
Ordinance #2025-01

CHAPTER 2 TOWN BOARD & MEETINGS

Sec. 2-3-1 Elections to town board.

- (a) *Membership.* The town board consists of four supervisors of the town and the chairperson.
- (b) *Elections.* Biennially in odd-numbered years, at the annual spring election, there shall be elected a town chairperson and two supervisors to the town board. Biennially in even-numbered years, at the annual spring election, there shall be elected two supervisors. All town board members shall have a two-year term of office.

State law reference(s)—Town board, Wis. Stats. § 60.20.

Sec. 2-3-2 General powers and duties of the town board.

The town board of the town has the specific authority, powers and duties, pursuant to Wis. Stats. §§ 60.10, 60.20, 60.22 and 60.23, and has, with authorization of the town meeting, additional statutory authority, powers and duties to manage and direct certain affairs of the town. In addition, the town board has additional general and specific statutory authority, powers and duties established beyond Wis. Stats. ch. 60, and as prescribed by this Code of Ordinances.

- (1) *Charge of town affairs.* The town board shall have charge of all affairs of the town not committed by law to another body or officer or to town employee(s).
- (2) *Charge of actions.* The town board has charge of any action or legal proceeding to which the town is a party.
- (3) *Village powers.* As authorized under Wis. Stats. § 60.10(2)(c), and section 2-1-2 of this Code, the town board shall exercise powers relating to villages and conferred on village boards under Wis. Stats. ch. 61, except those powers which conflict with statutes relating to towns and town boards.
- (4) *Pursue certain claims of town.* The town board shall demand payment of penalties and forfeitures recoverable by the town and damages incurred by the town due to breach of official bond, injury to property or other injury. If, following demand, payment is not made, the board shall pursue appropriate legal action to recover the penalty, forfeiture or damages.

State law reference(s) Exercise of village powers, Wis. Stats. § 60.10(2)(c); general powers and duties of the town board, Wis. Stats. § 60.22.

Sec. 2-3-3 Miscellaneous powers of the town board.

The town board may:

- (1) *Joint participation.* Cooperate with the state, counties and other units of government under Wis. Stats. § 66.0301, including cooperative arrangements involving the acquisition, development, remodeling, construction, equipping, operation and maintenance of land, buildings and facilities for regional projects, whether or not located in the town.
- (2) *Utility districts.* Establish utility districts under Wis. Stats. § 66.0827 and provide that any convenience or public improvement in the district be paid for under that section. A utility district may be used when special services such as, but not limited to, street lighting, sidewalks, sewers, water systems, etc., are to be installed in a particular area of the town only.

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- (3) *Appropriations for civic and other functions.* If authorized under Wis. Stats. § 60.10(3)(b), appropriate reasonable amounts of money for gifts or donations to be used to:
- Further civic functions and agricultural societies.
 - Advertise the attractions, advantages and natural resources of the town.
 - Attract industry.
 - Establish industrial complexes.
 - Establish, maintain and repair ecological areas.
- (4) *Town industrial development agency.* In order to promote and develop the resources of the town, appropriate money for and create a town industrial development agency or appoint an executive officer and provide staff and facilities for a nonprofit organization organized to act under this subsection. A town industrial development agency created under this subsection and Wis. Stats. § 60.23(4), may:
- Develop data regarding the industrial needs of, advantages of and sites in the town.
 - Engage in promotional activities to acquaint prospective purchasers with industrial products manufactured in the town.
 - Coordinate its activities with the regional planning commission, the Wisconsin Department of Commerce and private credit development organizations.
 - Engage in any other activity necessary for the continued improvement of the town's industrial climate.
- (5) *Cooperation in planning.* Cooperate with the county in rural planning under Wis. Stats. §§ 27.015, 59.07(65) and 59.97, and ensure consistency with the town comprehensive plan per Wis. Stats. § 66.1001.
- (6) *Conservation of natural resources.* If authorized by the town meeting under Wis. Stats. § 60.10(3)(a), appropriate money for the conservation of natural resources or for payment to a bona fide nonprofit organization for the conservation of natural resources within the town or beneficial to the town. No payment may be made to a nonprofit organization unless the organization submits and the town board approves a detailed plan of the work to be done. The plan shall include the name of the owner of any property on which work is to be performed.
- (7) *Obstructions in non-navigable waters.* Remove, at the expense of the town, any obstruction located in the town which prevents the natural flow of water in a non-navigable stream. One or more supervisors, or a designee of the board, may enter upon any land if necessary to remove the obstruction.
- (8) *Emergency pest and disease control.* Appropriate money for the control of insects, weeds or plant or animal diseases if:
- An emergency arises within the town due to insects, weeds or plant or animal diseases; and
 - The board determines that any delay resulting from calling a special town meeting to authorize the town board to appropriate money for this purpose under Wis. Stats. § 60.10(3)(c), would result in serious harm to the general welfare of the town.
- (9) *Exchange tax credit for county land.* Authorize the town clerk-treasurer to exchange any credit the town has with the county, arising from delinquent real estate taxes, for county-owned lands.
- (10) *Associations of towns.* Appropriate money to purchase membership in any association of town boards, town officials or town government for the protection of town interests and improvement of town government.
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- (11) *Cemeteries.* Provide for cemeteries under Wis. Stats. ch. 157.
 - (12) *Change street names.* Name, or change the name of, any street in the town under Wis. Stats. § 81.01(11).
 - (13) *Fences in subdivisions.* Require a subdivider to construct a fence under Wis. Stats. § 90.02, on the boundary of a subdivision, as defined under Wis. Stats. § 236.02(8), as a condition of plat approval by the town. The fence shall be maintained under Wis. Stats. § 90.05(2) and repaired under Wis. Stats. §§ 90.10 and 90.11.
 - (14) *Disposition of dead animals.* Notwithstanding Wis. Stats. §§ 59.07(84) and 95.50(3), dispose of any dead animal within the town or contract for the removal and disposition with any private disposal facility. The town may enter into a contract with any other governmental unit under Wis. Stats. § 66.0301, to provide for the removal and disposition. The town may recover its costs hereunder by levying a special assessment.

