

## Title 2

### ADMINISTRATION AND PERSONNEL

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## Chapter 2.08

### PERSONNEL POLICY

#### Sections:

- 2.08.010 Effect
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- 2.08.030 Bond
- 2.08.040 Salaries
- 2.08.050 Vacancies
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2.08.010 Effect. The provisions of this section shall apply to all officers of the City, regardless of the time of creation of the office or selection of the officer, unless otherwise specifically provided by ordinance or resolution of the Council. (1960 Code, Sec. 2.09 (1))

2.08.020 Oath of Office. Every officer of the City, including members of the Common Council, shall before entering upon his duties and within five (5) days of his election or appointment or notice thereof, take the oath of office prescribed by law and file said oath in the office of the City Clerk, except the City Clerk, who shall file his oath in the office of the City Treasurer. Any person reelected or reappointed to the same office shall take and file an official oath for each term of service. Each commissioner shall take and file the official oath. (New Section)

2.08.030 Bond. Every officer shall, if required by law or the Common Council, upon entering upon the duties of his office, give a bond in such amount as may be determined by the Common Council with such sureties as are approved by the Mayor, conditioned upon the faithful performance of the duties of his office. Official bonds shall be filed, as are oaths as provided in Section 2.08.020 of this section. (1960 Code, Sec. 2.09(3))

2.08.040 Salaries. All officers and employees of the City shall receive such salaries as may be provided from time to time by the Common Council by Ordinance. No officer receiving a salary from the City shall be entitled to retain any portion of any fees collected by him for the performance of his duties as such officer in the absence of a specific law or Ordinance to that effect. Payment of regular wages and salaries to employees of the City established by the Common Council shall be by payroll, as provided in section 3.12.070. The regular payday shall be every other Friday of the week (Biweekly). (Adopted December 10, 1985)

2.08.050 Vacancies. Vacancies in elective offices shall be filled by appointment by a majority vote of the Common Council for the term as prescribed in Section 17.23 Wis. Stats. Vacancies in appointive offices shall be filled in the same manner as the

original appointment for the residue of the unexpired term unless the term for such office is indefinite. (New Section)

2.28.060 Employee Personnel Policies. The Common Council shall by resolution, adopt employee personnel policies. Such policies shall set the City's policies for; Employment, promotions, terms of employment, employee relations, holidays, hours of work, sick leave, leave of absence, vacations, compensations, training, safety, employee services, dress codes, as well as any other provisions determined necessary by the Council. The policies shall be updated annually, and shall be kept on file in the office of City Clerk. (New Section)

## Chapter 2.12

### CITY COUNCIL MEETINGS

#### Sections:

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2.12.140	Committee Chairman
2.12.150	Committee Report
2.12.160	Procedure – Adoption of Resolutions and Ordinances
2.12.170	Procedure – General Rules
2.12.180	Procedure – Suspension of Rules

2.12.010 Elected Officials. There shall be six (6) Aldermen, two (2) from each ward in the City of Whitehall. Three (3) Aldermen shall be elected in even numbered years for a term of four (4) years commencing on the 3<sup>rd</sup> Tuesday of April of the year of their election, except that Aldermen elected at the 1961 spring election shall hold office for a term of three (3) years and four (4) years thereafter. The following officials of the City of Whitehall shall be chosen at the regular spring election in even numbered years for a term of two (2) years, commencing on the 3<sup>rd</sup> Tuesday of April in the year of their election: Mayor, One Supervisor. (1960 Code, Sec. 2.01(1) & (2)).

2.12.011 Primary Elections. Whenever three (3) or more candidates file nomination papers for a single City office, a Primary Election to nominate candidates for the office shall be held. (New Section)

2.12.015 Aldermanic Districts. Pursuant to Section 62.08, Wis. Stats., three (3) Aldermanic Districts (formerly referred to as “Aldermanic Wards”) are hereby created within the City of Whitehall. The following is the description of the Aldermanic Districts’ Boundaries:

Aldermanic District 1. That part of the City of Whitehall lying north of Dewey Street (Highway 121) and west of Main Street (Highway 53) AND ALSO that part of the City of Whitehall which is north/east of the railroad tracks of the Green Bay and Western Railroad Company, and east of Main Street (Highway 53).

Aldermanic District 2. That part of the City of Whitehall which is south of Dewey Street (Highway 121) and west of Main Street (Highway 53/County Trunk D) AND ALSO INCLUDING that part which is east of Main Street (Highway 53), north of Hobson and Melby Streets, west of Ervin Creek and south of the railroad tracks of the Green Bay and Western Railroad Company.

Aldermanic District 3. That part of the City of Whitehall which is east of Main Street (Highway 53/County Truck D) and south of the railroad tracks of the Green Bay and Western Railroad Company, EXCEPT FOR that part which is east of Main Street (Highway 53), north of Hobson and Melby Streets, west of Ervin Creek and south of the railroad tracks of the Green Bay and Western Railroad Company, said excepted part being in Aldermanic District 2.

2.12.020 Appointed Officials. The City officials hereinafter set forth shall be appointed at the annual Reorganizational meeting of the Common Council (Third Tuesday of April) for a term of one (1) year. The appointments shall be made by the Mayor, subject to confirmation by a majority vote of the members of the Common Council:

Clerk-Treasurer	Attorney
Council President	Assessor
Administrator	Building Inspector
Fire Chief	Civil Defense Director
Health Officer	Plumbing Inspector
Police Chief	Dog Catcher
Weed Commissioner	

The Mayor shall not vote on the confirmation of such appointments except in case of a tie. The term of office of each official so appointed shall be one (1) year. All terms shall commence on May 1<sup>st</sup> following appointment. (Amended February 13, 2001)

2.12.030 Regular Meetings. Regular meetings of the City Council shall be held on the second (2<sup>nd</sup>) Tuesday of each calendar month, at 6:00 p.m. Any regular meeting falling on a legal holiday shall be held the next following secular day at the same hour and place. (Amended September 13, 2011)

2.12.040 Special Meetings. Special meetings of the Council may be called by the Mayor by written notice delivered to each Alderman personally, or left at his usual place of abode. Notice of special meetings of the council shall be given at least 24 hours prior to commencement of such meetings, unless for good cause such notice is impossible or impractical, in which case shorter notice may be given, but in no case may the notice

be provided less than two (2) hours in advance of the meeting. The Clerk shall cause an affidavit of service of such notice when all members of the Council are present, or consent in writing to the holding of said meeting. Unless all Councilmen are in attendance, no business shall be transacted at a special meeting except for the purpose stated in the notice thereof. (New Section)

