

CITY OF DODGEVILLE – CODE OF ORDINANCES

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SUBCHAPTER I: FORM OF GOVERNMENT AND CITY OFFICIALS

1.01 FORM OF GOVERNMENT. The City of Dodgeville operates under the Mayor-Council system of government.

1.02 ELECTED OFFICIALS. (1) **MAYOR.** The Mayor shall be elected in even-numbered years for a term of 2 years.

(2) **ALDERPERSONS.** The Council shall consist of 8 Alderpersons elected for 2 year terms. One Alderperson shall be elected annually from each of the 4 aldermanic districts.

1.03 APPOINTED OFFICIALS.

<u>OFFICIAL</u>	<u>APPOINTED BY</u>	<u>TERM</u>
(1) City Clerk-Treasurer (Rep. & Recr. Ch. Ord. #1077; Eff. 4-1-97)	Mayor, confirmation by Council	Indefinite
(2) (Rep. Ch. Ord. #1077)		
(3) City Attorney	Council	Indefinite
(4) Chief of Police (Am. Ord. #1173)	Police and Fire Commission	Indefinite
(5) Fire Chief (Am. Ord. #1173)	Police and Fire Commission	Indefinite
(6) Assessor	Council	Indefinite
(7) Director of Public Works	Council, upon recommendation of the Board of Public Works	Indefinite
(8) Building Inspector	Council	Indefinite
(9) Librarian	Council, upon recommendation of the Library Board	Indefinite
(10) Parks Director	Council	Indefinite
(11) Health Officer	Council	Indefinite
(12) Sewer Department Superintendent	Council	Indefinite
(13) Water Department Superintendent	Council	Indefinite
(14) Cemetery Superintendent	Council	Indefinite
(15) Emergency Management Director	Mayor	Indefinite
(16) Weed Commissioner	Mayor	One year
(17) City Forester	Council, upon recommendation of the Board of Public Works	Indefinite

1.04 GENERAL PROVISIONS RELATING TO CITY OFFICIALS. (1) **SALARIES AND FRINGE BENEFITS.** The salaries and fringe benefits of City officers and employees shall, from time to time, be established by the Council in accordance with State law and the City Personnel Policy.

(2) **POWERS AND DUTIES OF CITY OFFICIALS.** City officials mandated under §62.09, Wis. Stats., shall have the powers and duties prescribed by law and, except for the Mayor, shall perform such duties as shall be required of them by the Council. Other City officials shall perform the duties prescribed by the Council.

(3) **MULTI-OFFICES.** The Council may elect to appoint the same person to 2 or more compatible offices.

(4) REMOVAL FROM OFFICE. All City officials, except the Police Chief and the Fire Chief, may be removed from office for cause by a majority of the members-elect of the Council.

1.05 CODE OF ETHICS (Rep. & Recr. Ord. #1023). All members of the Council and all other officers, officials and employees of the City who are "local public officials," as defined in §19.42, Wis. Stats., shall obey and comply with the provisions of §19.59, Wis. Stats., "Codes of Ethics for local government officials, employees and candidates."

1.06 RECEIPT OF GIFTS AND GRATUITIES BY CITY EMPLOYEES PROHIBITED (Am. & Renum. Ord. #1023). (1) Every employee of the City who is not a "local public official," as defined in §19.42, Wis. Stats., shall not receive or offer to receive, either directly or indirectly, any gift, gratuity or anything of value in excess of \$15 which he is not authorized to receive from any person if such person:

(a) Has or is seeking to obtain contractual or other business or financial relationship with the City or the Council; or

(b) Conducts operations or activities which are regulated by the City or the Council; or

(c) Has interests which may be substantially affected by the City or the Council.

(2) The receipt of any gift, gratuity or anything of value, as denoted above, is contrary to the public policy of the City.

1.07 QUALIFICATIONS AND DUTIES. (1) CITY CLERK-TREASURER (Rep. & Recr. Ch. Ord. #1077; Eff. 4-1-97). (a) Appointment. See sec. 1.03(1) of this chapter.

(b) Duties. The City Clerk-Treasurer shall perform all duties required of both the offices of clerk and treasurer as provided by law and those other duties as the Council directs to be executed by the Clerk-Treasurer from time to time.

(c) Annual Audits. Annual audits shall be made of the records of the Clerk-Treasurer with the audit to be made by a certified public accountant.

(2) (Rep. Ch. Ord. #1077)

(3) CITY ATTORNEY. The City Attorney shall be duly admitted to practice in the courts of record in the State of Wisconsin, shall conduct all the legal business in which the City is interested, and shall perform all duties required by city attorneys by State law.

(4) POLICE CHIEF. See ch. 4 of this Code.

(5) FIRE CHIEF. See ch. 5 of this Code.

(6) CITY ASSESSOR. The City Assessor shall be certified by the Wisconsin Department of Revenue at the level required by law and shall be experienced and capable of performing the duties of the office.

(7) DIRECTOR OF PUBLIC WORKS. The Director of Public Works shall have powers and duties, as follows:

(a) The Director shall be subject to the direction of the Council, the Mayor and the Board of Public Works and shall be responsible for the administration and supervision of all maintenance, repair and construction of streets, alleys, curbs and gutters, sidewalks, bridges, street signs, lights and light systems, traffic control devices, storm sewers, culverts and drainage facilities, and all machinery, equipment and property used in any activity under the Director's control. He shall be available in an advisory and supervisory capacity to all departments of the City upon request.

(b) The Director shall have charge of such public services as the annual refuse collection and disposal, snow and ice removal, street cleaning and flushing and such other activities as may be assigned to him, from time to time, by the Council.

(8) OTHER OFFICERS. Other officers shall respectively perform such duties as are prescribed by the Council.