State law reference(s)—Miscellaneous powers of the town board, Wis. Stats. § 60.23.

Sec. 2-3-4 Powers and duties of town board chairperson.

- (a) *General powers and duties.* The town board chairperson shall:
 - (1) *Preside at board meetings.* Preside over meetings of the town board.
 - (2) *Preside at town meetings.* Preside over town meetings as provided under Wis. Stats. § 60.13.
 - (3) *Sign documents.*
 - a. Sign all ordinances, resolutions, bylaws, orders, regulations, commissions, licenses and permits adopted or authorized by the town board unless the town board, by ordinance, authorizes another officer to sign specific types of documents in lieu of the chairperson. The town board, by ordinance, may authorize use of a facsimile signature.
 - b. Sign all drafts, order checks and transfer orders as provided under Wis. Stats. § 66.0607.
 - (4) *Assure administration of statutes.* Supervise the administration of the Wisconsin Statutes relating to the town and town operations to see that they are faithfully executed.
 - (5) *Act on behalf of board.* Act, on behalf of the town board, to:
 - a. See that town orders and ordinances are obeyed.
 - b. See that peace and order are maintained in the town.
 - c. Obtain necessary assistance, if available, in case of emergency, except as provided under Wis. Stats. ch. 166.
 - (6) *Act on authorization of board.* If authorized by the town board, act on behalf of the board to:
 - a. Direct, as appropriate, the solicitation of bids and quotations for the town's purchase of equipment, materials and services and submit the bids and quotations to the town board for approval. Although the town board may direct the chairperson to solicit bids and quotations, the final decision as to which bid to accept or the decision to enter into a contract shall be made by the entire board.
 - b. Represent or designate another officer to represent the town at meetings of, and hearings before, governmental bodies on matters affecting the town.
- (b) *Administer oaths.* The chairperson may administer oaths and affidavits on all matters pertaining to the affairs of the town.

(c) *Other responsibilities.* In addition to the powers and duties under this section, the chairperson has the following responsibilities:

