

- (8) Any ordinance or resolution providing for local improvements or assessing taxes or special assessments therefore;
 - (9) Any ordinance or resolution dedicating or accepting any plat or subdivision in the City;
 - (10) Any ordinance annexing property to the City;
 - (11) Any ordinance or resolution regulating the erection, alteration, repair, demolition, moving or removal of buildings or other structures, except that these ordinances have been amended as part of this recodification;
 - (12) Zoning ordinances; one- and two-family dwelling building code; and any other building codes except that these ordinances have been amended as part of this recodification.
 - (13) Charter ordinances.
 - (14) The issuance of corporate bonds and notes of the City of whatever name or description.
 - (15) Water, sewer and electric rates, rules and regulations and sewer and water main construction.
- (b) Nor shall the repeal be construed to revive any ordinance or part of an ordinance that has been repealed by a subsequent ordinance which is repealed by this ordinance.

SECTION 4

A copy of the Code shall be kept on file in the office of the City Clerk-Treasurer preserved in loose-leaf form, or in such other form as the City Clerk-Treasurer may consider most expedient. It shall be the express duty of the City Clerk-Treasurer or someone authorized by the City Clerk-Treasurer, to insert in their designated places all amendments, ordinances or resolutions which indicate the intention of the Common Council to make the same a part of the Code when the same have been printed or reprinted in page form, and to extract from the Code all provisions which may be repealed from time to time by the Common Council. This copy of the Code shall be available for all persons desiring to examine it.

SECTION 5

All ordinances or parts in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 6

This ordinance shall become effective on _____, 19__.

Passed, Approved and Adopted by the Common Council on This _____ Day Of _____, 19__, Pursuant to Section 66.035, Wis. Stats.

Attest:

Mayor

City Clerk-Treasurer

OPEN MEETING LAW GUIDE

General Requirements

1. Wisconsin's Open Meeting Law provides that all meetings of governmental bodies shall be open to all citizens at all times. Sec. 19.81(2), Wis. Stats.
2. Meetings of local governing bodies or their subunits must be held in places reasonably accessible to the public.
3. Meetings are open to all members of the public unless specifically provided otherwise by law.
4. The Open Meeting Law also applies when members of a governing body, or committee thereof, engage in business of that body and when the number of members present is potentially sufficient to determine the governing body's course of action regarding the proposal discussed [State vs. Showers, No. 85-471 (June 15, 1987)].

Public Notice

1. **WHO MUST RECEIVE NOTICE.** For any meeting, the presiding officer, or his/her designee, shall give notice to the official newspaper and to any other members of the news media who have filed a written request to receive such notices, or if neither exists, in a manner likely to give notice to the public. Notice must also be given as required by any other state statutes.
2. **CONSTRUCTION OF NOTICE.** The notice for the meeting shall include:
 - a. The time, date and place of the meeting, and
 - b. The subject matter of the meeting, including subject matter to be considered in closed session.

The governmental body may discuss and, if urgent, act upon matters which were not specifically referred to in the agenda where the agenda contains a general item, such as "miscellaneous business." Where the presiding officer has specific knowledge that matters may come before the body, they should be included on the agenda.

3. **TIME FOR NOTICE.** Notice must be given at least twenty-four (24) hours prior to the commencement of the meeting unless for good cause such notice is impossible or impractical, in which case shorter notice may be given. In no case may notice be provided less than two (2) hours in advance of the meeting. Sec. 19.84(3), WIS. Stats.
4. **COMMITTEES AND SUBUNITS EXEMPTION TO NOTICE REQUIREMENT.** A legally constituted subunit of a parent government body may conduct a meeting during the recess of the governing body's meeting or immediately after the lawful meeting to act or deliberate upon a matter which was the subject of that meeting. For this exemption to apply, the presiding officer must publicly announce the time, place

and subject matter of the subunit's meeting in advance at the meeting of the governing body.

Procedure For Closed Sessions

1. Required notice must be given if the presiding officer or his/her designee knows that a closed session is being contemplated. Notice is required regardless of whether a majority of members will or will not support going into closed session at the meeting. Sec. 19.84(2), Wis. Stats.
2. After first meeting in open session, with proper notice, a motion made and recorded, supported by majority vote, is required to close, with the vote of each member recorded in the minutes. Sec. 19.85(1), Wis. Stats.
3. If the motion to go into closed session is carried, the presiding officer shall announce to those present at the meeting (to be recorded in the minutes) the nature of the business to be considered in the closed session and the specific exemption(s) relied upon in Sec. 19.85, Wis. Stats., under which the closed session is permitted.
4. Only matters contained in the presiding officer's announcement of the closed session may be considered during the closed session.
5. An open session, with adequate notice, must precede a closed session, even where it was decided at a prior open session to go into a closed session at a subsequent meeting.
6. A governmental body may vote to go into closed session at a properly convened open session, for a permitted purpose, where specific notice of intent to consider going into closed session was not included on the agenda at the time notice of the open session was given. However, such procedure requires that the presiding officer or his/her designee did not contemplate or have knowledge that any of the other members contemplated a closed session at the time notice of the agenda was given.

