

CHAPTER 1

ADMINISTRATIVE

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CHAPTER 1

(A.) TOWN BOARD GENERAL ORDINANCE.

1. This ordinance is entitled the "Town of Farmington Town Board General Ordinance".

2. The Town Board of the Town of Farmington has the specific authority, powers, and duties, pursuant to Sec. 60.10, 60.20, 60.22, and 60.23, (1988-1989) Wis. Stats., and has, with authorization of the Town meeting, additional statutory authority, powers and duties to manage and direct certain affairs of the Town of Farmington. In addition, the Town Board of the Town of Farmington has additional general and specific statutory authority, powers and duties established beyond Chapter 60, Wis. Stats.

3. The Town Board of the Town of Farmington has, by adoption of this ordinance, confirmed the specific statutory authority, powers and duties of the Town Board of the Town of Farmington established in Chapter 60, Wis Stats., and has established, pursuant to the above noted chapter and this ordinance, other statutory authority, powers and duties of the Town Board of the Town of Farmington to manage and direct the affairs of the Town of Farmington.

4. The Town Board of the Town of Farmington shall consist of five (5) members. The Town Board shall be designated the "Town Board of the Town of Farmington".

5. A legal quorum of the Town Board of the Town of Farmington is a majority of the voting members of the Town Board of the Town of Farmington. The current Town Board consists of three (3) voting members which two (2) members shall be a quorum when they are in attendance at any duly called and any duly authorized public meeting of the Town Board of the Town of Farmington.

6. A meeting of the Town Board of the Town of Farmington may be held within the Town of Farmington or in any Town, city or village within of adjoining the Town of Farmington, subject to the open meeting provisions of Subchapter IV of Chapter 19, Wis. Stats.

7. The Town Board of the Town of Farmington has the below noted specific powers and specific duties that are established in Sec. 60.22 and 60.23, Wis. Stats. These powers and duties are:

A. Charge of Town Officers: The Town Board of the Town of

Farmington has charge of all affairs of the Town of Farmington not committed by law to another body or officer or to a Town employee of the Town of Farmington.

B. Charge of actions: The Town Board of the Town of Farmington has charge of any action or legal proceeding to which the Town of Farmington is a party.

C. Pursue Claims of Town: The Town Board of the Town of Farmington shall demand payment of penalties and forfeitures recoverable by the Town of Farmington and damages incurred by the Town of Farmington due to breach of any official bond, any injury to property or other injury. If, following demand by the Town Board of the Town of Farmington, payment is then not made, the Town Board of the Town of Farmington shall pursue appropriate legal action to recover the appropriate penalty, forfeiture or damages.

D. Joint Participation Agreements: The Town Board of the Town of Farmington may cooperate with state, county or other units of government in Wisconsin pursuant to Sec. 66.30 Wis. Stats., including cooperative arrangements involving the acquisition, development, remodeling, construction and maintenance of land, building and facilities for regional projects whether or not located in the Town of Farmington.

E. Associations of Towns: The Town Board of the Town of Farmington may appropriate money to purchase memberships in any association of Town Boards for the protection of Town interests and improvement of Town government.

F. Cemeteries: The Town Board of the Town of Farmington may provide cemeteries under Subchapter II, Chapter 157, Wis. Stats.

G. Change of Street Names: The Town Board of the Town of Farmington may name or change the name of any street in the Town of Farmington under Sec. 81.01(11), Wis Stats.

B. The Town Board of the Town of Farmington has established the following rules of procedures to be used at all Town Board meetings.

A. The regular meeting of the Town Board of the Town of Farmington will be held at the Town Hall located at N6468 S. Farmington Rd. at ^{2:35}~~8:00~~pm on the second (2nd) Tuesday of each month. Any regular meeting of the Town Board of the Town of Farmington falling upon a legal holiday shall be held on the day designated by the Town Board of the Town of Farmington. Any meeting of the Town Board of the Town of Farmington including any

special or adjourned meetings that are not held at the Town Hall but at any other substitute location, shall be designated by the Town Chair of the Town of Farmington or his or her designee, in compliance with the open meeting law, by posting a proper written notice of the substituted location at the three (3) usual and customary posting locations likely to give notice. This notice shall occur at least twenty-four (24) hours prior to the meeting of the Town Board of the Town of Farmington, unless in an emergency wherein the proper notice posting shall occur at least two (2) hours prior to the meeting of the Town Board of the Town of Farmington.

The four (4) usual and customary posting locations shall be the following unless the Town Board of the Town of Farmington directs posting at other locations: Town Hall, Pop-A-Top Bar, Quality Tire Service, and Ron's Korner.