- (1) Nominate election officials when the town board disapproves the nominee of a party committee under Wis. Stats. § 7.30(4)(b)2.
- (2) Sue on official bonds under Wis. Stats. § 19.015.
- (3) Execute and sign a certificate of indebtedness in connection with obtaining a state trust fund loan under Wis. Stats. § 24.67.
- (4) Exercise the powers and duties specified for a mayor under Wis. Stats. § 62.13, if the town creates a joint board of police and fire commissioners or joint police or fire department with a village under Wis. Stats. § 61.65(3g) (d)2, or a board of police and fire commissioners under Wis. Stats. § 60.57.
- (5) Provide an annual estimate of funds necessary for any utility district established under Wis. Stats. § 66.0827.
- (6) Publish annually a notice regarding noxious weeds and appoint one or more commissioners of noxious weeds under Wis. Stats. §§ 66.0407 and 66.0517.
- (7) Sign general obligation bonds issued by the town under Wis. Stats. § 67.08(1).
- (8) If authorized by the town board, represent the interests of the town in connection with appearances before the state tax appeals commission under Wis. Stats. § 70.64(5).
- (9) Approve the bond of the town clerk-treasurer delivered to the county clerk under Wis. Stats. § 70.67(1).
- (10) Sign orders for payment of work performed and materials furnished on town highways under Wis. Stats. § 81.04.
- (11) If applicable, serve as a member of the county highway committee under Wis. Stats. § 83.015(1)(d).
- (12) If applicable, close county trunk highways when rendered dangerous for travel and notify the highway commissioner under Wis. Stats. § 80.09.
- (13) Under Sec. 167.10, Wis. Stats., enforce regulation of fireworks.
- (14) Perform the town chairperson's duties related to stray animals and lost goods under Wis. Stats. ch. 170.
- (15) Perform the town chairperson's duties related to distrained animals under Wis. Stats. ch. 172.
- (16) Perform the town chairperson's duties related to animals that have caused damage in the town under Wis. Stats. ch. 173.
- (17) If applicable, perform the town chairperson's duties related to municipal power and water districts under Wis. Stats. ch. 198.
- (18) If applicable, cause actions to be commenced for recover of forfeitures for violations of town ordinances that can be recovered in municipal court under Wis. Stats. § 778.11.
- (19) If applicable, notify the district attorney of forfeitures which may not be recovered in municipal court under Wis. Stats. § 778.12.
- (20) Approve bonds furnished by contractors for public works under Wis. Stats. § 779.14(1).

State law reference(s)—Powers and duties of town board chairperson, Wis. Stats. § 60.24.

Sec. 2-3-5 Internal powers of the board.

The town board has power to preserve order at its meetings, compel attendance of supervisors and discipline for unexcused, nonattendance.

Sec. 2-3-6 Meetings of the town board.

- (a) *Regular meetings.* Regular meetings of the town board will be held at the town hall at 7:00 p.m. on the first Wednesday of each month, or as otherwise determined by the town board. Any regular meeting of the town board falling on a legal holiday shall be held on the day designated by the town board. Any meeting of the town board, including any special or adjourned meetings that are not held at the town hall but at any other substitute location, shall be designated by the town chairperson or his or her designee, in compliance with the open meeting law, by posting a proper written notice of the substituted location at the posting location at the Town Hall and on the Town website. This notice shall occur at least 24 hours prior to the meeting of the town board, unless in an emergency wherein the proper notice posting shall occur at least two hours prior to the meeting of the town board.
- (b) *Board minutes.* The town clerk-treasurer shall keep a record of all board proceedings and cause the proceedings to be posted on the website.
- (c) *Attendance; excused absences.*
 - (1) *Absences.* Members of the town board may be excused from attending a board meeting by contacting the town chairperson prior to the meeting and stating the reason for his/her inability to attend. If the member is unable to contact the town chairperson, the member shall contact the clerk-treasurer, who shall convey the message to the town chairperson. Following roll call, the presiding officer shall inform the town board of the member's excused absence. Town board members who do not follow the above process will be considered unexcused and it shall be so noted in the minutes.
 - (2) *Late arrivals.* Members of the town board who anticipate late arrival to a board meeting should contact the town chairperson prior to the meeting and state the reason for the expected late arrival. If the member is unable to contact the town chairperson, the member shall contact the clerk-treasurer, who shall convey the message to the town chairperson. Board members who do not follow the above process and are not in attendance at the time of roll call will be considered as an unexcused tardy. Members who are not in attendance within one hour of roll call, and have not followed the above process, will be considered as an unexcused absence. Arrival times of members will be noted in the minutes.

State law reference(s)—Village board; meeting; salaries, Wis. Stats. § 61.32.

Sec. 2-3-7 Special meetings of the board.

- (a) Any special meeting of the town board may be called by the chairperson or any member of the town board in writing with the written call for the special meeting of the town board filed with the town clerk-treasurer at least 24 hours prior to the proposed special meeting of the town board with the time specified in the written call for the special meeting. Unless otherwise scheduled, special or additional meetings of the town board shall be held on the third Wednesday of the month, if possible, at 6 pm.
- (b) No special meeting of the town board shall be held unless the notice requirement of the State Open Meeting Law, pursuant to Wis. Stats. § 19.82, have been complied with by the person or persons requesting the public meeting.

