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3.01 ELECTION OF TOWN OFFICERS; GENERAL PROVISIONS.

1. Elected Town Officers. At the annual spring election, the Town shall, in odd-numbered years, elect a Chairperson and two (2) Supervisors. In even-numbered years, the Town shall also elect two (2) Supervisors.
2. Restrictions.
 - a. Town officers shall meet the residency requirements established in [Section 60.30\(2\)](#), Wis. Stats.
 - b. No person may assume the office of Town Assessor unless certified by the Department of Revenue, [Section 73.09](#), Wis. Stats., as qualified to perform the functions of the office of Town Assessor. If the Town reverts to a system of electing instead of appointing the Assessor and a person is elected to the office and is not certified by June 1 of the year elected, the office is vacant and the Town Board shall fill the vacancy from a list of persons certified by the Department of Revenue.
3. Notice of Election. Within five (5) days after completion of the canvass under [Section 7.53](#), Wis. Stats., the Town Clerk shall transmit a notice of election to each person elected to a Town office.
4. Term of Office.
 - a. Every elected Town officer shall hold office for two (2) years.
 - b. The regular term of elected Town officers, other than the Town Assessor, if elected, commences on the 3rd Tuesday of April in the year of their election.

3.02 TEMPORARY VACANCIES.

1. If any elected Town officer, other than a Supervisor, is absent or temporarily incapacitated for any cause, the Town Board may appoint, if there is no deputy officer for the office, a suitable person to discharge the duties of the office until the officer returns or the disability is removed. Appointees shall file the official oath and bond required under [Section 60.31](#), Wis. Stats.
2. Vacancies on the Town Board shall be filled by appointment by the remaining Supervisors and the Town Clerk, except when the vacancy is caused by removal by the Circuit Judge as provided by law, which latter vacancy shall be filled by appointment by the said Judge. Persons appointed under this ordinance shall hold office for the remainder of the unexpired term.
3. If any elected Town officer, other than a Supervisor, refuses to perform any official duty, the Town Board may appoint a suitable person to perform those duties which the officer refuses to perform. An appointee shall file the official oath and bond required of the office under [Section 60.31](#), Wis. Stats. This paragraph does not preclude a finding that refusal to perform official duties constitutes cause under [Section 17.13\(3\)](#), Wis. Stats.

3.03 OFFICIAL OATH AND BOND.

1. Authority. The Town Board has the specific statutory authority, powers and duties, pursuant to Sections [60.20](#), [60.22](#) and [60.31](#), Wis. Stats., to which require that certain elected officials take an official oath and to require that they file the appropriate bond.
2. Oath.
 - a. General Provision. All elected officers and appointed officers of the Town of Beloit, except elected assessors and municipal judges, (if such position is established), shall take and file an official oath, under [Section 19.01](#), Wis. Stats., within five (5) days after notification of election or appointment by the Town Clerk.
 - b. Filing Locations. The official oath of all elected officers and appointed officers of the Town shall be filed with the Town Clerk except that the Town Clerk shall file his or her oath with the Town Finance Director/Treasurer and except that the Municipal Judge shall file his or her oath with the Clerk of the Circuit Court.
 - c. Failure to File Oath. If any elected officer or appointed officer of the Town of Beloit fails to file the proper oath within the time prescribed by statute, the failure to file constitutes refusal to serve in the office. No Municipal Judge in the Town of Beloit shall be paid a salary for any time during the term during which the Municipal Judge has not executed and filed his or her oath.
3. Bonds.
 - a. Official Bond. The Town elects not to give the bond on the Clerk or Treasurer provided for by § 70.67(1), Wis. Stats.
 - b. Town Liable for Default of Clerk or Treasurer. Pursuant to §70.67(2), Wis. Stat., the Town shall pay, if the Clerk or Treasurer fail to do so, all state and county taxes required by law to be paid by the Clerk or Treasurer to the County Treasurer.¹
 - c. Exceptions. If the Town reverts to a system of electing an Assessor and/or creates a Municipal Court:
 - i. An elected Assessor shall take and file the official oath and bond at any time between May 27 and May 31.
 - ii. The Municipal Judge shall take and file the official oath and bond under [Section 755.03](#), Wis. Stats.

3.04 COMPENSATION OF ELECTED TOWN OFFICIALS.

1. Established by Town Meeting or Board.
 - a. Except as provided under section (2) below, the Town meeting shall establish the compensation of elective town offices.
 - b. If authorized by the Town meeting under [Section 60.10\(2\)\(k\)](#), Wis. Stats., the Town Board shall establish the compensation of elective offices, other than the office of Supervisor or Chairperson.
2. Nature of Compensation. Compensation under this ordinance may be:
 - a. An annual salary.
 - b. A per diem compensation for each day or part of a day necessarily devoted to the service of the Town and the discharge of duties.
 - c. A combination of the above.

¹ Ordinance No. 17-24 adopted 11/6/2017

3. Changes During Term. Subject to Section (4), the Town meeting or, if authorized to establish compensation, the Town Board may make a change in the compensation of an elected Town office to take effect during the term of office.
4. When Established. Compensation under this ordinance shall be established prior to the latest date and time for filing nomination papers for the office. After that date and time, no change may be made in the compensation of the office that applies to the current term of office.

3.05 REIMBURSEMENT OF EXPENSES.

1. Generally. The Town Board may provide reimbursement of expenses necessarily incurred by any officer or employee of the Town in the performance of official Town duties. The Board may determine who is eligible for expense reimbursement, which expenses are reimbursable and the amount of reimbursement. Expenses reimbursable under this ordinance include, but are not limited to:
 - a. Traveling expenses, including mileage, lodging and meal expenses.
 - b. Costs associated with programs of instruction related to the officer's or employee's office or employment.
2. Manuals. The Town Board may purchase handbooks and manuals that will materially assist Town officials and employees in the performance of official duties.

3.06 COMPENSATION WHEN ACTING IN MORE THAN ONE OFFICIAL CAPACITY. Except for offices combined under [Section 60.305](#), Wis. Stats., the Town may not compensate a Town officer for acting in more than one (1) official capacity or office of the Town at the same time.

3.07 TOWN ADMINISTRATOR.

1. Creation. In order to provide the Town of Beloit with more efficient, effective, and responsive government under a system of part-time Chairperson and part-time Supervisors, at a time when Town Government is becoming increasingly complex and expensive, pursuant to and as authorized by [Section 60.37\(3\)](#), Wis. Stats., there is created the Office of Town Administrator for the Town of Beloit (hereafter referred to as "Administrator").
2. Appointment; Term of Office; Removal. The Town 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 majority vote of the Town Board. The Administrator shall serve at the pleasure of the Town Board. The Administrator shall hold office at the pleasure of the Town Board, subject to removal at any time by a majority vote of the entire Town Board. This ordinance shall not preclude the Town Board from establishing other employment terms and conditions not inconsistent with the provisions of this or other ordinances or laws governing the Town of Beloit. In the absence of the Administrator or in the event of a vacancy in the position, an interim Town Administrator shall be appointed by a majority vote of the entire Town Board. Such interim Administrator shall serve in this position until a new Town Administrator shall be appointed.