B. Any special meeting of the Town Board of the Town of Farmington may be called by any 2 members of the Town Board of the Town of Farmington. A special meeting of the Town Board of the Town of Farmington must be filed with the Town Clerk of the Town of Farmington at least twenty-four (24) hours prior to the proposed special meeting of the Town Board of the Town of Farmington with the time and place specified of said meeting.

No special meeting of the Town Board of the Town of Farmington shall be held unless the notice requirements of the state open meeting law have been met.

Special meetings of the Town Board of the Town of Farmington attended by a quorum of the members shall be considered a regular meeting of the Town Board for the transaction of any Town of Farmington business that may come before the Board at such a meeting.

C. The Town Board of the Town of Farmington may, by majority vote, adjourn any special meeting of the Town Board of the Town of Farmington from time to time to a specific date and hour. The adjournment to the specific time and place will be in compliance with the state open meeting law.

D. The first regular meeting of the Town Board of the Town of Farmington shall be held on the second Wednesday in April and shall be the Town Board organizational meeting. The Town Board of the Town of Farmington shall, at this first meeting, appoint or reappoint persons to the following special offices of the Town of Farmington, namely: Highway Foreman, Town Attorney, Humane Officer, Auditor, Deputy Clerk and Deputy Treasurer. The Town Board shall designate one (1) or more public depositories for depositing the Town funds of the Town of Farmington.

E. These rules or any part of these rules of the Town Board of the Town of Farmington may be temporarily suspended, altered or amended at any meeting of the Town Board by a recorded affirmative roll call vote of two-thirds (2/3) or more of the members of the Town Board of the Town of Farmington present at the meeting.

9. This ordinance shall take effect and be in full force from and after the date of its passage and publication according to law.

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B. TOWN OF FARMINGTON TOWN CHAIR ORDINANCE

1. This ordinance is entitled the "Town of Farmington Town Chair Ordinance."

2. The Town Board of the Town of Farmington, Jefferson County, Wisconsin has, by the adoption of this ordinance, confirmed the specific statutory authority, powers and duties of the Town Chair of the Town of Farmington established in Chapter 60, Wis. Stats., and has established, pursuant to that chapter and this ordinance, other statutory authority, powers and duties of the Town Chair of the Town of Farmington to manage and direct certain affairs of the Town of Farmington.

3. The Town Chair of the Town of Farmington shall preside over meetings of the Town Board of the Town of Farmington.

4. The Town Chair of the Town of Farmington shall preside over Town meetings as provided under Sec. 60.13 Wis. Stats.

5. The Town Chair of the Town of Farmington shall sign all ordinances, resolutions, bylaws, regulations, commissions, licenses, and permits adopted or authorized by the Town Board of the Town of Farmington, unless the Town Board, by ordinance, authorizes another Town of Farmington officer to sign specific types of documents in lieu of the Town Chair.

6. The Town Chair of the Town of Farmington shall supervise the administration of statutes relating to the Town of Farmington and Town operations to see that they are faithfully executed.

7. The Town Chair of the Town of Farmington shall see that Town orders and ordinances are obeyed.

8. The Town Chair of the Town of Farmington shall see that peace and order is maintained in the Town of Farmington.

9. The Town Chair of the Town of Farmington shall obtain necessary assistance, if available, in case of emergency, except as provided under Chapter 166 Wis. Stats.

10. The Town Chair of the Town of Farmington may act on behalf of the Town Board of the Town of Farmington to direct, as appropriate, for the Town of Farmington the solicitation and quotations for the purchase of equipment, materials and services and submit bids and quotations to the Town Board of the Town of Farmington for approval.

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C. TOWN OF FARMINGTON TOWN CLERK ORDINANCE

1. This ordinance is entitled the "Town of Farmington Town Clerk Ordinance."

2. The Town Board of the Town of Farmington, Jefferson County, Wisconsin has, by the adoption of this ordinance, confirmed the specific statutory authority, powers and duties of the Town Clerk of the Town of Farmington established in Chapter 60, Wis. Stats., and has established, pursuant to that chapter and this ordinance, other statutory authority, powers and duties of the Town Clerk of the Town of Farmington to manage and direct certain affairs of the Town of Farmington.

3. The Town Clerk of the Town of Farmington shall serve as clerk of the Town of Farmington Town meetings pursuant to Sec. 60.15 Wis. Stats.

