

PART I - CHARTER ORDINANCES

CHARTER ORDINANCE NO. 2-2-84

A CHARTER ORDINANCE PROVIDING FOR THE ELECTION OF ALL TRUSTEES IN ODD NUMBERED YEARS.

WHEREAS the Village Board of the Village of Ashwaubenon, Brown County, Wisconsin has determined that all of its trustees should be elected in odd numbered years; and

WHEREAS the Village Board elects that the provisions of Wisconsin Statute Section 61.20(1) requiring that 3 trustees be elected each year shall not apply to the Village of Ashwaubenon; and

WHEREAS Section 1.01 of the Municipal Code of the Village of Ashwaubenon must be amended to accomplish that purpose;

THEREFORE, the Village Board of the Village of Ashwaubenon, Brown County, Wisconsin does ordain that Section 1.01 of the Municipal Code of the Village of Ashwaubenon be repealed and recreated to read as follows:

1.01 ELECTED OFFICIALS. The elected officials of the Village shall be the Village President, Assessor, Clerk, Treasurer, Municipal Judge and 6 Trustees to be elected at the annual spring election in the odd-numbered years for 2-year terms.

The Village Board of the Village of Ashwaubenon further recognizes and declares that the above recreation of Section 1.01 of the Municipal Code of the Village of Ashwaubenon constitutes a Charter Ordinance and, therefore, takes effect only as set forth in Wisconsin Statute Section 66.01(5).

Dated February 28, 1984.

CHARTER ORDINANCE NO. 5-4-84

A CHARTER ORDINANCE CREATING THE OFFICE OF VILLAGE ATTORNEY

The Village Board of the Village of Ashwaubenon, Brown County, Wisconsin does ordain that the Municipal Code of the Village of Ashwaubenon be amended to create the office of Village Attorney as follows:

1. Subsection (8) is added to Section 1.02 to read as follows:

Official	How Appointed	Term
(8) Village Attorney	Village President	Indefinite

2. Section 1.15 is repealed and recreated to read as follows:

1.15 VILLAGE ATTORNEY

- (1) The Village Attorney shall conduct the law business in which the Village is interested.
- (2) He shall when requested by Village Officers give written legal opinions, which shall be filed with the Clerk.
- (3) He shall draft ordinances, bonds and other instruments as may be required by Village Officers.

- (4) He may appoint an assistant or assistants, who shall have power to perform his duties and for whose acts he shall be responsible to the Village. Such assistant shall receive no compensation from the Village unless approved by the Village Board.
- (5) The Village Board may employ and compensate special counsel to assist in or take charge of any matter in which the Village is interested.
- (6) The Village Attorney and those persons designated by the Village Attorney are authorized to:
 - (a) Investigate complaints alleging violation of the Municipal Code and, if the results of such investigation warrant, refer the findings to the appropriate officer, official, committee, board or commission.
 - (b) File answers and counterclaims in legal or equitable actions to which the Village is a party.
 - (c) Initiate injunctive and abatement actions.
 - (d) Initiate or respond to appeals in all courts.
 - (e) Enter an appearance before any court, administrative agency or quasi-judicial body of competent jurisdiction in any matter in which the Village is or may become involved.
- (3) The Village Attorney and those persons designated by the Village Attorney are delegated the authority to bind the Village and its boards, commissions and agencies to the terms and conditions set forth in the following classes of legal matters generally known as:
 - (a) Insurance waivers and releases.
 - (b) Assignments of subrogation claims.
 - (c) Insurance agreements pertaining to proof of financial responsibility.
 - (d) Stipulations in administrative or judicial proceedings or actions wherein the Village incurs no financial obligations except for the payment of statutory costs.
 - (e) Bankruptcy claims.
 - (f) Real estate transfer tax forms.

Adopted this 22nd day of May, 1984.