3. Functions and Duties of the Administrator. The Administrator, subject to the limitations defined in resolutions and ordinances of the Town of Beloit and Wisconsin Statute, shall be the Chief Executive Officer of the Town, responsible only to the Town Board through the Town Chairperson for the proper administration of the business and affairs of the Town pursuant to the statutes of the State of Wisconsin, the ordinances of the Town of Beloit and the resolutions and directions of the Town Board.
4. General Duties.
 - a. Carry out all directives of the Town Board which require administrative implementation, reporting promptly to the Town Chairperson and Town Board any difficulties encountered therein.
 - b. Be responsible for the administration of all day-to-day operations of Town government including an awareness of enforcement of Town ordinances and state statutes.
 - c. Prepare a plan of administration, including an organizational chart, which defines authority and responsibility for all non-statutory positions of the Town; and submit it to the Town Board for adoption as the official organization and administrative procedures plan.
 - d. Establish, when necessary, administrative procedures to increase the effectiveness and efficiency of the Town government according to current practices in local government, not inconsistent with the plan of administration or Town Board directives.
 - e. Serve as an ex-officio nonvoting member of all boards, commissions and committees of the Town, except as specified by the Town Board.
 - f. Keep informed concerning county, state and federal legislation and administrative rules affecting the Town, and submit appropriate reports and recommendations to the Town Board.
 - g. Keep informed concerning the availability of county, state and federal funds for local programs. Assist department heads and the Town Board in obtaining these funds, under the direction of the Town Board.
 - h. Represent the Town in matters involving legislative and intergovernmental affairs as authorized and directed as to that representation by the Town Board.
 - i. Act as the public information officer for the Town with the responsibility of assuring that the news media is kept informed about the operations of the Town and that open meeting regulations are followed.
 - j. Establish and maintain procedures to facilitate communications between citizens and Town government to assure that complaints, grievances, recommendations and other matters receive prompt attention by a responsible official, and to assure that all such matters are expeditiously resolved.
5. Responsibilities to the Town Board.
 - a. Attend all meetings of the Town Board, unless excused by a majority of the Board or the Town Chairperson, assisting the Chairperson and Supervisors as required in the performance of their duties.
 - b. In coordination with the Chairperson, prepare the agenda for all meetings of the Town Board, together with such supporting material as may be required; with nothing herein being so construed as to give the Administrator authority to limit or in any way prevent matters from being considered by the Town Board.
 - c. Assist in the preparation of ordinances and resolutions as requested by the Town Board, or as needed.

- d. When appropriate, make recommendations to the Town Board to improve the efficiency and effectiveness of Town government, including changes in organizational structure and utilization of personnel.
 - e. Keep the Town Board regularly informed about the activities of the Administrator's office, by oral or written report at regular meetings of the Board.
 - f. Sign all contracts and other documents on behalf of the Town which have been approved by the Town Board. This shall not authorize the Town Administrator to sign documents which, according to law, must be signed by the Town Chairperson and/or the Town Clerk.
6. Personnel.
- a. Be responsible for the administrative direction and coordination of all employees of the Town according to established organizational procedures.
 - b. Recommend to the Town Board the appointment, promotion and when necessary or desirable for the good of the Town, the suspension, discipline and/or removal of any non-statutory employees of the Town.
 - c. Serve as personnel officer for the Town with responsibilities to see that complete and up-to-date personnel records, including special job descriptions for all Town employees, are kept; evaluate in conjunction with department heads the performance of all employees on a regular basis; recommend salary and wage scales for Town employees not covered by collective bargaining agreements; develop and enforce high standards of performance by Town employees; assure that Town employees have proper working conditions; work closely with department heads to promptly resolve personnel problems or grievances.
 - d. Serve as lead person in labor contract negotiations and all collective bargaining matters.
 - e. 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 act as the approving authority for requests by employees to attend conferences, meetings, training schools, etc., provided that funds have been budgeted for these activities.
7. Budget and Purchasing.
- a. Be responsible for preparation of the annual Town budget, which requires Town Board approval for presentation to the townspeople at the annual Town budget hearing, and Town Board adoption, in accordance with such guidelines as may be provided by the Town Board and in coordination with department heads.
 - b. Administer the budget as adopted by the Town.
 - c. Report regularly to the Town Board on the current fiscal position of the Town and the current status of expenditures relative to the Town budget.
 - d. Supervise the accounting systems of all Town departments and insure that these systems employ methods in accordance with current professional accounting practices.
 - e. Serve as purchasing agent for the Town, supervising all purchasing and contracting for supplies and services in conjunction with the Board, subject to the purchasing procedures established by the Town Board and to the limitations of state law.
8. Cooperation. All officers and employees of the Town shall cooperate with and assist the Town Administrator so that the Town government shall function effectively and efficiently.

3.08 TOWN CLERK.

1. Appointment. The Town Clerk shall be appointed by majority vote of the Town Board.
2. Duties. The Town Clerk shall:
 - a. Clerk of Town Meeting. Serve as Clerk of the Town meeting under [Section 60.15](#), Wis. Stats.
 - b. Clerk of Town Board.
 - i. Serve as Clerk of the Town Board, attend open meetings of the Board and keep a full record of its proceedings.
 - ii. File all accounts approved by the Town Board or allowed at Town meetings and enter a statement of the accounts in the Town's record books.
 - iii. File with the Town Board claims approved by the Clerk, as required under [Section 60.44\(2\)\(c\)](#), Wis. Stats.
 - c. Finance Book. Maintain a finance book, which shall contain a complete record of the finances of the Town, showing the receipts, with the date, amount and source of each receipt; the disbursements, with the date, amount and object of each disbursement; and any other information relating to Town finances prescribed by the Town Board. The financial records a Town Clerk is expected to maintain are in addition to, not in lieu of, those a Town Finance Director/Treasurer is expected to maintain.
 - d. Elections and Appointments.
 - i. Perform the duties required by [Chapters 5 to 12](#), Wis. Stats., relating to elections.
 - ii. Transmit to the County Clerk, within ten (10) days after election or appointment and qualification of any Town Supervisor, Finance Director/Treasurer, Assessor or Clerk, a written notice stating the name and post office address of the elected or appointed officer. The Clerk shall promptly notify the County Clerk of any subsequent changes in such offices.
 - iii. Transmit to the Clerk of Circuit Court, immediately after the election or appointment of any Constable or Municipal Judge in the Town, a written notice stating the name of the Constable or Municipal Judge and the term for which elected or appointed. If the Judge or Constable was elected or appointed to fill a vacancy in the office, the Clerk shall include in the notice the name of the incumbent who vacated the office.
 - e. Sale of Real Property. Execute the conveyance of real property of the Town. However, prior to the sale of any property by the Town Board, the electors attending a special Town meeting must have given the Town Board authorization to do so.
 - f. Notices.
 - i. Publish or post ordinances and resolutions as required under [Section 60.80](#), Wis. Stats.
 - ii. Give notice of annual and special Town meetings as required under Sections [60.11\(5\)](#) and [60.12\(3\)](#), Wis. Stats.
 - g. Records.
 - i. Comply with [Subch. II of Chapter 19](#), Wis. Stats., concerning any record of which the Clerk is legal custodian.
 - ii. Demand and obtain the official books and papers of any Municipal Judge if the office becomes vacant and the Judge's successor is not elected or appointed and qualified, or if any Municipal Judge dies. The Town Clerk shall dispose of the books and papers as required by law.
 - h. Licenses. Issue any license or permit granted by the Town Board when any required fee has been paid.
 - i. Schools.