4. The Town Clerk of the Town of Farmington shall serve as clerk of the Town Board of the Town of Farmington, shall attend all meetings of the Town Board of the Town of Farmington and shall keep a full record of its proceedings.

5. The Town Clerk of the Town of Farmington shall file all accounts approved by the Town Board of the Town of Farmington or allowed at the Town of Farmington Town meetings and enter a statement of the accounts in the record books of the Town of Farmington.

6. The Town Clerk of the Town of Farmington shall file with the Town Board of the Town of Farmington claims approved by the Town Clerk of the Town of Farmington, as required under Sec. 60.44(2)(c), Wis. Stats.

7. The Town Clerk of the Town of Farmington shall maintain a finance book, which shall contain a complete record of the finances of the Town of Farmington, showing receipts, with the date and amount and source of each receipt; the disbursements, with date, amount and object of each disbursement; and any other information relating to the Town of Farmington finances prescribed by the Town Board of the Town of Farmington.

8. The Town Clerk of the Town of Farmington shall perform the duties required by Chapter 5, 10, 12 Wis. Stats., relating to elections and notices.

9. The Town Clerk of the Town of Farmington shall transmit to the County Clerk, within ten (ten) days after

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D. TOWN OF FARMINGTON TOWN TREASURER ORDINANCE

1. This ordinance is entitled the "Town of Farmington Town Treasurer Ordinance."

2. The Town Board of the Town of Farmington, Jefferson County, Wisconsin has, by the adoption of this ordinance, confirmed the specific statutory authority, powers and duties of the Town Treasurer of the Town of Farmington established in Chapter 60, Wis. Stats., and has established, pursuant to that chapter and this ordinance, other statutory authority, powers and duties of the Town Treasurer of the Town of Farmington to manage and direct certain affairs of the Town of Farmington.

3. The Town Treasurer of the Town of Farmington shall receive and take charge of all money belonging to the Town of Farmington, or that money which is required by law to be paid into the Town Treasury of the Town of Farmington.

4. The Town Treasurer of the Town of Farmington shall keep an itemized account of all moneys received, specifying the source from which it was received. The Town Treasurer of the Town of Farmington shall issue numbered receipts for all funds received. At the request of the Town Board of the Town of Farmington, the Town Treasurer of the Town of Farmington shall present the account books, and any supporting documents requested to the Town Board of the Town of Farmington.

5. The Town Treasurer of the Town of Farmington shall deposit, as soon as practicable, the funds of this Town in a proper public depository designated by the Town Board of the Town of Farmington. Failure to comply with this paragraph is grounds for removal from office.

6. The Town Treasurer of the Town of Farmington shall comply with subch. II of Chapter 19 Wis. Stats., concerning records of which the Town Treasurer is legal custodian.

7. The Town Treasurer of the Town of Farmington shall perform all of the duties relating to taxation required of the Town Treasurer under Chapters 70 through 79, Wis. Stats.

8. The Town Treasurer of the Town of Farmington shall issue all dog license and kennel license and collect the fees for such license as set by the county.

9. The Town Board of the Town of Farmington may appoint a Deputy Treasurer.

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E. ELECTION/ELIGIBILITY FOR OFFICE ORDINANCE

1. This ordinance is entitled the "Town of Farmington Election/Eligibility For Office Ordinance."

2. The Town Board of the Town of Farmington has, by adoption of this ordinance, confirmed the statutory authority, powers and duties in Chapters 5, 6, 8, 60, and 66, Wis. Stats., and establishes, pursuant to the above noted chapters and this ordinance, other statutory authority, power and duties of the Town Board of the Town of Farmington related to certain elections, certain election procedures and certain offices and the terms of those offices.

3. At the annual spring April election in the odd numbered years, the Town of Farmington shall elect the following Town officers, namely:

Town Chairperson
Town Supervisor (2) Two
Town Clerk
Town Treasurer

4. In lieu of the above noted elected officers, the annual Town meeting or any special Town meeting of the Town of Farmington may combine the offices and may designate their status as full-time as well as part-time office, namely:

Town Clerk-Town Treasurer

5. The Town Board of the Town of Farmington, by authority granted to it at a Town of Farmington Town meeting has, by this ordinance, created an appointed assessor system. The Town Assessor of the Town of Farmington, by this ordinance, is appointed by the Town Board of the Town of Farmington for a term of one (1) year with each term commencing in January.

6. The Town Board of the Town of Farmington has, by this ordinance and pursuant to Sec. 60.21 Wis. Stats., created a Town Board containing Five (5) members. The Town Board of the Town of Farmington, by this ordinance, established two (2) year election terms for all members.