2.12.050 Meeting – Place. All meetings of the council, including special and adjourned meetings, shall be held in the City Hall. (1960 Code, Sec. 1.01(3))

2.12.060 Meeting – Quorum. Two-thirds (2/3) of the members of the Council shall constitute a quorum but a lesser number may adjourn from time to time or compel the attendance of absent members. A call of the hour may be ordered by majority vote if three aldermen are present. (1969 Code, Sec. 1.01(4))

2.12.070 Meeting – Penalty for Nonattendance. The Mayor or any Alderman who shall fail to attend a regular meeting called in accordance with these rules, shall be subject to an assessment in the amount of 10% of their monthly pro-rated base salary. (Amended September 13, 2005)

2.12.080 Meeting – Procedure Agenda. In accordance with Wisconsin Open Meeting Law requirements, prior to any regular meeting of the Council, the City Clerk shall send to the Mayor and each member of the Council, an agenda listing the items to be considered at that next regularly scheduled Council meeting. The City Clerk shall post and make the agenda available to the public, as required by Wisconsin Statutes. Requests for items to be placed on the agenda must be received by the City Clerk no later than seven (7) day prior to the regular Council meeting. The City Clerk shall place on the agenda any item timely received in writing or verbally. At the regular Council meeting, the Council shall follow the agenda listed and shall not act on items other than those listed. (Amended October 11, 2005)

2.12.090 Presiding Officer – Control of Meeting. The Mayor shall preserve order and conduct the proceedings of the meeting. A member may appeal from the decision of the presiding officer. Such appeal is not debatable and must be sustained by a majority of the members present, exclusive of the presiding officer. (1960 Code, Sec. 1.03(2))

2.12.100 Presiding Officer – Absence of Mayor. If the Mayor is absent at any meeting, the Council President shall call the meeting to order and conduct the proceedings of the meeting. In the absence of the Council President, the Clerk shall call the meeting to order and preside until the Council selects an Alderman to preside for that meeting. (New Section)

2.12.110 Presiding Officer – Participation in Debate. The presiding officer may speak upon any question or make any motion if he vacates the chair and designates an alderman to preside temporarily. (1960 Code, Sec. 1.03(3))

2.12.120 Committees – Appointment. At the organizational council meeting, the Mayor shall appoint three (3) Aldermen to each of the standing committees. (1960 Code, Sec. 1.04(1))

2.12.130 Standing Committees. The following are the standing Committees: Committee on Finance; Committee on Parks and Recreation; Committee on Personnel and Law Enforcement; Committee on Property; Committee on Public Works; and Committee on Streets. (Amended April 11, 2006)

2.12.140 Committee Chairman. The Mayor shall be ex officio chairman of the Committee on Finance and shall designate the chairmen of other standing committees. He shall appoint all special committees and designate the chairman of each. All committee appointments except designation of chairmen shall be subject to confirmation by a majority vote of the Council. (1960 Code, Sec. 1.04(1))

2.12.150 Committee Report. Each committee shall, if requested by the Mayor, at the next regular Council meeting, submit a written report on all matters referred to it. Such report shall recommend a definite action on each item and shall be signed by a majority of the committee. Any committee may require any City officer to confer with it and supply information in connection with any matter pending before it. (1960 Code, Sec. 1.04(2))

2.12.160 Procedure – Adoption of Resolutions and Ordinances. Ordinances, resolution, bylaws, communications and other matters submitted to the Council shall be read by title and author referred to the appropriate committee by the Mayor. No ordinance, resolution, or bylaw shall be considered unless presented in writing by an Alderman. Unless requested by a Council member before final vote is taken, no ordinance, resolution or bylaw need be read in full. (1960 Code, Sec. 1.05)

2.12.170 Procedure – General Rules. The deliberations of the Council shall be conducted in accordance with the parliamentary rules contained in Robert’s Rules of Order Revised, which is hereby incorporated in this section by reference. No person other than a member shall address the Council except by majority vote of the members present. No ordinance, resolution or other motion shall be discussed or acted upon unless it has been seconded. No motion shall be withdrawn or amended without the consent of the person making the same and the person seconding it. (1960 code, Sec. 1.06)

2.12.180 Procedure – Suspension of Rules. These rules or any part thereof may be temporarily suspended in connection with any matter under consideration by a recorded vote of two-thirds (2/3) of the members present. (1960 Code, Sec. 1.07)

## Chapter 2.20

### POLICE DEPARTMENT

#### Sections:

2.20.010	Personnel – General
2.20.020	Personnel – Appointment and Removal
2.20.030	Personnel – Minimum Standards
2.20.040	Personnel – Recruit Training
2.20.050	General Powers of Police Officers
2.20.060	Power to Arrest
2.20.070	Enforcement of Ordinances
2.20.080	Crime Prevention
2.20.090	Reports of Sidewalk and Street Obstructions
2.20.100	Assist Fire Department
2.20.110	Displaying Permits and Licenses
2.20.120	Chief of Police – Constable Abolished
2.20.130	Chief of Police – Term
2.20.140	Chief of Police – Removal
2.20.150	Chief of Police – Record Arrests
2.20.160	Chief of Police – Absence from City
2.20.170	Chief of Police – Monthly Report
2.20.180	Chief of Police – Powers
2.20.190	Civilians to Assist Police
2.20.200	Special Peace Officers

2.20.010 Personnel – General. The Police Department of the City of Whitehall shall consist of the Chief of Police and such other police officers as the Common Council may prescribe from time to time by ordinance or resolution. (1960 Code, Sec. 3.01)

2.20.020 Personnel – Appointment and Removal. Police officers, other than the Chief, shall be selected by the Common Council. The Chief shall have full authority to demote, suspend temporarily or remove from the force any officer of the Department, subject to the right of such officer to appeal to the Common Council for reinstatement. (1960 code, Sec. 3.02)

2.20.030 Personnel – Minimum Standards. The minimum standards for a recruit in the Police Department shall be as set forth in Chapter 466 of the Wis. Stats, known as the Wisconsin Law Enforcement Standards Act. Before an individual may commence employment on a probationary or temporary basis as a law enforcement officer, that individual must have met the recruit qualifications set by the Wisconsin Law Enforcement Standards Board. Before an individual may commence employment on a part-time or full-time permanent basis as a law enforcement officer, that individual must have been certified by the Board as having met the recruit qualifications and as having successfully



completed the preparatory training course required under the Boards' recruit training standards. (1972 Code, Sec. 2.20.030)