- i. Perform the Clerk's duties under [Chapters 115 to 121](#), Wis. Stats., relating to public instruction.
- ii. Within ten (10) days after the Clerk's election or appointment, report his or her name and post office address to the administrator of each cooperative educational service agency which contains any portion of the Town. The Clerk shall report to the administrator the name and post office address of each school district clerk within ten (10) days after the name and address is filed in the Clerk's office.
- iii. Make and keep in the Clerk's office a map of the Town, showing the exact boundaries of school districts within the Town.
- iv. Apportion, as provided by law, tax revenues collected by the Town for schools.
- j. Highways and Bridges. Perform the duties specified in [Chapters 80 to 92](#), Wis. Stats, relating to highways, bridges and drains.
- k. Notice of Property Tax Revenue. Notify the Clerk of the county in which the Town is located, by March 15, of the proportion of property tax revenue and the credits under [Section 79.10](#), Wis. Stats., which is to be disbursed by the County Clerk to each taxing jurisdiction located in the Town.
- l. Recording Orders and Certificates. Maintain a finance book pursuant to [Section 60.33 \(3\)](#), Wis. Stats.
- m. Statement of Indebtedness to Secretary of State. Furnish, pursuant to [Section 69.68](#), Wis. Stats, a full and complete summary of the bonded indebtedness and all other indebtedness, the purpose for which the sum was incurred and any accrued interest, if any, remaining unpaid to the Secretary of State.
- n. Managed Forest Act. Receive copies from the Department of Natural Resources of all petitions for entry under the Managed Forest Law of all lands in the Town pursuant to [Section 77.82\(5\)](#), Wis. Stats. The Town Clerk shall receive copies of notice of hearings established pursuant to [Section 77.82\(6\)](#), Wis. Stats., and copies of any orders issued pursuant to [Section 77.82\(8\)](#), Wis. Stats.
- o. Notice of Cessation of Operations. Receive the appropriate notice, pursuant to [Section 109.07](#), Wis. Stats., of mergers, liquidation, disposition, relocation or cessation of operations from any employer in the Town; the Town Clerk shall then immediately inform the Town Board of receipt of such information.
- p. Release and Publication of Tax Roll. Receive the assessment rolls and then publish a Class I notice, if applicable, or post notice under [Chapter 985](#), Wis. Stats. The notice will provide that in the noted days the assessment roll will be open for examination by the taxable inhabitants.
- q. Rabies Control Program. Promptly post notice in at least three (3) public places in the Town pursuant to [Section 95.21\(3\)](#), Wis. Stats., with the notices of quarantine to be furnished by the Department of Health and Social Services.
- r. Prepare General Statistics and Annual Statement of Taxes. Make out and transmit to the County Clerk by years end a statement pursuant to [Section 69.60](#), Wis. Stats., showing the assessed value of all property within the Town all taxes levied, all special assessments made and purpose for special assessments. Also, a complete and detailed statement of the bonded and other indebtedness of the Town and of any accrued interest remaining unpaid and the purpose for which the indebtedness was incurred. In addition, on or before the third Monday of December, the Town Clerk shall file a statement of taxes levied to the Department of Revenue.
- s. Make Tax Roll. Make out the complete list of all taxable real property to be called the Tax Roll as required in [Section 70.65](#), Wis. Stats.

- t. Correct Tax Roll. Before delivering the Tax Roll to the Town Finance Director/Treasurer and after delivering the Tax Roll to the Town Finance Director/Treasurer, shall correct the errors in the Tax Roll required in [Section 70.73](#), Wis. Stats.
- u. Receive Assessment Roll. Receive from the assessor on or before the first Monday in May the completed Assessment Roll as required by [Section 70.50](#), Wis. Stats.
- v. Drainage District. Insert in the Tax Roll, in a separate column, amounts certified by the Drainage Board Secretary as assessments and interest due as required under [Section 88.42](#), Wis. Stats.
- w. In General. Perform all other duties required by law, ordinance or lawful direction of the Town meeting or Town Board.
- x. Deputy Clerk. The Town Clerk may, pursuant to [Section 60.331](#), Wis. Stats., appoint a Deputy Clerk. The Deputy Clerk shall take and file the oath and bond as required by [Section 60.31](#), Wis. Stats. The Town Board shall determine what compensation is to be paid the Deputy Clerk.

3.09 TOWN FINANCE DIRECTOR/TREASURER.

1. Appointment. The Town Finance Director/Treasurer shall be appointed by majority vote of the Town Board.
2. Duties. The Town Finance Director/Treasurer shall:
 - a. Receive and disburse Town money.
 - b. Receive and take charge of all money belonging to the Town, or which is required by law to be paid into the Town treasury, and disburse the money under [Section 60.034](#), Wis. Stats.
 - c. Keep an itemized account of all moneys received and disbursed, specifying the source from which it was received, the person to whom it was paid and the object for which it was paid. The Town Finance Director/Treasurer shall issue numbered receipts for all funds received. At the request of the Town Board, the Town Finance Director/Treasurer shall present the account books, and any supporting documents requested to the Board.
 - d. Invest Town funds
3. Deposit of Town Money.
 - a. Deposit as soon as practicable funds of the Town in the name of the Town in the public depository designated by the Town Board. Failure to comply with this paragraph is grounds for removal from office.
 - b. When money is deposited under Section (3)(a), the Town Clerk and the Finance Director/Treasurer's sureties are not liable for any loss as defined in [Section 34.01\(6\)](#), Wis. Stats. The interest arising from the money deposited shall be paid into the Town treasury.
4. Records. Comply with [Subch. II of Ch. 19](#), Wis. Stats., concerning records of which the Finance Director/Treasurer is legal custodian.
5. Taxes. Perform all of the duties relating to taxation required of the Town Finance Director/Treasurer under [Chapters 70 to 79](#), Wis. Stats.
6. Preliminary Settlement of School Taxes.