7. In the Town of Farmington the candidates for elected Town office will circulate nomination papers to receive the required number of signatures of town residents for eligibility for ballot placement.

8. Any person who is a qualified elector in the Town of

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F. OFFICIAL OATH AND BOND ORDINANCE

1. This ordinance is entitled the "Town of Farmington Official Oath and Bond Ordinance".

2. The Town Board of the Town of Farmington has, by the adoption of this ordinance, confirmed the specific statutory authority, powers and duties, noted in Chapter 60 Wis. Stats., to require that certain elected and appointed officials take an official oath and to require that they file the appropriate bond.

3. All elected officers and appointed officers of the Town of Farmington shall take and file the below noted oath within five (5) days after notification of election or appointment by the Town Clerk of the Town of Farmington. The written oath of office and the oral oath of office, pursuant to Sec. 19.01, Wis. Stats., shall be substantially in the following form:

STATE OF WISCONSIN,

COUNTY OF JEFFERSON

I, the undersigned, having been elected / appointed to the office of _____, swear / affirm that I will support the constitution of the United States and the constitution of the state of Wisconsin, and will faithfully discharge the duties of said office to the best of my ability. So help me God.

Subscribed and sworn to before me this _____ day of _____, 19__.

Signature

4. The following officers of the Town of Farmington shall be required to execute and file an appropriate bond in the amount established by the Town Board of the Town of Farmington.

Town Chair, Town Clerk, Town Treasurer

5. The bond costs shall be provided by the Town of Farmington. The Town Board of the Town of Farmington shall establish the amounts of the bonds.

Chapter 1

TOWN OF FARMINGTON

G. VILLAGE POWERS ORDINANCE

The Town Board of the Town of Farmington, Jefferson County, Wisconsin, does hereby ordain as follows:

SECTION 1: TITLE/PURPOSE

This ordinance is entitled the Town Of Farmington Village Powers Ordinance. The purpose of this ordinance is as follows:

To give the Town of Farmington village powers.

SECTION 2: AUTHORITY

The Town Board of the Town of Farmington, with certain actions of the annual Town meeting or any special Town meeting in the Town of Farmington, pursuant to §60.10 (2), Wisconsin Statutes, may obtain, by resolution, the right for the Town Board of the Town of Farmington to exercise, pursuant to §60.22, Wisconsin Statutes, powers of a village board under Chapter 61, Wisconsin Statutes, except that the Town Board of the Town of Farmington cannot exercise for those village board powers which conflict with statutes relating to towns and town boards. This resolution, by the Town meeting, is to be general and continuing. This grant of legislative and administrative power to the Town Board of the Town of Farmington is to be known as "village powers."

SECTION 3: ADOPTION OF ORDINANCE

The Town meeting of the Town of Farmington dated February 17, 1997, did authorize, by adoption of a resolution, and the Town Board of the Town of Farmington, does, by adoption of this ordinance, confirm that the Town Board of The Town of Farmington has the specific authority, powers and duties noted above in Chapters 60 and 61, Wisconsin Statutes, and has established pursuant to these chapters in this ordinance the powers and duties of the Town Board of the Town of Farmington to exercise Village Board powers pursuant to §60.22 and §61.34, Wisconsin Statutes, and subject to the conditions established in §60.22, Wisconsin Statutes.

ORDINANCE FOR ALTERNATIVE CLAIM PROCEDURE FOR REFUNDS OF TAX PAYMENTS IN EXCESS OF TAX BILL AMOUNT

It is Hereby Ordained by the Town Board of the Town of Farmington, Jefferson County as follows:

Section 1. Purpose and Intent. It is the declared intent of this ordinance that tax payments made in excess of the tax bill amounts shall be refunded pursuant to the procedure established under this ordinance within 15 business days of the payment. Further it is the declared intent that this policy shall be in full force and effect upon adoption by the town board with the purpose of complying with Sec. 74.03(2) of Wis. Statutes (as adopted by 1997 Wis. Act 315).

Section 2. Authority. This ordinance is adopted pursuant to the authority granted to town boards under Sec. 60.44(2) of Wis. Statutes to adopt an alternative claim procedure for approving financial claims against the town which are in the nature of bills and vouchers.

Section 3. Required Procedures of Treasurer upon payment of excess amount over tax bill amount. Pursuant to Sec. 60.34 of Wis. Statutes upon receipt of tax payments in excess of the tax bill, the town treasurer shall deposit as soon as practicable all payments in the name of the town in public depositories designated by the town board. Upon verification by the town treasurer that the payment as deposited has cleared and not been returned, but not later than 10 days after depositing, the treasurer shall notify the town clerk in writing: the name and mailing address of the taxpayer for whom a refund in excess of the tax bill amount is due, the amount of the refund in excess of the tax bill, the date payment was received, and a statement that the payment as made has cleared and not been returned as insufficient funds.