CHARTER ORDINANCE NO. 11-4-95

A CHARTER ORDINANCE PROVIDING FOR THE TERM OF OFFICE FOR VILLAGE PRESIDENT AND VILLAGE TRUSTEES

THE VILLAGE BOARD OF THE VILLAGE OF ASHWAUBENON, BROWN COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION 1. The Village of Ashwaubenon, pursuant to Sections 61.195 and 66.01 Wis. Stats. [Wis. Stats. §§ 61.195 and 66.01], hereby elects not to be governed by those portions of Sections 61.20 and 61.23 Wis. Stats. [Wis. Stats. §§ 61.20 and 61.23], relating to the term of office of the President for the Village and Trustees for the Village which are in conflict with this ordinance.

SECTION 2. Section 1.01 of the Municipal Code of the Village of Ashwaubenon must be amended to accomplish that purpose;

THEREFORE, the Village Board of the Village of Ashwaubenon Brown County, Wisconsin does ordain that Section 1.01 of the Municipal Code of the Village of Ashwaubenon be repealed and recreated to read as follows:

1.01 ELECTED OFFICIALS. The elected officials of the Village shall be the Village President, Assessor, Clerk, Treasurer, Municipal Judge and six (6) Trustees. The Assessor, Clerk, Treasurer and Municipal Judge shall be elected at the annual Spring election in the odd numbered years for two (2) year terms. The candidate for Village President shall be elected at the regular Spring election commencing in 1997 for a three (3) year term of office. The candidates for Village Trustee shall be elected at the annual Spring election commencing in 1997 for a three (3) year term of office.

The Village Board of the Village of Ashwaubenon further recognizes and declares that the above recreation of Section 1.01 of the Municipal Code of the Village of Ashwaubenon constitutes a Charter Ordinance and shall not take effect until approved by a majority of the electors voting thereon at the election to be held on March 19, 1996 as prescribed by Section 66.01(7) and 9.20(4)—(6) Wis. Stats.

Approved and adopted this 28th day of November, 1995.

CHARTER ORDINANCE NO. 12-1-95

A CHARTER ORDINANCE PROVIDING FOR THE STAGGERED ELECTION OF VILLAGE TRUSTEES

THE VILLAGE BOARD OF THE VILLAGE OF ASHWAUBENON, BROWN COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION 1. The Village of Ashwaubenon, pursuant to Sections 61.195 and 66.01 Wis. Stats. [Wis. Stats. §§ 61.195 and 66.01], hereby elects not to be governed by those portions of Sections 61.20 and 61.23 Wis. Stats. [Wis. Stats. §§ 61.20 and 61.23], relating to the term of office of the President for the Village and Trustees for the Village which are in conflict with this ordinance.

SECTION 2. Section 1.01 of the Municipal Code of the Village of Ashwaubenon must be amended to accomplish that purpose;

THEREFORE, the Village Board of the Village of Ashwaubenon Brown County, Wisconsin does ordain that Section 1.01 of the Municipal Code of the Village of Ashwaubenon be repealed and recreated to read as follows:

1.01 ELECTED OFFICIALS. The elected officials of the Village shall be the Village President, Assessor, Clerk, Treasurer, Municipal Judge and six (6) Trustees. The Assessor, Clerk, Treasurer and Municipal Judge shall be elected at the annual Spring election in the odd numbered years for two (2) year terms. The candidate for Village President shall be elected at the regular Spring election commencing in 1997 for a three (3) year term of office. Trustees for Wards 1 through 6 shall be elected at the annual Spring election commencing in 1997 for a two (2) year term of office and then commencing with the regular Spring election in 1999 shall thereafter be elected for a three (3) year term of office. Trustees for Wards 7 through 12 shall be elected at the regular Spring election commencing in 1997 for a three (3) year term of office.

The Village Board of the Village of Ashwaubenon further recognizes and declares that the above recreation of Section 1.01 of the Municipal Code of the Village of Ashwaubenon constitutes a Charter Ordinance and shall not take effect until approved by a majority of the electors voting thereon at the election to be held on March 19, 1996 as prescribed by Section 66.01(7) and 9.20(4)-(6) Wis. Stats.

Approved and adopted this 19th day of December, 1995.