- a. To make partial apportionment of levies by school districts and vocational, technical and adult education districts out of any funds available in the Town treasury prior to the tax apportionment provided by [Section 74.03\(5\)](#), Wis. Stats., within five (5) days after the filing of a written request by the district board. The Town Board may not deny such a request. The district board may not receive more than one (1) payment under this ordinance during the month.
- b. To pay on or before January 15 and February 15 and any other date specified by the district, and to the appropriate vocational, technical and adult education district treasurer, if the district has not received a payment under section (6)(a) during that month. That payment shall be the proportion of the school district's or vocational, technical and adult education districts levy that the general property taxes collected in the Town, except collections for state trust fund loans, state tax and state special charges, up to the last day of the preceding month bears to the total general property tax levy in the Town for all purposes except levies for state trust fund loans, state tax and state special charges. The Town Finance Director/Treasurer may make the payments required under this ordinance without authorization by the Town Board.
- c. On or before January 15 and any other date specified by the Town Board, pay under [Section 74.031](#), Wis. Stats., to the appropriate school district treasurer and vocational, technical and adult education district treasurer the proportion of the district's levy that the general property taxes collected in the Town, except collections for state trust fund loans, state tax and state special charges, up to the last date of the preceding month bears to the total general property tax levy in the Town for all purposes except levies for state trust fund loans, state tax and state special charges.

3.10 ASSESSOR.

1. Qualification.
 - a. The Assessor, or assessment firm, shall be certified by the Department of Revenue under [Section 73.03\(2\)\(b\)](#), Wis. Stats., as qualified to perform the functions of an Assessor. Pursuant to [Section 60.307\(2\)](#), Wis. Stats., the Assessor shall be appointed by majority vote of the Town Board for a term as determined by special services agreement, but not less than one (1) year.
 - b. The Town Assessor so appointed need not be a resident of the Town of Beloit and may hold the office of Assessor for another town or municipality with the consent of the Town Board.
2. Duties. The Town Assessor shall have all the statutory authority, powers and duties for property tax assessment required of the Town Assessor pursuant to Chapters [60](#), [66](#), [70](#) and [79](#), Wis. Stats. The Assessor shall begin under [Section 70.10](#), Wis. Stats., to make an assessment of all of the property in the Town liable to taxations, as prescribed by law. The Assessor shall return the assessment roll to the Town Clerk at the same time and in the same manner in which Town Assessors are required to do as required by [Chapter 70](#), Wis. Stats.

3.11 BUILDING INSPECTOR.

1. Appointment. There is hereby created the position of Building Inspector(s) who shall be appointed by Town Administrator, subject to confirmation by the Town Board. He/she shall have an indefinite term of office or as prescribed by professional services agreement. The

Town Board may contract for the services of an inspection firm. The Building Inspector shall review plans, calculate building code-related fees and arrange for on-site inspections. The Building Inspector shall have proper certification in areas of responsibility from the State of Wisconsin.

2. Powers and Duties.

- a. The Building Inspector shall enforce the Town's building and housing codes and all other ordinances, laws, and orders of the Town and state which relate to building construction, alteration and repair.
- b. The Building Inspector shall make all on-site inspections necessary for compliance and enforcement of the Building and Zoning Code(s).
- c. The Town Administrator and Inspector(s) shall have the power to order all work stopped on construction, alteration, or repair of buildings in the Town when such work is being done in violation of any Town ordinance. Work shall not be resumed after the issuance of such an order, except on written permission of the Building Inspector.
- d. Inspectors shall issue or cause to be issued all proper permits for such work after payment of the fees required therefore. Inspectors shall process all applications, make all inspections, and have the authority to issue or cause to be issued a certificate of completion.

3. Right of Entry. Inspectors shall have the power to make or cause to be made an entry into any building or premises where the work of altering, repairing or constructing any building or structure is going on, including plumbing and electrical work.

3.12 WEED COMMISSIONER. The Town Board have permanently appointed the position of Weed Commissioner to the positions of Code Enforcement Officer and/or Building Inspector and shall be under the general direction of the Community Development Department and shall operate pursuant to [Section 66.0517 \(2\)\(a\)](#), Wis. Stats.

3.13 TOWN ATTORNEY.

1. The Office of Town Attorney is an Appointed Position. The Town Attorney may be appointed by the Town Board and shall serve at the pleasure of the Board. The Town Board shall negotiate and establish the compensation in a contract for the designation, retention or employment of an attorney based on a regular salary, per diem rate, retainer, hourly rate, or other methods agreed to by the attorney and the Town Board.
2. Duties. The Town Attorney shall have the following duties:
 - a. The Attorney shall conduct all of the law business in which the Town is interested.
 - b. The Attorney shall, when requested by the Town Administrator, give written legal opinions, which shall be filed with the Town.
 - c. The Attorney shall draft ordinances, bonds and other instruments as may be required for the proper operation of the Town.
 - d. The Attorney may appoint a qualified assistant, who shall have power to perform duties for the Town in the Town Attorney's absence.
 - e. The Town Board may employ and compensate special counsel to assist in or take charge of any matter in which the Town is interested.

- f. The Town Attorney shall perform such other duties as provided by state law and as designated by the Town Board pursuant to [Section 60.37](#), Wis. Stats.

3.14 TOWN ENGINEER. The office of Town Engineer is an appointed position. The Town Engineer may be appointed by the Town Board and shall serve pursuant to a professional services agreement. When authorized by the Town Board, the Town Engineer shall provide engineering services to the Town.

