

C. The duties of and compensation for the office of assessor shall be set by the village board in accordance with the provisions of s. 61.27 and 70.10, Wis. Stats.