CHARTER ORDINANCE NO. 01-1-00

A CHARTER ORDINANCE PROVIDING FOR THE APPOINTED POSITION OF THE VILLAGE ASSESSOR

THE VILLAGE BOARD OF THE VILLAGE OF ASHWAUBENON, BROWN COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION 1. The Village of Ashwaubenon, pursuant to Sections 61.195 and 66.01 Wis. Stats. [Wis. Stats. §§ 61.195 and 66.01], hereby elects not to be governed by those portions of Sections 61.20 and 61.23 Wis. Stats. [Wis. Stats. §§ 61.20 and 61.23], relating to the elected position of office of the Assessor for the Village which are in conflict with this ordinance.

SECTION 2. Section 1.01 and 1.02 of the Municipal Code of the Village of Ashwaubenon must be amended to accomplish that purpose;

THEREFORE, the Village Board of the Village of Ashwaubenon Brown County, Wisconsin does ordain that Sections 1.01 of the Municipal Code of the Village of Ashwaubenon be repealed and recreated to read as follows:

1.01 ELECTED OFFICIALS. The elected officials of the Village shall be the Village President, Clerk, Treasurer, Municipal Judge and six (6) Trustees. The Clerk, Treasurer and Municipal Judge shall be elected at the annual Spring election in the odd numbered years for two (2) year terms. The candidate for Village President shall be elected at the regular Spring election commencing in 1997 for a three (3) year term of office. Trustees for Wards 1 through 6 shall be elected at the regular Spring election commencing in 1997 for a two (2) year term of office and then commencing with the regular Spring election in 1999 shall thereafter be elected for a three (3) year term of office. Trustees for Wards 7 through 12 shall be elected at the regular Spring election commencing in 1997 for a three (3) year term of office.

1.02 APPOINTED OFFICIALS. All appointed officers shall be subject to confirmation by the Village Board except where appointed by an independent board or commission such as the Police and Fire Commission. The following shall be appointed officials:

Official	How Appointed	Term
Assessor	Village President	Indefinite
(Per Section 61.197(1)(f) and 61.27, Wis. Stats.)		
Building Inspector, Plumbing Inspector	Village President	Indefinite
Fire Chief	Police & Fire Commission	Indefinite
Floodplain Zoning Administrator	Village President	Indefinite
Health Officer, Health Inspector, Fire Inspector	Village President	Indefinite
Park and Recreation Director, Forester	Village President	Indefinite
Police Chief	Police & Fire Commission	Indefinite
Village Attorney	Village President	Indefinite

The Village Board of the Village of Ashwaubenon further recognizes and declares that the above recreation of Sections 1.01 and 1.02 of the Municipal Code of the Village of Ashwaubenon constitutes a Charter Ordinance and shall not take effect until sixty (60) days after its passage and publication.

Approved and adopted this 11th day of January, 2000

VILLAGE CHARTER ORDINANCE NO. 01-1-11

A CHARTER ORDINANCE REPEALING SEC. 2-528, APPOINTED OFFICIALS, CHAPTER 2, ADMINISTRATION AND SEC. 1-02, APPOINTED OFFICIALS, CHARTER ORDINANCE NO. 01-1-00, AND REPEALING AND RECREATING SEC. 2-20, VILLAGE PRESIDENT, RELATING TO POWERS, APPOINTMENTS AND DUTIES, OF THE VILLAGE OF ASHWAUBENON MUNICIPAL CODE, BROWN COUNTY, WISCONSIN

WHEREAS, the Village of Ashwaubenon, pursuant to Section 66.0101, Wis. Stats., hereby elects to delegate additional powers and duties for the office of Village President in addition to the powers and duties for the office of the Village President as provided in Section 61.24, Wis. Stats. and the selection of officers as provided in Section 61.197, Wis. Stats.

THEREFORE, the Village Board of the Village of Ashwaubenon, Brown County, Wisconsin does ordain that:

SECTION 1. Section 2-528, Appointed Officials, Chapter 2, Administration and Sec. 1-02, Appointed Officials, Charter Ordinance No. 01-1-00 of the Municipal Code of the Village of Ashwaubenon is hereby repealed.

