

## Title 2 ► Chapter 4

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# Boards, Commissions and Committees

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### **Sec. 2-4-1 Board of Review.**

(a) **Composition.**

- (1) **Membership.** The Board of Review of the Village of Bangor shall be composed of the Village President or his/her designee, Village Administrator and three (3) other members (Trustees and/or citizens). The Village President shall annually appoint the three (3) Trustees members. The Village Administrator shall serve as Clerk of the Board of Review. The Assessor shall attend all meetings of the Board of Review, but shall not vote.
- (2) **Appointment.** The Village President and Administrator shall have automatic seats on the Board of Review. The Village President shall annually appoint, subject to Village Board confirmation, his or her designee, if need be; three (3) other members (Trustees and/or citizens) to serve on the Board of Review. Such appointments shall take place at the regularly scheduled meeting of the Village Board in April of each year.
- (3) **Alternate Members.** Pursuant to Secs. 70.47(6m)(c) and 70.46(1), Wis. Stats., the Village Board hereby provides for the appointment of alternates to serve on the Board of Review in the event a standing board member of the Board of Review is removed pursuant to Sec. 70.47(a), Wis. Stats., or recused pursuant to Sec. 70.47(b), Wis. Stats.

The Village Board shall establish and maintain a public list of names and persons eligible and appointed by the Village Board to serve as alternative members of the Board of Review. The list shall be arranged and maintained by the Village Administrator in a priority order of probable and likely service as an alternative. The Village Administrator shall notify any named member who has been lawfully removed under Sec. 60.47(6m)(a) or (b), Wis. Stats., and shall notify the alternate person of his/her appointment to replace a named member of the Board of Review. The alternate, once noticed, if he/she approves the appointment, and he/she would not violate Sec. 19.59, Wis. Stats., shall then take the oath of office and act as a member of the Board of Review under Sec. 60.47(6m)(c), Wis. Stats.

- (4) **Training Requirement.** No Board of Review may be constituted unless it includes at least one (1) voting member who, within two (2) years of the Board's first meeting, has attended a training session under Sec. 73.03(55), Wis. Stats., and unless that member is the municipality's chief executive officer or that officer's designee. The Village Administrator shall provide an affidavit to the Wisconsin Department of Revenue stating whether the requirement under this Section has been fulfilled.
- (b) **Compensation.** The members of the Board of Review shall receive compensation as determined by resolution of the Village Board, except members who are full-time employees/officials of the Village shall receive no additional compensation.
- (c) **Duties.** The duties and functions of the Board of Review shall be as prescribed in Sections 70.46 and 70.47, Wis. Stats.
- (d) **Meetings.** In accordance with Sec. 70.47(3)b, Wis. Stats., the Village Board do hereby exercise their right to designate hours for the annual Board of Review proceedings other than those set forth in Sec. 70.47(3)a, and shall designate the hours of the annual Board of Review. The Board of Review may adjourn from day to day or from time to time, until such time as its business is completed, providing that adequate notice of each adjournment is so given.
- (e) **Objections to Valuations to be Written.** No person shall be permitted to appear and make objection before the Board of Review of the Village of Bangor to the amount of valuation of any property unless objection thereto shall first have been made in writing and filed with the Clerk of the Board of Review.
- (f) **Confidentiality of Assessor's Records.** Whenever the Assessor, in the performance of the Assessor's duties, requests or obtains income and expense information pursuant to Sec. 70.47(7)(af), Wis. Stats., or any successor statute thereto, then, such income and expense information that is provided to the Assessor shall be held by the Assessor on a confidential basis, except, however, that the 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 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 Sec. 70.47(7)(af), Wis. Stats., unless a court determines that it is inaccurate, is, per Sec. 70.47(7)(af), Wis. Stats., not subject to the right of inspection and copying under Sec. 19.35(1), Wis. Stats.

(g) **Alternate Forms of Sworn Testimony at Board of Review Hearings.**

(1) **Statement of Purpose.** Sec. 70.47(8), Wis. Stats., authorizes the Board of Review to consider requests from a property owner, or the property owner's representative, to appear before the Board of Review under oath by telephone or to submit a written statement under oath to the Board of Review.

