

Chapter 100

OFFICERS AND EMPLOYEES

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[HISTORY: Adopted by the Village Board of the Village of Endeavor as §§ 2.02, 2.04, 2.07 and 10.01 of the 1998 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Boards, commissions and committees — See Ch. 22.
Ethics — See Ch. 47.

Fire Department — See Ch. 59.
Village Board — See Ch. 145.

§ 100-1. Offices of Clerk and Treasurer combined; appointment. ¹

- A. The Village of Endeavor, pursuant to §§ 61.195 and 66.0101, Wis. Stats., hereby elects not to be governed by those portions of §§ 61.19, 61.25 and 61.26, Wis. Stats., which are in conflict with this section.
- B. The offices of Village Clerk and Village Treasurer are hereby consolidated and the duties of both offices shall be performed by the person appointed as the Village Clerk-Treasurer by the Village President, subject to confirmation by the Village Board, commencing in May 1987. The incumbent Village Clerk and Village Treasurer shall continue to serve in their offices until the appointment and qualification of a Village Clerk-Treasurer. If a vacancy occurs in either position prior to the Clerk-Treasurer's appointment, the Village Board may fill the position.
- C. The appointed Village Clerk-Treasurer shall hold office for an indefinite term, subject to removal as provided in § 17.12(1)(c) and (d), Wis. Stats.
- D. The Village Clerk-Treasurer shall perform all duties required of both the offices of Clerk and Treasurer as provided by law and those other duties as the Village Board requests to be executed by the Clerk-Treasurer from time to time.

§ 100-2. Duties of Clerk-Treasurer. ²

- A. General duties. The Village Clerk-Treasurer shall:

1. Editor's Note: This section was originally adopted by charter ordinance.
2. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- (1) Perform any duties prescribed by law relative to elections; keep, subject to inspection, all election returns required to be filed in his office; and notify persons elected or appointed to Village offices (see Chs. 6 to 12, Wis. Stats.).
- (2) Transmit to the County Clerk, within 10 days after election or appointment and qualification, a certified statement of the name and term for which elected or appointed of the President, Clerk-Treasurer and Assessor and to the Clerk of the Circuit Court, immediately after their election or appointment and qualification, a like statement of the time and term for which elected or appointed of every Municipal Judge or Chief of Police, if any.
- (3) Attend all meetings of the Village Board, record and sign the proceedings thereof and all ordinances, rules, bylaws, resolutions and regulations adopted, and countersign and keep a record of all licenses, commissions and permits granted or authorized by the Board and for such purpose keep the following books: a minute book full of minutes of all the proceedings of the Village Board and the title of all ordinances, rules and regulations and bylaws, with reference to the book and page where the same may be found, and an ordinance book in which shall be recorded at length, in chronological order, all ordinances, rules, regulations and bylaws.
- (4) Countersign and cause to be published or posted every ordinance, bylaw or resolution as required by law and have proper proof thereof made and filed.
- (5) Be the custodian of the Corporate Seal and file as required by law and safely keep all records, books, papers or property belonging to, filed or deposited in his office and deliver the same to his successor, when qualified, and permit any person with proper care to examine and copy any of the same and make and certify a copy of any thereof when required, on payment of the same fees allowed village clerks therefor.³
- (6) Make a tax roll and make and transmit to the County Clerk a statement showing the assessed valuation of all the property in the Village and separately the amount of all taxes levied therein, including highway and street taxes, for the current year and the purposes for which they were levied.
- (7) Serve as secretary and treasurer for the water and sewer lines.
- (8) Perform all other duties required by law or by ordinance or other direction of the Village Board.
- (9) Receive all moneys belonging or accruing to the Village from any source whatever or directed by law to be paid to the Clerk-Treasurer and deposit upon receipt therefor the funds of the Village in the name of the Village in the public depository designated by the Board, and failure to comply with the provisions hereof shall be prima facie grounds for removal from office, and when the money is so deposited, the Clerk-Treasurer and bondsmen shall not be liable for such losses as are defined by § 34.01(2), Wis. Stats., and interest arising therefrom shall be paid into the Village treasury. The Clerk-Treasurer shall pay the same only on the written order

3. Editor's Note: See also Ch. 119, Records.

of the Village Board, countersigned by the Clerk-Treasurer, and specifying the number thereof, the payee and the amount of the object for which drawn. The Clerk-Treasurer shall keep just and accurate and detailed accounts of all such transactions, showing when, to whom and for what purpose all payments are made, in a book provided by the Village Board, and preserve all vouchers filed in the office. The Clerk-Treasurer shall deliver to his successor, when qualified, all books of account, papers and property of the office and all money on hand as Treasurer and shall perform such other duties as are required by law or the Village Board. There shall be kept but one fund in the treasury, except as otherwise provided. On receipt of the tax roll and while acting as Collector of Taxes, the Clerk-Treasurer shall exercise the same powers and perform the same duties as are by law conferred upon and required of village treasurers while acting in that capacity and shall be subject to the same penalties and liabilities.

- B. The Village Clerk-Treasurer shall also be required to perform duties as conferred upon town treasurers in § 74.03, Wis. Stats.
- C. The Village Clerk-Treasurer shall execute and file an official bond which shall be furnished by a surety company as provided by § 632.17(2), Wis. Stats.

