



CHAPTER 1: GENERAL GOVERNMENT

1.01 VILLAGE OF CHENEQUA CODE. (Amended 6/13/16)

(1) TITLE. This code of ordinances may be known and cited as the Village of Chenequa Code.

(2) AMENDMENTS. Any additions or amendments to this code are incorporated in this code so that a reference to the Village of Chenequa Code includes such additions and amendments.

(3) NUMBERING OF SECTIONS. Each section number of this code shall consist of two component parts separated by a period, the figure before the period referring to the chapter number and the figure after the period referring to the position of the section within the chapter.

(4) NUMBERING ADDITIONS. The decimal system shall be used for all additions or amendments to this code. When a chapter or section is to be added the new chapter or section shall be given a decimal character.

(5) DEFINITIONS.

(a) Terms used in this code, unless otherwise specifically defined in this code, have the meaning prescribed by the Wisconsin Statutes for the same terms.

(b) Terms used in this code have the following meanings:

Village: Village of Chenequa, Wisconsin.

County: Waukesha County.

State: State of Wisconsin

Village Board: The Village Board of the Village of Chenequa.

Ordinances: The ordinances of the Village of Chenequa and all amendments thereto, including this code.

This Code: The Village of Chenequa Code.

Wisconsin Statutes: The most currently enacted version of the Wisconsin Statutes.

Person: Any individual, firm, partnership, corporation, company, association, club, joint venture, estate, trust or any group or combination acting as a unit and the individuals constituting such group or unit; and the plural as well as the singular number; and the masculine gender



includes the feminine and neuter genders, unless the intention to give more limited meaning is disclosed by the context. As applied to partnerships, the word person includes the members of the partnership; as applied to corporations it includes the officers, agents or employees responsible for the act referred to.

(6) REPEAL OF ORDINANCES.

(a) All public and general ordinances or parts thereof not included in this code are repealed. Charter ordinances are not repealed.

(b) The provisions of this code to the extent they are the same in substance as those of heretofore existing ordinances are continuations of such ordinances and not new enactments. Any act done, offense committed or right accruing, accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time of this repeal is not affected by this repeal, but may be enjoyed, asserted, enforced, prosecuted or inflicted as fully and to the same extent as if such repeal had not been effected.

(7) JURISDICTION. Unless otherwise provided in this code, this code applies to acts performed within the corporate limits of the Village of Chenequa. Provisions of this code also apply to acts performed outside the corporate limits and up to the limits prescribed by law, where the law confers power on the village to regulate such particular acts outside the corporate limits.

(8) RESPONSIBILITY FOR ACTS. Every person concerned in the commission of an act prohibited by this code, whether he directly commits the act, or prosecutes, counsels, aids, or abets in its commission, may be prosecuted and on conviction is punishable as if he had directly committed such act.

(9) PENALTIES.

(a) Standard Penalty. Unless another penalty is expressly provided by this code for any particular provision, section, or chapter, any person violating any provision of this code, or any rule or regulation adopted or issued in pursuance thereof, or any provision of any code, statute, rule, or regulation adopted herein by reference shall, upon conviction, be subject to a forfeiture of not less than \$25.00 or more than \$1,000.00 and the costs of prosecution for each violation, and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until such forfeiture and costs of prosecution are paid, such imprisonment not to exceed 90 days.

(b) Each Day a Violation. Each act of violation and every day upon which a violation occurs or exists constitutes a separate offense.

(c) Amendments. In case of any amendment of or addition to any section or chapter of this code the penalty provided for the violation of such section or chapter shall also relate to the amendment or addition, whether reenacted in the amendatory ordinance or not, unless such penalty is specifically repealed or amended therein.



(d) Reference to Sections. Reference to any section of this code shall be understood also to refer to and include the penalty section relating thereto, unless otherwise expressly provided.

(e) Failure of Officers to Perform Duties. The failure of any officer or employee of the village to perform any official duty imposed by this code shall not subject such officer or employee to the penalty imposed for violation of this code, unless a penalty is specifically provided.