3.15 DIRECTOR OF PUBLIC WORKS.

1. Selection. The Director of Public Works shall be appointed by the Town Board for an indefinite term of office. Selection shall be made solely on merit upon the basis of general qualifications and fitness for performing the duties of the position.
2. Powers and Duties. Subject to the direction of the Town Administrator, the Director of Public Works shall have the following duties:
 - a. Plans, directs and manages all public works (streets, storm sewers, parks, forestry, wastewater treatment, sidewalks).
 - b. Supervises and coordinates all maintenance work and construction or reconstruction projects involving the Public Works Department.
 - c. Advises the Town Board on various public works projects or problems and makes recommendations.
 - d. Makes recommendations relating to all street, storm sewer and sidewalk projects.
 - e. Plan, direct and inspect the repair and maintenance of streets, curbs and gutters, sidewalks, street lights, street trees.
 - f. Supervise plowing of snow and all phases of snow and ice control on Town streets, alleys, sidewalks and public parking lots.
 - g. Plan for the maintenance and repair of all Town vehicles, machinery and equipment and is responsible for related records.
 - h. Repair and maintain all official Town sign use and traffic control marking, to be done in compliance with the State Traffic Code and local ordinances.
 - i. Monitor Department expenditures and purchases pursuant to the adopted budget.
 - j. Submit departmental estimates to the Town Administrator to assist in budget preparation.
 - k. Perform such other duties as may be directed by the Town Administrator.

3.16 CHIEF OF POLICE.

1. Appointment.
 - a. The Chief of Police shall be appointed by the Town Board and shall hold office during satisfactory performance, subject to suspension or removal pursuant to law. Selection shall be made solely on merit upon the basis of general qualification and fitness for performing the duties of the position. Disciplinary actions shall be before the Police and Fire Commission.
 - b. The compensation to be paid the Chief of Police for his/her services, the hour of active duty, rest days, vacation periods and other involvement of his or her employment shall be such as may be determined by the Town Board from time to time.

2. General Duties. The Chief of Police shall have the following duties as well as those outlined in [Section 62.13](#), Wis. Stats.:
- a. Have command of the Police Department of the Town under direction of the Town Board and Town Administrator.
 - b. Have general administration control of the Department.
 - c. Be responsible for the Department's government, efficiency and general good conduct.
 - d. Perform all duties prescribed to him/her by laws of the State and ordinances of the Town of Beloit.
 - e. Cause to be maintained accurate records of complaints, crimes, traffic accidents, ordinance violations, arrests, summons, incidents, and calls for police service and shall provide a system of periodic summary and analysis to ensure the most efficient and effective deployment and use of the Department's resources.
 - f. Develop Department policies and procedures.
 - g. Maintain Department ethics and discipline.
 - h. Have control of the assignment, hours of duty and transfer of all members of the Department.
 - i. Delegate special assignments or duties to police officers, and monitor to see that responsibilities are carried out.
 - j. Plan, organize, staff, direct and control all of the human and material resources of the Department for the most effective and efficient discharge of its duty to protect persons and property, preserve the peace, protect the rights of citizens and enforce the Wisconsin Statutes and the ordinances of the Town as are within its jurisdiction.
 - k. Perform all the duties of a police officer during a portion of every regular shift.
 - l. Identify and evaluate ideas to achieve more efficient and effective operation.
 - m. Plan and execute programs designed to prevent and repress crime, apprehend and prosecute offenders, recover property and regulate non-criminal conduct, giving highest priority in the allocation of resources to crime and other offenses most hazardous to life and property.
 - n. Prepare Department budget requests and maintains expenditures within approved budgetary levels.
 - o. Authorize overtime work for police officers, with supporting justification provided to the Town Board, or committee thereof.
 - p. Participate in the recruitment, testing and selection of new personnel.
 - q. Supervise and participate in the advanced and continuing training of police officers and non-sworn Department employees. Cause adequate and progressive programs of training to be organized and conducted to prepare Department members in the knowledge, procedures and techniques of their duties and responsibilities. The Chief of Police will insure that members of the Department attend training courses, seminars and conferences necessary to maintain and improve their skills and professional knowledge. Encourage Department members to further their education through study, special courses, college attendance, extension programs and independent study.
 - r. Cooperate with county, state and federal officials, and other municipal law enforcement agencies.
 - s. Make special reports to the Town Board on request; and advise and cooperate with other Town departments in matters of public safety.
 - t. Perform other miscellaneous duties as assigned.

3. Reports of Chief. The Police Chief shall report to the Town Board and Town Administrator from time to time or upon the request of said Town Board or Town Administrator on matters concerning departmental matters and shall perform such other duties in conformance with his/her office as may from time to time be required on him/her by the Town Board or Town Administrator.

3.17 FIRE CHIEF.

1. Appointment. The Fire Chief shall be appointed by the Town Board and shall hold office during satisfactory performance, subject to suspension or removal pursuant to law. Selection shall be made solely on merit upon the basis of general qualifications and fitness for performing the duties of the position. Disciplinary actions shall be before the Police and Fire Commission.
2. Duties and Powers. The Fire Chief shall have the following duties as well as those outlined in [Section 62.13](#), Wis. Stats.:
 - a. Have general supervision of the Fire Department personnel, apparatus and equipment. The Fire Chief, or his/her designee, shall be present at fires and command all fire-fighting operations. The Fire Chief may make such further rules, regulations and policies for the government of the Fire Department as he/she may deem necessary, provided such rules and regulations shall not be inconsistent with the laws of the State of Wisconsin or Town policies. The Fire Chief shall, by virtue of his/her office, hold the office of Fire Inspector or may delegate a member of the Department to serve as the Fire Inspector.
 - b. Enforce all fire prevention ordinances of the Town and State laws and regulations pertaining to fire prevention, and shall keep citizens informed on fire prevention methods, and on the activities of the Department.
 - c. Monitor Department expenditures and purchases pursuant to the adopted budget.
 - d. Submit departmental estimates to the Town Administrator to assist in budget preparation.
 - e. Be responsible for the proper maintenance of facilities and equipment under his/her administrative control.
 - f. Be responsible for the Department's efficiency and general good conduct.
 - g. Perform all duties prescribed by the laws of the State and ordinances of the Town of Beloit.
 - h. Develop Department policies and procedures.
 - i. Maintain Department ethics and discipline.
 - j. Delegate special assignments or duties to firefighters and monitor to see that responsibilities are carried out.
 - k. Perform all the duties of a firefighter during a portion of every regular shift.
 - l. Identify and evaluate ideas to achieve more efficient and effective operation.
 - m. Prepare Department budget requests and maintains expenditures within approved budgetary levels.
 - n. Authorize overtime work for firefighters, with supporting justification provided to the Town Board, or committee thereof.
 - o. Participate in the recruitment, testing and selection of new personnel.
 - p. Supervise and participate in the advanced and continuing training of firefighters and Department employees.
 - q. Cooperate with county, state and federal officials, and other fire safety agencies.

- r. Make special report to the Town Board on request; and advise and cooperate with other Town departments in matters of public safety.
 - s. Perform other miscellaneous duties as assigned.
3. Reports of Chief. The Fire Chief shall report to the Town Board and Town Administrator from time to time or upon the request of said Town Board or Town Administrator on matters concerning departmental matters and shall perform such other duties in conformance with his/her office as may from time to time be required on him/her by the Town Board or Town Administrator.