2.20.040 Personnel – Recruit Training. Recruit training must be successfully completed by the trainee within his probationary period. Under justifiable circumstances, this period may be extended, but the total period during which a person may serve as a Law Enforcement Officer on a probationary or temporary basis without successfully completing a preparatory training course approved by the Wisconsin Law Enforcement Standard Board shall not exceed two years. (1972 Code, Sec. 2.20.040)

2.20.050 General Powers of Police Officers. The Chief of Police and all policemen of the City shall possess the powers, enjoy the privileges and be subject to the liabilities conferred and imposed by law on constables. Every member of the Police Department shall have full power and authority and it shall be his duty to exercise these powers. (1960 Code, Sec. 3.03)

2.20.060 Power to Arrest. Arrest with or without process all persons in the City found in a state of intoxication or engaged in any disturbance of the peace or violating any law or ordinance of the State or City or aiding or abetting in such violation and take all such persons in charge and confine them and within a reasonable time bring them before the Trempealeau County Circuit of Trempealeau County to be dealt with according to law. (New Section)

2.20.070 Enforcement of Ordinances. The Chief of Police and all policemen of the City shall familiarize himself with the Ordinances of the City and attend to the enforcement of such Ordinances by all lawful means. (1960 Code, Sec. 3.03(2))

2.20.080 Crime Prevention. The Chief of Police and all policemen of the City shall help prevent crimes, misdemeanors, and violations of City ordinances and protect the health, safety, public peace and order of the City and its' inhabitants. (1960 Code, Sec. 3.03(3))

2.20.090 Reports of Sidewalk and Street Obstructions. The Chief of Police and all policemen of the City shall report all street and sidewalk obstructions, unlighted street lights, unlawful street signs or signals and defective or dangerous streets and sidewalks to the Mayor. (1960 Code, Sec. 3.03(4))

2.20.100 Assist Fire Department. The Chief of Police and all policemen of the City shall assist the Fire Department in maintaining order at the scene of a fire. (1960 Code, Sec. 3.30(5))

2.20.110 Displaying Permits and Licenses. The Chief of Police and all policemen of the City shall see that the necessary permits and licenses issued by the proper authority of the State or City are in the possession of or properly displayed by any person engaged in an activity or business within the City of which such permit or license

is required and that the terms of such permits or licenses are complied with. (1960 Code, Sec. 3.03(6))

2.20.120 Chief of Police – Constable Abolished. Pursuant to Section 62.09 of the Wisconsin Statutes, the City of Whitehall hereby abolishes the office of Constable and creates the office of Chief of Police. (1960 Code, Sec. 2.03(1))

2.20.130 Chief of Police – Term. The Chief of Police shall hold office for terms of one (1) year, which commences on the 1<sup>st</sup> day of May in the year of his appointment and shall be appointed by a two-third (2/3) vote of the Council. (New Section)

2.20.140 Chief of Police – Removal. There is hereby created in the office of Chief of Police, which shall be filled by appointment by a majority vote of the members of the Common Council for an indefinite term, subject to removal by a three-quarter (3/4) vote of the members of the Council for incompetency, misconduct, inefficiency, cowardice, or failure to perform duties. The Chief shall exercise the powers and duties of City constables and any other powers and duties as provided from time to time by the Common Council. (1960 Code, Sec. 2.03(2))

2.20.150 Chief of Police – Record Arrests. In addition to the duties imposed upon him by Sections 2.20.050 to 2.20.110 both inclusive, the Chief of Police shall have the following duties: He shall keep in his office a record of all arrests made by members of the Department, traffic tickets issued, the dates, hours and places thereof, names of persons arrested, arresting officers, offenses charged, actions taken and results. (1960 Code, Sec. 3.04(2)(a))

2.20.160 Chief of Police – Absence from City. The Chief of Police shall not be absent from duty or leave the City without providing a schedule to ensure that there is adequate police coverage available to protect the City during the time of his/her absence. (Amended September 13, 2005)

2.20.170 Chief of Police – Monthly Report. He shall submit a written monthly report to the Common Council of all activities and transactions of the Department during the preceding month. (1960 Code, Sec. 3.04 (c))

2.20.180 Chief of Police – Powers. The Chief shall have command of the police force of the City of Whitehall and shall have custody, care and control of the property and equipment of the Department. (1960 Code, Sec. 3.04(3))

2.20.190 Civilians to Assist Police. It shall be the duty of all persons in the City, when called upon by any police officer or peace officer, to promptly aid and assist him in the execution of his duties and whoever shall neglect or refuse to give such aid or assistance shall be subject to a penalty as provided in Sections 1.08.010 to 1.08.030 both inclusive of this code. (1960 Code, Sec. 3.05)

2.20.200 Special Peace Officers. The Mayor and Aldermen shall have and exercise the powers of peace officer and may summarily suppress any riotous or disorderly conduct in streets or public places of the City. (1960 Code, Sec. 3.06)

Chapter 2.24

BOARD OF REVIEW

Sections:

2.24.010 Members

2.24.010 Members. The Board of Review of the City of Whitehall shall be composed of four (4) members, including the Mayor, the City Clerk, one member of the Common Council, and one (1) Citizen of the City to be appointed by the Mayor. The Board of Review shall have the duties and powers and use the procedure as prescribed by Section 70.47 of the Wis. Stats. (New Section)

## Chapter 2.28

### BOARD OF HEALTH

#### Sections:

- 2.28.010 Health Officer
- 2.28.020 Duties
- 2.28.030 Powers

2.28.010 Health Officer. The Common Council of the City of Whitehall shall within 30 days after its election organize into a Board of Health and shall elect a chairman and a clerk as provided by Section 141.015 of the Wis. Stats. The Health Officer by virtue of his office shall be an ex officio member of such a board with voting power. (New Section)

2.28.020 Duties. It shall be the duty of the Board of Health of the City of Whitehall to assume the general administration of health and sanitation laws and regulations in the City, to supervise the work of the Health Officer and to attend to the administration and enforcement of the health laws of the State and the rules and regulations prescribed by the State Board of Health and the Ordinances of the City. (1960 Code, Sec. 10.01(2))