(10) SEPARABILITY OF PROVISIONS. Each section, paragraph, sentence, clause and provision of this code is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this code, nor any part thereof other than that affected by such decision.

(11) EFFECTIVE DATE OF CODE. This code of ordinances shall take effect the day after adoption by the Village Board.

(12) COPIES ON FILE. Copies of this code shall be kept on file and open to public inspection in the office of the Village Clerk-Treasurer.

(13) REORGANIZATION AND MODERNIZATION OF CHAPTER 66 OF THE WISCONSIN STATUTES. All sections of Chapter 66 of the Wisconsin Statutes enumerated in this code that are affected by the reorganization and modernization of that chapter by 1999 Wisconsin Act 150 shall be amended or modified to conform to that Act, effective January 1, 2001. The city Clerk is authorized to insert statutory references into the Code that conform to that Act.

1.02 VILLAGE ADMINISTRATOR.

(1) There is hereby created the office of Village Administrator of the Village of Chenequa.

(2) The Village Administrator shall be appointed by the Village President, subject to the confirmation of the Village Board. The term of the appointment shall be for indefinite duration, but may be terminated at the discretion of the Village, by its President, or the Village Administrator for any reason upon thirty (30) days written notice to the other.

(3) The Village Administrator shall be responsible to the Village President and the Village Board and shall have such duties and powers as may be prescribed by the Village Board from time to time.



1.03 VILLAGE PLAN COMMISSION AND BOARD OF APPEALS.

(1) A Village Plan Commission is hereby created for the Village of Chenequa in accordance with the provisions of sections 61.35 and 62.23 of the Wisconsin Statutes, and are hereby adopted for the Village of Chenequa, and a Board of Appeals is hereby created for the Village of Chenequa in accordance with the provisions of said sections.

(2) Pursuant to Section 62.23(1) of the Wisconsin Statutes, the Village Board provides that the membership of the Plan Commission shall be as provided hereunder. The Plan Commission shall consist of seven (7) residents of the Village, appointed by the Village President and one of which shall be appointed by the Village President as Chairman, which appointments shall be subject to the approval of the Village Board and shall be for a term of one year each. In addition, an alternate Plan Commission member, who shall be a resident, shall be appointed for a term of one year, by the Village President, which appointment shall be subject to the approval of the Village Board, and such alternate shall serve on the Plan Commission from time to time in case of absence or conflict of interest of a Plan Commission member. Four members of the Plan Commission shall constitute a quorum. Action shall be by a majority vote of those present at the meeting. The Village Clerk-Treasurer, or his or her deputy, shall be Secretary of the Plan Commission.

(3) Except as otherwise provided under this Code, the organization, powers, duties and qualifications of such Commission and Board of Appeals shall be as set forth in the provisions of sections 61.35 and 62.23 of the Wisconsin Statutes.

1.04 REGULATING BOARD OF APPEALS.

(1) MEETINGS. Meetings of the Board of Appeals shall be held at such times as the Board may determine. There shall be a fixed place of meeting, and all meetings shall be open to the public. The Board shall adopt its own rules of procedure and keep a record of its proceedings, showing the action of the Board and the vote of each member upon each question considered. The presence of four members shall be necessary to constitute a quorum.

(2) DUTIES. The Board shall review any order requiring decision or determination made by an administrative official charged with the enforcement of any zoning ordinance adopted by the Village of Chenequa. Such Board shall also hear and determine all matters referred to them or upon which they are required to pass under any provisions of this Code. The concurring vote of four members of such Board shall be necessary to reverse any order requiring decision or determination of any such administrative official, or to decide in favor of the applicant any matter upon which they are required to pass under any such ordinance or to effect any variation of such ordinance.