(2) **Procedures.**

a. In order for a property owner, or property owner's representative, to submit a request to testify by telephone or submit a sworn written statement, he/she must first comply with the following steps:

1. The legal requirement to provide Notice of Intent to Appear at the Board of Review shall be satisfied; and
2. An Objection Form for Real Property Assessment (PA-115A) shall be completed and submitted to the Board of Review as required by the Wisconsin Statutes.

b. After both requirements prescribed under Subsection (b)(1)a-b above have been satisfied, a Request to Testify by Telephone or to Submit a Sworn Written Statement at Board of Review (PA-814) may be submitted to the Village Administrator. Such request(s) must be submitted in time to be considered by the Board of Review at the first meeting of such Board.

(3) **Criteria To Be Considered.** The Board of Review may consider any or all of the following factors when a determination whether to grant or deny the request:

- a. The requester's stated reason(s) for the request as stated on Form PA-814.
- b. Fairness to the parties involved.
- c. Ability of the requester to procure in person oral testimony and any due diligence exhibited by the requester in procuring the testimony.
- d. Ability to cross-examine the person providing the testimony.
- e. The Board of Review's technical capability to honor the request.
- f. Any other factors which the Board of Review deems pertinent to deciding the request.

(4) **Disabled or Ill Parties.** The Board of Review shall hear by telephone, upon oath, all disabled or ill persons who present to the Board of Review a letter from a physician, osteopath, physician assistant, or advanced practice nurse prescriber that confirms their illness or disability.

*State Law Reference:* Sections 70.46 and 70.47, Wis. Stats.

## **Sec. 2-4-2 Zoning Board of Appeals.**

(a) **Establishment.** A Zoning Board of Appeals shall be appointed and governed by the State zoning enabling law as contained in Sec. 62.23, Wis. Stats., the Village Zoning Code and

ordinances and this Section. The laws of the State or Village of Bangor local ordinances shall prevail in that order. The Zoning Board of Appeals shall consist of five (5) citizen members and two (2) alternate members, appointed by the Village President subject to confirmation by the Village Board, for a three (3) year term of office. The members shall be removable by the Village Board for cause upon written charges and upon public hearing. The Village President shall designate one of the members chairperson.

(b) **Powers.** The Zoning Board of Appeals shall have the following powers:

- (1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of any Village Zoning Code or any ordinance adopted under Sections 62.23, 61.35 or 62.231 (wetlands), 87.30 or 144.26 (flood plains) or Chapter 91 (farmland preservation), Wis. Stats.
- (2) To hear and decide special exceptions to the terms of the Village of Bangor zoning and floodplain zoning regulations upon which the Zoning Board of Appeals is required to pass.
- (3) To authorize, upon appeal in specific cases, such variance from the terms of the Village zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit of the Zoning Code shall be observed, public safety and welfare secured and substantial justice done; provided, however, that no such action shall have the effect of establishing in any district a use or uses not permitted in such district. The Zoning Board of Appeals shall not grant use variances in floodplain or wetland and conservancy districts. In all other districts, no use variance shall be granted unless the applicant has first petitioned for a zoning amendment or a conditional use permit, if applicable, and upon a showing that no lawful and feasible use of the subject property can be made in the absence of such variance. Any use variance granted shall be limited to the specific use described in the Zoning Board of Appeal's decision and shall not permit variances in yard, area or other requirements of the district in which located.
- (4) To permit the erection and use of a building or premises in any location subject to appropriate conditions and safeguards in harmony with the general purposes of the Zoning Code, for such purposes which are reasonably necessary for public convenience and welfare.
- (5) The Zoning Board of Appeals may reverse or affirm wholly or in part or may modify any order, requirement, decision or determination as in its opinion should be applicable to that parcel or premises. The concurring vote of four (4) members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, decision, or determination appealed from or to decide in favor of the applicant on any matter on which it is required to pass, or to effect any variation in the requirements of Village zoning ordinances. The grounds of every such determination shall be stated and recorded. Per Sec. 62.23(7)(e)7., Wis. Stats., the Zoning Board of Appeals may permit, in appropriate cases, and subject to appropriate conditions and safeguards in harmony with the general purpose and intent of the Zoning Code, a building or

premises to be erected or used for such public utility purposes in any location which is reasonably necessary for the public convenience and welfare.