2.28.030 Powers. The Board shall take such measures and make such rules and regulations as shall be necessary and effectual for the preservation and promotion of the public health in the City of Whitehall. All orders and regulations of the Board shall be published in the official newspaper, and after publication shall have the force and effect of Ordinances, including penalty for violation. (1960 Code, Sec. 10.01(3))

## Chapter 2.32

### FIRE DEPARTMENT

#### Sections:

2.32.010	Membership
2.32.020	Bylaws of Department
2.32.030	Compensation
2.32.040	Funds for Operation
2.32.050	Number of Firemen – Officers
2.32.060	Chief – Appointment
2.32.070	Chief – Vacancy
2.32.080	Chief – Eligibility
2.32.090	Chief – Duties & Supervision
2.32.100	Chief – Preside at Meetings
2.32.110	Chief – Presence at Fires
2.32.120	Chief – Demotions of Members
2.32.130	Chief – Estimate of Appropriations
2.32.140	Chief – Report on Condition of Apparatus
2.32.150	Chief – Enforcement of Fire Prevention Ordinances
2.32.160	Chief – Record of Fires
2.32.170	Chief – Inventory of Apparatus
2.32.180	Chief – Other Duties
2.32.190	Chief – Control Maintenance of Apparatus
2.32.200	Firemen – Application
2.32.220	Firemen – Resignations
2.32.230	Firemen – Demotions – Appearance
2.32.240	Department Organization – Companies
2.32.250	Department Organization – Captains
2.32.260	Secretary Treasurer – Election
2.32.270	Equipment – Use Outside City Limits
2.32.280	Equipment – Willful Damage
2.32.310	Police Power Arrest at Scene of Fire
2.32.320	Describing Limits Near Fire
2.28.330	Right to Enter Adjacent Buildings
2.32.340	Duties of Bystanders
2.32.350	Fire Inspector – Chief of Department
2.32.360	Fire Inspector – Inspections
2.32.370	Inspections – Fire Hazard Correction
2.32.380	Record of Inspections
2.32.390	False Alarms Prohibited
2.32.400	Penalties for Violations

2.32.010 Membership. The Fire Department of the City of Whitehall shall consist of the Fire Chief, a 1<sup>st</sup> and 2<sup>nd</sup> Assistant Chief, a captain and lieutenant for each company, a secretary-treasurer, and as many drivers and fireman, as may be appointed by the Chief and approved by the Common Council, provided that at no time the Fire Department shall consist of less than 22 active members.

2.32.020 Bylaws of Department. The Whitehall Fire Department shall adopt bylaws for the control, management and government and for the regulation of business and proceedings of the Department, which bylaws shall be adopted by a two-third (2/3) vote of the Department members and approved by the Common Council. Amendments shall be adopted in the same manner. (1960 Code, Sec. 5.01(2))

**BYLAWS  
OF THE  
FIRE DEPARTMENT  
OF THE  
CITY OF WHITEHALL  
WISCONSIN**

**SECTION 1. Membership**

- A. Any person desiring to become a member of the Fire Department may file with the Secretary an application of admittance to the Fire Company. Application must contain age and physical status. All applicants' names shall be presented to the department and shall be elected to any vacancy by a majority vote of the active members of the department.
- B. All applicants, after appointment, must serve a probationary period of one year. If prior to the end of this period the Chief shall report to the department that the applicant shows satisfactory proficiency in drills and fire fighting knowledge and upon approval of the Fire Department, the applicant shall become a full member.
- C. All members must reside within five (5) miles of corporate limits.

**SECTION 2. Meetings**

- A. The Annual Meeting of the department shall be the first Friday in April, after the regular monthly meeting.
- B. The regular monthly meeting shall be held the first Tuesday of each month at 6:30 p.m.
- C. The Audit Committee meets the first Monday prior to the annual Meeting.
- D. Special meetings may be called by the Chief at any time, or shall be called by the Chief if given a written request signed by at least five (5) members. The object of the meeting must be stated in the Call and no business other than the business stated in the Call may be transacted. However, applications for membership may be presented, and bills ordered paid.

Notice of such meetings must be mailed to all members by the Secretary at least two days prior to the special meetings, except in the case of a meeting made immediately necessary by an emergency, in which case the Secretary shall make every possible effort to directly notify all members of the Department in any manner of the meeting.

### SECTION 3. Order of Business

1. Roll Call.
2. Reading of minutes of last minutes and approval.
3. Treasurer's Report.
4. Committee Reports.
5. Application for membership.
6. Unfinished Business.
7. New Business.
8. Adjournment.

### SECTION 4. Election of Officers

- A. The election of the Chief and Secretary/Treasurer shall be made at the Annual Meeting and only members in good standing at the time of the Annual Meeting are qualified to vote.
- B. It shall be the duty of the Chief to report the names of the elected officers to the City Council by the next working day.
- C. All committees shall be appointed by the Chief.
- D. Officers, other than elected officers, appointed by the chief shall be:
  1. 1<sup>st</sup> Assistant Chief.
  2. 2<sup>nd</sup> Assistant Chief.
  3. Captain.
  4. Captain.
  5. Lieutenant
  6. Lieutenant
  7. Safety Officer
  8. Training Officer

### SECTION 5. Penalties and Forfeitures

- A. Any active member who fails to attend three consecutive meetings or drills or who fails to attend at least 50% of all the fires in any year unless excused by an officer or by sickness will be subject to expulsion. Time period for this provision shall be calculated from the day of the Annual Meeting. The names of the members so expelled shall be read at the next meeting following expulsion, and their names shall be dropped from the roll of the department.
- B. Leaves of absence may be granted by the Chief and other officers for reasons acceptable to them.



- C. An expelled member shall return to the Chief, all department property in the member's care, including badges and insignia. The member shall not use any department insignia upon any personal equipment purchased by the member.

#### SECTION 6. Power of Excuse

- A. The Chief, or Department Officers, shall have the power to excuse any member for absence from fires, meetings, drills, trainings or other places.
- B. Excuses from fires, regular meetings, adjourned meetings, parade or funeral shall be:
  - 1. Actual sickness of member or member's family.
  - 2. Absence from the Fire Department limits
  - 3. Left in charge alone at a place of business, or the employer will not excuse employee from the place of business.
  - 4. No Member shall be excused from registering at the fire station following a fire, except by the officers in charge.
  - 5. Any member residing outside of, or absent from the department limits for three consecutive months shall automatically be dropped from the roll of the Department of the Secretary, unless leave of absence has been granted.

#### SECTION 7. Fire Alarm

All fire alarms shall be announced by activation the siren and pager system. Other emergency responses may be called by sired or pager upon discretion of the officer in charge.

