

ORDINANCE NO. 1.02(4)(d)(1)(a) and (b)

**AN ORDINANCE RELATED TO GENERAL TOWN GOVERNANCE
TOWN PLAN COMMISSION**

**AN ORDINANCE REPEALING AND RECREATING
SECTION 1.02(4)(d)(1)(a) and (b) OF THE MUNICIPAL CODE
OF THE TOWN OF RANDALL, COUNTY OF KENOSHA**

The Town Board of the Town of Randall, Kenosha County, Wisconsin, does ordain as follows:

SECTION 1: Sections 1.02(4)(d)(1)(a) and (b) of the Municipal Code of the Town of Randall, County of Kenosha, Wisconsin are repealed and recreated as follows:

Section 1.02(4)(d)(1)(a) and (b). Town Plan Commission.

(a) The Town Plan Commission (hereafter called "Plan Commission") shall consist of five (5) members. All members of the Plan Commission shall be appointed by the Town Chairperson, subject to confirmation by the Town Board. The Town Chairperson shall also select the presiding officer of the Plan Commission. The Town Chairperson may appoint Town Board members to the Plan Commission, except that the Plan Commission shall always have at least three (3) citizen members who are not Town officials, but who shall be residents of the Town of Randall. Appointments shall be made by the Town Board Chairperson (i) during the month of April for terms that expire in April, or (ii) at any other time if a vacancy occurs during the middle of a term, except that (iii) the appointees of the Plan Commission may be removed before the expiration of the appointee's term by a majority vote of the Town Board. Pursuant to Section 60.62(4)(d) of the Wisconsin Statutes, but except as provided in below Section 3, all other provisions of Sections 61.35 and 62.23 shall apply to the Plan Commission. Under the provisions of Sections 62.23(1)(a) and (d), (i) the Town Chairperson may accordingly appoint himself/herself to the Plan Commission, subject to confirmation by the Town Board, (ii) the members of the Plan Commission shall be appointed to hold office for a period of three (3) years, and (iii) the citizen members of the Plan Commission shall be persons of recognized experience and qualifications, as determined by the Town Board. Except as otherwise provided in below Section 2, every citizen member shall have a term of three (3) years.

(b) Two (2) members of the Town Board shall always be members of the Plan Commission, appointed by the Town Chairperson and confirmed by the Town Board, as described above. Notwithstanding the foregoing provisions establishing a three-year term of office for the members of the Plan Commission, the term of office on the Plan Commission for the two members of the Town Board shall automatically expire upon the end of the said three-year term, and/or upon the date that his/her term of office on the Town Board expires, whichever date is first to occur. Notwithstanding the foregoing, however, the below provisions of Section 2 shall apply to the phased transition into a 5-person Plan Commission.

SECTION 2: PHASED TRANSITION. The transformation of the membership from seven (7) members of the Plan Commission to five (5) members shall occur in a phased manner, as follows: (i) the two (2) members of the Town Board shall continue to serve on the new Plan Commission, unless and until their terms on the Plan Commission otherwise end, and (ii) the five (5) citizen members presently serving on the Plan Commission shall continue to serve on the new Plan Commission, until their terms otherwise end, until the number of such citizen membership becomes reduced to three (3) citizen members of the new Plan Commission. Thereafter, there shall only be three (3) citizen members on the Plan Commission.

SECTION 3: THE PLAN COMMISSION IS ADVISORY TO THE TOWN BOARD. Notwithstanding any terms or provisions of (i) the Ordinances of the Town of Randall, and/or (ii) the provisions of the Wisconsin Statutes, the Plan Commission shall serve as an advisory body to the Town Board, with all final decisions to be made by the Town Board, in matters considered and voted upon by the Plan Commission. This is in recognition of the fact that all such decisions should be made by the elected officials of the Town.

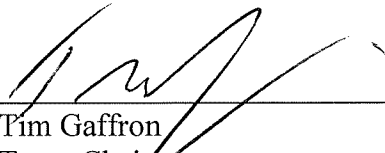
Notwithstanding the above provisions of this Section 3, however, the Town Board may, from time to time, by an express vote and/or a written resolution of the Town Board, elect to refer to the Plan Commission a matter(s) for the Plan Commission to consider and determine with finality, through a vote of the Plan Commission, without any further approval of the Town Board being required.

SECTION 4: STATUTORY BASIS FOR THIS PLAN COMMISSION. The membership of the Plan Commission is hereby set and determined as allowed and provided under the provisions of the last sentence of Section 62.23(1)(a) of the Wisconsin Statutes (applicable through the Village powers of the Town), which reads as follows: "The [Town] may by ordinance provide that the membership of its commission shall be as provided thereunder."

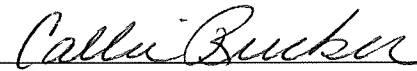
SECTION 5: EFFECTIVE DATE. This Ordinance shall take effect upon the passage and posting or publication as provided by law.

The foregoing Ordinance was adopted at a regular meeting of the Town Board of the Town of Randall, Kenosha County, Wisconsin, on February 24, 2025.

TOWN OF RANDALL

By: 

Tim Gaffron
Town Chairman

Attest: 

Callie Rucker
Town Clerk