1.08 EASTSIDE CEMETERY. (1) MANAGEMENT. The Eastside Cemetery shall be managed by the Cemetery Superintendent in accordance with policies established by the Cemetery and Health Committee and approved by the Council.

(2) CEMETERY FINANCES. Lot prices, fees and the investment policy for cemetery funds shall be established by the Cemetery and Health Committee subject to Council approval.

1.09 to 1.15 (Reserved)

SUBCHAPTER II: BOARDS AND COMMISSIONS

1.16 PLAN COMMISSION. (1) MEMBERSHIP (Am. Ord. #1073). The Plan Commission shall consist of the Mayor who shall be the Chairman, one Alderperson, one member of the Parks and Recreation Commission, 4 citizen members of recognized experience and qualifications and one citizen alternate. In the event the Parks and Recreation Commission member is also an Alderperson, there shall be 5 citizen members and one citizen alternate. The citizen members shall be appointed by the Mayor for staggered 3 year terms. The Alderperson member and the Parks and Recreation Commission member shall be appointed by a 2/3 vote of the Council for one year terms.

(2) POWERS AND DUTIES. The Plan Commission shall have the powers and duties prescribed in §62.23, Wis. Stats., and such other powers and duties as shall be vested in the Commission, from time to time, by the Council.

1.17 BOARD OF ZONING APPEALS. (1) MEMBERSHIP. (a) The Board of Zoning Appeals shall consist of 5 members appointed by the Mayor, subject to confirmation by the Council, for staggered terms of 3 years.

(b) Two alternate members shall be appointed by the Mayor and confirmed by the Council for terms of 3 years and shall act only when a regular member is absent or refuses to vote because of interest.

(c) The Building Inspector shall attend meetings, upon request, to provide technical assistance as requested by the Board.

(2) OFFICERS. (a) Chairperson. The Mayor shall designate the Chairperson of the Board.

(b) Secretary. The Clerk-Treasurer or his designee shall serve as Secretary to the Board.

(3) POWERS AND DUTIES. The Board shall have the powers and duties prescribed in §62.23(7)(e), Wis. Stats.

1.18 BOARD OF REVIEW. (1) MEMBERSHIP (Am. Ord. #1220A; Rep. & Recr. Ord. #1298). (a) Members. The Board of Review shall consist of the Mayor, the Clerk-Treasurer and 3 Alderpersons appointed annually by the Mayor.

(b) Two additional Alderpersons shall be appointed annually as alternates to act in the event a member of the Board is removed or recuses himself from hearing a matter pursuant to §70.74(6m) , Wis. Stats. Up to 5 citizens, who shall be residents of the City, may be appointed by the Mayor, subject to the confirmation of the Council, as additional alternates to act in the event that members or Alderperson alternates of the Board are removed or recuse themselves from hearing a matter, pursuant to §70.74(6m), Wis. Stats., to the extent that fewer than 5 members or Alderperson alternates remain on the Board. The Clerk-Treasurer shall notify any citizen alternate member of his appointment to replace a named member or Alderperson alternate of the Board. The alternate, once notified, if he approves the appointment, shall then take the oath of office and act as a member of the Board.

(2) POWERS AND DUTIES. The Board shall have the powers and duties prescribed in §70.47, Wis. Stats.

(3) (Cr. Ord. #1267; Rep. Ord. #1273)

1.19 (Rep. Ord. #1118)

1.20 PARKS AND RECREATION COMMISSION (Am. Ord. #1149; Rep. & Recr. Ord. #1195). (1) MEMBERSHIP. The Parks and Recreation Commission shall consist of not less than 7 nor more than 13 members, including the Director of Public Works, one member of the Plan Commission, the Recreation Director and the Park Foreman, all of whom shall be permanent members, from 2 to 8 citizen members and one alderperson member. All citizen members and the Alderperson member shall be appointed by the Mayor, subject to confirmation by the Council. Citizen members shall be appointed for staggered 3 year terms and the Alderperson member for a one year term. The Mayor, subject to confirmation of the Council, shall annually appoint the Chairperson of the Commission.

(2) POWERS AND DUTIES. The Commission shall have the general supervision of recreation in the City and shall operate and maintain all parks, playgrounds or other areas which shall be assigned to it by the Council, including the swimming pool, through its oversight of the Swimming Pool Committee, as provided in sub. (3) below. It may make rules and regulations for the government and control of all such places of recreation, subject to approval by the Council. The Commission shall generally direct the activities of the Parks Foreman and Recreation Director and shall hire all non-bargaining unit employees it deems necessary to carry out its responsibilities in accordance with employment policies of the City and the budget adopted by the Council. Bargaining unit employees shall be hired by the Administration and Personnel Committee of the Council. It is the intent of the Council that the Commission promote recreation in its broadest aspects and, toward this end, shall cooperate with existing recreational programs under the auspices of schools or semipublic groups within the City.

(3) SWIMMING POOL COMMITTEE. (a) Membership. The Swimming Pool Committee shall consist of 7 members, including the Director of Public Works, the Parks Foreman and the Pool Maintenance Person, all of whom shall be permanent members, one member of the Parks and Recreation Commission and 3 citizen members. The Swimming Pool Manager shall be an ex officio nonvoting member. All citizen members shall be appointed by the Mayor, subject to confirmation by the Council. Citizen members shall be appointed for staggered 3 year terms. The Parks and Recreation Commission member shall be appointed annually by the Commission Chairperson, subject to confirmation by the Commission. The Committee shall annually elect its Chairperson.

