

# AN ORDINANCE ADOPTING A CODE OF ETHICS FOR VILLAGE OFFICIALS

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## WHEREAS,

Wis. Stat. § 19.59 authorizes municipalities to adopt a Code of Ethics governing local elected officials, appointed officials and candidates;

## WHEREAS,

the Village of Kronenwetter desires to ensure public confidence, transparency, integrity, and compliance with state law and local ordinances;

NOW, THEREFORE, the Village Board of the Village of Kronenwetter, Marathon County, Wisconsin, does ordain as follows:

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## SECTION 1. Title

This Ordinance shall be known and cited as the “Village of Kronenwetter Code of Ethics.”

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## SECTION 2. Purpose

The purpose of this Code is to:

1. Promote public confidence in the integrity of Village government;
  2. Ensure compliance with state laws, including Wis. Stat. §§ 19.42–19.59, 946.13, and other applicable statutes;
  3. Establish standards of ethical conduct for Village officials, and candidates;
  4. Provide guidance on conflicts of interest, use of public resources, gifts, political activity, confidentiality, and disclosure.
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## SECTION 3. Applicability

This Code applies to:

- All elected officials (Village President, Trustees)
- Appointed officials and members of boards, commissions, and committees

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## SECTION 4. Standards of Conduct

### 1. Compliance with Law

- All officials shall comply with applicable state laws, ordinances and policies relating to ethics, conflicts of interests, gifts and gratuities and the like.

### 2. Conflicts of Interest

- Officials must avoid conflicts between private interests and public duties.
- No official may participate in decisions in which they, a family member, or business associates, have a (substantial) financial interest (Wis. Stat. § 946.13).
- Disclosure of potential conflicts must be made in writing to the Village Clerk and recusal from related decisions is required.

### 3. Use of Public Resources

- Village property, funds, or personnel shall be used solely for official purposes.
- No official may use public resources for personal gain, political campaigns, or private business activities.

### 4. Gifts and Gratuities

- Officials shall not accept gifts, favors, or services that could reasonably influence official duties.
- Exceptions as allowed under Wis. Stat. § 19.59(1)(b) are permitted (e.g., gifts of minimal value).

### 5. Confidentiality

- Officials shall maintain confidentiality of information not subject to disclosure under the Wisconsin Public Records Law (Wis. Stat. §§ 19.31–19.39).

### 6. Political Activity

- Officials may engage in political activity in a personal capacity but shall not use Village resources or time to influence elections.

### 7. Financial Disclosure

- Officials shall file financial disclosure statements as required by Wis. Stat. § 19.43, if applicable.

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## SECTION 5. Reporting and Enforcement

### 1. Complaints

- Alleged violations may be reported in accordance with current Village policies (SEE HR-002 -Problem Resolution and HR-009 Grievance Procedure Policy) ATTACHED TO PACKET AND LINKED

### 2. Investigation

- Complaints shall be reviewed promptly, fairly, and confidentially.

### 3. Enforcement

- Violations may result in disciplinary action, removal from office (if legally authorized), referral to the District Attorney, or other remedies consistent with state law.

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## SECTION 6. Severability

If any section of this ordinance is found invalid, the remainder shall remain in effect.

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## SECTION 7. Effective Date

This ordinance shall take effect upon passage and publication/posting as provided by law.

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## SECTION 8. Ethics Board

### City of Brookfield -

#### ETHICS BOARD:

- The Ethics Board is responsible for the enforcement and oversight of requirements and activities set forth in this chapter.
- The Board may make recommendations with respect to amendments to this chapter, which the Chair shall forward to the Legislative and Licensing Committee for review and recommendation and then to the Common Council for consideration and adoption.
- The Ethics Board shall be composed of 3 citizens who are City residents. The Legislative and Licensing Committee shall appoint the members, subject to the Common Council's confirmation. Terms shall be 3 years. No member shall be an elected official, City employee, or member of any other City board, committee, or commission.
- The Director of Human Resources shall provide necessary staff assistance to the Board, shall serve as its secretary, and shall receive any filings for the Board, but shall not vote. The City Attorney shall furnish the Board whatever legal assistance is necessary to carry out its functions.

