

Title 2 ► Chapter 4

Town Officers and Employees

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Sec. 2-4-1 Election of Town Officers; General Provisions.

- (a) **Elected Town Officers.** At the annual spring election, the Town shall, in odd-numbered years, elect a Chairperson and two (2) Supervisors. The following officers of the Town of Friendship shall be chosen at the annual Town election in odd-numbered years for terms of two (2) years commencing on the first Tuesday of April in the year of their election:
 - (1) A Town Clerk.
 - (2) A Town Treasurer.
- (b) **Restrictions.**
 - (1) Only an elector of the Town may hold a Town office, other than an Assessor appointed under Sec. 60.307, Wis. Stats., if the Town elects to change the office of Assessor to an appointed position.

- (2) No person may hold the offices of Town Treasurer and Town Assessor at the same time. No person may assume the office of Town Assessor unless certified by the Department of Revenue, under Sec. 73.09, 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.
- (c) **Notice of Election.** Within five (5) days after completion of the canvass under Sec. 7.53, Wis. Stats., the Town Clerk shall transmit a notice of election to each person elected to a Town office.
- (d) **Term of Office.**
 - (1) Every elected Town officer shall hold the office for two (2) years.
 - (2) The regular term of elected Town officers, other than the Town Assessor, if elected, commenced on the second (2nd) Tuesday of April in the year of their election.

State Law Reference: Section 60.30, Wis. Stats.

Sec. 2-4-2 Temporary Vacancies.

- (a) 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 Sec. 60.31, Wis. Stats.
- (b) 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 Subsection to fill vacancies shall hold office for the residue of the unexpired term.
- (c) 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 Sec. 60.31, Wis. Stats. This paragraph does not preclude a finding that refusal to perform official duties constitutes cause under Sec. 17.13(3), Wis. Stats.

State Law Reference: Section 60.30(5), Wis. Stats.

Sec. 2-4-3 Official Oath and Bond.

- (a) **Official Oath.** Except as provided in Subsection (c), every elected or appointed Town officer shall take and file the oath under Sec. 19.01, Wis. Stats., within five (5) days after notification of election or appointment.

- (b) **Official Bond.** The Town Clerk, Town Treasurer and elected Assessor, if applicable, shall execute and file an official bond provided by the Town. No natural person may be a surety on a bond under this Subsection. The bond may be furnished by a surety company under Sec. 632.17(2), Wis. Stats. The amount of the bond shall be fixed by the Town Board. If the amount of the bond is not fixed by the Board, the amount shall be the same as that required of the last incumbent of the office. If the Town Board at any time determines that the bond is insufficient, it may require an additional bond to be filed within ten (10) days in an amount fixed by the Board. If the Town Board establishes Deputy Clerk or Treasurer positions, such persons shall be bonded.
- (c) **Exceptions.** If the Town reverts to a system of electing an Assessor and/or creates a Municipal Court:
 - (1) An elected Assessor shall take and file the official oath and bond at any time between May 27 to May 31.
 - (2) The Municipal Judges shall take and file the official oath and bond under Sec. 755.03, Wis. Stats.
- (d) **Failure to File Oath or Bond.** If any person elected or appointed to a Town office fails to file a required official oath or bond within the time prescribed by law, the failure to file constitutes refusal to serve in office.

State Law Reference: Section 60.31, Wis. Stats.

Cross-Reference: Section 2-4-19.

Sec. 2-4-4 Compensation of Elective Town Offices.

- (a) **Established by Town Meeting or Board.**
 - (1) Except as provided under Subsection (2) below, the Town meeting shall establish the compensation of elective town offices.
 - (2) If authorized by the Town meeting under Sec. 60.10(2)(k), Wis. Stats., the Town board shall establish the compensation of elective Town offices, other than the office of Supervisor or Chairperson.
- (b) **Nature of Compensation.** Compensation under this Section may be:
 - (1) An annual salary.
 - (2) A per diem compensation for each meeting necessarily devoted to the service of the Town and the discharge of duties. Board members or Town officials shall be the Town's authorized representative at a meeting or be attending an authorized convention/training session to be eligible for per diem compensation.
 - (3) A combination of the above.
- (c) **Changes During Term.** Subject to Subsection (d), the Town meeting or, if authorized to establish compensation, the Town Board may make a change in the compensation of an elective Town office to take effect during the term of office.