- (6) Per Sec. 62.23(7)(e)7.e., Wis. Stats., the Village Board authorizes the Zoning Board of Appeals to impose an expiration date for a variance if such date relates to a specific date by which action or work authorized must be commenced or completed. In the absence of a different expiration date being established at the time of granting a variance, no order of the Zoning Board of Appeals granting a variance shall be valid for a period longer than eighteen (18) months from the date of such order unless within such period the erection or alteration of a building is started or the use is commenced per the variance approval. [See Section 13-1-263.]

(c) **Meeting and Rules.**

- (1) All meetings and hearings of the Zoning Board of Appeals shall be open to the public, except that the Zoning Board of Appeals may go into closed session to deliberate after a hearing or an appeal. The final vote on an appeal shall be taken in open session by roll call vote, recorded and open for public inspection in the Village Administrator's office. Public notice of all regular and special meetings shall be given to the public and news media as required by the Wisconsin Open Meetings Law.
  - (2) Special meetings may be scheduled by the Chairperson or by the Secretary at the request of two (2) members. Notice of a special meeting shall be mailed to each member at least forty-eight (48) hours prior to the time set for the meeting, or announcement of the meeting shall be made at any meeting at which all members are present.
  - (3) Hearings may be held at any regular or special meeting at the time set by the Chairperson. Statutory notice requirements for hearings shall be followed.
  - (4) A quorum for any meeting or hearing shall consist of four (4) members, but a lesser number may meet and adjourn to a specified time.
  - (5) The Zoning Board of Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examination and other official actions, all of which shall be immediately filed in the office of the Village Administrator and shall be public record. The Zoning Board of Appeals shall adopt its own rules of procedure not in conflict with this Code of Ordinances or with the applicable Wisconsin Statutes.
  - (6) No Zoning Board of Appeals member shall participate in the decision of or vote upon any case in which the member is financially interested, directly or indirectly, but the Chairperson shall direct an alternate member to act instead. Disqualification of a member for interest shall not decrease the number of votes required for acting upon any matter, but such member may be counted in determining whether a quorum is present for the transaction of business.
- (d) **Offices.** The Village Board shall provide suitable offices for holding hearings and the presentation of records, documents, and accounts.

**State Law Reference:** Sec. 62.23(7)(e), Wis. Stats.

## Sec. 2-4-3 Plan Commission.

- (a) **Title.** This Section is entitled the "Village of Bangor Plan Commission Ordinance."
- (b) **Purpose.** The purpose of this Section is to establish a Village of Bangor Plan Commission and set forth its organization, powers and duties, to further the health, safety, welfare and wise use of resources for the benefit of current and future residents of the Village of Bangor and affected neighboring jurisdictions, through the adoption and implementation of comprehensive planning with significant citizen involvement.
- (c) **Composition.** The Plan Commission shall consist of the Village President, one (1) Trustee, the Director of Public Works and four (4) citizens.
- (d) **Appointment.**
- (1) **Election/Appointment of Trustee Member.** At its annual meeting in April of each year the Village Board shall, by a two-thirds (2/3) majority vote of its members, elect one (1) of its number as a member of the Village Plan Commission for a period of one (1) year from and after the first day of May next ensuing.
  - (2) **Appointment and Terms of Citizen Members.** The four (4) citizen members shall be appointed by the Village President, subject to Village Board confirmation, on the third Tuesday of April in each year to hold office for a staggered term of three (3) years commencing with the third Tuesday of April.
- (e) **Quorum.** Four (4) members shall constitute a quorum but all actions shall require the affirmative approval of a majority of all of the members of the Plan Commission.
- (f) **Vacancies.** A person who is appointed to fill a vacancy on the Plan Commission shall serve for the remainder of the term.
- (g) **Compensation; Expenses.** The Village Board may set a per diem allowance per meeting for citizen and elected official members of the Plan Commission, as allowed under Sec. 66.0501(2), Wis. Stats. In addition, the Village Board may reimburse reasonable costs and expenses.
- (h) **Experts; Staff.** The Plan Commission, under Sec. 62.23(1), Wis. Stats., may recommend to the Village Board the employment of experts and staff, and may review and recommend to the approval authority proposed payments under any contract with an expert.
- (i) **Rules; Records.** The Plan Commission, under Sec. 62.213(2), Wis. Stats., may adopt rules for the transaction of its business, subject to Village ordinances, and shall keep a record of its resolutions, transactions, findings and determinations, which shall be a public record under Secs. 19.21 through 19.39, Wis. Stats.; copies shall be filed with the Village Administrator.
- (j) **Chairperson and Officers.**
- (1) **Chairperson.** The Plan Commission chairperson shall be the Village President. The chairperson shall, subject to Village ordinances and Plan Commission rules:
    - a. Provide leadership to the Plan Commission;
    - b. Set Plan Commission meeting and hearing dates;
    - c. Provide notice of Plan Commission meetings and hearings and set their agendas, personally or by his/her designee;
    - d. Preside as Plan Commission meetings and hearings; and
    - e. Ensure that the laws are followed.

