

Title 2 GOVERNMENT AND ADMINISTRATION.

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TITLE 2 - CHAPTER 1 General Provisions and Elections.

Section 2.1.1 Voter Registration.

Section 2.1.1 Voter Registration.

The purpose of this ordinance is to promote efficient order and expedite the registration process on election day.

Whereas, the Wisconsin Statutes allow voter registration for municipalities and the Town Board of the Town of Oregon wishes to do so, the Clerk is requested to proceed with establishing voter registration.

Original ordinance #38 passed September 6, 1988, posted September 7, 1988.

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TITLE 2 - CHAPTER 2 Joint Municipal Court; Municipal Judge.

Section 2.2.1 Municipal Court for the Town of Oregon, Wisconsin.

Section 2.2.2 Jurisdiction.

Section 2.2.3 Municipal Judge.

Section 2.2.4 Location.

Section 2.2.5 Procedure.

Section 2.2.6 Forfeiture.

Section 2.2.7 Contempt of Court.

Section 2.2.8 Stipulation and Deposits in Joint Municipal Court.

**Section 2.2.9 Court Authority to Impose Alternative Juvenile Dispositions
and Sanctions.**

Section 2.2.10 Administering Agreement.

Section 2.2.1 Municipal Court for the Town of Oregon, Wisconsin.

The Joint Municipal Court for the Village of Oregon and the Town of Oregon, created by Chapter 755 of the Wisconsin Statutes (1995-1996), is hereby established and shall become operative and functional the effective date of this Ordinance.

Section 2.2.2 Jurisdiction.

The Joint Municipal Court and the Municipal Judge shall have jurisdiction as provided in Wis. Stats. Section 755.045 and 755.05 (1995-1996), and as otherwise provided by Wisconsin law.

Section 2.2.3 Municipal Judge.

The Joint Municipal Court shall be presided over by a Municipal Judge.

- a) Election: Term. The Municipal Judge of the existing Village of Oregon Municipal Court shall serve as the judge for the Joint Municipal Court until the end of the judge's current term. After that, the Municipal Judge shall be elected at large by the electors of the Village and the Town at the spring election in odd numbered years for a term of two years, commencing May 1 succeeding the election. The Municipal Judge shall serve until

a successor is elected and qualifies. Mid-term vacancies in the office of Municipal Judge shall be filled by appointment, as agreed upon by the Village Board and the Town Board, pursuant to Wis. Stats. Section 8.50(4)(fm) (1995-1996).

b) Salary. The Municipal Judge shall receive a monthly salary paid by the Village, which shall be in lieu of fees and costs. No salary shall be paid to the Municipal Judge for any time during the term for which the official bond and oath have not been executed and filed, as required by paragraph (c) of this subsection.

c) Bond; Oath. The Municipal Judge shall execute and file with the Clerk of Courts for Dane County the oath prescribed by Wis. Stats. Section 757.02 (1995-1996) and a bond. The Municipal Judge shall not be qualified to act until a certified copy of the oath is filed with the Office of the State Administrator of Courts, as required by Wis. Stats. Section 755.03 (1995-1996).

d) Sessions. The Joint Municipal Court shall be open on the days and hours set by the Municipal Judge.

Section 2.2.4 Location.

The Municipal Judge shall keep an office and hold court in the Village Hall of the Village of Oregon.

Section 2.2.5 Procedure.

The procedure in the Joint Municipal Court shall be as provided by this Section and State law including, without limitation because of enumeration, Chapters 800 and 755 and Wis. Stats. Section 23.50 to 23.85, 345.11, 345.20 to 345.53 and 972.11(3m) (1995-1996).

Section 2.2.6 Forfeitures.

The Municipal Judge may impose punishment and forfeitures provided under Wisconsin law, and as provided in the Ordinances of the Village and the Town. The Municipal Judge shall collect all forfeitures, penalty assessments, jail assessments, court costs, fees and taxable costs in any action or proceeding before the Municipal Court, and shall pay over the amounts collected to the Village Clerk within 15 days of receipt. At such time, the Municipal Judge also shall report to the Village Clerk the title of the action, the offense for which the forfeiture was imposed, and the total amount of the forfeiture, assessment, fees and costs.

Section 2.2.7 Contempt of Court.

The Municipal Judge may impose a sanction authorized under Wis. Stats. Section 800.12(2) (1995 -1996) for contempt of court, as defined in Wis. Stats. Section 785.01(1) (1995-1996), in accordance with the procedures under Wis. Stats. Section 785.03 (1995-1996). The Municipal Judge may impose a forfeiture for contempt under Wis. Stats. Section 800.12(1) (1995-1996) in an amount not to exceed \$50.00 or, upon nonpayment of the forfeiture, penalty assessment under Wis. Stats. Section 65.87 (1995-1996), jail assessment under Wis. Stats. Section 302.46 (1995-1996), and any applicable domestic abuse assessment under Wis. Stats. Section 973.055(1) (1995-1996), a jail sentence not to exceed seven days.