#### SECTION 8. Duties of officers and Members

- A. Duties of the Chief.
  - 1. The Chief shall be at the head of the Department, subject to the laws of the State of Wisconsin, Ordinances of the City, and the rules and regulations herein adopted.
  - 2. The Chief shall be held responsible for the general condition and efficient operation of the department, the training of members and the performance of all other duties imposed upon the chief.
  - 3. The Chief may designate the number of members of the company as ladder members and nozzle members in such numbers as the chief may determine. However, a member is obligated to perform any other duty assigned by a supervising officer.
  - 4. The Chief shall prescribe fire alarm signals for use by Department members
  - 5. The Chief shall make every effort to attend all fires and direct officers and members in the performance of their duties.

6. The Chief shall ensure that each fire is investigated to determine its cause and, in case of suspicion of incendiarism, shall secure and preserve all possible evidence for future use in the case and notify the State Fire Marshall.
7. The chief shall ensure that all hoses are tested biannually.
8. The Chief shall ensure that pumping equipment is tested at least once a year for ability to draft and for ability to deliver rated capacity an pressure at safe engine speed.
9. Unless another municipal department is assigned the duty by the City Council, the Chief shall inspect or cause to be inspected the fire hydrants and other sources of water supply at least twice a year and shall see that water hydrants are free of ice and snow.
10. It shall be the duty of the Chief to preside at all meetings and to preserve order. The chief shall appoint all committees and shall have a casting voted in all cases of a tie vote.
11. The Chief, officers, Members and fire Inspector shall be paid on a schedule approved by the City Council.

B. Duties of the Assistant Chief.

1. The Assistant chief shall report to the Chief at fires and assist in the discharge of the Chief's duties. In the absence of the Chief, the Assistant Chief shall be in command. In absence of the Assistant Chief, the Chain of command will be as in Section 4(d).

C. Duties of the Secretary/Treasurer.

1. It shall be the duty of the Secretary/ Treasurer to keep the minutes of all meetings, handle all Department correspondence, keep a register of the names of all the members of the Department, issue all notices, collect fines, assessment and other non-public funds due the Department.
2. The Secretary/Treasurer shall notify each person appointed a copy of the Bylaws. The Secretary/Treasurer shall issue orders to pay out of the Department funds only such amount as the Department has properly authorized to be paid and only on warrants properly drawn and signed by the Chief.
3. Deposit collected funds in the Fire Department's bank account in the name of the Department.
4. The Secretary/Treasurer shall submit to the meeting, monthly and annual statements of the amounts on hand, or due.

D. Duties of the Finance Committee.

1. The finance Committee shall be composed of five members of the Fire Department, who shall be appointed at the time of the general election of officers.

2. A full and detailed historical and financial statement shall be made by the Board of Financial Committee at each Annual Meeting and the same spread at large on the records of the Fire Department.

E. Duties of Members.

1. It shall be the duty of the members of the Fire Department, as often as any fire shall break out, to proceed immediately upon the alarm thereof to the fire station. This is in response to all department calls.

2. Roll call will be taken at the fire station after the return from the fire. No member may leave a fire or meeting without permission from the officer in charge.

3. No member shall report to a fire intoxicated. Any member found doing so shall be immediately suspended and brought before the Department at the next monthly meeting for consideration of reinstatement.

SECTION 9. Practice Drills.

A. It shall be the duty of the Chief to call practice drills whenever it is deemed advisable.

B. It shall be the duty of the Chief to arrange the drills and the training in the proper and efficient use of all appliances and apparatus.

SECTION 10. Rules of the Company.

A. Members shall, upon arriving at a fire, report to the Chief for orders, or if the Chief cannot be located, to the Assistant chief, or next in command. Members shall hold themselves in readiness to do what may be required of them, and all members shall assist in the work of the Fire Department, whether it may be their assigned duties or not.

B. Prompt obedience shall be given to orders from officers.

C. A civil demeanor should always be preserved toward persons not members of the Fire Department, but no orders shall be taken from them.

D. All reckless destruction of property shall be avoided and members must remember that it is their duty to protect property.

E. Members shall see that no heavy articles or vehicles are moved or dragged across a fire hose. Member shall report at once a busting of a length of hose in their charge. As soon as a member executes an order for assistance, which calls a member from his assigned location, the member shall return to it without delay.

F. At a fire, the chief is authorized to secure the area, or require that the Police Department contain the area with barricade tape if necessary, and restrict the area to all unauthorized personnel. After the fire, the officer in charge shall release the barricade material.

- G. No person shall be allowed to enter any firehouse or handle any apparatus or implements belonging to the department unless accompanied by an active member of the Department.
- H. No member shall appear at a Fire Department meeting or on duty in a state of intoxication, or shall be guilty of using insulting language, or be guilty of conduct unbecoming a member. For such improper conduct, the member may be subject to suspension.
- I. There shall be a Board of Appeals to hear and judge all grievances of any member of the Fire Department in regard to dismissal or suspension. The Board shall consist of the chief, who shall have no vote, but act as chairman, and five members of the fire company who shall be appointed by the Chief and approved by two-third (2/3) votes of the members present at a regular meeting. Appeals must be made to the Board, in writing, within ten days of suspension or dismissal.

#### SECTION 11. Amendments.

- A. A proposal to amend the bylaws may be made at a regular meeting when a quorum is present and must be submitted in writing.
- B. A two-third (2/3) affirmative vote of the quorum of the Fire Department shall be necessary to amend or alter the bylaws. Such amendment, if voted, shall take effect upon approval of the City Council.

#### SECTION 12. Retirement.

Any member, including the Chief, who upon reaching the age of sixty years, shall be dropped from the rolls of the Fire Department. Members of the Fire Department may, by annual ballot vote, elect to allow such member(s) to continue as a Department member and/or officer.

#### SECTION 13. Vacancy.

If a vacancy occurs among the officers of the Fire Department, it shall be filled at the Fire Department's next regular meeting.

#### SECTION 14. Resignation.

When a member wishes to resign, the member shall be privileged to do so by written notice to the Chief or Secretary/Treasurer.

#### SECTION 15. Pay Scale.

Pay to members shall be set according to pay a schedule adopted by the City Council.

SECTION 16. Effective Date of Bylaws.