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- (c) The town clerk-treasurer, upon receipt of the written call for the special meeting of the town board, shall immediately notify each member of the town board by communicating the notice or by having a written notice delivered personally or emailed with receipt confirmation to each member of the town board. If any member of the town board cannot be personally notified in writing, then the town clerk-treasurer shall deliver or have delivered a copy of the written notice at the home of any such member of the town board in the presence of an adult member of the family of the town board member. If any member of the town board cannot be noticed in writing through an adult family member as noted above, then the town clerk-treasurer shall post such special meeting written notice at the Town Hall and on the Town website. Special board meetings may not be called by electors. Electors may, in accordance with Wis. Stats. ch. 60, call for special town meetings.
 - (d) The town clerk-treasurer shall file proof of service of such special meeting notice by filing an affidavit noting the time, place and location of authorized service of the special meeting notice upon the town board. If personal service or written notice upon any member of the town board was not completed, then the town clerk-treasurer shall state in the affidavit the type of service or written notice completed.
 - (e) Citizens cannot call a special meeting of the town board. They can only petition for special meetings of the electors for the purposes listed in Wis. Stats. § 60.10. The notice requirement under Wis. Stats. § 60.12 must be followed (class 2 notice, etc.). The town board can also call a special meeting of the electors, but this must be done at a board meeting, not by one member acting alone.
 - (f) Special meetings of the town board attended by a quorum of the members shall be considered a regular meeting of the town board for the transaction of any town business that may come before the town board if such regular town business was so noted in the written notice to the public as required by the State Open Meeting Law, Wis. Stats. § 19.82.
 - (g) In the event of an emergency (an unusual situation due to circumstances that require immediate action) the chairperson of the town board may call an emergency meeting of the town board for consideration of the situation requiring immediate action. The chairperson is responsible for providing notice to the media and public at least two hours in advance of any emergency meeting. The clerk-treasurer may assist the chairperson in giving notice as outlined above. Board members shall be notified of the emergency meeting, if possible, and notice may be oral or in writing, by facsimile or by email.

Sec. 2-3-8 Open meetings.

- (a) *Open meetings.* All town board and official town committee and commission meetings shall be open to the public and shall be in compliance with Wisconsin's Open Meeting Law.
- (b) *Adjournment of meetings.* An adjournment to a closed session may be only for a permitted purpose as enumerated in Wis. Stats. § 19.85 and must meet the other requirements of said Wis. Stats. § 19.85.
- (c) *Meetings to be open.* During the holding of any open session in the regular meeting room or in the substituted meeting room, said room and said meeting shall at all times be open and remain open to all citizens.
- (d) *Legally permitted closed meetings.*
 - (1) *Pursuant to statute.* The provisions of this Code of Ordinances do not prohibit the board or any committee thereof from having a closed meeting ("executive meeting") which is legally convened and/or legally held in a room in said building other than the official meeting room or in some other building in the town provided proper notice is given thereof pursuant to the Wisconsin Open Meeting Law.
 - (2) *Confidentiality.*
 - a. Board members shall keep confidential all written materials and verbal information provided to them during executive sessions, to ensure that the town's position is not compromised.

Confidentiality also includes information provided to members outside of executive session when the information is considered to be exempt from disclosure under the laws of the state.

- b. If the town board, after executive session, has provided direction or consensus to town staff on proposed terms and conditions for any confidential or privileged issue, all contact with any other party shall be made by the designated town representative handling the issue. Members should consult with the town chairperson and/or town attorney prior to discussing such information with anyone other than other town board members, the town attorney or designated town staff. Any town board member or town employee having any contact or discussion with any person other than those listed above on any such confidential or privileged issue shall make full disclosure to the town board in a timely manner.
- (e) *Photographs, motion pictures, videotape—permission required for artificial illumination.* No photographs, motion pictures, or videotapes that require the use of flash bulbs, electronic flashes, flood lights, or similar artificial illumination shall be made at town board meetings without the consent of the presiding officer.
- (f) *Disturbances and disorderly conduct.* Whenever any disturbance or disorderly conduct shall occur at any of the meetings of the town board, the chairperson may cause the room to be cleared of all persons causing such disorderly conduct (i.e., "disturbance" means being persistently out of order).