- (2) **Vice-Chairperson.** The Plan Commission may elect, by open vote under Sec. 19.88(1), Wis. Stats., a vice-chairperson to act in the place of the chairperson when the chairperson is absent or incapacitated for any cause.
  - (3) **Secretary.** The Plan Commission shall elect, by open vote under Sec. 19.88(1), Wis. Stats., one of its members to serve as secretary, or, with the approval of the Village Board, designate the Village Administrator or other Village official or employee as secretary.
- (k) **Commission Members As Local Public Officials.** All members of the Plan Commission shall faithfully discharge their official duties to the best of their abilities, as provided in the oath of office [Sec. 19.01, Wis. Stats.], in accordance with, but not limited to, the provisions of the Wisconsin Statutes on Public Records [Secs. 19.21 through 19.39, Wis. Stats.]; Code of Ethics for Local Government Officials [Secs. 19.42, 19.58 and 19.59, Wis. Stats.]; Open Meetings [Secs. 19.81 through 19.89, Wis. Stats.]; Misconduct in Office [Sec. 946.12, Wis. Stats.]; and Private Interests in Public Contracts [Sec. 946.13, Wis. Stats.]. Plan Commission members shall further perform their duties in a fair and rational manner and avoid arbitrary actions.
- (l) **General and Miscellaneous Powers.** The Plan Commission, under Sec. 62.23(4), Wis. Stats., shall have the power:
- (1) Necessary to enable it to perform its functions and promote Village planning.
  - (2) To make reports and recommendations relating to the planning and development of the Village of Bangor to the Village Board, other public bodies, citizens, public utilities and organizations.
  - (3) To recommend to the Village Board programs for public improvements and the financing of such improvements.
  - (4) To receive from public officials, within a reasonable time, requested available information required for the Plan Commission to do its work.
  - (5) For itself, its members and employees, in the performance of their duties, to enter upon land, make examinations and surveys, and place and maintain necessary monuments and markers thereon. However, entry shall not be made upon private land, except to the extent that the private land is held open to the general public, without the permission of the landowner or tenant. If such permission has been refused, entry shall be made under the authority of an inspection warrant issued for cause under Sec. 66.0119, Wis. Stats., or other court-issued warrant.
- (m) **Village Comprehensive Planning; General Authority and Requirements.**
- (1) **Comprehensive Plan.** The Plan Commission shall make and adopt a Comprehensive Plan under Secs. 62.23 and 66.1001, Wis. Stats., which contains the elements specified in Sec. 66.1001(2), Wis. Stats., and follows the procedures in Sec. 66.1001(4), Wis. Stats. The Plan Commission shall make and adopt the Comprehensive Plan within the time period directed by the Village Board, but not later than a time sufficient to allow the Village Board to review and plan and pass an ordinance

adopting it to take effect on or before January 1, 2010, so that the Village Comprehensive Plan is in effect by the date on which any Village program or action affecting land use must be consistent with the Village Comprehensive Plan under Sec. 66.1001(3), Wis. Stats.