(b) Powers and Duties. The Committee shall have the general supervision and maintenance responsibility of the swimming pool and all swimming programs subject to the oversight responsibility of the Park and Recreation Commission, to whom it shall report on a regular basis. It may make rules and regulations for the government and control of such pool and programs, subject to approval of the Commission. The Parks and Recreation Commission shall be responsible for hiring the Swimming Pool Director, the Assistant Director and the Swim Team Coach. The Swimming Pool Director shall be responsible for hiring all other pool personnel.

1.21 LIBRARY BOARD. (1) MEMBERSHIP (Am. Ord. #1175). The Library Board shall consist of 8 members which shall include the Dodgeville School District Administrator or his representative; one Alderperson appointed by the Mayor, subject to confirmation by the Council, for a one year term; 5 citizen members appointed by the Mayor, subject to confirmation by the Council, for staggered 3 year terms; and one member appointed by Iowa County pursuant to §43.60(3), Wis. Stats., for a 3 year term commencing July 1, 2001, and thereafter for 3 year terms, subject to the limitations of §43.60(3), Wis. Stats.

(2) **POWERS AND DUTIES.** The Library Board shall have the powers and duties prescribed in §43.58, Wis. Stats. The Board shall consult with the Council for the purpose of coordinating library personnel policies with general City personnel policies.

1.22 BOARD OF HEALTH. (1) **MEMBERSHIP.** The Board of Health shall consist of the Cemetery and Health Committee and the Health Officer.

(2) **POWERS AND DUTIES.** The Board of Health shall have such powers and duties prescribed in §141.015, Wis. Stats., and this Code.

1.23 ADMINISTRATIVE REVIEW APPEALS BOARD. (1) **MEMBERSHIP.** The Administrative Review Appeals Board shall consist of the Mayor, an Alderperson and one citizen member. The Alderperson member shall be appointed annually by the Mayor, subject to confirmation by the Council. The citizen member shall be appointed by the Mayor, subject to confirmation by the Council, for a 3 year term.

(2) **POWERS AND DUTIES.** See ch. 6 of this Code .

1.24 BOARD OF PUBLIC WORKS. (1) **MEMBERSHIP.** The Street Committee shall constitute the Board of Public Works. The City Attorney and the Director of Public Works shall be ex officio members.

(2) **POWERS AND DUTIES.** The Board shall have the powers and duties prescribed in §62.14, Wis. Stats., and such other powers and duties assigned by the Council.

1.25 DODGEVILLE SEWER COMMISSION. (1) **MEMBERSHIP.** The Dodgeville Sewer Commission shall consist of the Sewer Committee of the Council.

(2) **POWERS AND DUTIES.** See ch. 13, subch. II of this Code.

1.26 DODGEVILLE WATER COMMISSION. (1) **MEMBERSHIP.** The Dodgeville Water Commission shall consist of the Water Works and Lighting Committee of the Council.

(2) **POWERS AND DUTIES.** The Water Commission shall be responsible for managing the Water Utility in accordance with policies established by the Council and the provisions of ch. 13, subch. I of this Code.

1.27 EQUAL OPPORTUNITIES COMMISSION. (1) **MEMBERSHIP.** The Equal Opportunities Commission shall consist of 5 citizens appointed by the Mayor, subject to confirmation by the Council, for staggered 3 year terms.

(2) **POWERS AND DUTIES.** See ch. 16 of this Code.

1.28 EMERGENCY MANAGEMENT. (1) **DECLARATION OF POLICY.** (a) To prepare the City with an effective course of action to be utilized in coping with emergencies resulting in any a disaster, or the imminent threat of a disaster, an Emergency Management Service Organization is created to comply with the program of the State as set forth in §166.01, Wis. Stats.

(b) The Emergency Management Service Organization shall take action in accordance with the Emergency Management Service plan only after the declaration of an emergency and the issuance of official disaster warnings. Such state of emergency shall continue until terminated by the issuing

authority, provided that any such declaration not issued by the Governor may be terminated at the discretion of the Mayor or members of the emergency operating center.

(c) It is further declared to be the purpose of this section and the policy of the City that all emergency management functions of the City be coordinated to the existing services and facilities of the City and with comparable functions of the Federal, State and County governments and other political subdivisions, and of various private agencies to the end that the most effective preparation and use made be made of man power, resources and facilities for dealing with any disasters that may occur.

(2) DEFINITIONS. The definition of terms used in this section shall be as set forth in § 164.02, Wis. Stats.

(3) HEAD OF EMERGENCY MANAGEMENT SERVICES. The Mayor is hereby appointed head of Emergency Management Services.

(4) DECLARATION OF DISASTER. (a) Whenever, in the judgment of the Mayor, a natural disaster or emergency exists, he may so declare and order that the City Hall or other designated facility shall become the emergency operations center of the City for coordinating the delivery of emergency services, as set forth in the City's emergency operations plan.

(b) The disaster operations chain of command shall consist of the following:

1. The Mayor.
2. The President of the Council.
3. The Emergency Management Director.

(c) The Mayor, as head of Emergency Management Services, shall be the Chief executive officer of the emergency operations. He shall issue such orders and directions to the other members and shall assist them in delivering emergency services that they may be able to provide using the resources of the various departments and facilities under their control.

(5) EMERGENCY MANAGEMENT COMMITTEE. There is hereby created an Emergency Management Committee consisting of 4 members of the Council, appointed by the Mayor and subject to confirmation of the Council.

(6) DUTIES OF EMERGENCY MANAGEMENT COMMITTEE. The Emergency Management Committee shall be an advisory and planning group advising the Mayor and the Council on all matters pertaining to emergency management.

(7) EMERGENCY MANAGEMENT DIRECTOR. (a) Appointment. The office of Emergency Management Director is hereby created. The Director shall be appointed by the Mayor and shall chair the Emergency Management Committee.