These Bylaws shall take effect and be in force, and all other Bylaws or parts of Bylaws in conflict with these bylaws repealed, after the adoption and passage by the city council of these Bylaws, and after their being signed by the Mayor of the City of Whitehall and countersigned by the City clerk of said city.

2.32.030 Compensation. The officers and members of the Fire Department shall receive such compensation as may from time to time be fixed by the City Council.

2.32.040 Funds for Operation. The City Council shall appropriate funds to provide for the operation and for such apparatus and equipment for the use of the Fire Department as it may deem expedient and necessary to maintain efficiency and properly protect life and property from fire.

2.32.050 Number of Fireman and Officers. The Fire Department shall consist of the following officers: one Chief, a first Assistant Chief, a Captain and Lieutenant for each company, a Secretary-Treasurer, and as many drivers and fireman as may be appointed by the Chief and approved by the City Council, provided, that at no time shall the Fire Department consist of less than 22 active members.

2.32.060 Chief – Appointment. A vacancy in the office of the chief shall be filled by appointment by a majority vote of the City Council. Upon creation of a vacancy of the office of Chief, the ranking officer shall perform the duties of the Chief until such vacancy has been filled.

2.32.070 Chief – Vacancy. The Chief shall immediately assume office and shall hold office unless removed for cause after a hearing by action of three-quarter (3/4) vote of the members of the City Council, unless his services are terminated sooner by resignation, change of residence or death.

2.32.080 Fire Chief – Eligibility. Persons eligible to serve as Fire Chief or Assistant Fire Chief must ordinarily be available to respond to calls at all times (both day and night). The Chief and Assistant Chief shall be members of the Fire Department in good standing for at least two years or have at least two years of training and experience in Fire Department operations.

2.32.090 Chief – Duties and Supervision. The Chief shall have general supervision of the Fire Department subject to this Ordinance and the Bylaws of the Fire Department and shall be responsible for the personnel and general efficiency of the Fire Department.

2.32.100 Chief – Preside at Meetings. It shall be the duty of the Chief to preside at all meetings of the Fire Department, to call special meetings, to preserve order, to decide all points of order that may arise and to enforce a rigid observance of this Ordinance and Bylaws.

2.32.110 Chief – Presence at Fires. It shall be the duty of the Chief to be present at all fires, to have complete command of and entire responsibility for all fire fighting operations, to plan and control of the same, to direct the action of the companies when they arrive at a fire, to observe that every company does its duty, to grant leaves of absence at a fire when he may deem it proper and to see that the fire apparatus is kept in proper condition at all times.

2.32.120 Chief – Demotions of Members. The Chief shall have the power to demote or expel any officer or member of the Fire Department for neglect or refusal to perform his departmental duties, such demotion or expulsion to be subject to an appeal to the City Council.

2.32.130 Chief – Estimate of Appropriations. The Chief shall file with the City Clerk a detailed estimate of the budget needs for the following year. Estimate shall be filed annually no later than the second Tuesday in October.

2.32.140 Chief – Report on Condition of Apparatus. The Chief shall file an annual written report to the City Council, by February 1<sup>st</sup>, relating to the status of the Fire Department.

2.32.150 Chief – Enforcement of Fire Prevention Ordinances. The Chief shall enforce all fire prevention ordinances of City and State laws and regulations pertaining to fire prevention and shall keep citizens informed on fire prevention methods and on the activities of the Department.

2.32.160 Chief – Record of Fires. The Chief shall keep a record of every fire to which any company was called and shall enter in such record the locality of fire, time alarm was received, cause of fire, where fire started, cause of delay (if any) in responding, method of extinguishment and equipment used, estimated fire loss, time fire was extinguished, names of members responding and general remarks.

2.32.170 Chief – Inventory of Apparatus. The Chief shall keep an inventory of all apparatus and equipment and an inventory of all hose showing dates and results of tests on each length, which shall be individually identified.

2.32.180 Chief – Other Duties. The Chief shall perform such other duties as are incumbent on the commanding officer of the Fire Department.

2.32.190 Chief – Control Maintenance of Apparatus. The Chief shall have control of all apparatus used by the department and shall be responsible for its proper maintenance. Emergency repairs may be authorized by the Chief.

2.32.200 Firemen – Application. Any person desiring to be a member of the Fire Department may file with the Secretary/Treasurer an application in such form as the City Council may require. The Chief may require an applicant to file a certificate of physical

fitness from a physician. The name of any applicant approved by the Chief as provided in the Bylaws shall be presented to the City council for confirmation.

2.32.220 Firemen – Resignations. All resignations from the Fire Department shall take the same course as applications for and appointments to membership.

2.32.230 Firemen – Demotions – Appearance. Any member or officer of the Fire Department who has been expelled or demoted for any offense or neglect of duty or insubordination shall have the right to appear before the members of the City Council and stat why such penalty should not be confirmed. The City Council may, be a three-quarter (3/4) vote of the members of the City Council, order the Chief to reinstate the member of officer. The Secretary/Treasurer shall report the name of each person expelled or demoted to the City Council.

2.32.240 Department Organization – Companies. The Fire Department shall organize into one or, at other option of the chief, into two or more companies. The Chief may at any time make transfers, which the Chief deems necessary between companies.

2.32.250 Department Organization – Captains. Each of the companies of the Fire Department shall have a Captain in charge, or in his absence a Lieutenant, who shall be responsible to the Chief.

2.32.260 Secretary/Treasurer – Election. The election of the Secretary/Treasurer and such social officers as the Bylaws may require shall be held at the annual meeting of the Fire Department in such manner as is provided in the Bylaws. In case of any vacancy, the Fire Chief shall appoint a member in good standing to fill the office until the next annual election.

2.32.270 Equipment – Use Outside Fire District. No apparatus shall be used for any purpose except relating to fire fighting, or in training therefore, except pursuant to an agreement approved by the City Council after the Chief has given his recommendations for such use. With the approval of the Chief such apparatus may be used for emergency purposes other than fire fighting within the Fire Department's limits.

2.32.280 Equipment – Willful Damage. No person shall willfully injure in any manner, any hose, hydrant, or fire apparatus belonging to the City of Whitehall, and no vehicle shall be driven over any unprotected hose of a Fire Department when laid down on any street, private driveway, or other place, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.

2.32.310 Police Power – Arrest at Scene of Fire. The Chief and assistants of officers in command at any fire are hereby vested with full and complete police authority at fires. Any officer of the Fire Department may cause the arrest of any person failing to give the right of way to the Fire Department in responding to a fire.