- (2) **Preparation.** In this Subsection, the requirement to "make" the plan means that the Plan Commission shall ensure that the plan is prepared, and oversee and coordinate the preparation of the plan, whether the work is performed for the Village by the Plan Commission, Village staff, another unit of government, the regional planning commission, a consultant, citizens, an advisory committee, or any other person, group or organization.
- (n) **Procedure for Plan Commission Adoption and Recommendation of a Village Comprehensive Plan or Amendment.** The Plan Commission, in order to ensure that the requirements of Sec. 66.1001(4), Wis. Stats., are met, shall proceed as follows:
- (1) **Public Participation Verification.** Prior to beginning work on a Comprehensive Plan, the Plan Commission shall verify that the Village Board has adopted written procedures designed to foster public participation in every stage of preparation of the Comprehensive Plan. These written procedures shall include open discussion, communication programs, information services and noticed public meetings. These written procedures shall further provide for wide distribution of proposed, alternative or amended elements of a Comprehensive Plan and shall provide an opportunity for written comments to be submitted by members of the public to the Village Board and for the Village Board to respond to such written comments.
  - (2) **Resolution.** The Plan Commission, under Sec. 66.1001(4)(b), Wis. Stats., shall recommend its proposed Comprehensive Plan or amendment to the Village Board by adopting a resolution by a majority vote of the entire Plan Commission. The vote shall be recorded in the minutes of the Plan Commission. The resolution shall refer to maps and other descriptive materials that relate to one or more elements of the Comprehensive Plan. The resolution adopting a Comprehensive Plan shall further recite that the requirements of the comprehensive planning law have been met, under Sec. 66.1001, Wis. Stats., namely that:
    - a. The Village Board adopted written procedures to foster public participation and that such procedures allowed public participation at each stage of preparing the Comprehensive Plan;
    - b. The plan contains the nine (9) specified elements and meets the requirements of those elements;
    - c. The (specified) maps and (specified) other descriptive materials relate to the plan;
    - d. The plan has been adopted by a majority vote of the entire Plan Commission, which the clerk or secretary is directed to record in the minutes; and
    - e. The Plan Commission clerk or secretary is directed to send a copy of the Comprehensive Plan adopted by the Plan Commission to the governmental units specified in Sec. 66.1001(4), Wis. Stats., and Subsection (c) herein.



- (3) **Transmittal.** One copy of the Comprehensive Plan or amendment adopted by the Plan Commission for recommendation to the Village Board shall be sent to:
  - a. Every governmental body that is located in whole or in part within the boundaries of the Village, including any school district, sanitary district, public inland lake protection and rehabilitation district or other special district.
  - b. The clerk of every city, village, town, county and regional planning commission that is adjacent to the Village of Bangor.
  - c. The Wisconsin Land Council.
  - d. The Wisconsin Department of Administration.
  - e. The regional planning commission in which the Village of Bangor is located.
  - f. The public library that serves the area in which the Village is located.
- (o) **Plan Implementation and Administration.**
  - (1) **Ordinance Development.** If directed by resolution or motion of the Village Board, the Plan Commission shall prepare the following for Village Board review and action:
    - a. **Zoning.** A proposed Village zoning ordinance under Section 62.23(7), Wis. Stats. (if not under county zoning), a Village construction site erosion control and stormwater management zoning ordinance, a Village exclusive agricultural zoning ordinance under Subchapter V of Ch. 91, Wis. Stats., and any other zoning ordinance within the Village's authority.
    - b. **Official Map.** A proposed official map ordinance under Sec. 62.23(6), Wis. Stats.
    - c. **Subdivisions.** A proposed Village subdivision or other land division ordinance under Sec. 236.45, Wis. Stats.
    - d. **Other.** Any other ordinance specified by the Village Board (Note: e.g., historic preservation, design review site plan review).
  - (2) **Ordinance Amendment.** The Plan Commission, on its own motion, or at the direction of the Village Board by its resolution or motion, may prepare proposed amendments to the Village's ordinances relating to comprehensive planning and land use.
  - (3) **Non-Regulatory Programs.** The Plan Commission, on its own motion, or at the direction of the Village Board by resolution or motion, may propose non-regulatory programs to implement the Comprehensive Plan, including programs relating to topics such as education, economic development and tourism promotion, preservation of natural resources through the acquisition of land or conservation easements, and capital improvements planning.
  - (4) **Consistency.** Any ordinance, amendment or program proposed by the Plan Commission, and any Plan Commission approval, recommendation for approval or other action under Village ordinances or programs that implement the Village's Comprehensive Plan under Secs. 62.23 and 66.1001, Wis. Stats., shall be consistent with that plan as of January 1, 2010. If any such Plan Commission action would not be consistent with the Comprehensive Plan, the Plan Commission shall use this as information to consider in updating the Comprehensive Plan.