Specific Exemptions Allowing Closed Sessions

1. Sec. 19.85(1)(a), Wis. Stats., creates an exemption for governmental bodies deliberating after quasijudicial trials or hearings. However, boards of review cannot rely on this exemption, for Sec. 70.47(2m), Wis. Stats., requires all board of review meetings to be held in open session.
2. Sec. 19.85(1)(b), Wis. Stats., is a limited exception to the Open Meeting Law allowing the use of a closed session when a governmental body is considering the demotion, dismissal, licensing, discipline or tenure of a public employee or a person licensed by a board or commission. This exception permits preliminary discussion and investigation

without the necessity of providing actual notice to the individual involved. However, before any evidentiary hearing can be conducted or formal action taken, notice must be given to the person involved so that he or she can exercise his or her right to request an open session for those purposes.

3. Sec. 19.85(1)(c), Wis. Stats., sanctions the use of closed sessions where governmental bodies are considering employment, promotion, compensation or performance evaluation of any public employee. Governmental bodies should exercise caution when considering performance to avoid discussing matters that are covered by Sec. 19.85(1)(b), Wis. Stats.
4. Sec. 19.85(1)(c), Wis. Stats., permits the use of closed sessions when applications for parole or probation are being considered, or when crime detection or prevention strategy is to be discussed.
5. Sec. 19.85(1)(e), Wis. Stats., allows closed sessions for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, or the conducting of other specified public business, as long as competitive or bargaining reasons require a closed session. Under this exception, a governmental body could meet in closed session for the purpose of forming negotiation strategies, although the body must give notice that an open session will be held for the purpose of taking a vote to convene in closed session for the purpose of discussing labor negotiation strategies.
6. Discussions by governmental bodies considering the financial, medical, social or personal histories or disciplinary data of specific persons which, if conducted in public, would have a "substantial adverse effect upon the reputation of any person referred to" may be held in closed session under Sec. 19.85(1)(f), Wis. Stats. However, this exemption is unavailable where Sec. 19.85(1)(b), Wis. Stats., is applicable.
7. Sec. 19.85(1)(g), Wis. Stats., allows a governmental body to confer with its legal counsel in closed session for the purpose of obtaining oral or written advice concerning strategy to be adopted by the body with respect to present and prospective litigation directly involving the governmental body.
8. Closed sessions may be utilized by governmental bodies to consider requests for confidential written advice from ethics boards under Sec. 19.85(1)(h), Wis. Stats.

Limitations on Closed Sessions

1. Sec. 19.85(2), Wis. Stats., makes it impermissible for a governmental body to reconvene in open session within twelve (12) hours after a closed session, unless public notice of the subsequent open session was given at the same time and in the same manner as was required for the original open session.

2. Final ratification or approval of a collective bargaining agreement is required to be in open session under Sec. 19.85(3), Wis. Stats. However, a governmental body can vote to preliminarily approve bargaining proposals in closed session, in order to reach a consensus, as long as final ratification occurs in open session.

Ballots, Votes and Records

1. Unless provided elsewhere by statute, no secret ballot may be utilized by a governmental body to determine any election or decision, except the election of the officers of such body. This narrow exception does not permit the use of secret ballots to elect members of committees, officers of the governmental units such as department heads, or fill vacancies on the body itself.
2. Any member may require the ascertainment and recording of each vote.
3. Records of motions and roll-call votes must be preserved and open for public inspection.

Use of Equipment in Meetings

1. A governmental unit must make a reasonable effort to accommodate the media's equipment.
2. Any person may record, film or photograph a meeting in open session, provided that the use of this equipment does not interfere with the conduct of the meeting(s).
3. A member of a governmental body does not have the right to tape record a closed session of the Common Council.

CODE OF GENERAL ORDINANCES

Key to Section Numbering

Title

Chapter Section

1-1-1

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ORDINANCE NO. ____

AN ORDINANCE TO REVISE AND CONSOLIDATE, AMEND, SUPPLEMENT AND CODIFY THE GENERAL ORDINANCES AND BYLAWS OF THE CITY OF PARK FALLS.

The Common Council of the City of Park Falls, Wisconsin, do ordain as follows:

SECTION 1. The code of ordinances in the book form entitled, "MUNICIPAL CODE OF THE CITY OF PARK FALLS, WISCONSIN," having been placed on file and open to public inspection in the office of the city clerk for a period of two weeks, commencing January 2, 1997, in accordance with the procedure provided under Wis. Stats. §66.035, is hereby adopted as the general code of ordinances in and for the City of Park Falls, Price County, Wisconsin, and all previously adopted general ordinances of the City of Park Falls are hereby repealed, except as provided in Section 2 of this ordinance.

SECTION 2. The code of general ordinances hereby adopted shall not be deemed to repeal any ordinances of the City of Park Falls or any general ordinance or part hereof relating to the following subjects and not conflicting with any of the provisions of the "MUNICIPAL CODE OF THE CITY OF PARK FALLS", Wisconsin.

SECTION 3. The ordinance shall take effect and be in effect on Tuesday, January 21, 1997, after passage and publication according to law.