(b) Duties and Authority. 1. Nonemergency Period. The Director shall direct emergency management training programs and exercises, coordinate all activities for emergency management within the City and maintain liaison and cooperate with the Iowa County Emergency Management Director. The Director also shall perform all administrative duties necessary for the rendering of reports and procurement of Federal matching funds. The Emergency Management Committee, under the Director's supervision, shall prepare a comprehensive general plan for the emergency management of

the City and shall present such plan to the Council for its approval, and shall perform such other duties as may be assigned by the Council.

2. Emergency Period. The Director shall act as advisor or chief of staff to the Mayor. In his absence, the Director shall assume the Mayor's emergency duties and responsibilities.

(8) UTILIZATION OF EXISTING SERVICES AND FACILITIES, POLICY. In preparing and executing the Emergency Management program, the services; equipment, supplies and facilities of the existing departments and agencies of the City shall be utilized to the maximum extent practicable; and the officer and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities as are requested of them.

(9) COOPERATION. The City may cooperate pursuant to §66.0301, Wis. Stats., to furnish services, combine offices and finance emergency management services with other municipalities and Iowa County upon appropriate resolution of the Council.

(10) SUCCESSION TO LOCAL OFFICES. The Council, by resolution, may provide for the continuity of government in the event of and throughout the duration of a state of emergency resulting from emergency action by providing a method by which temporary emergency appointments to public office are made, except as limited by express constitutional provisions. Such ordinance or resolution shall define the scope of the powers and duties which may be exercised and shall provide for the termination of appointments so made, pursuant to § 323.54, Wis. Stats.

(11) EMERGENCY REGULATIONS. Whenever necessary to meet an emergency for which adequate regulations have not been adopted by the Council, the Mayor may, by proclamation, promulgate and enforce such orders, rules and regulations relating to the conduct of persons and the use of property as shall be necessary to protect the public peace, health and safety. Any such emergency order, rules and regulations shall expire within 48 hours of the issuance of the same unless extended by the Council, in accordance with §166.23, Wis. Stats.

(12) STATE LAW ADOPTED BY REFERENCE. Chapter 166, Wis. Stats., is hereby adopted by reference.

(13) PENALTY. It shall be unlawful for any person willfully to obstruct, hinder or delay any member of the Emergency Management organization in the enforcement of any order, rule, regulation or plan issued pursuant to this section or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this section. For a violation of any of the provisions of this section, he shall forfeit not more than \$200.

1.29 HISTORIC PRESERVATION COMMISSION (Cr. Ord. #981). (1) CREATION AND MEMBERSHIP. A Historic Preservation Commission is hereby created, consisting of 7 members. Of the membership, if available in the community, one shall be a registered architect, one shall be a historian, one shall be a licensed real estate broker, one shall be an Alderperson and 3 shall be citizen members. Each member shall have, to the highest extent practicable, a known interest in historic preservation. The Mayor shall appoint the commissioners and designate their terms, subject to confirmation by the Council. Of the initial members so appointed, 2 shall serve a term of one year, 2 shall serve a term of 2 years and 3 shall serve a term of 3 years. Thereafter, the term for each member shall be 3 years.

(2) POWERS AND DUTIES. See ch. 16A of this Code.

1.30 DESIGN REVIEW BOARD

(1) MEMBERSHIP. (a) The Design Review Board shall consist of 5 members appointed by the Mayor, subject to confirmation by the Council, for staggered terms of 2 years. One member shall be a member of the Plan Commission. To establish staggered terms, 2 members on the initial Board shall be appointed for a one-year term.

(b) Two alternate members shall be appointed by the Mayor and confirmed by the Council for terms of 2 years and shall act only when a regular member is absent or refuses to vote because of interest. To establish staggered terms, one alternate on the initial Board shall be appointed for a one-year term.

(c) To the greatest extent practicable, members shall have interest or experience in architecture, landscaping or land planning.

(d) The Building Inspector shall attend meetings, upon request, to provide technical assistance as requested by the Board.

(2) QUORUM. Three members shall constitute a quorum.

(3) OFFICERS. The Board shall elect its own officers.

(4) POWERS AND DUTIES. The Board shall have the powers and duties prescribed in sec. 17.251 of this Code.

1.31 POLICE AND FIRE COMMISSION

(1) MEMBERSHIP. The Police and Fire Commission shall consist of 5 citizens, 3 of whom shall constitute a quorum. The Mayor shall annually, between the last Monday of April and the first Monday of May, appoint, in writing, to be filed with the Secretary of the Commission, one member for a term of 5 years, provided, however, that when the Commission is first created, the Mayor shall appoint all 5 members to staggered terms, the first term expiring between the last Monday of April and the first Monday of May next following such appointments and the other terms expiring annually thereafter. No appointment shall be made which will result in more than 3 members of the Commission belonging to the same political party. The Commission shall keep a record of its proceedings.

(2) POWERS AND DUTIES. The Police and Fire Commission shall have all the powers and duties provided in §62.13, Wis. Stats., excepting the optional powers contained in §62.13(6), Wis. Stats., and shall have such additional powers as are provided elsewhere in the State Statutes of which the Council may, from time to time, assign.

(3) RESERVE MEMBERS (Cr. Ord. #1221). The Mayor may, from time to time, appoint no more than 2 reserve members to the Commission. Reserve appointees have no authority to act and shall not be considered acting members of the Commission unless there is an actual vacancy on the Commission and the reserve appointee's membership would not violate §62.13, Wis. Stats., requiring that no more than 3 members of the Commission belong to the same political party. Reserve members may attend all open sessions of the Commission. In the event of a vacancy on the Commission, an otherwise qualified reserve member shall become a full member of the Commission upon taking and filing the oath of office. If more than one person is a reserve member, vacancies shall be filled in the order in which reserve members were appointed unless such action would result in more than 3 members of the Commission belonging to the same political party.