(p) **Referrals to the Plan Commission.**

- (1) **Required Referrals Under Sec. 62.23(5), Wis. Stats.** The following shall be referred to the Plan Commission for advisory report:
- a. The location and architectural design of any public building.
  - b. The location of any statue or other memorial.
  - c. The location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of land for any:
    1. Street, alley or other public way;
    2. Park or playground;
    3. Airport;
    4. Area for parking vehicles; or
    5. Other memorial or public grounds.
  - d. The location, extension, abandonment or authorization for any publicly or privately owned public utility.
  - e. All plats under the Village's jurisdiction under Ch. 236, Wis. Stats., including divisions under a Village subdivision or other land division ordinance adopted under Sec. 236.45, Wis. Stats.
  - f. The location, character and extent or acquisition, lease or sale of lands for:
    1. Public or semi-public housing;
    2. Slum clearance;
    3. Relief of congestion; or
    4. Vacation camps for children.
  - g. The amendment or repeal of any ordinance adopted under Sec. 62.23, Wis. Stats., including ordinances relating to the Plan Commission, Village Comprehensive Plan under Sec. 66.1001, Wis. Stats., Village official map and/or Village zoning.
- (2) **Required Referrals Under Sections of the Wisconsin Statutes Other Than Sec. 62.23(5), Wis. Stats.** The following shall be referred to the Plan Commission for report:
- a. An application for initial licensure of a child welfare agency or group home under Sec. 48.68(3), Wis. Stats.
  - b. An application for initial licensure of a community-based residential facility under Sec. 50.03(4), Wis. Stats.
  - c. Proposed designation of a street, road or public way, or any part thereof, wholly within the jurisdiction of the Village, as a pedestrian mall under Sec. 66.0905, Wis. Stats.
  - d. Matters relating to the establishment or termination of an architectural conservancy district under Sec. 66.1007, Wis. Stats.
  - e. Matter's relating to the establishment of a reinvestment neighborhood required to be referred under Sec. 66.1107, Wis. Stats.
  - f. Matters relating to the establishment or termination of a business improvement district required to be referred under Sec. 66.1109, Wis. Stats.

- g. A proposed housing project under Sec. 66.1211(3), Wis. Stats.
  - h. Matters relating to urban redevelopment and renewal in the Village required to be referred under Subch. XIII of Ch. 66, Wis. Stats.
  - i. The adoption or amendment of a Village subdivision or other land division ordinance under Sec. 236.45(4), Wis. Stats.
  - j. Any other matter required by the Wisconsin Statutes to be referred to the Plan Commission.
- (3) **Required Referrals Under This Section.** In addition to referrals required by the Wisconsin Statutes, the following matters may be referred to the Plan Commission for report:
- a. Proposed regulations or amendments relating to historic preservation under Sec. 60.64, Wis. Stats.
  - b. A proposed driveway access ordinance or amendment.
  - c. A proposed Village official map ordinance under Sec. 62.23(6), Wis. Stats., or any other proposed Village ordinance under Sec. 62.23, Wis. Stats., not specifically required by the Wisconsin Statutes to be referred to the Plan Commission.
  - d. A proposed zoning ordinance or amendment adopted under Section 62.23(7), Wis. Stats., a construction site erosion control and stormwater management zoning ordinance under Sec. 627(6), Wis. Stats., a Village exclusive agricultural zoning ordinance under Subchapter V of Ch. 91, Wis. Stats.
  - e. A proposed extraterritorial zoning ordinance or a proposed amendment to an existing ordinance under Sec. 62.23(7a), Wis. Stats.
  - f. A proposed boundary change pursuant to an approved cooperative plan agreement under Sec. 66.0307, Wis. Stats., or a proposed boundary agreement under Sec. 66.0225, Wis. Stats., or other authority.
  - g. A proposed zoning ordinance or amendment pursuant to an agreement in an approved cooperative plan under Sec. 66.0307(7m), Wis. Stats.
  - h. Any proposed plan, element of a plan or amendment to such plan or element developed by the regional planning commission and sent to the Village for review or adoption.
  - i. Any proposed contract, for the provision of information, or the preparation of a Comprehensive Plan, an element of a plan or an implementation measure, between the Village and the regional planning commission, under Sec. 66.0309, Wis. Stats., another unit of government, a consultant or any other person or organization.
  - j. A proposed ordinance, regulation or plan, or amendment to the foregoing, relating to a mobile home park under Sec. 66.0435, Wis. Stats.
  - k. A proposed agreement, or proposed modification to such agreement, to establish an airport affected area, under Sec. 66.1009, Wis. Stats.