Section 4. Required Procedure of Clerk upon notification from treasurer of excess payment of tax amount. Upon written notification from the town treasurer that a taxpayer has made a tax payment in excess of the tax bill amount, the town clerk shall issue the normal voucher or authorization for payment of the refund of the excess amount over the tax bill amount upon finding the following:

1. Funds are available to pay the bill, assuming the tax payment has cleared and not been returned as is evidenced by the treasurer's notice.
2. The town board has authorized the refund of excess tax payments as established by the adoption of this ordinance.
3. The refund is due in the amount noticed by the town treasurer as a tax payment in excess of the amount of the tax bill.
4. The refund is a valid claim against the town, being a payment in excess of the tax bill amount.

Further the town clerk shall prepare monthly, to be submitted to the town board at each monthly board meeting, a list of claims paid under this procedure, listing the amount of the claims, the date paid, the name of the taxpayer/claimant, and that the payment was a refund for excess tax payment.

Section 5. Issuance of Disbursement from local treasury.

Upon approval of a proper authorization by the Town clerk under the procedures listed in Sec. 4 of this ordinance, a refund check payable to the taxpayer/claimant named in the voucher or authorization and in the amount approved shall be written by the town clerk and countersigned by the town treasurer and the town chairperson, pursuant to Sec. 66.042 of Wis. Statutes shall be issued not later than 15 business days from the date the tax payment was received by the town treasurer as noticed by the town treasurer in Sec. 3 of this ordinance.

Section 6. Mailing or delivery of refund check to taxpayer/claimant.

Upon issuance of the proper countersigned refund check, pursuant to the procedures in this ordinance, the refund check shall be delivered to the taxpayer/claimant or mailed to the last known mailing address of the taxpayer/claimant by the town clerk.

This ordinance to be effective in any year in which the town clerk is unable to deliver the completed tax roll to the town treasurer by December 8th of that year.

Date of Passage: November

Vote For: 3 Vote Against: 0

Signed by Donald Reese
Town Chairman Donald Reese

Date: 11/10/98

Robert H. Becker
Town Supervisor Robert Becker

Melvin Guenterberg
Town Supervisor Melvin Guenterberg

Countersigned by Town Clerk Susan Brown

Susan Brown

Posted in the following public places in the town within 30 days of passage. Town Hall, Quality Tire, Farmington Recreation Association Ball Park. (Note that the ordinance does not impose a forfeiture-towns may post under Sec. 60.80 of Wis. Statutes in lieu of publication.)

I.

STATE OF WISCONSIN
JEFFERSON COUNTY

TOWN OF FARMINGTON

**ORDINANCE RELATING TO THE CONFIDENTIALITY OF INFORMATION ABOUT
INCOME AND EXPENSES REQUESTED BY THE ASSESSOR IN PROPERTY
ASSESSMENT MATTERS IN THE TOWN OF FARMINGTON**

WHEREAS, as part of the Budget Adjustment Act, 1997 Wisconsin Act 237, a number of significant changes regarding property tax assessment appeals and Board of Review procedures were enacted; and

WHEREAS, as Section 279(K) of 1997 Wisconsin Act 237, Section 70.47(7)(af), of the Wisconsin Statutes was created; and

WHEREAS, Section 70.47(7)(af), Wis. Stats., requires that the municipality provide by ordinance for the confidentiality of information about income and expenses that is provided to the Assessor under Section 70.47(7)(af), Wis. Stats., and shall provide exceptions for persons using the information in the discharge of duties imposed by law or of the duties of their office or by order of the court,

NOW, THEREFORE, the Town Board of the Town of Farmington, Jefferson County, Wisconsin, DO ORDAIN AS FOLLOWS:

SECTION 1: Whenever the Assessor, in the performance of the Assessor's duties, requests or obtains income and expense information pursuant to Section 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 Section 70.47(7)(af), unless a court determines that it is inaccurate, is per Section 70.47(7)(af), not subject to the right of inspection and copying under Section 19.35(1), Wis. Stats.

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 immediately upon passage and posting as provided by law.

Dated this 11th day of January 2000.

Town of Farmington

Donald Reese
Donald Reese, Town Chairman

ATTEST:

Susan Brown
Susan Brown, Town Clerk