- The Board shall elect its own chair and vice-chair and shall develop written meeting procedures.

## **City of Wisconsin Rapids -**

### 26.07 ETHICS BOARD

(1) There is hereby created an ethics board to consist of seven members. The membership of the ethics board shall consist of five city residents, one city employee, and one alderperson, with one alternate alderperson to be appointed by the common council. The human resources director shall provide necessary staff assistance to the board. The city attorney shall furnish the board whatever legal assistance is necessary to carry out its function. (MC#920),(MC#1286)

(2) The members of the ethics board shall be appointed by the common council from a list of the names provided by the community. The board will be drawn from as broad a base as possible. Terms of office shall be three years except that when the initial appointments are made, two members shall be appointed for one year, two for two years, and three for three years.

(3) The ethics board shall elect its own chairman and vice-chairman and shall develop written rules of procedure which shall be submitted to the common council for approval.

(4) The ethics board may make recommendations with respect to amendments of this code of ethics ordinance.

(a) Duties of the board and power of subpoena. (MC#360)

(1) The board shall adopt guidelines and procedures necessary to carry out the provisions of this ordinance. The board shall give prompt notice of the contents of such guidelines and procedures to officers and employees of the City of Wisconsin Rapids affected thereby.

(2) The board shall accept from any person, or make upon its own motion, a verified complaint in writing which shall state the name of the officer or employee alleged to have committed a violation of this chapter and which shall set forth the particulars thereof. The board shall forward within 10 days a copy of the complaint to the officer or employee who is accused. If no action on the verified complaint is taken by the board within six months, the complaint shall be void.

(3) Following the receipt of a verified complaint or upon the receipt of other information, whether or not under oath, that provides a reasonable basis for the belief that a violation of the code of ethics has been committed or that an investigation of a possible violation is warranted, the board, may investigate the circumstances concerning the possible 3

violation. Such investigation shall be initiated by a resolution of the board and shall state the nature and purpose of the investigation and the actions or activities to be investigated. The board, during such investigation, is authorized to examine the income tax returns under the provisions of Section 71.11(44) of persons required to file economic interest statements under Section 9.03 of the ordinance. No preliminary investigation of the activities of any officer or employee may be initiated unless such officer or employee is notified in writing. The notice shall state the exact nature and purpose of the investigation and a statement of such person's due process rights. After the preliminary investigation, the ethics board chairperson shall prepare a staff recommendation to the board for further action.

(4) If after such recommendation and investigation, the board finds that probable cause exists for believing the allegations of the complaint, it shall conduct a hearing on the matter which shall be held not more than 30 days after such finding. The board shall give the accused at least 20 days' notice of the hearing date. Such hearings shall be at closed session unless the accused petitions for a hearing open to the public. The rules of criminal evidence shall apply to such hearings. All evidence, including certified copies of records and documents which the board considers, shall be fully offered and made part of the record in the case. Every party shall be afforded adequate opportunity to rebut or offer countervailing evidence.

(5) During all stages of any investigation or proceeding conducted under this section, the accused or any person whose activities are under investigation shall be entitled to be represented by counsel of his own choosing.

(6) The accused or his representative shall have an adequate opportunity to examine all documents and records to be used at the hearing under Section 26.07(4)(a)(4) at a reasonable time before the date of the hearing as well as during the hearing, to bring witnesses, to establish all pertinent facts and circumstances, and to question or refute any testimony or evidence, including opportunity to confront and cross-examine adverse witnesses.

(7) After an investigation has been completed, the board shall in written findings of fact and conclusions based thereon, make a determination of whether or not probable cause exists concerning any violation of the code of ethics. If the board determines that no probable cause exists, it shall immediately send written notice of such determination to the accused and to the party who made the complaint. If the board determines that there is probable cause, that there has been an intentional violation of the code of ethics, it shall proceed as provided in Section 26.07(4)(c) of this ordinance after giving written notice of its action to the accused.