- l. A proposed airport zoning ordinance under Sec. 114.136(2), Wis. Stats.
  - m. A proposal to create environmental remediation tax incremental financing in the Village under Sec. 66.1106, Wis. Stats.
  - n. A proposed county agricultural preservation plan or amendment, under Subchapter IV of Ch. 91, Wis. Stats., referred by the county to the Village, or proposed Village agricultural preservation plan or amendment.
  - o. Any other matter required by any Village ordinance or Village Board resolution or motion to be referred to the Plan Commission.
- (4) **Discretionary Referrals.** The Village Board, or other Village officer or body with final approval authority or referral authorization under the Village ordinances, may refer any of the following to the Plan Commission for report:
- a. A proposed intergovernmental cooperation agreement, under Sec. 66.0301, Wis. Stats., or other statute, affecting land use, or a municipal revenue sharing agreement under Sec. 66.0305, Wis. Stats.
  - b. Any other matter deemed advisable for referral to the Plan Commission for report.
- (5) **Referral Period.** No final action may be taken by the Village Board or any other officer or body with final authority on a matter referred to the Plan Commission until the Plan Commission has made its report, or thirty (30) days, or such longer period as stipulated by the Village Board, has passed since referral. The thirty (30) day period for referrals required by the Wisconsin Statutes may be shortened only if so authorized by statute. The thirty (30) day referral period, for matters subject to required or discretionary referral under the Village's ordinances, but not required to be referred under the Wisconsin Statutes, may be made subject by the Village Board to a referral period shorter or longer than the thirty (30) day referral period if deemed advisable.

*State Law Reference:* Secs. 61.35, 62.23, and Ch. 236, Wis. Stats.

## **Sec. 2-4-4 Police Discipline Committee.**

- (a) **Applicability.** All rules contained in this Code of Ordinances apply to the Police Discipline Committee (PDC) except where inconsistent with the rules enumerated in this Section or the Wisconsin Statutes.
- (b) **Purpose of Police Discipline Committee.** The PDC shall serve as a committee that meets all the requirements set forth in Sec. 61.65(1)(am), Wis. Stats. The PDC shall review all matters that may result in the suspension, reduction, suspension and reduction, or removal of the Police Chief or other law enforcement officer who is not probationary. Such matters may be directly referred to the PDC by the Village Board.

- (c) **Appointment and Term.** The PDC shall consist of three (3) members, none of whom may be an elected or appointed official of the Village or employed by the Village, two (2) of whom shall constitute a quorum. The Village Board shall annually, at its annual organizational meeting or its first regular meeting following the annual spring election, appoint in writing to be filed with the secretary of the PDC, one (1) member for a term of three (3) years. Initially, the PDC members shall have staggered terms of 1, 2, and 3 years. The PDC shall keep a record of its proceedings.
- (d) **Committee Meetings and Reports.**
- (1) **Election and Duties of Chairperson.** At its initial meeting and annually thereafter as provided herein, the PDC shall elect a Chairperson. The Chairperson shall call and preside at all meetings of the PDC and shall see that all actions of the PDC are carried into effect.
  - (2) **Annual Meeting.** There shall be an annual meeting of the PDC to be held in June of each year, or if deemed necessary by the Chairperson of the PDC, as soon thereafter as practicable. The Chairperson shall call the meeting and specify the date, time and location for the meeting. The Chairperson shall be elected, and other relevant general business transacted at the annual meeting.
  - (3) **Special Meetings.** A special meeting of the PDC may be held whenever called by the Chairperson, upon the written direction of at least two (2) members of the PDC, or upon the request of the Village Board.
  - (4) **Notice of Meetings.** The person calling the meeting of the PDC shall advise the Village Administrator of the nature of the meeting, the agenda, and the time and location for the meeting. The Village Administrator shall provide notice of the meeting in accordance with Wisconsin's Open Meeting Law and Village ordinances.
  - (5) **Meetings.** All meetings shall have recorded minutes and copies of the same shall be forwarded to the Village Board.
  - (6) **General Rules and Procedures.** The PDC shall develop a review process that is both consistent with the Wisconsin Statutes and designed to meet the needs of the particular matter referred to the PDC. General rules and procedures governing the review process are as set forth in the "Rules and Procedures for the Village of Bangor's Police Discipline Committee", and attached to this Section as "Appendix A." Any further rules set forth in writing shall be referred to the Village Board for review and shall be effective when adopted by resolution of the Village Board.
  - (7) **Communications with Village Board.** The PDC shall keep the Village Board adequately and appropriately apprized of the status of any matters before the PDC.