- (d) **When Established.** Compensation under this Section 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.

State Law Reference: Section 60.32, Wis. Stats.

Sec. 2-4-5 Reimbursement of Expenses.

- (a) **Generally.** The Town Board may provide for reimbursement of expenses necessarily incurred by any office 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 Section include, but are not limited to:
- (1) Traveling expenses, including mileage, lodging and meal expenses.
 - (2) Costs associated with programs of instruction related to the officer's or employee's office or employment.
- (b) **Manuals.** The Town Board may purchase handbooks and manuals that will materially assist Town officials and employees in the performance of official duties.

State Law Reference: Section 60.321, Wis. Stats.

Sec. 2-4-6 Compensation When Acting in More Than One Official Capacity.

Except for offices combined under Sec. 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.

State Law Reference: Sections 60.323 and 946.13, Wis. Stats.

Sec. 2-4-7 Town Clerk.

The Town Clerk, shall:

- (a) **Clerk of Town Meeting.** Serve as Clerk of the Town meeting under Sec. 60.15, Wis. Stats.
- (b) **Clerk of Town Board.**
- (1) Serve as Clerk of the Town Board, attend meetings of the Board and keep a full record of its proceedings.

- (2) 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.
- (3) File with the Town Board claims approved by the Clerk, as required under Sec. 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 Treasurer is expected to maintain.
- (d) **Elections and Appointments.**
 - (1) Perform the duties required by Chapters 5 to 12, Wis. Stats., relating to elections.
 - (2) Transmit to the County Clerk, within ten (10) days after election or appointment and qualification of any Town Supervisor, 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.
 - (3) 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 Town meeting must have given the Town Board authorization to do so.
- (f) **Notices.**
 - (1) Publish or post ordinances and resolutions as required under Sec. 60.80, Wis. Stats.
 - (2) Give notice of annual and special Town meetings as required under Sections 60.11(5) and 60.12(3), Wis. Stats.
- (g) **Records.**
 - (1) Comply with Subch. II of Chapter 19, Wis. Stats., concerning any record of which the Clerk is legal custodian.
 - (2) 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.**
 - (1) Perform the Clerk's duties under Chapters 115 to 121, Wis. Stats., relating to public instruction.

- (2) 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.
- (3) Make and keep in the Clerk's office a map of the Town, showing the exact boundaries of school districts within the Town.
- (4) 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 Sec. 79.10, Wis. Stats., that is to be disbursed by the County Clerk to each taxing jurisdiction located in the Town.
- (l) **Recording Orders and Certificates.** Obtain and maintain a cancellation book pursuant to Sec. 66.081, Wis. Stats.
- (m) **Statement of Indebtedness to Secretary of State.** Furnish, pursuant to Sec. 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 Sec. 77.82(5), Wis. Stats. The Town Clerk shall receive copies of notice of hearings established pursuant to Sec. 77.82(6), Wis. Stats., and copies of any orders issued pursuant to Sec. 77.82(8), Wis. Stats.
- (o) **Notice of Cessation of Operations.** Receive the appropriate notice, pursuant to Sec. 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 1 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 Sec. 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 Sec. 69.60, Wis. Stats., showing the assessed value of all property within the Town all taxes levied, all special assessments made and purposes 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 Sec. 70.65, Wis. Stats.
- (t) **Correct Tax Roll.** Before delivering the Tax Roll to the Town Treasurer and after delivering the Tax Roll to the Town Treasurer, shall correct the errors in the Tax Roll required in Sec. 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 Sec. 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 Sec. 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 Sec. 66.331, Wis. Stats., appoint a Deputy Clerk. The Deputy Clerk shall take and file the oath and bond as required by Sec. 60.31, Wis. Stats. The Town Board shall determine what compensation is to be paid the Deputy Clerk.

Sec. 2-4-8 Town Treasurer.

The Town Treasurer, shall:

- (a) **Receive and Disburse Town Money.**
 - (1) 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 Sec. 66.042, Wis. Stats.
 - (2) 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 Treasurer shall issue numbered receipts for all funds received. At the request of the Town Board, the Town Treasurer shall present the account books, and any supporting documents requested, to the Board.
- (b) **Deposit of Town Money.**
 - (1) 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.
 - (2) When money is deposited under Subsection (b)(1), the Town Clerk and the Treasurer's sureties are not liable for any loss as defined in Sec. 34.01(6), Wis. Stats. The interest arising from the money deposited shall be paid into the Town treasury.