(8) The board shall have the same power to compel the attendance of witnesses and to issue subpoenas and summary processes as is granted to boards and commissions under Section 885.01, Wisconsin Statutes.

(b) Date to Meet. No later than June 1 of each year the board shall report to the mayor and the common council concerning its actions in the preceding calendar year, including a summary of its determinations and the current and complete text of all guidelines issued by the board.

(c) Penalties.

(1) Employees. Where the board has determined that there is probable cause that the code of ethics has been violated by an employee the determination shall be referred to the officer by whom such employee was appointed, together with copies of any records, reports, and transcripts, in its possession or other relevant evidence, with a recommendation that such officer shall take such disciplinary action as in his judgement the facts may warrant, including: reprimand, suspension, or discharge. If the employee is in a certified bargaining unit, immediate disciplinary actions shall be made pursuant to the provisions of the labor agreement applicable to such employee or non-elected officer.

(2) Elected city officers. Where the board has determined that there is probable cause that the code of ethics has been violated by any elected city official, the determination shall be reported to the mayor and common council, together with copies of any records, reports, and transcripts in its possession or other relevant evidence, with a recommendation that the officer be reprimanded or that such elected officer be removed for cause by the common council, as provided for under Section 17.12, Wisconsin Statutes.

(3) Appointive Officers. Where the board has determined that there is probable cause that the code of ethics has been violated by any appointive officers, the determination shall be made to the mayor and common council, together with copies of any records, reports, and transcripts in its possession or other relevant evidence, with a recommendation that the appointive officers be reprimanded, or the board shall recommend that such appointive officer be suspended or removed for the cause (except officers appointed or elected by the common council who may be 4

removed by the body at pleasure). Removal of any appointive officer for cause by the common council may be made only by an affirmative vote of three-fourths of the members thereof.

(4) Police and Firemen. When the board has determined there is probable cause that the code of ethics has been violated by any policeman, or fireman, or the chief of either of the police or fire department, the determination shall be made to the Police and Fire Commission, with a request that proceedings be had in accordance with provisions of Section 62.13, Wisconsin Statutes.

(5) If charges are filed by the board with the common council, such charges shall be referred to the Finance and Property Committee for a report. If the Finance and Property Committee recommends a hearing be held on the charges, a summons shall be issued to the officer reciting the violation or violations and notifying him to appear before the common council upon a day and place to be fixed by the common council and set forth in a summons, and file his answer to the charges to stand and abide the order and judgement of the common council thereon. At least 10 days prior to the date set for the hearing, the summons shall be served by a process service officer on the accused, as provided in Chapter 801 of the Wisconsin Statutes, for the service of a summons. The officer may within 10 days from the service of the summons file with the common council his verified answer to the charges. At the hearing, evidence in support of the charges shall be presented on behalf of the board of ethics by the city attorney or a member of his staff. The accused may appear in person to answer the charges or he may appear by an attorney and shall be entitled to present such evidence in support of his position as may be relevant, competent, and material to the charges before the board. Upon completion of the hearing, judgement shall be entered finding the accused guilty or not guilty of the charges. If found guilty, he may be removed from office by a vote of three-fourths of the alderpersons entitled to seats on the common council.

(MC#920)

## **Lafayette County**

### 9.13 Enforcement and Administrative Procedures

A. **Advisory Opinions:** Any person governed by this Code of Ethics may apply in writing to the County Corporation Counsel for an advisory opinion and shall be guided by any opinion rendered. The applicant shall present his or her interpretation of the facts at issue and of the applicability of provisions of this Code before the advisory opinion is rendered. All requests for opinion and opinions rendered shall be in writing. Records of the Corporation Counsel's opinions, opinion requests and investigations of violations shall be closed to public inspection, as required by Chapter 19 of the Wisconsin Statutes as from time to time amended. The applicant may authorize in writing that such records be made public.