(3) APPEALS. An appeal may be taken by any person aggrieved, or by any officer, department, board or bureau of the Village. Such appeal shall be taken within twenty days of the date of the order or ruling appealed from, by filing with the officer from whom the appeal is taken and with the Board of Appeals, a notice of appeal, specifying the grounds therefore. The



officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

Such appeal shall stay all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board of Appeals after the notice of appeal shall have been filed with him, that by reason of facts stated in said certificate a stay would in his opinion cause imminent peril to life or property, in which case proceedings shall not be stayed, otherwise than by a restraining order which shall be granted by the Board of Appeals, or by a court of competent jurisdiction on application, on notice to the officer from whom the appeal is taken and on due cause shown.

The Board of Appeals shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the parties, and decide the same within a reasonable time. Any party may appear on such hearing in person or by agent or by attorney. Said Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises, and to that end shall have all the powers of the officer from whom the appeal is taken.

(a) NOTICE OF PUBLIC HEARINGS (Amended 2011). Written notice by mail of the hearing of the appeal shall be provided to the owners of the property under consideration and owners of property immediately surrounding and within at least 1000 feet thereof, inclusive of roadways, as listed in the Office of the Village Assessor. In addition, notice may be mailed to additional parties at the discretion of the Chair of the Board of Appeals.

(4) APPEALS TO COURT. Any person or persons, jointly or severally, aggrieved by any decision of the Board of Appeals of the Village, may present to a court of competent jurisdiction a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of illegality. Such petition must be presented to such court within thirty days after the filing of the decision in the office of the Board.

Upon presentation of such petition, said judge or court may allow a writ of certiorari directed to the Board of Appeals to review such decision of the Board of Appeals, which shall prescribe therein the time within which a return thereto must be made and served upon the relator or his attorney, which shall not be less than ten days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the Board and on due cause shown, grant a restraining order.

The Board of Appeals shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ. The return must concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from, and must be verified.



Said court may take evidence or appoint a referee to take such evidence as it may direct, and report the same to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. Costs shall not be allowed against the Board, unless it shall appear to the court that it acted with gross negligence or in bad faith.

1.05 BOARD OF TRUSTEES. (Amended 10/2013)

- (1) NUMBER. The Board of Trustees shall consist of seven members.
- (2) BY-LAWS.
 - (a) All meetings of the Board of Trustees shall be held at the Village Hall.
 - (b) Regular meetings of the board of Trustees shall be held on the second Monday of each month immediately following the Village Plan Commission but no earlier than 6:30 p.m. If such day falls on a holiday, the regular meeting for that month shall be held on the following Monday at the same time. No notice to members of the Board shall be required for regular meetings.
 - (c) Special meetings of the Board of Trustees may be called by any two Trustees or by the President by notice in writing filed with the Clerk-Treasurer, who shall thereupon notify all of the Trustees in the manner herein provided.
 - (d) Notice of special meetings shall be given by the Village Clerk-Treasurer by a letter in writing duly stamped and addressed to the Trustees and placed in the mail at least forty-eight (48) hours before time set for the meeting, or by personal service of said notice upon the Trustees at least twenty-four (24) hours before the time set for the meeting. If all of the Trustees are present and consent in writing thereto, waiving such notice, a special meeting may be held forthwith.
 - (e) At any and all meetings of the Board, four (4) members shall constitute a quorum for the transaction of business.
 - (f) These by-laws may be amended, altered or repealed in whole or in part at any regular meeting, or at any special meeting called for that purpose.

1.06 ELIMINATING DUPLICATE TREASURER'S BOND.

- (1) BOND ELIMINATED. The Village of Chenequa elects not to give the bond on the Village Clerk-Treasurer provided for by section 70.67(1), Wisconsin Statutes.
- (2) VILLAGE LIABLE FOR DEFAULT OF TREASURER. Pursuant to section 70.67(2), Wisconsin Statutes, the Village of Chenequa shall be obligated to pay, in case the



Village Clerk-Treasurer shall fail to do so, all taxes of any kind required by law to be paid by such Clerk-Treasurer to the County Treasurer.