- (c) **Records.** Comply with Subch. II of Ch. 19, Wis. Stats., concerning records of which the Treasurer is legal custodian.
- (d) **Taxes.** Perform all of the duties relating to taxation required of the Town Treasurer under Chapters 70 to 79, Wis. Stats.

State Law Reference: Sections 60.33, 60.34, and 60.305, Wis. Stats.

Sec. 2-4-9 Assessor.

- (a) **Qualification.**
 - (1) 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. The Town Assessor is elected for a two (2) year term of office. Pursuant to Sec. 60.307(2), Wis. Stats.,
 - (2) The Town may elect to change the Office of Assessor to an appointed position. Pursuant to Sec. 60.307(2), Wis. Stats., the Assessor would be appointed by majority vote of the Town Board for a term as determined by contract, but not less than one (1) year. The Town may elect to change the Office of Assessor to an appointed position. The Town Assessor so appointed need not be a resident of the Town of Friendship and may hold the office of Assessor for another town or municipality with the consent of the Town Board.
- (b) **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 taxation, 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.

State Law Reference: Section 60.307(2) and Ch. 70, Wis. Stats.

Annotation: *Petzek vs. Graves*, 33 Wis. 2d 175 (1967).

Sec. 2-4-10 Building Inspector/Permit Issuer.

- (a) **Appointment.** There is hereby created the positions of Building Inspector(s) and Permit Issuer who shall be appointed by the Chairperson, subject to confirmation by the Town Board. He/she shall have an indefinite term of office or as prescribed by professional services agreement. The Building Inspector shall review plans, collect 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. If an independent contractor is serving as Town Building Inspector, the Town Board may require that such Building Inspector provide evidence of liability insurance.

(b) **Powers and Duties.**

- (1) 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. With the authorization of the Town Board, he may appoint one (1) or more Deputy Building Inspectors and may delegate to them the above-mentioned powers and duties.
- (2) The Building Inspector shall make all on-site inspections necessary for compliance and enforcement of the Building Code.
- (3) The Inspectors 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 appropriate Inspector.
- (4) Permit Issuers shall issue or cause to be issued all proper permits for such work after payment of the fees required therefor. Permit Issuers shall process all applications, while the Building Inspector shall make all inspections and have the authority to issue or cause to be issued a certificate of completion.

- (c) **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.

Sec. 2-4-11 Weed Commissioner.

The Weed Commissioner shall be appointed by the Chairperson, subject to Town Board confirmation. The term of office of the Weed Commissioner shall commence on the first day of May following his or her appointment. The Weed Commissioner shall take the official oath, which oath shall be filed in the Office of the Town Clerk, and shall hold office for one (1) year. The Weed Commissioner shall hold office pursuant to and fulfill the duties set out in state law.

State Law Reference: Sections 66.97 and 66.98, Wis. Stats.

Sec. 2-4-12 Town Attorney.

- (a) **Election.** 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.

(b) **Duties.** The Town Attorney shall have the following duties:

- (1) The Attorney shall conduct all of the law business in which the Town is interested.
- (2) He/she shall, when requested by Town officers, given written legal opinions, which shall be filed with the Town.
- (3) He/she shall draft ordinances, bonds and other instruments as may be required by Town officers.
- (4) He/she may appoint an assistant, who shall have power to perform his/her duties and for whose acts he shall be responsible to the Town. Such assistant shall receive no compensation from the Town, unless previously provided by Ordinance.
- (5) The Town Board may employ and compensate special counsel to assist in or take charge of any matter in which the Town is interested.
- (6) The Town Attorney shall perform such other duties as provided by State law and as designated by the Town Board.

State Law Reference: Section 60.37, Wis. Stats.

Sec. 2-4-13 Town Engineer.

The office of Town Engineer is an appointed position. The Town Engineer may be appointed by the Town Board and shall serve at the pleasure of the Board. When authorized by the Town Board, the Town Engineer shall provide engineering services to the Town. The cost of engineering services provided to the Town may be billed back to private parties when created the need for such expenditures.

Sec. 2-4-14 Town Constable.