SECTION 2. Sec. 2-20, Village President, Powers, Appointments and Duties be repealed and recreated to read as follows:

Sec. 2-20 – Village President

(a) General powers

The mission of the Office of the Village President is to provide vision and leadership for all Village Operating Departments and programs; to exercise overall control of the Village budget and to participate in the Village legislative process as a voting member of the Village Board. The Village President will also be the focal point for dissemination of information regarding Village affairs. The

President is the Chief Executive Officer of Ashwaubenon and shall work closely with the Village Manager, realizing that the residents of Ashwaubenon, through referendum, have entrusted and give the ultimate responsibility of the administrative operation of the Village to the President and the Board.

The general provisions relating to the powers and duties of the Village President (President) are contained in Wis. Stats., 61.24 as follows:

The President shall be by virtue of his/her office a Trustee of the Village Board (Board) and preside at all meetings of the Board and has a vote as Trustee; sign all ordinances, rules, bylaws, regulations, commissions, licenses and permits adopted and authorized by the Board and all orders drawn on the treasury except as provided by State Statutes (Stats.) 66.942 and 66.044. The President shall maintain peace and good order, see that ordinances are faithfully obeyed and, in case of disturbance, riot and/or other apparent necessity, who for the time being shall possess all the powers and rights of constable. The President has charge of the Village jail, which he/she shall conduct in a manner provided in Stats. 62.09(13)(c) but he/she may delegate this duty to the Director of Public Safety / Police & Fire Chief.

In the case of war, riot, natural disaster and/or the like and, in the event the Village Board is unable to meet, the President, by proclamation, may exercise such emergency powers necessary and expedient for health, safety, welfare and good order of the Village. Such proclamation is subject to ratification, alteration, modification and/or repeal by the Village Board as soon as it can meet as stated in Stats. 66.325.

The President may not perform any official duty while absent from the Village (state, ex rel. emberson vs. Byrne (1897), 09 Wis. 16).

(b) Powers and Duties

The Board delegates the following powers and duties to the office of Village President:

1. The President as Chief Executive Officer of the Village will oversee the general administrative operations of the Village.
2. The President is responsible to ensure all actions of the Village Board are effectuated and carried out according to their intent.
3. The President will prepare the agenda and order of business for all meetings of the Village Board, Finance & Personnel Committee, Plan Board, Economic Development, Site Plan Review Committee and Public Works and Protection Committee in conjunction with the Chairperson of those committees. Nothing herein shall be so

construed as to give the President the authority to limit or any way prevent matters from being considered by the Village Board or any of the committees mentioned above. The Village Board will have the power to add issues to the Board and Committee agenda according to law.

4. The President shall investigate and inform the Village Board of the availability of government funding and grants and assist Department Directors and the Village Manager in reviewing and obtaining those funds.
5. The President shall review proposed pending County, State and Federal legislation and its effect upon the Village and inform the Board on legislative matters. He/she will further appear on the Village's behalf at all legislative and administrative hearings.
6. The President shall submit and enact recommendations or suggestions for improving the health, safety and/or welfare of the Village, as deemed necessary.
7. The President should be informed of constituent complaints and will review and resolve them with respective Department Directors.
8. The President shall regularly review and inform the Village Board of matters pertaining to the continual implementation of the Village Comprehensive Plan as required by the State. The President will also recommend changes to the Comprehensive Plan as necessary.
9. The President shall serve as Chairperson of the Plan Commission in accordance with State Statutes.
10. The President, with confirmation by the Village Board, shall approve or disapprove all newly created or modified positions submitted by the Village Manager and/or HR staff.
11. The President will assist in developing, reviewing and making modifications to the Village budget in conjunction with the Department Directors and the Village Manager before it is submitted to the Village Board for public hearing and final approval.
12. The President shall determine employee grievances submitted to the office as outlined in Step 2 of the Employee Grievance Procedure.
13. The President shall be the lead person for economic development, redevelopment and planning in conjunction with appropriate committee(s) and the Village Manager.

14. In the absence of the Village Manager, the Village President will assume all his/her duties and responsibilities.

(c) Appointment Powers

The following Officials and Department Directors shall be appointed by the Village President subject to confirmation by the Village Board except where appointed by an independent Board or Commission such as the Police & Fire Commission.