3.18 MUNICIPAL JUDGE; MUNICIPAL COURT.

1. Established. Pursuant to the authority granted by [Chapter 755](#), Wis. Stats., there is hereby established a Municipal Court for the Town of Beloit.
2. Office of Municipal Judge Created. Pursuant to the authority granted by [Chapter 755](#), Wis. Stats., there is hereby created the office of Municipal Judge for the Municipal Court for the Town of Beloit. Mid-term vacancies in the office of Municipal Judge shall be filled pursuant to the provisions of [Section 17.25\(1\)](#) of the Wisconsin Statutes.
3. Election; Term. The Municipal Judge shall be elected at large at the spring election on the even-numbered years for a term of four (4) years commencing on May 1 succeeding the election. The Municipal Judge shall be subject to the [Wisconsin Code of Judicial Conduct](#) and shall file an annual financial statement.
4. Salary. The salary of the Municipal Judge may be increased by the Town Board before the start of the second or a subsequent year of service of the term of the Judge but the salary shall not be decreased during the term of the Judge. Salaries may be paid annually or in equal installments as determined by the Town Board, but no Judge may be paid a salary for that portion of any term during which portion the Judge has not executed and filed the official bond or official oath as required by [Section 755.03](#), Wis. Stats. The salary shall be as established by the Town Board.
5. Bond; Oath. The Municipal Judge shall execute and file with the Clerk of the Circuit Court for Rock County the oath prescribed by [Section 755.03](#), Wis. Stats., and an official bond in such an amount of One Thousand Dollars (\$1,000.00).
6. Jurisdiction. The Municipal Judge shall have jurisdiction as provided by law and [Section 755.05](#), Wis. Stats., and exclusive jurisdiction of violations of Town ordinances and resolutions.
7. Procedure in Municipal Court.
 - a. The Municipal Judge shall keep his/her office and hold court in the Beloit Town Hall.
 - b. If the Municipal Judge is temporarily absent, sick, or disabled the provisions of [Section 800.06\(1\)](#), Wis. Stats., shall apply, and if the Municipal Judge becomes incompetent, unable, or fails to act, or in the event of a vacancy, the provisions of [Section 800.06\(2\)](#), Wis. Stats., shall apply. Any substitute Municipal Judge designated or assigned hereunder

shall be compensated as authorized by the Town Board. The Municipal Judge shall satisfy all continuing education requirements for municipal judges.

- c. Upon the proper and timely written request for substitution of the Municipal Judge, the provisions of [Section 800.05](#), Wis. Stats., shall apply.
 - d. The procedure in Municipal Court for the Town shall be as provided by this Section and State law. The Court shall abide by the [Wisconsin Rules of Evidence](#) and shall abide by the [Uniform State Traffic Deposit schedule](#). In non-traffic matters, the Municipal Judge shall draft a bond schedule, which shall become effective upon approval by the Town Board. No bond shall exceed the maximum penalty which could be imposed for the ordinance violation.
8. Fees.
- a. Bonds for appearance, portion payments and other funds collected by the Court shall be treated as escrow funds and deposited with the Town Finance Director/Treasurer.
 - b. The Clerk of the Municipal Court shall collect all forfeitures and costs in any action or proceeding before him/her and shall pay over such moneys to the Town Finance Director/Treasurer not later than the seventh (7th) business day succeeding his/her receipt thereof. At the time of payment, the Municipal Court Clerk shall report to the Town Finance Director/Treasurer the title of the action, the offense for which the forfeiture was imposed and the total amount of the forfeiture, fees, penalty assessments and costs, if any. The Town Finance Director/Treasurer shall disburse the fees as provided in [Section 800.10](#), Wis. Stats.
 - c. In a municipal court action, except for a financial responsibility violation under [Section 344.62\(2\)](#) of the Wisconsin Statutes or for a violation of an ordinance in conformity with [Section 343.51\(1m\)\(b\)](#) or [Section 347.48\(2m\)](#) of the Wisconsin Statutes, the Municipal Judge shall collect a fee of \$38.00 on each separate matter, whether it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant or summons, or the action is tried as a contested matter. Of each fee received by the judge under this ordinance, the Town Finance Director/Treasurer shall pay monthly \$5.00 to the secretary of administration for deposit in the general fund and shall retain the balance for the use of the municipality.
9. Board May Abolish Municipal Court. The Town Board may, by ordinance or by law, abolish the Municipal Court at the end of any term for which the Judge has been elected.
10. Statutes Adopted by Reference. Chapters [755](#) and [800](#), Wis. Stats., are hereby adopted by reference.
11. Contempt of Court.
- a. The Municipal Judge may punish for contempt of Municipal Court for defendants guilty of any of the following acts:
 - i. Misconduct in the presence of the court which interferes with a court proceeding or with the administration of justice, or which impairs the due respect for the Court.
 - ii. Refusal of a witness to appear without reasonable cause.
 - b. The penalties shall be imposed immediately after the contempt of court has occurred and only under the following conditions:

- i. For the purpose of preserving order in the court and protecting the authority and dignity of the court.
 - ii. After allowing the person who committed the contempt of court an opportunity to address the Court.
- c. The Municipal Judge may, upon finding any person guilty of contempt, under the provisions of [Section 800.12](#), Wis. Stats., order such person to forfeit not more than Two Hundred Dollars (\$200.00):
 - i. For a contempt under subparagraph 11 (a)(1), the Municipal Judge may impose imprisonment in the County Jail for not more than seven (7) days and impose a forfeiture.
 - ii. For a contempt under subparagraph 11 (a)(1), the Municipal Judge may do any of the following:
 - A. Issue a warrant to bring the witness before the Court for the contempt and to testify.
 - B. In addition to ordering the witness to pay a forfeiture, the Judge may order the witness to pay all costs of the witness' apprehension.

12. Stipulations and Deposits in Municipal Court. The deposit in traffic cases shall be made as provided in [Section 345.26](#) of the Wisconsin Statutes. In boating cases, the deposit shall be made as provided in Sections [23.66](#) and [23.67](#) of the Wisconsin Statutes. The Municipal Court, with the approval of the Town Board shall set the deposit schedule for all other cases. The deposit amount in the schedule may not exceed the maximum penalty established by the Town Board for the offense, plus costs, fees and surcharges imposed under [Chapter 814](#).