Section 2.2.8 Stipulation and Deposits in Joint Municipal Court.

a) Village Deposit Schedule to be Established. The Municipal Judge shall establish and submit to the Village Board for approval by Resolution a schedule of deposits for violations of Village Ordinances, except traffic regulations, which are governed by Wis. Stats. Section 345.26 (1995-1996), and all-terrain vehicle violations governed by Wis. Stats. Section 23.33 (1995-1996).

b) Town Deposit Schedule to be Established. The Municipal Judge shall establish and submit to the Town Board for approval by Resolution a schedule of deposits for violations of Town Ordinances, except traffic regulations, which are governed by Wis. Stats. Section 345.26 (1995-1996).

c) Stipulation and Deposit in Lieu of Court Appearance. Persons cited for violations of Village or Town Ordinances for which a deposit has been established under this subsection shall be permitted to make a stipulation of no contest and a deposit in lieu of court appearance as provided in Wis. Stats. Section 800.03, 800.04, and 800.09 (1995-1996).

d) Traffic and All-Terrain Vehicle Deposits. The deposit schedule established by the Wisconsin Judicial Conference and the procedures set forth in Chapters 23 and 345 of the Wisconsin Statutes (1995-1996) shall apply to stipulation and deposits for violations of traffic regulations enacted in accordance with Wis. Stats. Section 345.26 (1995-1996) and all-terrain vehicle regulations enacted in accordance with Wis. Stats. Section 23.33 (1995-1996).

e) When no permitted. Stipulations and deposits shall not be permitted after initial appearance or in cases of contempt under subsection 2.2.7.

Section 2.2.9 Court Authority to Impose Alternative Juvenile Dispositions and Sanctions.

- a) For a juvenile adjudged to have violated an ordinance, the Municipal Court is authorized to impose any of the dispositions listed in Wis. Stats. Section 938.343 and 938.344 (1995-1996), in accordance with the provisions of those statutes.
- b) For a juvenile adjudged to have violated an ordinance who violates a condition of a dispositional order of the court under Wis. Stats. Section 938.343 or 938.344 (1995-1996), the municipal court is authorized to impose any of the sanctions listed in Wis. Stats. Section 938.355(6)(d) (1995-1996), in accordance with the provisions of those statutes.
- c) The municipal judge may impose community service as an alternative to a monetary forfeiture in the case of a juvenile violator. In such a case, the juvenile may be required to complete a community service project as specified by the court. Supervision of the juvenile upon whom the sentence is imposed shall be the responsibility of the parent, parents or legal guardian having custody of the juvenile.

Section 2.2.10 Administering Agreement.

The Village Board and the Town Board are authorized to enter into an Agreement to share the costs of maintaining the Joint Municipal Court.

Original Ordinance #1, approved and passed February 4, 1969.

Ordinance #1 repealed by Ordinance #51 October 6, 1997.

Ordinance #51 adopted October 6, 1997, posted October 30, 1997.

TITLE 2 - CHAPTER 4 Town Board.

Section 2.4.1 Number of Town Supervisors

Section 2.4.1 Number of Town Supervisors

- a. Authority. The Oregon Town Board has been authorized by the Oregon Town Meeting to exercise Village powers. Accordingly, the Town Board is authorized by Wis. Stats. Section 60.21(1) to increase the size of its Board from three supervisors.
- b. Increase in Number. The membership of the Town Board shall be increased to consist of five (5) Supervisors, with three (3) Supervisors to be elected in odd numbered years, and two (2) Supervisors to be elected in even numbered years.

- c. Effective Date. This Ordinance shall take effect on January 1, 2000, but shall not be deemed to create any vacancy on the Town Board prior to the Spring election in 2000.

Original Ordinance #57 adopted December 7, 1999.

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TITLE 2 - CHAPTER 5 Town Officers and Employees.

Section 2.5.1 Town Constable.

Section 2.5.3 Prohibition of Receipt of Gifts or Gratuities by Public Officials.