Official or Department Director	Appointment	Status	Term
Village Manager	Village President	At Will	Indefinite
Assessor (Per Section 61.197(1)(f) and 61.27, Wis. Stats.)	Village President	Contract	Indefinite
Attorney	Village President	Contract	Indefinite
Director of Public Works	Village President	At Will	Indefinite
Utility Engineer	Village President	At Will	Indefinite
Village Engineer	Village President	At Will	Indefinite
Street Supervisor	Village President	At Will	Indefinite
Official or Department Director	Appointment	Status	Term
Director of Parks, Recreation & Forestry	Village President	At Will	Indefinite
Director of Finance	Village President	At Will	Indefinite
Building and Plumbing Inspectors; Zoning Administrator	Village President	At Will	Indefinite
Director of Public Safety / Police & Fire Chief	Police & Fire Commission		Indefinite

The Village Board of the Village of Ashwaubenon further recognizes and declares that the Repeal of Sec. 2-528, Appointed Officials, Chapter 2, Administration and Sec. 1-02, Appointed Officials, Charter Ordinance No. O1-1-00, and the Repeal and Recreating of Sec. 2-20, Village President, Relating to Powers, Appointments and Duties, of the Village of Ashwaubenon Municipal Code, constitutes a Charter Ordinance and shall not take effect until sixty (60) days after its passage and publication subject to the provisions of Section 66.0101, Wis. Stats.

Approved and adopted this 25th day of January 2011.

CHARTER ORDINANCE NO. 07-1-11

A CHARTER ORDINANCE AMENDING CHARTER ORDINANCE NO. 01-1-00, SECTION 1.01, ELECTED OFFICIALS, PROVIDING FOR THE TERM OF OFFICE FOR VILLAGE PRESIDENT

THE VILLAGE BOARD OF THE VILLAGE OF ASHWAUBENON, BROWN COUNTY, WISCONSIN, DOES ORDAIN AS FOLLOWS:

SECTION 1. The Village of Ashwaubenon, pursuant to Sections 61.195 and 66.0101, Wis. Stats., hereby elects not to be governed by those portions of Section 61.23 Wis. Stats., relating to the term of office of the Village President for the Village which is in conflict with this ordinance.

SECTION 2. Section 1.01 of Charter Ordinance No. 01-1-00 of the Municipal Code of the Village of Ashwaubenon must be amended to accomplish that purpose;

THEREFORE, the Village Board of the Village of Ashwaubenon, Brown County, Wisconsin does ordain that Section 1.01 of Charter Ordinance No. 01-1-00 of the Municipal Code of the Village of Ashwaubenon be amended to read as follows:

1.01 ELECTED OFFICIALS. The elected officials of the Village shall be the Village President, Clerk, Treasurer, Municipal Judge and six (6) Trustees. The candidates for Clerk and Treasurer shall be elected at the annual Spring election in the odd numbered years for two (2) year terms. The candidate for Village President shall be elected at the regular Spring election commencing in 2012 for a four (4) year term of office and then commencing with the Spring election in 2016 shall thereafter be elected for a three (3) year term of office. Trustees for Wards 1 through 6 shall be elected at the regular Spring election commencing in 1997 for a two (2) year term of office and then commencing with the regular Spring election in 1999 shall thereafter be elected for a three (3) year term of office. Trustees for Wards 7 through 12 shall be elected at the regular Spring election commencing in 1997 for a three (3) year term of office.

The Village Board of the Village of Ashwaubenon further recognizes and declares that the above amendment of Section 1.01 of Charter Ordinance No. 01-1-00 of the Municipal Code of the Village of Ashwaubenon constitutes a Charter Ordinance and shall not take effect until sixty (60) days after its passage and publication subject to the provisions of Section 66.0101, Wis. Stats.

Approved and adopted this 26th day of July 2011.