*Cross-Reference:* Appendix A: Village of Bangor Police Discipline Committee Rules and Procedures ("PDC Procedures").

## **Sec. 2-4-5      Municipal Court Committee.**

The Municipal Court Committee shall be appointed and have such duties as prescribed in Section 2-3-12(b).

**Sec. 2-4-6 General Provisions Regarding Meetings and Public Notice.**

- (a) **Regular Meetings; Public Notice.** Every Board, Committee and Commission created by or existing under the ordinances of the Village of Bangor shall:
  - (1) Schedule a date, time and place for its meetings;
  - (2) Legally post, or when necessary publish, notice in or notify the official Village newspaper in advance of each such regular meeting of the date, time, and place thereof, in compliance with state law, thereof; and/or
  - (3) Post an agenda of the matters to be taken up at such meeting.
- (b) **Form of Notice.** Such notice shall set forth the time, date, place and subject matter of the meeting, including that intended for consideration at any contemplated closed session which may be authorized by law, and may be in the following form:

**NOTICE OF MEETING**

**VILLAGE OF BANGOR, WISCONSIN**

(commission)

Please take notice that a meeting of the (commission) of the Village of Bangor will be held on (date), 20   , at (time) p.m., at the Bangor Village Hall, (address), in Room        to consider the following:

- 1. (Agenda items set forth).
- 2. Such other matters as authorized by law.

Dated: \_\_\_\_\_

\_\_\_\_\_(Commission)\_\_\_\_\_

By \_\_\_\_\_

The Bangor Village Hall is accessible to the physically disadvantaged. If special accommodations for visually or hearing impaired individuals are needed, please contact the Bangor Village Administrator at (telephone). Members of the Bangor Village Board may be in attendance.

- (c) **Notice to Members.** Every member of any board, commission or committee of the Village of Bangor shall be notified by the secretary thereof that a meeting is to be held, and the time and place of such meeting and the subject to be considered thereat. No member shall be intentionally excluded from any meeting by a failure to give proper notice or a reasonable attempt to give proper notice to such member.
- (d) **Minutes to Be Kept.** Every board, commission and committee shall keep a record of the minutes of its proceedings and shall cause a signed copy thereof to be filed by its secretary with the Village Administrator within one (1) week of the meeting date. The Village Administrator shall furnish a copy of all minutes filed with him to each member of the Village Board. All such minutes shall be public records.
- (e) **Special Meetings.** Nothing in Subsection (a) shall preclude the calling of a special meeting or dispensing with the publication of notice or such posting of the agenda, for good cause, but such special meetings shall nonetheless comply in all respects with the provisions of Sections 19.81 and 19.89, Wis. Stats.

### **Sec. 2-4-7 Residency Required for Service on Citizen Boards or Commissions; Attendance Standards.**

- (a) **Residency.** No person not a resident of and not residing in the Village of Bangor shall be appointed in a voting capacity as a citizen member to any Village of Bangor board, committee or commission listed in this Chapter. Any board, committee or commission member who moves from the Village of Bangor shall be removed from such board, committee or commission, but may be appointed to serve in an ex officio capacity.
- (b) **Attendance Standard.** Members of board, committees and commissions are required to attend a minimum of two-thirds (2/3) of the meetings in each six (6) month period of their respective bodies, unless excused by majority vote of the membership of their body. Failure to comply with this Subsection may result in the removal and replacement of the official found to be in noncompliance by majority vote of the Village Board.

### **Sec. 2-4-8 Committee and Commission Rules.**

- (a) Except as provided herein, the provisions of Sections 2-2-17 through 2-2-21 of this Code of Ordinances relating to rules of procedure for the Village Board, together with *Robert's*

**2-4-8**

*Rules of Order*, shall as far as applicable, also apply to committee board and commission meetings.

- (b) A simple majority of the members of a committee or commission shall constitute a quorum.