3.19 MUNICIPAL COURT CLERK.

1. Appointment. The Municipal Judge shall appoint at least one Clerk for the Court with authorization from the Town Board. The hiring, termination, hours of employment and work responsibilities of the court personnel, when working during hours assigned to the court, shall be under the Judge's authority. The Clerk's salary shall be fixed by the Town Board. The Clerk shall, before entering upon the duties of his/her office, take the oath provided by [Section 19.01](#), Wis. Stats., and give such bond as the Town Board may require. The oath and bond of the Clerk of Municipal Court shall be filed with the Town Clerk. The cost of such bond shall be paid by the Town.
2. Duties. The Court Clerk shall:
 - a. File and review citations and complaints, assuring their correctness.
 - b. Reply to departmental mail concerning routing matters as prescribed by the Municipal Judge.
 - c. Assign docket numbers to citations and complaints, and gather all material pertinent to cases.
 - d. Determine and schedule court dates and facilities.
 - e. Communicate with law officers, attorneys, and defendants regarding court proceedings.
 - f. Balance dockets at the conclusion of court proceedings.
 - g. Prepare and mail warrants and summons.
 - h. Prepare monthly report of financial activities.
 - i. Assist in the collection of traffic bonds.
 - j. Prepare necessary communications for jury trials and transfers to circuit court.

- k. Perform such other duties specified in the Wisconsin Statutes as may hereafter be prescribed by the Town Board.

3.20 TOWN AUDITOR/ACCOUNTANT.

1. Retention. The Town Board may, pursuant to Sections [60.41](#) and [60.43](#), Wis. Stats., designate, retain or employ one (1) or more accountants, including certified public accountants, on a temporary or continuing basis for financial matters or to represent the Town in financial matters.
2. Compensation. The Town board shall negotiate and establish the compensation in a contract for the designation, retention or employment of an accountant based on a regular salary, per diem rate, retainer, hourly rate or other methods agreed to by the accountant and the Town Board.
3. Duties. The accountant has the duties and powers established in Sections [60.41](#) and [60.43](#), Wis. Stats., plus any additional powers and duties established pursuant to the retainer contract between the accountant and the Town Board. The appropriate bond shall be filed prior to the Town Board executing the written contract.

3.21 ZONING ADMINISTRATOR/PLANNER. The Town Board, by majority vote, shall appoint a Zoning Administrator for an indefinite term of office. Under the direction of the Town Administrator, the Zoning Administrator shall administer the Town's zoning and land division codes.

3.22 CUSTODY OF OFFICIAL PROPERTY. Town officers must observe the standards of care imposed by [Section 19.21](#), Wis. Stats., with respect to the care and custody of official property.

3.23 ELIGIBILITY FOR OFFICE/INCOMPATIBILITY OF OFFICE.

1. Any person who is a qualified elector in the Town of Beloit may hold any elected Town office. No member of the Town Board may, during his or her term, be eligible for any Town office or Town position which, during such term, the office or position has been created by or the selection to which is vested in the Town Board. Any member of the Town Board will be eligible for such Town office or Town position if he or she resigns from the Town Board before being appointed to the Town office or Town position and if the office or position was not created during his or her term of office.
2. Certain Town offices are incompatible, by common law and statutory law, with other Town offices and also with other county, state or federal offices. No Town officer shall serve in both offices at the same time. If any question or concern by any person is raised to the Town Board regarding incompatibility of any office in the Town of Beloit, the Town Attorney, at the request of the Town Board, shall review the matter and shall provide his or her written comments to the Town Board.

3.24 ETHICAL CONDUCT OF TOWN OFFICIALS.

1. The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and

policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established in this ordinance a Code of Ethics for all Town of Beloit officials and employees, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions of the Town, as well as any individuals who are candidates for elective office as soon as such individuals file nomination papers with the Town.

2. The purpose of this Ethics Code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the Town of Beloit and by directing disclosure by such officials and employees of private financial or other interest in matters affecting the Town. The Town Board believes that a Code of Ethics for guidance of elected and appointed officials and employees will help them avoid conflicts between their personal interests and their public responsibilities, will improve standards of public service and will promote and strengthen the faith and confidence of the citizens of this Town in their elected and appointed officials and employees. The Town Board hereby reaffirms that each elected and appointed Town official and employee holds his or her position as a public trust, and any intentional effort to realize substantial personal gain through official conduct is a violation of that trust. The provisions and purpose of this Ethics Code and such rules and regulations as may be established are hereby declared to be in the best interest of the Town of Beloit.

3.25 STATUTORY STANDARDS OF CONDUCT.

1. There are certain provisions of the Wisconsin Statutes which should, while not set forth herein, be considered an integral part of any Code of Ethics. Accordingly, the provisions of the following sections of the Wisconsin Statutes, as from time to time amended, are made a part of this Code of Ethics and shall apply to public officials and employees whenever applicable:
 - a. [Section 946.10](#). Bribery of Public Officers and Employees.
 - b. [Section 946.11](#). Special Privileges from Public Utilities.
 - c. [Section 946.12](#). Misconduct in Public Office.
 - d. [Section 946.13](#). Private Interest in Public Contract Prohibited.

3.26 RESPONSIBILITY OF PUBLIC OFFICE. Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this State and carry out impartially the laws of the nation, state and Town, 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 prime concern.

1. All Town Staff and Elected Officials shall be certified through the Federal Emergency Management Agency's (FEMA) National Incident Management System (NIMS) to their appropriate level depending on the requirements of the position they hold. Department Heads will be responsible for ensuring that all Staff Members are certified within a reasonable amount of time from their date of employment or date of election with the Town. The Town's Emergency Management Director will be responsible for communicating training needs to

Department Heads and Elected Officials as necessary. The Town Clerk shall keep records of completed certifications.²

3.27 DEDICATED SERVICE.

1. Officials and employees should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority.
2. Officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.
3. Members of the Town staff are expected to follow their appropriate professional code of ethics. Staff members shall file a copy of such professional ethics code with the Town Clerk. The Town Clerk may notify the appropriate professional ethics board of any ethics violations involving Town employees covered by such professional standards.

3.28 FAIR AND EQUAL TREATMENT.

1. Use of Public Property. No official or employee shall use or permit the unauthorized use of Town-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 Town policy for the use of such official or employee in the conduct of official business, as authorized by the Town Board or authorized board, commission or committee.
2. Use of Town Stationery. Copies of any correspondence written on Town stationery shall be filed with the Town Clerk or his/her designee.
3. Obligations to Citizens. No official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. No official or employee shall use or attempt to use his or her position with the Town to secure any advantage, preference or gain, over and above his rightful remuneration and benefits, for himself or for a member of his or her immediate family.
4. Political Contributions. No official shall personally solicit from any Town employee, other than an elected official, a contribution to a political campaign committee for which the person subject to this Chapter is a candidate or treasurer.
5. Failure to Follow Board Directive. No Town official or employee, whether elected or appointed, shall deliberately, by individual action, direct a member of the public or a party under contract with the Town to take an action or perform an act that is contrary to an official Town policy adopted by the Town Board.