1.07 PRESERVING AND DESTROYING PUBLIC RECORDS.

(1) Village officers are empowered to destroy the following records under their jurisdiction after the completion of an audit by the department of state audit or an auditor licensed under chapter 442 of the Wisconsin Statutes, but not less than seven years after payment or receipt of the sum involved in the applicable transaction:

- (a) Bank statements, deposit books, slips and stubs
- (b) Canceled checks, duplicates and check stubs
- (c) License and permit applications, stubs and duplicates
- (d) Pay rolls and other time and employment records
- (e) Receipt forms
- (f) Vouchers, requisitions, purchase orders and all other supporting documents pertaining thereto.

(2) Village officers are empowered to destroy the following records, but not less than seven years after the record was effective:

- (a) Assessment rolls and related records, including board of review minutes
- (b) Contracts and papers
- (c) Correspondence and communications
- (d) Financial reports other than annual financial reports
- (e) Insurance policies
- (f) Justice dockets
- (g) Oaths of office
- (h) Reports of boards, commissions, committees, and officials duplicated in the official village board minutes
- (i) Resolutions and petitions



(3) Prior to the destruction of any public record described above, at least 60 days' notice shall be given the state historical society.

(4) This section 1.07 shall not be construed to authorize the destruction of any public record after a period less than prescribed by statute or state administrative regulations.

1.08 OPENING AND CLOSING OF POLLS.

(1) The polls in the village of Chenequa shall at all elections be opened at seven (7) o'clock, A.M. and remain open until eight (8) o'clock P.M.

(2) Pursuant to s. 7.03(1), Wis. Stats., the Village will allow two (2) or more sets of officials to work at different times on election day and the Village Clerk, or his/her designee, may establish different working hours for different officials assigned at the same polling place.

1.09 VILLAGE BOARD OF REVIEW. (Amended 05/13/2013)

(1) The Village of Chenequa Board of Review shall consist of three regular members, which shall include the Village President, the Village Clerk-Treasurer and a member of the Village Board (other than the Village Assessor) appointed by the Village President. In addition, one alternate Board of Review member shall be appointed from the Village Board by the Village President and shall serve on the Board of Review in case of absence or conflict of interest of a Board of Review member. Five additional alternate members shall be appointed to serve on the Board of Review in the event a standing member of the Board of Review is removed from cases under specific circumstances or unable to serve for any reason. Appointments of members and alternate members of the Board of Review shall be made during the month of April.

(2) The Village President and Village Clerk-Treasurer shall serve as members of the Board of Review so long as they remain in such offices. The appointed member from the Village Board shall serve so long as he or she remains a member of the Village Board. All alternate members of the Board of Review shall serve for a term of one year or until his or her successor has been appointed. Board members and alternate Board members may be reappointed to serve consecutive terms as Board members or alternate Board members. In the event of vacancies, the Village President shall at the next meeting of the Village Board appoint successors to serve as members or alternate members for the unexpired balance of the term in question.

(3) Members and alternate members of the Board of Review shall serve without salary or other compensation for services rendered to the Board of Review.

(4) The Village of Chenequa Board of Review shall meet annually any time during the 30 day period beginning the second Monday in May at the Village Hall. The first meeting of the Board of Review shall commence shall not be fewer than two hours between 8:00 a.m. and midnight.



(5) If the business of the Board of Review is not completed during the first meeting, the Board of Review may adjourn from time to time until its business is completed. Written notice of the time to which the meeting is adjourned shall be posted on the outer door of the place of meeting.

(6) Subject to the further limitations and requirements stated in Wisconsin Statutes section 70.47(7) only those taxpayers may appeal to the Board of Review who have filed with the Clerk of the Board of Review prior to adjournment of its public hearings written objection to the amount or valuation of property using forms approved by the Wisconsin Department of Revenue.

(7) In order to facilitate the proper exchange and review of information prior to a hearing on an appeal from a taxpayer, the Village Board hereby adopts as the policy that a taxpayer filing an objection and the Assessor for the Village of Chenequa shall exchange any information intended to be presented at hearing on the taxpayer's objection at least 48 hours prior to the commencement of the hearing.