**B. Ethics Inquiry Board:** There is hereby created an Ethics Inquiry Board to consist of three members and one alternate, one of whom shall be an attorney licensed to practice law in the State of Wisconsin, appointed by the County Board Chairperson subject to confirmation by the County Board. The members of the Ethics Inquiry Board shall be residents of Lafayette County and shall not be County Public Officials during the time of appointment, and shall serve staggered three year terms expiring on the third Tuesday in April of the third year following their appointment except as otherwise provided in the implementation of this ordinance, The Corporation Counsel shall provide legal advice, administrative support and assistance to the Ethics Inquiry Board. The Ethics Inquiry Board shall be entitled to mileage and per diem payments for meetings and hearings of the Ethics Inquiry Board on the same basis as provided to members of other Lafayette County Boards, Committees or Commissions.

## **Village of Fox Point**

### **Ethics Board**

#### **Roles and Responsibilities**

The Ethics Board is responsible for investigating sworn complaints of any individual alleging facts that could be considered indicative of improper conduct and determining if improper conduct has occurred.

#### **Membership/Terms**

The membership of the Ethics Board shall consist of three citizens. The Village Manager shall provide necessary staff assistance to the Ethics Board and shall serve as its secretary, but shall not vote. The Village Attorney shall furnish the Ethics Board whatever legal assistance is necessary to carry out its functions.

The members of the Ethics Board shall be appointed by the Village President subject to confirmation by the Village Board. Terms of office of the members shall be three years, except that when the initial appointments are made, one member shall be appointed for one year, one member for two years, and one for three years. Members of the Ethics Board shall be limited to serving three full three-year terms. The members of the Ethics Board shall be residents of Fox Point and shall not be elected officials, appointed officials, Village employees, or concurrently serving on any other Village board, committee, or commission.

#### **§ 55-9Creation of Ethics Board.**

**A.**

There is hereby created an Ethics Board to consist of three members. The membership of the Ethics Board shall consist of three citizens. The Village Manager shall provide necessary staff assistance to the Ethics Board and shall serve as its secretary, but shall not vote. The Village Attorney shall furnish the Ethics Board whatever legal assistance is necessary to carry out its functions.

**B.**

The members of the Ethics Board shall be appointed by the Village President subject to confirmation by the Village Board. Terms of office of the members shall be three years, except that when the initial appointments are made, one member shall be appointed for one year, one member for two years, and one for three years. Members of the Ethics Board shall be limited to serving three full three-year terms. The members of the Ethics Board shall be residents of Fox Point and shall not be elected officials, appointed officials, Village employees, or concurrently serving on any other Village board, committee, or commission.

**C.**

In the event a member of the Ethics Board is allegedly involved in an Ethics Code violation, the Village President, subject to confirmation by the Village Board, shall appoint another individual to replace temporarily the member of the Ethics Board who is under investigation.

**§ 55-10 Jurisdiction of Ethics Board.**

[Amended 11-13-2012 by Ord. No. 2012-12]

**A.**

The Ethics Board shall administer and enforce the provisions of this Code of Ethics except as enforced by the District Attorney under Chapter **19** of the Wisconsin Statutes.

**B.**

The Ethics Board shall elect its own chairperson and vice-chairperson and shall develop written rules of procedure which shall be submitted to the Village Board for approval.

**C.**

The Ethics Board may make recommendations concerning amendments to this Code of Ethics which shall be submitted to the Village Board for approval.

**D.**

On sworn complaint of any person alleging facts which, if true, would constitute improper conduct under the provisions of this code, the Ethics Board shall conduct a preliminary hearing in closed session to determine the sufficiency of the complaint. If as a result of the preliminary hearing the Ethics Board determines that no probable cause exists to believe that a violation of this code has occurred, the complaint shall be dismissed and no further action taken. If the Ethics Board concludes that probable cause exists, it shall conduct a public hearing in accordance with the requirements of due process of law. The Ethics Board is empowered to issue subpoenas and administer oaths. The Ethics Board shall, in written findings of fact and conclusions, make a determination concerning the propriety of the conduct of the subject official or employee. If the Ethics Board determines that this code has been violated, it shall make a determination of sanctions to be imposed, if any.