3.29 CONFLICT OF INTEREST.

1. Financial and Personal Interest Prohibited.

² Ordinance No. 17-23 adopted 11/6/17

- a. No official or employee of the Town, whether paid or unpaid, shall engage in any business or transaction or shall act regarding financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of official duties in the public interest contrary to the provisions of this ordinance or which would tend to impair independence of judgment or action in the performance of official duties.
 - b. Any member of the Town Board who has a financial interest or personal interest in any proposed legislation before the Town Board shall disclose on the records of the Town Board the nature and extent of such interest; such official shall not participate in debate or vote for adoption or defeat of such legislation. If the matter before the Board involves a member's personal interest with persons involved, the member may participate in debate or discussion and vote on the matter following disclosure, unless an ordinance or contract is involved; if an ordinance or contract is involved, such official shall not participate in debate or discussion or vote on the matter.
 - c. Any non-elected official, other than a Town employee, who has a financial interest or personal interest in any proposed legislative action of the Town Board or any board, commission or committee upon which that official has any influence or input or of which the official is a member that is to make a recommendation or decision upon any item which is the subject to the proposed legislative action shall disclose on the records of the Town Board or the appropriate board, commission or committee the nature and extent of such interest. Such official shall not participate in the debate or discussion or vote for adoption or defeat of such legislation.
 - d. Any Town employee who has a financial interest or personal interest in any proposed legislative action of the Town Board or any board, commission or committee upon which the employee has any influence or input, or of which the employee is a member, make a recommendation or decision upon any item which is the subject of the proposed legislative action shall disclose on the records of the Town Board or the appropriate board, commission or committee the nature and extent of such interest.
2. Disclosure of Confidential Information. No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the Town, nor shall such information be used to advance the financial or other private interest of the official or employee or others.
3. Gifts and Favors.
- a. No official or employee, personally or through a member of his immediate family, may solicit or accept, either directly or indirectly, from any person or organization, money or anything of value if it could be expected to influence the employee's official actions or judgments or be considered a reward for any action or inaction on the part of the official or employee.
 - b. No official or employee personally, or through a member of his immediate family, shall accept any gift, whether in the form of money, service, loan, thing or promise, from any person which may tend to impair his independence of judgment or action in the performance of his duties or grant in the discharge of his/her duties any improper favor, service or thing of value.
 - c. An official or employee is not to accept hospitality if, after consideration of the surrounding circumstances, it could reasonably be concluded that such hospitality would not be extended were it not for the fact that the guest, or member of the guest's immediate family, was a Town official or employee. Participation in celebrations, grand

openings, open houses, informational meetings and similar events are excluded from this prohibition. This paragraph further shall not be construed to prevent candidates for elective office from accepting hospitality from citizens for the purpose of supporting the candidate's campaign.

- d. Gifts received by an official or employee or his/her immediate family under unusual circumstances shall be referred to the Town Board within ten (10) days of receipt for recommended disposition.

4. Representing Private Interests before Town Agencies.

- a. Non-elected Town officials and employees shall not appear on behalf of any private person (other than him or herself, his or her spouse or minor children) before any Town agency, board, commission or the Town Board if the official or employee or any board, commission or committee of which the official or employee is a member has any jurisdiction, discretion or control over the matter which is the subject of such representation.
- b. Elected Town officials may appear before Town agencies on behalf of constituents in the course of their duties as representatives of the electorate or in the performance of public or civic obligations. However, the disclosure requirements of Section (1) above shall be applicable to such appearances.

5. Ad Hoc Committee Exceptions. No violation of the conflict of interest restrictions of this ordinance shall exist, however, where an individual serves on a special ad hoc committee charged with the narrow responsibility of addressing a specific issue or topic in which that individual, or the employer or a client of that individual, has an interest so long as the individual discloses to the Town Board that such interest exists.

6. Contracts with the Town. No Town official or employee who, in his capacity as such officer or employee, participates in the making of a contract in which he has a private pecuniary interest, direct or indirect, or performs in regard to that contract with some function requiring the exercise of discretion on his part shall enter into any contract with the Town unless, within the confines of [Section 946.13](#), Wis. Stats.:

- a. The contract is awarded through a process of public notice and competitive bidding or the Town Board waives the requirement of this ordinance after determining that it is the best interest of the Town to do so.
- b. The provisions of this ordinance shall not apply to the designation of a public depository of public funds.

3.30 ADVISORY OPINIONS. Any questions as to the interpretation of any provisions of this Code of Ethics Ordinance shall be referred to the Town Attorney. Such requests shall be as detailed as possible and shall be made in writing. Advisory requests and opinions shall be kept confidential, except when disclosure is authorized by the requestor, in which case the request and opinion may be made public.

3.31 SANCTIONS. A determination that an official's or employee's actions constitute improper conduct under the provisions of this ordinance may, in the case of an employee, constitute a cause of suspension, removal from office or employment or other disciplinary action. Sanctions, including any disciplinary action that may affect employees covered under a labor agreement will be consistent with the terms and conditions set forth in the applicable labor agreement. In the case

of an elected or appointed Town official, the Town Board, upon a review of the facts with the individual, may officially reprimand the official or remove such official from certain committee assignments or responsibilities.

3.32 DEFINITIONS.

1. The following definitions shall be applicable in this Chapter:
 - a. Public Official. Means those persons serving in statutory elected or appointed offices provided for in [Chapter 60](#) of the Wisconsin Statutes, and all members appointed to boards, committees and commissions established or appointed by the Chairperson and/or Town Board pursuant to this Code of Ordinances, whether paid or unpaid.
 - b. Public Employee. Means any person excluded from the definition of a public official who is employed by the Town.
 - c. Anything of Value. Means any gift, favor, loan, service or promise of future employment, but does not include reasonable fees and honorariums, or the exchange of seasonal, anniversary or customary gifts among relatives and friends.
 - d. Business. Means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual or any other legal entity which engages in profit-making activities.
 - e. Personal Interest. Means the following specific blood or marriage relationships:
 - i. A person's spouse, mother, father, child, brother or sister; or
 - ii. A person's relative by blood or marriage who receives, directly or indirectly, more than one-half (1/2) support from such person or from whom such person receives, directly or indirectly, more than one-half (1/2) of his support.
 - f. Significant Interest. Means owning or controlling, directly or indirectly, at least ten percent (10%) or Five Thousand Dollars (\$5,000.00) of the outstanding stock or at least ten percent (10%) or Five Thousand Dollars (\$5,000.00) of any business.
 - g. Financial Interest. Any interest which shall yield, directly or indirectly, a monetary or other material benefit to the officer or employee or to any person employing or retaining the services of the officer or employee.