1.10 MUNICIPAL COURT. (Repealed and Recreated 04/2017)

(1) MUNICIPAL COURT CREATED

There is hereby created and established a Municipal Court under the provisions of Chapter 755 of the Wisconsin Statutes designated as "Municipal Court for the City of Oconomowoc, Village of Oconomowoc Lake, Village of Dousman, Village of Chenequa, Village of Nashotah, Town of Lisbon, Town of Merton, Village of Sussex, Village of Hartland, Village of Lac LaBelle, Town of Oconomowoc, Village of Summit, Village of Chenequa, Town of Erin, Village of Merton, Village of Sullivan, Village of Johnson Creek (Contract Member), Town of Ixonia (Contract Member) and Town of Ottawa (Contract Member)" or so many of those municipalities which enact an ordinance identical to this ordinance pursuant to §755.01(4).

(2) MUNICIPAL JUDGE

Such court shall be under the jurisdiction of and presided over by a Municipal Judge, who shall be an attorney licensed to practice law in Wisconsin, and who shall reside in one of the following Municipalities: City of Oconomowoc, Village of Oconomowoc Lake, Village of Dousman, Village of Chenequa, Village of Nashotah, Town of Lisbon, Town of Merton, Village of Sussex, Village of Hartland, Village of Lac LaBelle, Town of Oconomowoc, Village of Summit, Village of Chenequa, Town of Erin, Village of Merton, Village of Sullivan, Village of Johnson Creek, Town of Ixonia or Town of Ottawa or those municipalities which enact an ordinance identical to this ordinance and enter into an agreement pursuant to §66.0301 Wis. Stats. for the joint exercise of the power granted under §755.01 Wis. Stats. Such Municipal Judge shall be elected at large in the spring election for a term of four (4) years commencing May 1. All candidates for the position of Municipal Judge shall be nominated by nomination papers as provided in §8.10 Wis. Stats., and selection at a primary election if such is held as provided in §8.11 Wis. Stats. The Town Board of the Village of Chenequa shall provide for a primary election whenever three (3)



or more candidates file nomination papers for such position of Municipal Judge as provided in §8.11(1)(a) Wis. Stats., and such primary election shall be held on the third Tuesday of February as provided in §5.02(22) Wis. Stats.

(3) ELECTIONS

The Municipal Clerk of each municipality shall see to the compliance with §5.58(1c), 5.60(1)(b), 5.60(2), 7.10(1)(a), 7.60(4)(a) and 8.10(6)(bm) to provide for the election of a Municipal Judge under §755.01(4).

(4) OATH AND BOND

The Judge shall, after his election or appointment to fill a vacancy, take and file the official oath as prescribed in §757.02(1), Wis. Stats., and at the same time execute and file an official bond in the amount of \$5,000.00. The Judge shall not act until his oath and bond have been filed as required by §190.1(4)(c) Wis. Stats. and the requirements of §755.02(2) have been complied with.

(5) SALARY

The salary of the Municipal Judge shall be fixed by the governing bodies of the municipalities that created and established this Municipal Court, which shall be in lieu of fees and costs. No salary shall be paid for any time during his/her term during which such Judge has not executed his official bond or official oath, as required by §755.03, Wis. Stats., and filed pursuant to §19.01(4)(c) Wis. Stats. The municipalities may by separate ordinances, resolutions, or through the budget process, allocated funds for the administration of the Municipal Court pursuant to Wis. Stats. §66.0301.

(6) JURISDICTION

The municipal Judge of the Municipal Court shall have such jurisdiction as provided by §755.045 and 755.05 Wis. Stats., and as otherwise provided by State Law. The Municipal Judge is authorized to issue inspection warrants under §66.0119 Wis. Stats.