2.32.320 Describing Limits Near Fire. The Fire Chief may prescribe certain limits in the vicinity of any fire within which no persons, excepting firemen and policemen and those admitted by order of any officer of the department, shall be permitted to come. The Chief shall have the power to cause the removal of any property whenever it shall become necessary for the preservation of such property from fire or to prevent the spreading of fire or to protect the adjoining property, and during the progress of any fire the Chief shall have the power to order the removal or destruction of any property necessary to prevent the further spread of the fire. The Chief shall also have the power to cause the removal of wires or other facilities and the turning off of electricity or other services where the same impedes the work of the Fire Department during the progress of a fire.

2.32.330 Right to Enter Adjacent buildings. It shall be lawful for any member while acting under the direction of the Fire Chief or other officer in command, to enter upon the premises adjacent to or in the vicinity of any building or other property then on fire for the purpose of extinguishing such fire and in case any person shall hinder, resist or obstruct any fireman in the discharge of his duty as is hereinbefore provided, the person so offending shall be deemed guilty of resisting a member in the discharge of their appointed duty.

2.32.340 Duties of Bystanders. Every person who shall be present at a fire shall be subject to the orders of the Fire Chief or officer in command, and may be required to render assistance in fighting the fire or in removing or guarding property. Such officer shall have the power to cause the arrest of any person or persons refusing to obey said orders.

2.32.350 Fire Inspector – Chief of Department. The Fire Chief shall hold the office of fire inspector, with power to appoint one or more deputy fire inspectors, who shall perform the same duties and have the same powers as the fire inspector.

2.32.360 Fire Inspector – Inspections. In accordance with State Department of Commerce requirements, it shall be the duty of the fire inspectors to inspect all buildings, premises and thoroughfares that are not in the R-1 Residential districts within the fire limits of the City, and to inspect semiannually all buildings, premises and public thoroughfares within the City limits for the purpose of noting and causing to be corrected any condition liable to cause fire. The inspector shall also investigate and issue permits in accordance with the regulations of the Wisconsin Department of Commerce for the storage and handling of explosives and inflammable liquids within the City. The inspector shall perform such other duties as required by the Wisconsin Department of Commerce.

2.32.370 Inspections – Fire hazard Correction. Whenever or wherever in the City of Whitehall, any inspection by the Chief or his deputies reveals a fire hazard, the Chief or his deputies shall serve a notice in writing upon the owner of the property giving said owner a reasonable time in which to remove the hazard. In the event that the fire hazard is not removed within the time allowed it shall be deemed a nuisance. The Chief or his



deputy is authorized to have the same removed by the city, and the cost of such removal shall be recovered in an action by the city against the owner of the property.

2.32.380 Record of Inspections. The Chief shall keep a record of each property inspected, which shall conform to the requirements of the Wisconsin Department of Commerce, and shall make the quarterly report of inspections required by the Department of Commerce.

2.32.390 False Alarms Prohibited. No person shall give or send or cause to be given or sent in any manner any fire alarm which that person knows to be false.

2.32.400 Penalties for Violation. In addition to all other penalties provided, any person who violates any provision of this Chapter shall be subject to the general penalties as provided in Chapter 1.08 of this Code. (Adopted August 12, 2008)

## Chapter 2.36

### BOARD OF ZONING APPEALS

#### Sections:

- 2.36.010 Appointment to Board
- 2.36.020 Compensation to Members
- 2.36.030 Removal of Members
- 2.36.040 Chairman
- 2.36.050 Secretary
- 2.36.060 Powers and Authority

2.36.010 Appointment to Board. A Board of Zoning Appeals is hereby established. The Board shall be appointed and shall have the powers and duties as specified in Section 62.23(7) (e) Wis. Stats. (New Section)

2.36.020 Compensation to Members. The members of such Board of Appeals shall serve without compensation. (1960 code, Sec. 2.08(2))

2.36.030 Removal of Members. The members of such Board shall be removable by the Mayor for cause, upon written charges and after public hearing. (1960 Code, Sec. 2.08(3))

2.36.040 Chairman. The Mayor shall designate one of the members to be chairman. (1960 code, Sec. 2.08(4))

2.36.050 Secretary. The Board of Appeals may employ a secretary who shall serve without compensation. (1960 Code, Sec. 2.08(5))

2.36.060 Powers and Authority. The Board of Appeals shall have the powers and authorities as specified in Section 62.23(7) (e) Wis. Stats., and as specified in Section 17.04.310 of this Code. (New Section)

## Chapter 2.40

### CIVIL DEFENSE

#### Sections:

2.40.010	Definition – Creation
2.40.020	Director
2.40.030	Preparation for Dealing with Disasters
2.40.040	Coordination Civil Defense Functions
2.40.050	Civil Defense – Duties
2.40.060	Civil Defense – Duties
2.40.070	Civil Defense Director – Authority
2.40.080	Civil Defense Director – Appointment of Assistants
2.40.090	Comprehensive General Plan
2.40.100	Comprehensive General Plan – Utilitization of Existing Services
2.40.110	Declaration of Emergencies
2.40.120	Emergency Regulations
2.40.130	Mutual Aid Agreements

2.40.010 Definition – Creation. “Civil Defense” shall mean the preparation for and the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to minimize and repair injury and damage resulting from disaster caused by enemy attack, sabotage, or other hostile action, or by fire, flood or other natural causes. (1960 Code, Sec. 3.07(1))

2.40.020 Director. There is hereby created the office of Director of Civil Defense for the City of Whitehall, who shall be appointed as provided by Section 2.12.020 of this Code. (1960 Code, Sec. 2.05)

2.40.030 Preparation for Dealing with Disasters. By reason of the increasing possibility of disasters of unprecedented size and destructiveness, and to insure that preparations will be adequate to cope with such disasters, and to provide for the common defense, to protect the public peace, health, safety, and general welfare, and to preserve the lives and property of the people, it is hereby declared necessary:

- a) To establish a local civil defense organization.
- b) To provide for the exercise of necessary powers during civil defense emergencies; and,
- c) To provide for the rendering of cooperation and mutual aid between this City and other political subdivisions.