1.32 TREE BOARD

(1) MEMBERSHIP. The Tree Board shall consist of not less than 5 nor more than 7 members. The Mayor shall appoint a Chairperson and all other members and shall designate their terms, subject to confirmation by the Council. The term of each member shall be 3 years.

(2) POWERS AND DUTIES. The Tree Board shall have the following powers and duties:

(a) Prepare and maintain an inventory of trees located on public lands within the City.

(b) Prepare and recommend to the Council a plan for the planting, care and maintenance of trees in the City, including the number, species and location.

(c) Apply for State and Federal grants for the implementation of the City's tree plans and programs.

(d) Retain such persons who are qualified in urban forestry as the Council shall authorize to assist in the development of forestry management for the City.

(e) Provide a forum for the encourage public comments on City tree plans and programs.

1.33 VISITOR AND TOURISM PROMOTION AND DEVELOPMENT COMMISSION

(1) MEMBERSHIP. The Commission shall consist of five (5) members, at least one of whom shall represent the Wisconsin hotel and motel industry. Members of the Commission shall be appointed by the Mayor and shall be confirmed by a majority of the Common Council. Commissioners shall serve for a one-year term, at the pleasure of the Mayor, and may be reappointed.

(2) POWERS AND DUTIES. The Commission shall have all of the powers and duties prescribed or permitted under Wis. Stat. sec. 66.0615.

SUBCHAPTER III: ELECTIONS AND POLITICAL BOUNDARIES

1.36 CLERK-TREASURER'S ELECTION DUTIES. As provided in §7.15, Wis. Stats., the Clerk-Treasurer shall have charge of and supervise all elections held in the City.

1.37 ELECTION OFFICIALS. (Rep. & Recr. Ord. # 1294). Election officials for each polling place shall be appointed pursuant to §§7.30, 7.31 and 7.32, Wis. Stats. However, the Clerk-Treasurer shall determine in advance of each general and special election whether the number of election officials for such election should be reduced from the number prescribed by the Wisconsin Statutes and, if such a reduction is so determined, the Clerk-Treasurer shall further redistribute duties among remaining officials, provided there are an odd number of election officials.

1.38 NOMINATION OF ELECTED CITY OFFICIALS. All candidates for elective City office shall file nomination papers pursuant to §8.10, Wis. Stats.

1.39 POLLING HOURS (Am. Ord. #1278). (1) The polls of the City shall open at 7:00 A.M. and close at 8:00 P.M. for all elections.

(2) Two or more sets of officials may work at different times on election day and the Clerk-Treasurer or his designee may, in his discretion, establish different working hours for different officials assigned at the same polling place.

1.40 POLLING PLACES. The polling places for all electors of the City shall be in designated rooms located in the City Hall.

1.41 REGISTRATION REQUIRED. Except as provided in §6.55, Wis. Stats., no elector of the City shall be permitted to vote at any election held in the City unless such person shall have registered as an elector of the City.

1.42 CITY BOUNDARIES. The boundaries of the City are set forth on the Official Map of the City and the legal description of said boundaries is on file in the office of the Clerk-Treasurer.

1.43 WARD BOUNDARIES (*Rep. & Recr. Ord. #966; Rep. & Recr. Ord. #1180; Rep. & Recr. JAE, Rep & Recr Ord 2021-1405*).

The following portions of the City of Dodgeville shall constitute each of the following wards:

- (1) Ward One: Census Blocks 2015, 2016, 2019, 2020, 2023, 2024, and 2039 of the City of Dodgeville. Ward One is located entirely in County Supervisory District 8.
- (2) Ward Two: Census Blocks 1047, 1048, 2009, 2010, 2011, 2012, 2013, 2014, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2040, 2041, and 2042 of the City of Dodgeville. Ward Two is located entirely in County Supervisory District 8.
- (3) Ward Three: Census Blocks 2043, 2044, 2045, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3014, 4029, 4030, 4031, 4032, and 4033 of the City of Dodgeville. Ward Three is located entirely in County Supervisory District 9.

- (4) Ward Four: Census Blocks 3013, 3017, 3018, 3019, 3020, 3031, and 3032 of the City of Dodgeville. Ward Four is located entirely in County Supervisory District 9.
- (5) Ward Five: Census Blocks 4009, 4010, 4011, 4012, 4013, 4014, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4034, 4035, 4036, 4037, 4038, and 4039 of the City of Dodgeville. Ward Five is located entirely in County Supervisory District 10.
- (6) Ward Six: Census Blocks 1022, 1040, 1041, 1051, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1069, 4007, 4015, 4016, 4017, and 4018 of the City of Dodgeville. Ward Six is located entirely in County Supervisory District 10.
- (7) Ward Seven: Census Blocks 1018, 1019, 1020, 1021, 1057, 1028, 1029, and 1043 of the City of Dodgeville. Ward Seven is located entirely in County Supervisory District 11.
- (8) Ward Eight: Census Blocks 1016, 1017, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1042, 1044, 1045, 1046, 1049, 1050, 1052, and 1068 of the City of Dodgeville. Ward Eight is located entirely in County Supervisory District 11.
- (9) Ward Nine: Census Blocks 2084, 2085, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, and 1015 of the City of Dodgeville. Ward Nine is located entirely in County Supervisory District 7.
- (10) Ward Ten: Census Blocks 2080, 2090, 2091, 2000, 2001, 2002, 2005, 2006, 2007, and 2008 of the City of Dodgeville. Ward Ten is located entirely in County Supervisory District 6.