Section 2.5.1 Town Constable.

a) Statutory Authority. Pursuant to Section 60.22(4) and Section 60.35, Wisconsin Statutes (1983-1984), the jurisdiction and duties of the Town Constable of the Town of Oregon, Dane County, Wisconsin, are established as described herein.

b) Jurisdiction and Duties. The Town Constable of the Town of Oregon, Dane County, Wisconsin, shall enforce and prosecute all violations of the Town Ordinances of the Town of Oregon, and this shall be the sole responsibility of the Town Constable except as otherwise provided by the Town Board pursuant to law.

c) Nonexclusivity. The jurisdiction and duties of the Town Constable as stated herein shall not preclude the Town Board or any other Town officer from proceeding under any ordinance or law or by any other enforcement method to enforce any ordinance, regulation, or order.

Original Ordinance #34 approved and passed March 5, 1985, posted March 6, 1985.

Section 2.5.2 Prohibition of Receipt of Gifts or Gratuities by Public Officials.

a) It shall be unlawful for any public employee or public official to receive or offer to receive, either directly or indirectly, any gift, gratuity, or anything of value which he is not authorized to receive from any person, if such person

1) Has or is seeking to obtain contractual or other business or financial relationships with such public employee's employer or the governmental body of the public official; or

2) conducts operations or activities which are regulated by such public employee's employer or the governmental body of a public official; or

3) has interests which may be substantially affected by such public employee's employer or the governmental body of the public official.

b) The receipt of any gift, gratuity, or anything of value as denoted above is contrary to the public policy of the Town of Oregon.

c) Severability: The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be effected thereby.

Ordinance #13 passed on March 5, 1974, approved July 2, 1974.

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TITLE 2 - CHAPTER 6 Boards, Commissions, and Committees.

Section 2.6.1 Creation.

Section 2.6.2 Membership.

Section 2.6.3 Appointment.

Section 2.6.4 Term.

Section 2.6.5 Officers.

Section 2.6.6 Power.

Section 2.6.7 Functions.

Section 2.6.1 Creation.

Pursuant to Sections 60.18(12), 61.35 and 62.23 of the Wisconsin Statutes (1968-1969), there is hereby created a "Plan Commission" for the Town of Oregon, Dane County, Wisconsin.

Section 2.6.2 Membership.

The Plan Commission shall at all times consist of seven (7) members composed of one (1) member of the Town Board, the Town Building Inspector, and five (5) citizens of the Town of Oregon. In April of each year, the Town Chairman shall appoint one member to be the presiding officer to the Plan Commission for a term of one (1) year.

Section 2.6.3 Appointment.

The members shall be appointed by the Town Chairman, subject to the approval of the Town Board.

Section 2.6.4 Term.

The five (5) citizen members shall serve for an initial term of three (3) years and shall be appointed by June 1, 1969. Beginning in June, 1972, the Town Chairman shall appoint two citizen members for three (3) years, two members for two (2) years and one member for (1) year. Thereafter appointments shall be for three (3) year terms.

The Town Board member shall be elected by a two-thirds vote of the Town Board in April of each year.

Section 2.6.5 Officers.

The members of the Plan Commission shall elect a Chairman and Secretary from among its membership.

Section 2.6.6 Power.

The Plan Commission shall have the power and authority to employ experts and a staff, and to pay for their services and such other expenses as may be necessary and proper, not exceeding, in

all, the appropriation that may be made for such Commission by the Town Board, or placed at its disposal through gift, and subject to any ordinance or resolution enacted by the Town Board of the Town of Oregon.

Section 2.6.7 Functions.

It shall be the function and duty of the Commission to make and adopt a master plan for the physical development of the municipality, including areas outside of its boundaries which, in the commission's judgment bear relation to the development of the Town. The master plan, with the accompanying maps, plats, charts and descriptive and explanatory matter, shall show the Commission's recommendations for such physical development, and may include, among other things without limitation because of enumeration, the general location, character and extent of streets, highways, freeways, street grades, roadways, walks, bridges, viaducts, parking areas, tunnels, public places and areas, parks, parkways, playgrounds, sites for public buildings and structures, airports, pierhead and bulkhead lines, waterways, routes for railroads, street railways and buses, and the general location and extent of sewers, water conduits and other public utilities whether privately or publicly owned, the acceptance, widening, narrowing, extension, relocation, removal, vacation, abandonment or change of use of any of the foregoing public ways, grounds, places, spaces, buildings, properties, utilities, routes of terminals, the general location, character and extent of community centers and neighborhood units, the general character, extent and layout of the replanning of blighted districts and slum areas, and a comprehensive zoning plan. The Commission may from time to time amend, extend or add to the master plan or carry any part or subject matter into greater detail. The Commission may adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record.

Original ordinance #4 approved and passed May 6, 1969.

Ordinance #4 amended by Ordinance #15 July 1, 1975.

Ordinance #15 approved and passed July 1, 1975, posted July 2, 1975.