

VILLAGE OF KRONENWETTER
Marathon County, Wisconsin
An Ordinance Amending the Code of the Village of Kronenwetter
Part I: Administrative Legislation
Chapter 115 Village Board
Creating Section 115-13 entitled “Code of Conduct”

The Village Board of the Village of Kronenwetter do ordain as follows:

Section 1: Part I: Administrative Legislation, Chapter 115 Officers and Employees, Section 115-13 entitled “Code of Conduct” of the Code of the Village of Kronenwetter is hereby created to provide as follows:

§ 115-13 Code of Conduct.

- A. Application. This Code of Conduct Ordinance is applicable to those persons holding an elected office of the Village. Statutory references include those statutes as they are from time to time amended.
- B. Complaint Procedure.
 - (1) Any resident may file a sworn written complaint at the office of the Village Clerk alleging one or more violations of this Code of Conduct Ordinance.
 - (a) “Resident” means a person who is an eligible elector of the Village under the Wisconsin statutes.
 - (2) The office of the Village Clerk shall determine whether a complaint is in order.
 - (3) The office of the Village Clerk shall notify the Village Board of a submitted complaint that is found to be in order.
 - (4) A complaint may be taken up by the Village Board in the sole discretion of the Village Board, subject to the following:
 - (a) The written assent of at least four (4) Village Board members is required for a complaint to be taken up.

- (b) If the Village Board fails to take up a complaint within 120 days of its notice having been made by the office of the Village Clerk, then the complaint is expired.

C. Violations may be any of the following:

- (1) For “cause,” which means inefficiency, neglect of duty, official misconduct, or malfeasance in office under Wis. Stat. § 17.001.
- (2) Continued physical inability to perform the duties of office or gross neglect of duty under Wis. Stat. § 17.13.
- (3) Failure to maintain a fiduciary responsibility to the Village.
- (4) Violations of the open meetings law under Wis. Stat. ch. 19 Subch. II.
- (5) Violation of the statutory ethics code for local officials under Wis. Stat. ch. 19 Subch. III.
- (6) Violations of the public records law under Wis. Stat. ch. 19 Subch. V.
- (7) Refusal to keep order at a meeting as directed by the person authorized to conduct the meeting.
- (8) The unauthorized disclosure of information discussed at a closed session or from records that are not subject to disclosure under the public records law under Wis. Stat. ch. 19 Subch. V.
- (9) Electioneering prohibited by Wis. Stat. § 12.03.
- (10) The making of complaints to law enforcement regarding members of the Village Board and related to Village business without the use of this Ordinance first.
- (11) Intentionally fails or refuses to perform a known mandatory, nondiscretionary, ministerial duty of the officer's or employee's office or employment within the time or in the manner required by law.
- (12) In the officer's or employee's capacity as such officer or employee, does an act which the officer or employee knows is in excess of the officer's or employee's lawful authority or which the officer or employee knows the officer or employee is forbidden by law to do in the officer's or employee's official capacity.

- (13) Whether by act of commission or omission, in the officer's or employee's capacity as such officer or employee exercises a discretionary power in a manner inconsistent with the duties of the officer's or employee's office or employment or the rights of others and with intent to obtain a dishonest advantage for the officer or employee or another.
- (14) In the officer's or employee's capacity as such officer or employee, makes an entry in an account or record book or return, certificate, report or statement which in a material respect the officer or employee intentionally falsifies.
- (15) Under color of the officer's or employee's office or employment, intentionally solicits or accepts for the performance of any service or duty anything of value which the officer or employee knows is greater or less than is fixed by law.
- (16) Misuse of this Ordinance.

D. Violation Procedures:

- (1) For removal from office because of continued physical inability to perform the duties of office or gross neglect of duty, by a majority vote of all the members of the Village Board under Wis. Stat. § 17.13.
- (2) For removal from office due to cause under Wis. Stat. § 17.16.
- (3) For all other matters, in the manner that the Village Board determines to proceed.

E. Penalties to be selected in the sole discretion of the Village Board:

- (1) No action.
- (2) A public censure.
- (3) A citation for a forfeiture in an amount to be determined by the Village Board of not less than \$25 nor more than \$200.
- (4) Removal from Village committees, commissions, or other bodies under Village Code § 14-6.
- (5) Removal from elected office of the Village under Wis. Stat. §§ 17.13 and/or 17.16.

- (6) Referral of a matter to the office of the District Attorney and/or other law enforcement as appropriate.

Section 2: If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is found invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the provision or application of this Ordinance that can be given effect without the invalid or unconstitutional provision or application.

Section 3: All ordinances and/or parts of ordinances in conflict herewith are hereby repealed.

Section 4: This Ordinance shall be in full force and effect from and after its date of adoption and notice to the public as required by law.

Section 5: Village personnel are hereby authorized and directed to make all changes to the Village Code necessary to reflect this amendment.

Adopted this ____ day of _____, 2024.

VILLAGE OF KRONENWETTER

By: _____
Chris Voll, President

ATTEST:

By: _____
Bobbi Jo Birk-LaBarge, Clerk

Noticed to the public on: _____.