(7) LOCATION AND HOURS

The Municipal Court shall be held in the Council Chambers of the City of Oconomowoc City Hall at 174 E. Wisconsin Avenue, Oconomowoc, Wisconsin. The Municipal Court shall be open at such times as determined by the Municipal Judge.

(8) FINES AND FORFEITURES

The Municipal Judge may impose punishment and sentences as provided by §800.09, Wis. Stats., and as provided in the ordinances of the following municipalities: City of Oconomowoc, Village of Oconomowoc Lake, Village of Dousman, Village of Chenequa, Village of Nashotah, Town of Lisbon, Town of Merton, Village of Sussex, Village of Hartland, Village of Lac LaBelle, Town



of Oconomowoc, Village of Summit, Village of Chenequa, Town of Erin, Village of Merton, Village of Sullivan, Village of Johnson Creek, Town of Ixonia or Town of Ottawa. All forfeitures, fees, penalty assessments and costs shall be paid to the Treasurer of the Municipality within which the case arose within 7 days after receipt of the money by the Municipal Judge or other court personnel. At the time of the payment, the Municipal Judge shall report to the Treasurer the title of the action, the offense for which a forfeiture was imposed and the total amount of the forfeiture, fees, penalty assessment and costs, if any.

(9) STIPULATIONS AND DEPOSITS IN MUNICIPAL COURT

The Municipal Court herein established shall be operated pursuant to and in compliance with the provisions of Chapter 800 Wis. Stats., and, where applicable, other provisions of the Wis. Stats. as referred to in subsection (10) below. The Municipal Judge shall establish in accordance with §800.037 Wis. Stats., a schedule of deposits for violations of City, Village and Town ordinances, resolutions and by-laws, except traffic regulations which are and shall be governed by §345.26 Wis. Stats., and boating violations which are, and shall be governed by §23.66 and 23.67 Wis. Stats. Such deposit schedule shall be approved by the respective governing bodies of the municipalities creating and establishing this Court and shall be posted in the office of the Municipal Court Clerk and the police departments of the respective communities.

(10) PROCEDURE IN MUNICIPAL COURT

The procedure in Municipal Court shall be as provided by this Ordinance and State Law including, but not excluding because of enumeration Chapter 66, 345, 751, 757 and 800 of Wis. Stats.

(11) CONTEMPT PROCEDURES

- (a) The Municipal Judge may impose a sanction authorized under §800.12(2) for contempt of court, as defined in §785.01(1) Wis. Stats., in accordance with the procedures under §785.03 Wis. Stats.
- (b) The Municipal Judge may impose a forfeiture for contempt under §800.12(1) Wis. Stats., in an amount not to exceed \$50.00 or, upon nonpayment of the forfeiture and the penalty assessment under §757.05 Wis. Stats., a jail sentence not to exceed 7 days.

- (12) The Municipal Court hereby established shall not be abolished while the 755.01(4) agreement is in effect.

(13) CONFLICTING PROVISIONS OF THIS CODE.

In the event the provisions of this section shall be inconsistent with the provisions of any other section of this code, the provisions of this section shall take precedence and the inconsistent provisions shall be deemed modified to be consistent herewith.

SECTION 2: SEVERABILITY



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

SECTION 3: EFFECTIVE DATE

This ordinance shall take effect and be in force from and after its passage and publication as provided by law.

1.11 CHIEF OF POLICE. (Amended 01/14/08)

(1) There is hereby created the office of the Chief of Police of the Village of Chenequa.

(2) The Chief of Police shall be appointed by the Village President, subject to the confirmation of the Village Board. The term of the appointment shall be for indefinite duration, but may be terminated at the discretion of the Village by the Village Board, or by the Chief of Police, for any reason upon ninety (90) days written notice to the other.

(3) The Chief of Police shall report to the Village Board, primarily through the Village President, and shall have such duties and powers as are set forth in the Rules and Regulations of the Village of Chenequa Police Department adopted by the Village Board and such other duties and powers as may be prescribed by the Village Board from time to time.