VILLAGE CHARTER ORDINANCE NO. 08-1-14

A CHARTER ORDINANCE AMENDING CHARTER ORDINANCE NO. 07-1-11, SEC. 1.01, ELECTED OFFICIALS, AND REPEALING SEC. 2-534, CLERK, AND SEC. 2-536, TREASURER, AND CREATING SEC. 2-537, PROVIDING FOR THE CONSOLIDATION OF THE OFFICE OF THE CLERK-TREASURER AND THE TERM OF OFFICE FOR THE CLERK-TREASURER

THE VILLAGE BOARD OF THE VILLAGE OF ASHWAUBENON, BROWN COUNTY, WISCONSIN, DOES ORDAIN AS FOLLOWS:

SECTION 1. The Village of Ashwaubenon, pursuant to Sections 61.195 and 66.0101, Wis. Stats., hereby elects not to be governed by those portions of Section 61.19 Wis. Stats., relating to the separate elected office of Village Clerk and Village Treasurer and providing for the consolidation and combination of the office of Village Clerk and Village Treasurer into the office of Village Clerk-Treasurer for the Village of Ashwaubenon.

SECTION 2. Sec. 1.01 of Charter Ordinance 07-1-11 of the Municipal Code of the Village of Ashwaubenon must be amended, Sec. 2-534, Clerk, and Sec. [Sec.] 2-536, Treasurer must be repealed and Sec. 2-537 must be created to accomplish that purpose.

THEREFORE, the Village Board of the Village of Ashwaubenon, Brown County, Wisconsin does ordain that Sec. 1.01 of Charter Ordinance 07-1-11 of the Municipal Code of the Village of Ashwaubenon

be amended, Sec. 2-534, Clerk, and Sec. 2-536, Treasurer, be repealed, and Sec. 2-537 be created to read as follows:

1.01 ELECTED OFFICIALS. The elected officials of the Village shall be the Village President, Clerk-Treasurer, Municipal Judge and six (6) Trustees. The candidate for Clerk-Treasurer shall be elected at the annual Spring election 2015 for a four (4) year term of office and then commencing in Spring election 2019 shall thereafter be elected for a three (3) year term of office. The candidate for Village President shall be elected at the regular Spring election commencing in 2012 for a four (4) year term of office and then commencing with the Spring election in 2016 shall thereafter be elected for a three (3) year term of office. Trustees for Wards 1 through 6 shall be elected at the regular Spring election commencing in 1997 for a two (2) year term of office and then commencing with the regular Spring election in 1999 shall thereafter be elected for a three (3) year term of office. Trustees for Wards 7 through 12 shall be elected at the regular Spring election commencing in 1997 for a three (3) year term of office.

2-534. CLERK. Is repealed and deleted in its entirety.

2-536. TREASURER. Is repealed and deleted in its entirety.

2-537. VILLAGE CLERK-TREASURER.

- (1) The Village of Ashwaubenon hereby elects pursuant to Wis. Stats. Sec. 61.19, 61.195 and 66.0101, that the office of Village Clerk and the office of Village Treasurer of the Village of Ashwaubenon shall be consolidated and combined as one full-time office and such position shall be designated as the office of Clerk-Treasurer.
- (2) The Clerk-Treasurer shall perform all the duties required of both offices as provided in Wis. Stats. 61.25 and 61.26 and any other laws of the State and other duties as are required or requested to be executed by the Clerk-Treasurer by the Village Board from time to time.

The Village Board of the Village of Ashwaubenon further recognizes and declares that the above amendment of Sec. 1.01 of Charter Ordinance O7-1-11, repealing Sec. 2-534 and Sec. 2-536 and creation of Sec. 2-537 of the Municipal Code of the Village of Ashwaubenon constitutes a Charter Ordinance and shall not take effect until sixty (60) days after its passage and publication subject to the provisions of Section 66.0101, Wis. Stats.

Approved and adopted this 26th day of August, 2014. 1

FOOTNOTE(S):--- (1) --- Editor's note— Printed herein are the Charter Ordinances of the village. They are included in numerical/chronological order. Each Charter Ordinance contains the substance as adopted by the governing body, but publication clauses and signatures have been omitted. Charter Ordinances that have been repealed or are otherwise no longer in effect are included by title with the repealed text stricken through with an explanation of the status in an editor's note preceding such Charter Ordinance. Complete copies of each Charter Ordinance as adopted are on file in the office of the village clerk and with the Wisconsin Secretary of State. The status of each Charter Ordinance is indicated in an editor's note for each applicable Charter Ordinance.

State Law reference— Charter ordinances, Wis. Stats. § 66.010. [\(Back\)](#)