State law reference(s)—Personal information practices, Wis. Stats. ch. 19, subch. IV; village board; meeting; salaries, Wis. Stats. § 61.32.

Sec. 2-3-9 Quorum.

A majority of the board shall constitute a quorum, but a lesser number may adjourn if a majority is not present. The chairperson shall be counted in determining whether a quorum exists. If no legal quorum is present at the time of the initial roll call, the meeting of the town board shall be thereon adjourned by the members of the town board present to a specific date and hour.

Sec. 2-3-10 Presiding officer; absence of chairperson or clerk-treasurer.

- (a) *Chairperson to preside.* The chairperson shall preside at all meetings of the town board when present.
- (b) *Chairperson pro tem.* At the first regular town board meeting following the annual spring election, the town chairperson shall appoint a board member to serve as chairperson pro tem, who shall preside at meetings of the town board in the chairperson's absence. The chairperson pro tem is also authorized to sign documents, ordinances, checks, etc., on behalf of the town in the chairperson's absence.
- (c) *Absence of town clerk-treasurer at meeting.* If the town clerk-treasurer is not present at the time of the initial roll call of the meeting of the town board, the town chairperson shall appoint any other person present at the meeting to be the town clerk pro tem. The town clerk pro tem shall prepare and maintain minutes of the meeting of the town board. The town clerk pro tem shall deliver these minutes to the town clerk-treasurer after the end of the meeting of the town board or when the town clerk pro tem is replaced during the meeting of the town board by the clerk-treasurer.

Cross reference(s)—Facsimile signatures, § 3-1-10.

Sec. 2-3-11 Order of business.

- (a) *Order of business.*
 - (1) Meetings of the town board may follow the general format guidelines below:
 - a. Call to order

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- b. Roll call
 - c. Pledge of Allegiance
 - d. Approval of Agenda
 - e. Public Input
 - f. Approval of Previous Meeting Minutes (Clerk's Report)
 - g. Approval of Monthly Financial Report (Treasurer's Report)
 - h. Building Inspector's Report
 - i. Animal Control Officer's Report
 - j. Town Committee/Commission Reports: Fire/Rescue Commission, Parks, Rec & Planning Commission, Transportation & Facilities Commission
 - k. Unfinished/Old Business (must be specific)
 - l. New Business (must be specific)
 - m. Announcements & Adjournment
- (2) Unless the town board as a whole overrules by a two-thirds majority, the chairperson may direct that agenda items be taken in a different order to promote efficiency.
- (b) *Agenda preparation.*
- (1) The town chairperson, in consultation with the town clerk-treasurer, shall prepare an agenda incorporating the matters comprising the order of business.
 - (2) There be included on said agenda a time for hearing citizens wishing to address the town board.
 - (3) No matter shall be placed on the agenda of the town board unless a request to do so is made to the town chairperson and/or town clerk-treasurer by noon the Friday preceding the meeting, (except in emergency situations as determined by the chairperson or town clerk-treasurer).
 - (4) When a town resident wishes to have a matter placed on the agenda for consideration at the regular monthly town board meeting, the chairperson or town clerk-treasurer must be notified of the subject matter to be discussed in order to facilitate the proper posting of the item and an orderly meeting. The town chairperson shall decide whether the item is to be placed on the agenda for consideration and discussion. Any agenda item of a general nature is insufficient. The agenda item must be sufficiently specific to inform the general public of the matter that will be placed before the town board for discussion and consideration. The town chairperson, in consultation with the town clerk-treasurer, is ultimately responsible for preparation of the agenda, the agenda's content, distribution and use. Any matter known to the chairperson as likely to become a subject matter at the meeting should be included on the agenda. At any town board meeting where a topic is not on the agenda, a majority of the board members may direct that the item be placed on the agenda for the next regular meeting of the town board or an agenda for a special town board meeting to be held.
- (c) *Order to be followed; citizen comments.*
- (1) Unless the board, as a whole overrules by a majority vote, the chairperson may direct that agenda items be considered in a different order to promote efficiency.
 - (2) a. At meetings of the town board no person, other than the members of this board, shall address the town board or any member of the town board. By exception, citizens may address the board with permission of the presiding officer, by request of a supervisor to the chairperson as to matters that are

being considered at the time, or during such other times noticed on the agenda for public input. This provision shall not apply to:

1. The town clerk-treasurer, road maintenance, building inspector, assessor, animal control officer, fire chief or town enforcement officials.
 2. Any member of the town board.
 3. Town engineer or town attorney.
- b. This provision shall also not apply under the specific orders of business established to recognize residents of the town or other persons, under the specific order of business to recognize members of any town office, town committee, town agency, town commission or a special board or other town officers or except if the person has specifically requested the right to address the town board and then only after the approval of the presiding officer.
- c. The chairperson or presiding officer may impose a time limit on the length of time citizens may address the board, following the guidelines in section 2-3-14.
- (d) *Roll call; procedure when quorum not in attendance.* As soon as the town board shall be called to order, the town clerk-treasurer shall note for the record the names of the members who are present and who are absent and record the same in the proceedings of the board. If it appears that there is not a quorum present, the fact shall be entered on the journal and the board may adjourn.
- (e) *Submittal of written comments.* If comments are provided in writing, they may be submitted to the town board on matters which the board is considering at its meeting. It is encouraged that such written comments be filed with the clerk-treasurer by noon of the Friday preceding the regular meeting. If written comments are given at the meeting, the presenter should provide printed copies for the town board and staff.

Sec. 2-3-12 Introduction of business, resolutions and ordinances; disposition of communications.

- (a) *Ordinances to be in writing.* All ordinances submitted to the town board shall be in writing and shall include at the outset a brief statement of the subject matter and a title. All ordinances shall be available then discussed and acted upon as the town board deems appropriate.
- (b) *Subject and numbering of ordinances.* Each ordinance shall be related to no more than one subject. Amendment or repeal of ordinances shall only be accomplished if the amending or repealing ordinance contains the number and title of the ordinance to be amended or repealed, and title of amending and repealing ordinances shall reflect their purpose to amend or repeal.
- (c) *Notice.*
- (1) The town board may take action on an ordinance only if it appears on the written agenda for the meeting at which action is requested to provide proper legal notice.
 - (2) Ordinances will be placed on the agenda for town board action only if they are submitted to the town clerk-treasurer in written form a minimum of three days prior to the meeting at which action is requested (except in emergency situations as determined by the chairperson or town clerk-treasurer).
 - (3) The town board may elect to conduct a public hearing, following proper notice, on ordinances being considered when a public hearing is not statutorily required.
- (d) *Disposition of petitions, communication, etc.* Every petition or other writing of any kind, addressed to the town board, clerk-treasurer or other town officer for reference to the town board, shall be delivered by the clerk-treasurer or such other town officer to the chairperson or to the presiding officer of the board as soon

as convenient after receipt of same and, in any event, prior to or at the opening of the next meeting of the board following the receipt of same.

Sec. 2-3-13 Conduct of deliberations.

- (a) *Roll call votes.* A roll call vote shall not be necessary for any questions or motions except as follows:
 - (1) When the ayes and nays are requested by any member.
 - (2) On confirmation and on the adoption of any measure assessing or levying taxes, appropriations or disbursing money, or creating any liability or charge against the town or any fund thereof.
 - (3) When requested by the state statutes of Wisconsin.
- (b) *Record of votes.* All aye and nay votes shall be recorded in the official minutes. The ayes and nays shall be ordered upon any question at the request of any single member of the town board or the chairperson. The clerk-treasurer shall then call the roll in alphabetical order, starting with "A".
- (c) *Parliamentary procedure.* Except as provided below, the deliberations of the town board shall be conducted in accordance with parliamentary procedures as published in "A Guide to Parliamentary Procedure for Local Governments in Wisconsin" (Larry Larmer, author), which is hereby incorporated by reference, unless otherwise provided by ordinance or statute, except when otherwise limited or modified by this Code of Ordinances:
 - (1) No supervisor shall address the board until he/she has been recognized by the presiding officer. The supervisor shall thereupon address himself/herself to the chairperson and confine his/her remarks to the question under discussion and avoid all personalities.
 - (2) When two or more members simultaneously seek recognition, the presiding officer shall name the member who is to speak first. All members shall have a chance to speak before anyone can speak a second time, a third time, etc.
 - (3) No person other than a board member shall address the town board. By exception, citizens may address the board with permission of the presiding officer or by request of a supervisor to the chairperson as to matters that are being considered at the time.

Sec. 2-3-14 Procedure at public hearings.