(1960 Code, Sec. 3.07(2))

2.40.040 Coordination Civil Defense Functions. It is further declared to be the purpose of this Ordinance and the policy of the City that all civil defense functions of this City be coordinated to the maximum extent practicable with existing services and facilities of this City and with comparable existing services and facilities of this City and with comparable functions of the federal, state and county government and other political subdivision, and of various private agencies to the end that the most effective preparation and use may be made of manpower, resources, and facilities for dealing with any disaster that may occur. (1960 Code, Sec. 3.07(3))

2.40.050 Civil Defense Commission – How Constituted. There is hereby created a civil defense commission composed of the Mayor and as many additional members as may be determined by the Common Council by resolution who shall be appointed by the Mayor subject to the confirmation of the Common Council, and who shall serve without compensation. The Mayor shall serve as chairman of the commission and the civil defense director shall serve as secretary of the commission. (1960 Code, Sec. 3.07(4) (a))

2.40.060 Civil Defense – Duties. The civil defense commission shall be an advisory and planning group and shall advise the Mayor Director and the Common Council on all matters pertaining to civil defense. The civil defense commission shall meet upon the call of the chairman. (1960 Code, Sec. 3.07(4) (b))

2.40.070 Civil Defense Director – Authority. The director shall be the executive head of the civil defense organization and shall have direct responsibility for the organization, administration and operation of the civil defense organization subject to the direction and control of the Mayor and the Common Council. He shall coordinate all activities for civil defense within the City and shall maintain liaison and cooperate with civil defense agencies and organizations of other political subdivisions and of the state and federal government, and shall participate in county and state civil defense duties and responsibilities as are authorized by this Ordinance and as may from time to time be required by the Common Council. (1960 Code, Sec. 3.07(5) (1))

2.40.080 Civil Defense Director – Appointment of Assistants. Deputy and assistant directors may be appointed by the director, subject to the approval of the civil defense commission, as may be deemed necessary and such appointees shall receive such compensation as may be determined by the Common Council. (1960 Code, Sec. 3.07(5) (2))

2.40.090 Comprehensive General Plan. The director shall prepare a comprehensive general plan for the civil defense of the City and shall present such plan to the Common Council for its approval. When the Common Council has approved the plan by resolution, it shall be the duty of all municipal agencies and all civil defense forces of the City to perform the duties and functions assigned by the plan as approved. The plan may be amended in a like manner. (1960 Code, Sec. 3.07(5) (3))

2.40.100 Comprehensive General Plan – Utilization of Existing Services. In preparing and executing the civil defense plan, the director shall utilize the services, equipment, supplies and facilities of the existing departments and agencies of the City to the maximum extent practicable; and the officers and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities to the director. (1960 Code, Sec. 3.07(6))

2.40.110 Declaration of Emergencies. Upon the declaration by the governor, by the Mayor of the civil defense director in the absence of the Mayor, or by the Common Council, of a state of emergency, the director of civil defense shall issue all necessary proclamations as to the existence of such state of emergency and shall issue such disaster warning or alerts as shall be required in the civil defense plan. The civil defense organization shall take action in accordance with the civil defense plan only after the declaration of an emergency and the issuance of official disaster warnings. Such state of emergency shall continue until terminated by the issuing authority, provided that any such declaration not issued by the governor may be terminated at the discretion of the Common Council. (1960 Code, Sec. 3.07(9))

2.40.120 Emergency Regulations. Whenever necessary to meet a civil defense emergency for which adequate regulations have not been adopted by the Common Council, the Mayor and in his absence, the director of civil defense may by proclamation promulgate and enforce such orders, rules and regulations relating to the conduct of persons and the use of property as shall be necessary to protect the public peace, health and safety, and preserve lives and property and to insure the cooperation necessary in civil defense activities. Such proclamations shall be posted in three public places and may be rescinded by the Common Council by resolution at any time. (1960 Code, Sec. 3.07(7))

2.40.130 Mutual Aid Agreements. The director of civil defense may, subject to the approval of the Common Council enter into mutual aid agreements with other political subdivisions. Copies of such agreements shall be filed with the State Director of Civil Defense. (1960 Code, Sec. 3.07(8))

## Chapter 2.44

### BUILDING COMMITTEE

#### Sections:

2.44.010 Members

2.44.020 Payment of Fees

2.44.010 Members. The members of the Property Committee of the City Council shall constitute the Building Committee. Such committee shall have the power and it shall be its duty to enforce the provisions of the zoning ordinances contained in Title 17 of the Municipal Code and all of the other ordinances of the City of Whitehall, and all laws and lawful orders of the State of Wisconsin relating to all buildings and land uses, and for these purposes the committee shall have the right at all reasonable times to enter land, buildings, and premises. The committee may appoint one or more of its members as assistant building inspectors and they may delegate to them the above mentioned powers and duties; but such appointments shall not carry with it any increase in salary or wages. (New Section)

2.44.020 Payment of Fees. All fees shall be paid to the City Treasurer and his receipt showing that the fees prescribed by Ordinance have been paid, presented to the Building Committee before the committee shall issue to the owner or his agent, a land use, electrical or plumbing permit. (1972 Code, Sec. 2.44.020)

## Chapter 2.50

### CABLE TELEVISION ORDINANCE

#### Sections:

- 2.50.010 Authority
- 2.50.020 Franchise Granted
- 2.50.030 Regulatory Cable Television Board
- 2.50.040 Franchise Rate Structure

2.50.010 Authority. This Ordinance is adopted pursuant to authority granted by Section 3, Article II of the Constitution of the State of Wisconsin. (September 11, 1980)

2.50.020 Franchise Granted. There is hereby granted to Western Wisconsin Communications Cooperative, a Wisconsin Cooperative Association, a franchise to conduct a cable television system within the City of Whitehall, Trempealeau County, Wisconsin. The franchise granted to Western Wisconsin Communications Cooperative shall be identical with the franchise dated September 11, 1980, the original copy of which is on file at the City clerk's Office. The franchise is hereby incorporated within the terms of this Ordinance. (September 11, 1980)

2.50.030 Regulatory Cable Television Board. There is hereby created a Regulatory Cable Television Board. The purpose of this Board shall be to process, investigate and hear complaints of the subscribers to the cable television service offered by Western Wisconsin Communications Cooperative. The Regulatory Cable Television Board shall be primarily responsible for administering Section XII of the September 11, 1980 franchise. The Regulatory Cable Television Board shall consist of three members who shall be residents of the City of Whitehall. They shall be appointed by the Mayor and confirmed by the City Council. The members so appointed shall serve for a two (2) year term and may be appointed for successive terms. (September 11, 1980)

2.50.040 Franchise Rate Structure. The initial rates charged to subscribers along with all increases, modifications and changes in the rates will be controlled by the franchise. (September 11, 1980)