1.44 ALDERMANIC DISTRICTS (*Rep. & Recr. Ord. #1180 Am. Ord. #1300, Rep & Recr Ord 2021-1405*). The City is hereby divided into four (4) Aldermanic Districts, comprised from the ten (10) wards, as identified on the map described in secs. 1.43 and 1.45 of this subchapter, as follows:

(1) **FIRST ALDERMANIC DISTRICT.** The boundaries of the First Aldermanic District shall be the boundaries of Wards 1, 2 and 10.

(2) **SECOND ALDERMANIC DISTRICT.** The boundaries of the Second Aldermanic District shall be the boundaries of Wards 3 and 4.

(3) **THIRD ALDERMANIC DISTRICT.** The boundaries of the Third Aldermanic District shall be the boundaries of Wards 5 and 6.

(4) **FOURTH ALDERMANIC DISTRICT.** The boundaries of the Fourth Aldermanic District shall be the boundaries of Wards 7, 8 and 9.

1.45 ELECTION MAPS ON FILE. The Ward Map and Aldermanic District Map shall be kept on file in the office of the Clerk-Treasurer.

1.46 to 1.50 (Reserved)

SUBCHAPTER IV: PUBLIC RECORDS

1.51 PUBLIC RECORDS, ACCESS TO. (1) DEFINITIONS. As used in this subchapter:

(a) "Authority" means any City entity having custody of a City record including an office, elected official, agency, board, commission, committee, council, department or public body corporate and politic created by constitution, law, ordinance, rule or order; or a formally constituted subunit of the foregoing.

(b) "Custodian" means that officer, department head, division head or employee of the City designated under sub. (3) below or otherwise responsible by law to keep and preserve any City records or file, deposit or keep such records in his office, or is lawfully in possession or entitled to possession of such public records and who is required by this section to respond to requests for access to such records.

(c) "Record" means any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. "Record" includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes, (including computer tapes), and computer printouts. "Record" does not include drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his office; materials to which access is limited by copyright, patent or bequest; and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.

(2) DUTY TO MAINTAIN RECORDS. (a) Except as provided under sec. 1.52 of this subchapter, each officer and employee of the City shall safely keep and preserve all records received from his predecessor or other persons and required by law to be filed, deposited or kept in his office or which are in the lawful possession or control of the officer or employee or his deputies, or to the possession or control of which he may be lawfully entitled as such officer or employee.

(b) Upon the expiration of an officer's term of office or an employee's term of employment, or whenever the office or position of employment becomes vacant, each such officer or employee shall deliver to his successor all records then in his custody and the successor shall receipt therefor to the officer or employee, who shall file said receipt with the City Clerk. If a vacancy occurs before a successor is selected or qualifies, such records shall be delivered to and receipted for by the City Clerk, on behalf of the successor, to be delivered to such successor upon the latter's receipt.

(3) LEGAL CUSTODIANS. (a) Each elected official is the legal custodian of his records and the records of his office, but the official may designate an employee of his staff to act as the legal custodian.

(b) Unless otherwise prohibited by law, the City Clerk or the Clerk's designee shall act as legal custodian for the Council and for any committees, commissions, boards or other authorities created by ordinance or resolution of the Council. This shall not include the Police and Fire Departments whose custodians shall be the Police Chief and the Fire Chief, respectively.

(c) For every authority not specified in pars. (a) or (b) above, the authority's chief administrative officer is the legal custodian for the authority, but the off designate an employee of his staff to act as the legal custodian.

(d) Each legal custodian shall name a person to act as legal custodian in his absence or city's absence of his designee. This subsection shall not apply to the Council.

(e) The legal custodian shall have full legal power to render decisions and to carry out the duties of an authority under Ch. 19, subch. II, Wis. Stats., and this section. The designation of a legal custodian does not affect the powers and duties of an authority under this section.

(4) PROCEDURAL INFORMATION. Pursuant to §19.34, Wis. Stats., and the guidelines therein listed, each authority shall adopt, prominently display and make available for inspection and copying at its offices, for the guidance of the public, a notice containing a description of its organization and the established times and places at which the legal custodian from whom and the methods whereby, the public may obtain information and access to records in its custody, make requests for records, or obtain copies of records, and the costs thereof. Each authority shall also prominently display at its offices, for the guidance of the public, a copy of this section. This section does not apply to members of the Council.

(5) PUBLIC ACCESS TO RECORDS; FEES. (a) Except as provided in sub. (7) below, any person has a right to inspect a record and to make or receive a copy of any record as provided in §19.35(1), Wis. Stats.

(b) Records shall be available for inspection and copying during all regular office hours.

(c) If regular office hours are not maintained at the location where records are kept, the records shall be available for inspection and copying upon at least 48 hours' advance notice of intent to inspect or copy.

(d) A requester shall be permitted to use facilities comparable to those available to City employees to inspect, copy or abstract a record. This subsection does not authorize or require the purchase or lease of equipment nor does it require the provision of a separate room for inspection, copying or abstracting of records.

(e) The authority may require supervision during inspection or may impose other reasonable restrictions on the manner of access to an original record if the record is irreplaceable or easily damaged.

(f) A requester shall be charged a fee to defray the cost of locating and copying records as follows:

1. A cost per page of photocopying, as determined by the City Clerk, shall be charged. Said cost shall not exceed the actual, necessary and direct costs to the authority of reproduction, and such charges shall be prominently displayed and made available for inspection by the authority at his office.

2. If the form of a written record does not permit copying, the actual and necessary cost of photographing and photographic processing shall be charged.

3. The actual full cost of providing a copy of other records not in printed form on paper such as films, computer printouts and audio or video tapes shall be charged.