- (a) The chairperson shall then call on those people who wish to speak for the proposition. Each person wishing to speak for the proposition shall give his or her name and address.
- (b) Each person speaking on behalf of the proposition shall be limited in time of five minutes.
- (c) The chairperson shall then call on those people who wish to oppose the proposition.
- (d) Each such person wishing to speak in opposition to the proposition shall give his or her name and address and shall also be limited to five minutes.
- (e) Any person wishing to speak in rebuttal to any statements made may, with the permission of the chairperson, do so, provided, however, such rebuttal statement shall be limited to three minutes by any one individual.
- (f) When the chairperson in his/her discretion is satisfied that the proposition has been heard, he/she shall announce the fact that the hearing is concluded.

Sec. 2-3-15 Motions; voting.

- (a) *Motions stated.* Prior to any debate on a subject matter, the members of the town board shall be entitled to a clear understanding of the motion before the town board. The person making the motion shall clearly state the motion. There shall be a second to any motion prior to any debate or discussion of the motion. Motions made in writing by a member of the town board and provided to the town clerk-treasurer prior to the meeting shall be provided priority in the appropriate order of business. The town chairperson may, if felt necessary, restate the motion prior to any debate and discussion. Any member of the town board, prior to a vote on the motion, may request that the motion and any amendments adopted to the motion be reduced to writing and submitted in writing to the members of the town board prior to the final vote on the matter.
- (b) *Change of vote.* No member of the town board may change his or her vote on any action item, business item, motion or question after the final result has been announced.
- (c) *Motions with preference.* During any meeting of the town board certain motions will have preference. In order of precedence they are:
 - (1) *Motion to adjourn.* This motion can be made at any time and has first precedence. This is a non-debatable motion.
 - (2) *Motion to lay on the table.* This motion may be made when the subject matter appropriate for tabling is to be debated or discussed. This motion is a non-debatable motion.
 - (3) *Motion to call previous question.* This motion may be made at any time after the debate or discussion commences related to an action item, business item, motion or question that is properly before the town board. This motion is a non-debatable motion. This motion, if adopted, ends the debate and discussion at the meeting on the action item, business item, motion or question. The motion, if adopted, brings the town board to a direct vote with the first vote on any amendments, if any, and then to the main action item, business item, motion or question.
 - (4) *Motion to postpone to a date certain.* This motion may be made at any time after the debate and discussion commences on an action item, business item, motion or question that is properly before the town board. This motion is debatable. This motion, if adopted, ends the debate and discussion at the meeting on the action item, business item, motion or question. This motion must establish a date and time certain when the debate and discussion before the town board will continue. The date and time established must be on a date and time for a regularly scheduled or special meeting of the town board.
 - (5) *Motion to a committee.* This motion may be made at any time after the debate and discussion commences on an action item, business item, motion or question that is properly before the town board. The motion is debatable. This motion, if adopted, ends the debate and discussion at the meeting on the action item, business item, motion or question. This motion, if adopted, forwards the action item, business item, motion or question to a committee for further review and discussion. The committee must be a committee of the town board.
 - (6) *Motion to amend or divide the question.* This motion may be made at any time after debate and discussion commences on the action item, business item, motion or question properly before the town board. The motion is debatable. This motion, if adopted, divides the main action item, main business item, main motion or main question pursuant to the method described and adopted in the motion to divide.
 - (7) *Motion to postpone indefinitely.* This motion may be made at any time after debate and discussion commences on the action item, business item, motion or question properly before the town board. This motion is debatable. This motion, if adopted, ends the debate and discussion at the meeting on the action item, business item, motion or question.