The Town Constable shall be selected pursuant to Chapter 60, Wis. Stats. The Town Board does have the authority to establish the powers and duties of the Town Constable, which are as follows:

- (a) The Town Constable may impound dogs, cattle, horses, sheep, swine and other animals at large in violation of any duly published order or ordinance adopted by the Town Board.

Sec. 2-4-15 Town Auditor/Accountant.

- (a) **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.

- (b) **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.
- (c) **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.

Sec. 2-4-16 Town Employees; Special Office Positions.

- (a) **Town Employees.** The Town Board may employ on a temporary or regular basis persons necessary to carry out the functions of Town government. The Board may establish the qualifications and terms of employment, which may include the residency of the employee. The Board may delegate the authority to hire Town employees to any Town official or employee.
- (b) **Residency.** The following special office positions need not be Town of Friendship residents to hold these positions (other Town officials described in this Chapter shall be Town of Friendship residents):
 - (1) Town Attorney.
 - (2) Town Engineer.
 - (3) Town Auditor/Accountant.
 - (4) Town Assessor.
 - (5) Building Inspector.
 - (6) Other consultants.
- (c) **Meeting Attendance.** Special office holders listed in Subsection (b) shall attend or make all good faith efforts to attend all properly called meetings of the Town Board if their attendance is requested at least three (3) days prior to the meeting, or as established by professional services agreement.

State Law Reference: Section 60.37, Wis. Stats.

Sec. 2-4-17 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.

State Law Reference: Section 19.21, Wis. Stats.

Sec. 2-4-18 Eligibility for Office/Incompatibility of Office.

- (a) Any person who is a qualified elector in the Town of Friendship 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 in office.
- (b) 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 Friendship, 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.

Sec. 2-4-19 Official Oath and Bond.

- (a) **Authority.** The Town Board has the specific statutory authority, powers and duties, pursuant to Sections 60.20, 60.22 and 60.31, Wis. Stats., and under Section 2-4-3 of this Code of Ordinances, to require that certain elected officials take an official oath and to require that they file the appropriate bond.
- (b) **Oath.**
 - (1) **General Provision.** All elected officers and appointed officers of the Town of Friendship, except elected assessors and municipal judges, (if such position is established), shall take and file the below noted oath within five (5) days after notification of election or appointment by the Town Clerk. The written oath of office and the oral oath of office, pursuant to Sec. 19.01, Wis. Stats., shall be substantially in the following form:

a. Written Oath.

STATE OF WISCONSIN,

County of Fond du Lac

I, the undersigned, who have been elected (or appointed) to the office of _____, but have not yet entered upon the duties thereof, swear (or affirm) that I will support the constitution of the United States and the constitution of the state of Wisconsin, and will faithfully discharge the duties of said office to the best of my ability. So help me God.

Subscribed and sworn to before me this _____ day of _____, 20__.

Signature

b. Oral Oath.

I, _____ swear (or affirm) that I will support the constitution of the state of Wisconsin, and will faithfully and impartially discharge the duties of the office of _____ to the best of my ability. So help me God.

(2) **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 Treasurer and except that the Municipal Judge (if applicable) shall his or her oath with the Clerk of the Circuit Court.

(3) **Failure to File Oath.** If any elected officer or appointed officer of the Town of Friendship 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 Friendship shall be paid a salary for anytime during the term during which the Municipal Judge has not executed and filed his or her oath.

(c) **Bonds.**

(1) **General Provision.** The bond costs shall be provided by the Town of Friendship. No natural person may be a surety on a bond. The bond may be furnished by a surety company under Sec. 632.17(2), Wis. Stats. The Town Board may at anytime determine that any bond amount established is insufficient or in excess and may therefore require any officer noted above to file a new bond within ten (10) days, in an amount fixed by the Town Board.

- (2) **Filing Location.** The official bond shall be filed with the Town Clerk except that the Town Clerk shall file his or her bond with the Town Treasurer and except that the municipal justice shall file his or her bond with the Clerk of Circuit Court.
- (3) **Failure to File Bond.** The elected officers and appointed officers of the Town required to file a bond shall file the required bond before entering upon the duties of the office. If the elected officers and appointed officers of the Town fails to file the required bond within the time prescribed by law, the failure to file the required bond constitutes refusal to serve in office and the office can be declared vacant by the Town Board. No Municipal Judge of the Town shall be paid a salary for anytime during the term during which the Municipal Judge has not executed and filed the required bond.