4. If mailing or shipping is necessary, the actual cost thereof shall also be charged.

5. There shall be no charge for locating a record unless the actual cost therefor exceeds \$50, in which case the actual cost shall be determined by the authority and billed to the requester.

6. The authority shall estimate the cost of all applicable fees and may require a cash deposit adequate to assure payment if such estimate exceeds \$5.

7. The authority may provide copies of a record without charge or at a reduced charge where he determines that waiver or reduction of the fee is in the public interest.

8. Elected and appointed officials of the City shall not be required to pay for public records they may reasonably require for the proper performance of their official duties.

(6) ACCESS PROCEDURES. (a) A request to inspect or copy a record shall be made to the authority. A request shall be deemed sufficient if it reasonably describes the requested record or the information requested. However, a request for a record without a reasonable limitation as to subject matter or length of time represented by the record does not constitute a sufficient request. A request may be made orally, but a request must be in writing before an action to enforce the request is commenced under §19.37, Wis. Stats. Except as provided below, no request may be refused because the person making the request is unwilling to be identified or to state the purpose of the request. No request may be refused because the request is received by mail unless prepayment of a fee is required under sub. (5)(f)6. above. A requester may be required to show acceptable identification whenever the requested record is kept at a private residence or whenever security reasons or Federal law or regulations so require.

(b) Each custodian, upon request for any record, shall, as soon as practicable and without delay, either fill the request or notify the requester of the authority's determination to deny the request in whole or in part and the reasons therefor. When the legal custodian has doubts as to whether the requested records are exempt from disclosure, in whole or in part, he shall have 3 working days to confer with the City Attorney prior to making a determination. If the legal custodian, after conferring with the City Attorney, determines that a written request is so general as to be unduly time consuming, the party making the request may first be required to itemize his request in a manner which would permit reasonable compliance.

(c) A request for a record may be denied as provided in sub. (7) below. If a request is made orally, the request may be denied orally unless a demand for a written statement of the reasons denying the request is made by the requester within 5 business days of the oral denial. If a written request is denied in whole or in part, the requester shall receive a written statement of the reasons for denying the request. Every written denial of a request shall inform the requester that if the request for the record was made in writing, then the determination is subject to review upon petition for a writ of mandamus under §19.37(1), Wis. Stats., or upon application to the Attorney General or a district attorney.

(7) LIMITATIONS ON RIGHT TO ACCESS. (a) As provided by §19.36, Wis. Stats., the following records are exempt from inspection under this section:

1. Records specifically exempted from disclosure by State or Federal law or authorized to be exempted from disclosure by State law.

2. Any record relating to investigative information obtained for law enforcement purposes if Federal law or regulations require exemption from disclosure or if exemption from disclosure is a condition to receipt of aids by the State.

3. Computer programs, although the material used as input for a computer program or the material produced as a product of the computer program is subject to inspection.

4. A record or any portion of a record containing information qualifying as a common law trade secret.

(b) As provided by § 43.60, Wis. Stats., public library circulation records are exempt from inspection under this section.

(c) In responding to a request for inspection or copying of a record which is not specifically exempt from disclosure, the legal custodian, after conferring with the City Attorney, may deny the request, in whole or in part, only if he determines that the harm to the public interest resulting from disclosure would outweigh the public interest in full access to the requested record. Examples of matters for which disclosure may be refused include, but are not limited to, the following:

1. Records obtained under official pledges of confidentiality which were necessary and given in order to obtain the information contained in them.

2. Records of current deliberations after a quasijudicial hearing.

3. Records of current deliberations concerning employment, dismissal, promotion, demotion, compensation, performance or discipline of any City officer or employee, or the investigation of charges against a City officer or employee, unless such officer or employee consents to such disclosure.

4. Records concerning current strategy for crime detection or prevention.

5. Records of current deliberations or negotiations on the purchase of City property, investing of City funds or other City business whenever competitive or bargaining reasons require nondisclosure.

6. Financial, medical, social or personal histories or disciplinary data of specific persons which, if disclosed, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such history or data.

7. Communications between legal counsel for the City and any officer, agent or employee of the City when advice is being rendered concerning strategy with respect to current litigation in which the City or any of its officers, agents or employees is, or is likely, to become involved, or communications which are privileged under §905.03, Wis. Stats.

(d) If a record contains information that may be made public and information that may not be made public, the custodian of the record shall provide the information that may be made public and delete the information that may not be made public from the record before release. The custodian shall confer with the City Attorney prior to releasing any such record and shall follow the guidance of the City Attorney when separating out the exempt material. If, in the judgment of the custodian and the City Attorney, there is no feasible way to separate the exempt material from the nonexempt material

without unreasonably jeopardizing nondisclosure of the exempt material, the entire record shall be withheld from disclosure.

(8) ASSESSOR'S RECORDS TO BE HELD CONFIDENTIAL (Cr. Ord. #1222). Whenever the Assessor, in the performance of his duties, requests or obtains income and expense information pursuant to §70.47(7) (af), Wis. Stats., such income and expense information that is provided to the Assessor shall be held by the Assessor on a confidential basis, except, however, that said information may be revealed to and used by persons in the discharging of duties imposed by law; in the discharge of duties imposed by office, including, but not limited to, use by the Assessor in the performance of official duties of the Assessor's office and use by the Board of Review in performance of its official duties; or pursuant to order of a court. Income and expense information provided to the Assessor under §70.47(7) (af), Wis. Stats., unless a court determines that it is inaccurate, is, pursuant to §70.47(7) (af) not subject to the right of inspection and copying under §19.35(1) , Wis. Stats. If any portion of this subsection shall be declared by a court of competent jurisdiction to 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 of this subsection. The remainder of this subsection shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this subsection are hereby repealed as to those terms that conflict.