§ 100-3. Deputy Clerk-Treasurer. ⁴

The position of Deputy Clerk-Treasurer is hereby established. The incumbent of the position is subject to the same recruitment, hiring, training and disciplinary procedures as all other regular employees. The Deputy Clerk-Treasurer shall act under the Clerk-Treasurer's direction and supervision and shall perform the duties of the Clerk-Treasurer during the temporary absence or disability of that employee or during a vacancy in the office of the Clerk-Treasurer. The acts of the Deputy Clerk-Treasurer shall be covered by official bond as the Village Board shall direct (§ 61.261, Wis. Stats.).

§ 100-4. Chief of Police. ⁵

- A. The office of Chief of Police shall be filled by appointment by a majority vote of the members of the Village Board for an indefinite term, subject to removal by a three-fourths vote of the members of the Board for incompetence, misconduct, or failure to perform duties.
- B. The Chief of Police shall have command of the police force of the Village.
- C. Pursuant to §§ 61.195 and 61.197, Wis. Stats., the Village of Endeavor hereby elects not to be governed by those provisions of §§ 61.19 and 61.23, Wis. Stats., relating to the selection and tenure of a constable or marshal and hereby abolishes the office of constable and marshal. The Chief of Police shall have the powers, privileges, and duties of Village Marshal under § 61.28, Wis. Stats.

4. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

5. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- D. Said Chief of Police shall also perform any other activities and duties as are imposed upon him from time to time by the Village Board, by the Committee on Public Safety and by any other guidelines included in any other section of this Code. In the event that there is a conflict in duties between the Committee on Public Safety and the Village Board, the majority of the Village Board will control.

§ 100-5. Assessor. ⁶

- A. Selection. The office of Assessor shall be an appointed position. The Assessor shall be appointed by a majority of the Village Board.
- B. Qualification. The Assessor shall be certified by the Department of Revenue under § 73.09, Wis. Stats., as qualified to perform the functions of an Assessor.
- C. Duties. The Assessor shall begin under § 70.10, Wis. Stats., to make an assessment of all of the property in the Village liable to taxation, as prescribed by law. The Assessor shall return the assessment roll to the Village Clerk-Treasurer on or before the first Monday in May as required by § 70.50, Wis. Stats.⁷

§ 100-6. Fire Inspector. ⁸

The Fire Chief shall by virtue of his office hold the office of Fire Inspector.

§ 100-7. Health Officer, Weed Commissioner and Street Commissioner.

- A. The Health Officer, Weed Commissioner and Street Commissioner shall be appointed at the first regular meeting of the Village Board in May of the odd-numbered years by the Village President, subject to confirmation by a majority vote of the members of the Board. The Village President shall not vote on the confirmation of such appointments except in case of a tie. The terms of such officials so appointed shall be for two years. All terms shall commence on the 15th day of May following appointment.
- B. Health Officer. The Health Officer may be one of the Trustees appointed by the Village President to the Committee on Public Welfare or a competent adult person who is not a member of the Village Board. The Health Officer shall:⁹
- (1) Preserve health; prevent the spread of communicable diseases by causing the removal of all objects detrimental to health; and enforce the health laws, rules and regulations of the state and Village.
 - (2) Make an annual report to the State Department of Health and Family Services and to the Village Board together with such other reports as they may request.

6. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

7. Editor's Note: For the confidentiality of information provided to the Assessor, see § 22-1B.

8. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

9. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

§ 100-8. General regulations governing all Village officers.

- A. Effect. The provisions of this section shall apply to all officers of the Village regardless of the time of creation of the office or selection of the officer unless otherwise specifically provided by ordinance or resolution of the Village Board.
- B. Oath of office. Every officer of the Village, including members of Village boards and commissions, shall, before entering upon his duties and within five days of notice of his election or appointment, take the oath of office prescribed by law and file said oath in the office of the Village Clerk-Treasurer. Any person reelected or reappointed to the same office shall take and file an official oath for each term of office.¹⁰
- C. Bond. Every officer shall, if required by law or the Village Board, upon entering the duties of his office, give a bond in such amount as may be determined by the Village Board with such sureties as are approved by the Village President, conditioned upon the faithful performance of the duties of his office. Official bonds shall be filed as are oaths as provided in Subsection B of this section.
- D. Salaries. All officers of the Village shall receive such salaries as may be provided from time to time by the Village Board by ordinance. No officer receiving a salary from the Village shall be entitled to retain any portion of any fees collected by him for the performance of his duties as such officer in the absence of a specific law or ordinance to that effect. **[Amended 1-25-2005 by Ord. No. 2005-01¹¹]**
- E. Vacancies. Vacancies in elective offices shall be filled by appointment by a majority vote of the Village Board for the remainder of the unexpired term. Vacancies in appointed offices shall be filled in the same manner as the original appointment for the remainder of the unexpired term unless the term for such office is indefinite.
- F. Outside employment. No full-time officer of the Village shall engage in any other remunerative employment within or without the Village, provided that the Village Board may approve such outside employment or activity if it finds that it does not interfere or conflict with such officer's ability to perform his duties in an efficient and unbiased manner. Violation of this provision shall be grounds for removal from office of any such officer.¹²

10. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

11. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

12. Editor's Note: See also Ch. 47, Ethics.

