

**CITY OF KAUKAUNA
ORDINANCE 1891-2023**

**ORDINANCE REPEAL AND RECREATING SECTION 1.31(1) PLAN
COMMISSION COMPOSITION**

WHEREAS, the Building Inspector was removed from the Plan Commission in 2021 due to the City having a contracted inspector; and

WHEREAS, the City of Kaukauna Common Council appointed a full-time Building Inspector in 2022; and

WHEREAS, The City of Kaukauna Common Council believes the Plan Commission is best suited to have the City of Kaukauna Building Inspector on the Commission to meet inspection needs;

NOW THEREFORE, be it ordained by the Common Council of the City of Kaukauna, in the State of Wisconsin, as follows:

SECTION 1: REPEAL AND REPLACE “1.31 City Plan Commission” of the City of Kaukauna Municipal Code is hereby *repealed and replaced* as follows:

BEFORE REPEAL AND REPLACE

1.31 City Plan Commission

1. *Composition.* The city plan commission shall consist of seven members and one alternate member. The mayor, who shall be the presiding officer, the city engineer, the chairperson of the board of public works, an alderperson, and three citizens shall be the seven members. Citizen members shall be residents of the city, shall be persons of recognized experience and qualifications and shall receive no compensation. A designee of the city engineer shall be the alternate member to act with full authority in the absence of the city engineer.
2. *Appointments.*
 - a. *Citizens.* One citizen member shall be appointed by the mayor, subject to confirmation by the council, annually for a three-year term.
 - b. *Councilmembers.* The councilmembers of the commission shall be appointed by the mayor, subject to confirmation by the council, at the annual organization meeting of the council.
3. *Organization.* The members of the commission shall annually organize by the election of a vice-president, secretary, and such other officers as may, in their judgment, be necessary. All the members of the commission shall serve without compensation, except the secretary may receive such compensation as may be fixed from time to time by the council in the annual budget.

4. *Powers and duties; Applicable Statute.* See Wis. Stats. § 62.23.

5. *Matters referred to commission.*

a. *Mandatory reference.*

(1) The council, or other public body or officer of the city having final authority thereon, shall refer to the city plan commission for its consideration and report before final action is taken by the council, public body, or officer, the following matters:

(A) The location and architectural design of any public building;

(B) The location of any statue or other memorial;

(C) The location, acceptance, extension, alteration, vacation, abandonment, or authorization for any public utility whether publicly or privately owned;

(D) All plats of lands in the city or within the territory over which the city is given platting jurisdiction by Wis. Stats. ch. 236;

(E) The location, character, and extent or acquisition, leasing, or sale of lands for public or semipublic housing, slum clearance, relief of congestion or vacation camps for children; and

(F) The amendment or repeal of any ordinance adopted pursuant to this section.

(2) Unless such report is made within 30 days, or such longer period as may be stipulated by the council, the council or other public body or officer may take final action without it.

b. *Public works.* The council may refer to the commission, the construction or carrying out of any public work not expressly within the province of other boards or commissions and may delegate to such commission all powers necessary to carry out the details thereof.

6. *Employment of experts.* The commission may employ expert advice upon authority granted by the council and an appropriation made by the council therefor. The commission shall, as far as possible, use the facilities of such other public agencies as may be of assistance to it and shall keep written records of its proceedings, which shall be open to inspection at all times.

(Code 2011, § 1.31; Ord. No. 1738, 8-16-2016; Ord. No. 1739, 8-16-2016)

AFTER REPEAL AND REPLACE

1.31 City Plan Commission

1. *Composition.* The city plan commission shall consist of ~~seven~~eight members and one alternate member. The mayor, who shall be the presiding officer, ~~the building inspector,~~ the city engineer, the chairperson of the board of public works, an alderperson, and three citizens shall be the ~~seven~~eight members. Citizen members shall be residents of the city, shall be persons of recognized experience and qualifications and shall receive no compensation. A designee of the city engineer shall be the

alternate member to act with full authority in the absence of the city engineer.

2. *Appointments.*

- a. *Citizens.* One citizen member shall be appointed by the mayor, subject to confirmation by the council, annually for a three-year term.
- b. *Councilmembers.* The councilmembers of the commission shall be appointed by the mayor, subject to confirmation by the council, at the annual organization meeting of the council.

3. *Organization.* The members of the commission shall annually organize by the election of a vice-president, secretary, and such other officers as may, in their judgment, be necessary. All the members of the commission shall serve without compensation, except the secretary may receive such compensation as may be fixed from time to time by the council in the annual budget.

4. *Powers and duties; Applicable Statute.* See Wis. Stats. § 62.23.

5. *Matters referred to commission.*

a. *Mandatory reference.*

- (1) The council, or other public body or officer of the city having final authority thereon, shall refer to the city plan commission for its consideration and report before final action is taken by the council, public body, or officer, the following matters:
 - (A) The location and architectural design of any public building;
 - (B) The location of any statue or other memorial;
 - (C) The location, acceptance, extension, alteration, vacation, abandonment, or authorization for any public utility whether publicly or privately owned;
 - (D) All plats of lands in the city or within the territory over which the city is given platting jurisdiction by Wis. Stats. ch. 236;
 - (E) The location, character, and extent or acquisition, leasing, or sale of lands for public or semipublic housing, slum clearance, relief of congestion or vacation camps for children; and
 - (F) The amendment or repeal of any ordinance adopted pursuant to this section.
- (2) Unless such report is made within 30 days, or such longer period as may be stipulated by the council, the council or other public body or officer may take final action without it.

- b. *Public works.* The council may refer to the commission, the construction or carrying out of any public work not expressly within the province of other boards or commissions and may delegate to such commission all powers necessary to carry out the details thereof.

6. *Employment of experts.* The commission may employ expert advice upon authority granted by the council and an appropriation made by the council therefor. The commission shall, as far as possible, use the facilities of such other public agencies as may be of assistance to it and shall keep written records of its proceedings, which shall be open to inspection at all times.

(Code 2011, § 1.31; Ord. No. 1738, 8-16-2016; Ord. No. 1739, 8-16-2016)

PASSED AND ADOPTED BY THE CITY OF KAUKAUNA COMMON COUNCIL

Presiding Officer

Attest

Anthony J. Penterman, Mayor, City of
Kaukauna

Sally Kenney, Clerk, City of
Kaukauna