1.52 PUBLIC RECORDS, DESTRUCTION OF. (1) FINANCIAL RECORDS. City officers may destroy the following nonutility records of which they are the legal custodian and which are considered obsolete after completion of an audit by State auditors or an auditor licensed under Ch. 442, Wis. Stats., but not less than 7 years after payment or receipt of any sum involved in the particular transaction unless a shorter period has been fixed or will, in the future, be fixed by the committee on public records, pursuant to §16.61(3) (e) , Wis. Stats., and then after such shorter period:

- (a) Bank statements, deposit books, slips and stubs.
- (b) Bonds and coupons after maturity.
- (c) Cancelled checks, duplicates and check stubs.
- (d) License and permit applications, stubs and duplicates.
- (e) Payrolls and other time and employment records of personnel included under the Wisconsin Retirement Fund.
- (f) Receipt forms.
- (g) Special assessment records.
- (h) Vouchers, requisitions, purchase orders and all other supporting documents pertaining thereto.

(2) UTILITY RECORDS. City officers may destroy the following utility records of which they are the legal custodians and which are considered obsolete after completion of any required audit by the Bureau of Municipal Audit or an auditor licensed under Ch. 442, Wis. Stats., subject to State Public Service Commission regulations, but not less than 7 years after the record was effective unless a shorter period has been fixed by the State Public Records Board pursuant to §16.61(3) (e), Wis. Stats., and then after such a shorter period, except that water stubs, receipts of current billings and customers' ledgers may be destroyed after 2 years:

- (a) Water and sewer stubs and receipts of current billings.
- (b) Customers' ledgers.
- (c) Vouchers and supporting documents pertaining to charges not included in plant accounts.

(d) Other utility records after 7 years with the written approval of the State Public Service Commission.

(3) OTHER RECORDS. Any City officer may destroy the following records of which he is the legal custodian and which are considered obsolete, but not less than 7 years after the record was effective, unless another period has been set by Statute, or by the State Public Records Board pursuant to §16.61(3)(e), Wis. Stats., and then after such a shorter period:

(a) Assessment rolls and related records, including Board of Review minutes.

(b) Contracts and papers relating thereto.

(c) Correspondence and communications.

(d) Financial reports other than annual financial reports.

(e) Insurance policies.

(f) Oaths of office.

(g) Reports of boards, commissions, committees and officials duplicated in the Council minutes.

(h) Resolutions and petitions.

(i) Voter record cards.

(4) NOTICE REQUIRED. Unless notice is waived by the State Historical Society, at least 60 days' notice shall be given the State Historical Society prior to the destruction of any record as provided in §19.21(4)(a), Wis. Stats.

(5) TAPE RECORDINGS. Any tape recording of a governmental meeting of the City may be destroyed, erased or reused no sooner than 90 days after the minutes of the meeting have been approved and published if the purpose of the recording was to make minutes of the meeting.

(6) LIMITATION. This section shall not be construed to authorize the destruction of any public record after a period less than prescribed by statute or State administrative regulations.

(7) PRESERVATION THROUGH MICROFILM. Any City officer or the head of any department or division of City government may keep and preserve public records in his possession by means of microfilm or other photographic reproduction method. Such records shall meet the standards for photographic reproduction set forth in §16.61(7)(a) and (b), Wis. Stats., and shall be considered original records for all purposes. Such records shall be preserved along with other files of the department or division and shall be open to public inspection and copying according to the provisions of State law and this Code.

SUBCHAPTER V: DISPOSAL OF ABANDONED PROPERTY (Cr. Ord. #1014)

1.55 PROPERTY DEEMED ABANDONED (Am. Ord. #1187). Except as provided in sec. 7.09 of this Code with respect to motor vehicles, any personal property which has been abandoned or remains unclaimed for a period of 30 days after the taking of possession of the property by a City officer shall be disposed of as provided in sec. 1.56 below.

1.56 DISPOSAL PROCEDURE. Except as provided in sub. (4) below, whenever the Police Chief or the Fire Chief, or the director or superintendent of any City department shall have custody of abandoned or unclaimed property, as described in sec. 1.55 above, such property may be disposed of by the following procedures:

(1) For each item of property which, in the reasonable estimation of the Police Chief, the Fire Chief or a director or superintendent, has a fair market value greater than \$100, a notice shall be posted at City Hall and the Iowa County Courthouse listing all items of abandoned or unclaimed property to be disposed of and announcing that the City will receive sealed bids at City Hall for the sale of such items for a specified period of time, but not less than 15 days following the date of posting such notices. Notices also may be delivered or mailed to other parties who have requested them or are believed by the Police Chief, the Fire Chief, director or superintendent to have an interest therein.

(2) Each item of property which, in the reasonable estimation of the Police Chief, the Fire Chief, director or superintendent, has a fair market value lower than \$100 may be disposed of in such manner as the Police Chief, Fire Chief, director or superintendent deems appropriate, but in so doing, the Chief, director or superintendent shall make reasonable efforts to obtain bids from interested parties and, when practicable, shall place such items in auctions or sales. As to all items for which sealed bids are not received, the City shall maintain an inventory. Such inventory shall be kept as a public record for a period of not less than 2 years from the date of disposal of the property.

(3) After a sale of property, pursuant to subs. (1) or (2) above, all receipts from the sale, after deducting the necessary expenses of keeping the property and conducting the sale, shall be paid into the City Treasury.

(4) Any abandoned or unclaimed flammable, explosive or incendiary substances, materials or devices posing a danger to life or property or abandoned or unclaimed firearms or ammunition shall not be disposed of as above provided, but shall be disposed of only as provided by the applicable provisions of the Wisconsin Statutes.