(4) The Chief of Police shall cooperate with and work with the Police Commission as directed by the Village Board or by ordinance or otherwise.

1.12 POLICE COMMISSION. (Added 01/14/08)

(1) SCOPE OF AUTHORITY

(a) Pursuant to the powers vested in the Village Board and Section 61.65(1)(b)2, Wis. Stats., the Chenequa Board of Police Commissioners (or "Police Commission") shall have jurisdiction of the Police Department only as set forth herein.

(b) The Commission shall exercise the powers specified in §62.13, Wis. Stats., but it does not exercise the "optional powers" specified in §62.13(6), Wis. Stats. In addition, the Commission does not have the power to hire or replace the Police Chief as that power is reserved for the Village Board.

(c) The Commission is to establish its own operating rules and hearing procedures, which may be amended at any time.



(d) All rules and regulations adopted, except as otherwise provided by law, shall be subject to modification or repeal by the Commission at any time.

(e) The rules shall apply to all sworn positions in the police department of the Village of Chenequa, which is under the jurisdiction of the Police Commission.

(2) OFFICERS OF THE POLICE COMMISSION

(a) The Commission shall consist of five (5) members Board appointed by the Village President and confirmed by the Village Board. The Village President shall appoint a Commission Chairperson.

(b) The Commission Chairperson as appointed by the Village Board President, shall hold the office until his or her replacement is duly appointed by the Village Board President.

(c) The Chairperson shall have the responsibility to set the agenda for Commission meetings, to preside over Commission meetings and disciplinary hearings, to serve as the public spokesperson for the Commission, and to take such other action as is necessary to ensure that the duties of the Commission are discharged as provided by law.

(d) The Ex Officio Recording Secretary of the Commission shall be the Village Administrator or a designee of the Village Administrator. The Secretary shall legally notice and attend meetings, prepare the minutes, maintain official copies of the minutes after they are approved, and serve as the Commission's agent to receive legal process required by law to be filed with the Commission.

(e) The Commission shall elect a Vice Chairperson who shall hold the office until his or her replacement is duly elected by the Commission.

(f) The Vice Chairperson shall preside at Commission meetings when the Chairperson is absent.

(3) MEETINGS OF THE POLICE COMMISSION

(a) The Commission shall meet at the Village of Chenequa Village Hall, 31275 W. Hwy K, Hartland WI 53029, and at such other locations as specified in the Commission's public meeting notices.

(b) The Chairperson shall set the agenda for each meeting and cause it to be included in the notice of meeting. In setting the agenda, the Chairperson shall include any item requested by any member of the Commission.

(c) Public notice of every meeting shall be given pursuant to §19.84, Wis. Stats. The notice shall set forth the time, date, place, and subject matter of the meeting, including that intended for consideration at any contemplated closed session.



(d) Meetings of the Commission are open to the public and all business of the Commission shall be conducted in open session, except that the Commission may meet in closed session when authorized to do so pursuant to §19.85(1), Wis. Stats. The Commission may convene in closed session only after approval by majority vote of a motion that specifies the subject matter of the closed session.

(e) Only duly appointed members of the Commission may vote on matters at a Commission meeting. Proxy voting is not permitted at meetings of the Commission.

(f) Members of the Commission can meet by telephone conference during deliberations of the Board, pursuant to §§19.83 and 19.85, Wis. Stats.

(4) PROMOTIONS

The Police Chief shall appoint subordinates subject to approval by the Commission. Such appointments shall be made by promotion when this can be done with advantage, otherwise from an eligible list provided by examination and approved by the Commission.

(5) DISCHARGE, SUSPENSION AND OTHER DISCIPLINE

The Commission may suspend, reduce in rank, suspend and reduce in rank, or remove a member of the Police Department, pursuant to §62.13(5), Wis. Stats., and the rules as adopted by the Police Commission.

(6) HEARING PROCEDURES

The Commission will conduct a public hearing pursuant to §62.13(5)(d), Wis. Stats., and the hearing procedures as adopted by the Police Commission.

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