#### **E.**

Records of the Ethics Board's opinions, opinion requests, and investigations of violation of the Code of Ethics of the Village of Fox Point may be closed to public inspection in whole or part, except that the Ethics Board shall permit inspection of records that are made public in the course of a hearing held to determine if a violation of the Code of Ethics has occurred.

## **Village of McFarland**

### **DIVISION 2-IV-6 ETHICS BOARD**

2-271 Composition

2-272 Powers And Duties

2-273 Advisory Opinions

#### **2-271 Composition**

1. There is hereby created an Ethics Board to consist of seven members; one Village trustee as appointed by the Village Board for a one year term as a nonvoting member; one Village public official or public employee who is not a Village trustee as a nonvoting member; and five voting citizen members, all appointed by the President and confirmed by the Village Board.
2. Terms of office for non-trustee members shall be three years commencing on the third Tuesday in April in the year of appointment and until their successors are

appointed and qualified. The term of the Village public official or public employee member shall terminate at the time of termination of his or her employment.

3. The Ethics Board shall elect its own chairperson and vice-chairperson, and the Village Attorney shall furnish the Ethics Board whatever legal assistance is necessary to carry out its functions.

## HISTORY

*Amended by Ord. [2022-02](#) § 17 on 2/28/2022*

### **2-272 Powers And Duties**

1. The Ethics Board advises the Village Board on maintaining an Ethics Code (Article VIII of this Chapter) which sets forth standards of conduct for Village officials and employees, interprets those ethics guidelines, and investigates any verified complaint alleging improper conduct under the Ethics Code.
2. The Ethics Board may make recommendations to the Village Board with respect to amendments of this Chapter.
3. The Ethics Board shall provide a standard form for persons to use when submitting a verified complaint alleging violations of the Ethics Code. "Verified" means that the complainant has made a declaration under oath or affirmation, before a notary public, that the complaint is true.
4. In the event any person submits a verified complaint alleging that any Village official or employee has violated the Ethics Code, the Village Clerk and the Chairperson of the Ethics Board shall conduct an initial review of the complaint to determine whether it is complete in form. If the Clerk and Chairperson determine that the verified complaint is incomplete, they shall notify the complainant and provide the complainant with an opportunity to submit the additional information needed to complete the verified complaint.
5. Following determination by the Village Clerk and the Chairperson of the Ethics Board that the complaint is complete, the Ethics Board shall review whether the facts alleged in the verified complaint, if true, would constitute improper conduct under Article VIII of this Chapter and warrant further investigation. The Ethics Board shall decide whether this review is conducted in an open meeting or may be closed under Wis. Stats. § 19.85(1)(b) or (1)(f). If the Ethics Board determines that the verified complaint does not allege facts sufficient to constitute a violation of Article VIII of this Chapter, it shall dismiss the complaint and notify the complainant. If the Ethics Board determines that the verified complaint was brought for harassment purposes, the Ethics Board shall so state.

6. If the Ethics Board determines that the facts alleged in the verified complaint if true, would constitute improper conduct under Article VIII of this Chapter, the Ethics Board shall conduct an investigation into the merits of the complaint. The Ethics Board may solicit the assistance of Village officers and employees to assist in the investigation, and may retain outside contractors if deemed necessary to perform the investigation.
7. The Ethics Board shall notify the person whose conduct is under investigation of any meetings where evidentiary hearings are held or where a decision is reached on whether to proceed further on the complaint. The Ethics Board shall decide whether these proceedings shall be conducted in open meetings or shall be closed under Wis. Stats. § 19.85(1)(b) or (1)(f). The Ethics Board may issue subpoenas and administer oaths.
8. Upon completion of the investigation, the Ethics Board shall conduct a public hearing in accordance with all constitutional requirements of due process and issue written findings of fact and conclusions of law determining the propriety of the conduct of the person whose conduct is under investigation.
9. If appropriate, the Ethics Board shall refer the matter to the Village Board, District Attorney or other proper authority.