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- (8) *Motion to introduce a matter related to the action item, business item, motion or question.* This motion may be made at any time after the debate and discussion commences on the action item, business item, motion or question properly before the town board. This motion is debatable. This motion, if adopted, expands or adds to the debate and discussion new items related to the main action item, main business item, main motion or main question pursuant to the method described and approved in the motion to introduce a matter related.
- (d) *Public directory votes.* No member of the town board shall request, at a meeting of the town board, a vote from the general public unless the proposed vote of the general public is so noted by the town chairperson or the presiding officer of the meeting as strictly an advisory vote to the board. Any vote taken by the general public at a meeting of the town board shall be considered by the board only as an advisory vote and shall not be considered as a directory vote. Directory votes to require certain actions to be taken by the town board may occur at an annual or special town meeting.
- (e) *Compelling votes; abstentions.* No member may be compelled to vote. When a member abstains from voting, the effect is the same as if the member voted on the prevailing side. The "prevailing side" is defined as the votes accumulated which resulted in carrying or defeating a question. In case of a tie vote (not including the abstention), the abstaining vote is considered a "nay." In case of a vote requiring approval by more than a simple majority, an abstaining vote is considered an "aye."
- (f) *Majority vote; tie votes on motions.*
- (1) Unless a larger number is required by statute, ordinance or bylaw, a majority vote of those present at a legally constituted meeting is necessary to carry a question.
 - (2) In the case of a tie vote on any motion, the motion shall be considered lost.
- (g) *Staff input.* During regular or special meetings of the town board, the presiding officer may call for a staff report on business items as the agenda is considered and before a motion is entertained by the presiding officer. Once a motion is pending, debate is limited to town board members; additional staff input will be limited to providing clarification on issues if requested by a town board member.

Sec. 2-3-16 Reconsideration of questions.

It shall be in order for any member if, in the majority, to move for the reconsideration of any vote in question at the same meeting or at the next succeeding regular adjourned meeting. A motion to reconsider being put and lost shall not be renewed.

Sec. 2-3-17 Publication or posting of ordinances and resolutions.

- (a) *General requirement.*
- (1) The town clerk-treasurer shall publish as a class 1 notice under Wis. Stats. ch. 985, or post at the Town Hall and on the Town website to give notice to the public, the following, within 30 days after passage or adoption:
 - a. Resolutions, motions and other actions adopted by the town meeting, or in the exercise of powers, under Wis. Stats. § 60.10 (posting may be utilized for ordinances without penalties).
 - b. Ordinances adopted by the town board.
 - c. Resolutions of general application adopted by the town board and having the effect of law.
 - (2) All ordinances and bylaws shall be signed by the town board and countersigned by the town clerk-treasurer; and, if any penalty or forfeiture is thereby imposed, shall be published as a class 1 notice, under Wis. Stats. ch. 985 and shall take effect on the day after its publication or a later date if expressly

prescribed. If there is no newspaper published in the town, the town board may in lieu of newspaper publication have copies of ordinances and bylaws posted in at least three public places in the town and proof thereof filed and recorded by the town clerk-treasurer, and the same shall take effect the day after the proof of posting has been filed and recorded, or at a later date if expressly provided in the ordinance or bylaw.

- (b) *Requirement for forfeitures.* If an ordinance imposes a forfeiture, posting may not be used in lieu of publication under subsection (a).
- (c) *Effective upon publication.* An ordinance, resolution, motion or other action required to be published or posted under this section shall take effect the day after its publication or posting, or at a later date if expressly provided in the ordinance, resolution, motion or action.
- (d) *Affidavit of posting.* If an ordinance, resolution, motion or other action is posted under this section, the town clerk-treasurer shall sign an affidavit attesting that the item was posted as required by this section and stating the date and place of posting. The affidavit shall be filed with other records under the jurisdiction of the town clerk-treasurer.

Cross reference(s)—Wards; polling locations, § 2-1-6.

State law reference(s)—Publication or posting of ordinances and resolutions, Wis. Stats. § 60.80.

Sec. 2-3-18 Amendment of rules.

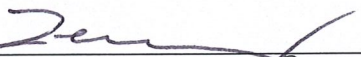
The rules of this chapter shall not be rescinded or amended unless the proposed ordinance amendment or motion to rescind has laid over from a regular meeting, and then it shall require a vote of two-thirds of all the members of the town board.

Sec. 2-3-19 Suspension of rules.

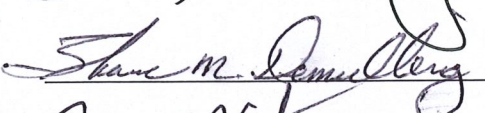
Any of the provisions of sections 2-3-13 through 2-3-16, inclusive of this Code of Ordinances may be suspended temporarily by a majority of the board members present at any meeting.

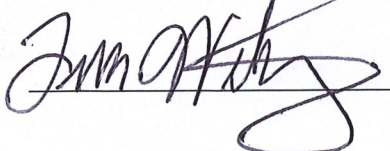
Adopted this 6th day of August 2025,

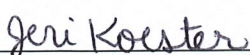
, Town Chair

, Town Supervisor

, Town Supervisor

, Town Supervisor

, Town Supervisor

Attest: , Town Clerk/Treasurer