

## ORDINANCE NO. 2024-2

**AN ORDINANCE AMENDING CHAPTER 1  
OF THE MUNICIPAL CODE OF THE VILLAGE OF ROCHESTER  
TO PROVIDE FOR THE SUCCESSION OF PLAN COMMISSION  
ALTERNATES**

**WHEREAS**, the Village of Rochester seeks to update certain sections of the Village of Rochester Municipal Code for the sake of clarification, consistency, simplification, and to remedy oversights within the Code; and

**WHEREAS**, Code section 1-19(D) provides for the appointment of Plan Commission alternates, and specifically designates the hierarchy between them; and

**WHEREAS**, the Code applies this hierarchy for voting purposes, but provides no guidance on succession in the event of a vacancy in the first alternate position; and

**WHEREAS**, for ease of administration, the Village Board believes that the Plan Commission alternates should immediately move up in priority when an alternate position of higher priority becomes vacant, whether through the appointment process, resignation, or removal.

**NOW, THEREFORE**, the Village Board of the Village of Rochester, Racine County, Wisconsin, does hereby ordain as follows:

**Section 1:** Chapter 1 of the Village of Rochester Municipal Code entitled “General Government,” Section 1-19 entitled “Plan Commission,” Subsection A entitled “Alternate Members,” Paragraph 1 is hereby created to read as follows:

1. In the event that the first alternate member position is vacant, the second alternate member shall immediately fill that vacancy, and shall serve the remainder of the term of the vacant seat. If there are any appointed alternates beyond the second, each one shall likewise move up one position in priority, serving the remainder of the term of the vacant seat.

**Section 2:** CONTINUATION OF PROVISIONS

The provisions of this ordinance, to the extent that they are substantively the same as those of the ordinances in force immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinances. In addition, the adoption of this ordinance shall not affect any action, prosecution, or proceeding brought for the enforcement of any right or liability established, accrued, or incurred under any legislative provision prior to the effective date of this ordinance for the time that such provision was in

effect, and the repeal of any such provision is stayed pending the final resolution of such actions, including appeals.

**Section 3:** SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

**Section 4:** EFFECTIVE DATE

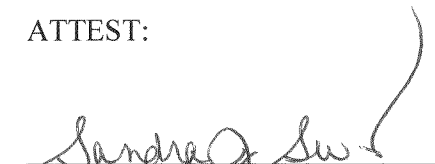
This ordinance shall take effect on January 22, 2024 after passage and posting and/or publication as provided by law.

Passed and adopted this 22 day of January, 2024.

VILLAGE OF ROCHESTER

  
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Nick Ahlers, Village President

ATTEST:

  
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Sandra J. Swan, Village Clerk