

**CHAPTER II**

**OFFICIALS**

**2.01 ELECTED OFFICIALS.**

(1) Trustees. There shall be six Trustees of the Village of Elmwood Park. Three Trustees shall be elected at each annual spring election for a term of two years, commencing on the third Tuesday of April in the year of their election.

(2) Other Elected Officers. The President shall be elected at the regular spring election in odd numbered years for a term of two (2) years commencing on the third Tuesday of April in the year of his or her election.

**2.02 APPOINTED OFFICIALS.**

(1) Village Clerk, Village Treasurer, Attorney, Constable, Building Inspector, Civil Defense Emergency Director, Health Officer, Assessor. The Village officials hereinafter set forth shall be appointed at the first regular meeting of the Village Board in May of odd-numbered years or when a vacancy shall occur, by the Village President, subject to confirmation by a majority vote of the Members of the Board of Trustees:

Board:	Clerk	Treasurer
	Attorney	Constable
	Building Inspector	Civil Defense Emergency Director
	Health Officer	Assessor

The Village President shall not vote on such appointments except in case of a tie. The terms of office of each official so appointed shall be at the pleasure of the Board. All terms shall commence on the 15th day of May following appointment or forthwith in the case of filling a vacancy in any such office.

(Amended March 11, 2004).

(2) Weed Commissioner. The Village Weed Commissioner shall be appointed in May of each year for a term of one year by the Village President.

(3) Assistance to Officers. The Trustees shall have the power to appoint assistants to the officers, or to contract for services for assistance, and to determine the compensation or fees to be paid for such assistants or for contractual services.

(4) Election Inspectors and Clerks.

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(a)How Constituted. There shall be seven election officials in the Village consisting of three Inspectors of Election, two Clerks of Election and two Ballot Clerks.

(b)Appointment. The Village President shall appoint, subject to approval by the Village Board, the election officials from a list submitted by the precinct committeemen as provided by law. If no such list is lawfully submitted, the Village President shall make the appointments subject to approval by the Village Board on his own nomination.

(c)Terms. Appointments shall be made at the regular meeting in December of each even numbered year of the necessary election officials herein required. In all other respects, the provisions of Wis. Stat. 7.30 shall apply. (Amended January 25, 1989).

(5) Director of Finance. There is hereby created an office of the Director of Finance who shall be appointed by the Village President, subject to confirmation by a majority vote of the members of the Board, and whose duties shall include:

(a)The reviewing of all financial matters affecting the Village.

(b)Reporting of significant financial matters to the Trustees.

(c)Making such studies, reports and recommendations as may be requested by the Trustees.

(d)Such Director of Finance shall perform no duties which are imposed on the Village Treasurer pursuant to law.

(e)The Director of Finance may but need not be a Trustee of the Village.

(f)The Trustees may from time to time establish reasonable compensation for the position of Director of Finance.

### **2.03 CIVIL DEFENSE EMERGENCY DIRECTOR.**

There is hereby created the office of Civil Defense Emergency Director for the Village of Elmwood Park who shall be appointed as provided by Section 2.02(1) of this Code.

### **2.04 BOARD OF HEALTH; HEALTH OFFICER.**

The Village Board of the Village of Elmwood Park shall, within thirty (30) days after its election, organize into a Board of Health and shall elect a chairman and a clerk as provided by Section

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251.03(4m) of the Wisconsin Statutes. The Health Officer by virtue of his office shall be an ex officio member of such Board with voting power.

### **2.05 BOARD OF REVIEW.**

The Board of Review of the Village of Elmwood Park shall be composed of eight members including the Village President, the Village Clerk and all members of the Village Board of Trustees. The Board of Review shall have the duties and powers prescribed by Section 70.47 of the Wisconsin Statutes.

### **2.06 PLAN COMMISSION.**

(1) How Constituted. The Village Plan Commission shall consist of seven members as follows: the Village President, who shall be its presiding officer; two Trustees and four citizens. Citizen members shall be persons of recognized experience and qualifications.

(2) Appointments.

(a)Trustee Members. The Trustee members of the Commission shall be elected by a two-thirds vote of the Village Board from those whose terms as Trustee shall not expire in the same year upon creation of the Commission and during each April thereafter.

(b)Citizen Members. Three citizen members shall be appointed by the Village President upon creation of the commission to hold office for a period ending one, two and three years respectively from the succeeding first day of May, and thereafter annually during April one such member shall be appointed for a term of three years.

(c)Additional Citizen Members. The additional citizen member, who shall be appointed by the Village President, shall be first appointed to hold office for a period ending one year from the succeeding first day of May and thereafter annually during April.

### **2.07 Zoning Board of Appeals**

Per State statute 62.23(7)(e) A Board of Appeals is hereby established.

(1) How Constituted. The Village Board of Appeals shall consist of 5 members appointed by the Village President, subject to confirmation by the Village Board, for 3-year terms.

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(2) Appointments. The Village President shall designate one of the members as chairman. The Village President shall also appoint, subject to confirmation by the Village Board, two alternate members for staggered terms of 3 years. Annually, the Village President shall designate one alternate as 1st alternate, who shall act with full power only when a member is absent or refuses to vote because of interest, and the other as 2nd alternate, who shall act with full power only when the 1st alternate or a member is absent or refuses to vote because of interest. Vacancies shall be filled for the unexpired terms of members and alternates whose terms become vacant.

(3) The Board of Appeals shall adopt rules for its government and procedure.

(4) Meetings of the Board of Appeals shall be held at the call of the Chairman and at such other times as the Board of Appeals may determine. The Chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

(5) The Board of Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep record of its examinations and other official actions, all of which shall be immediately filed in the office of the Board of Appeals and shall be a public record.

(Adopted ~~12-02-0903-13~~)

**2.08 GENERAL REGULATIONS GOVERNING ALL VILLAGE OFFICERS.**

(Re-numbered ~~1202-0903-13~~)

(1)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.

(2)Oath of Office. Every officer of the Village, including members of the Village Board and Commissions shall, before entering upon his duties and within five days of his election or appointment or notice thereof, take the oath of office prescribed by law and file said oath in the office of the Village Clerk, except the Village Clerk who shall file his/her oath in the office of the Village Treasurer. Any person re-elected or reappointed to the same office shall take and file an official oath for each term of service.

(3)Bond. Every officer shall, if required by law or the Village Board upon entering upon 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 (2) of this section.

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(4) Salaries and Fees, etc. Effective with the spring election of 1997, and thereafter, each Village officer shall receive a salary for his services as follows:

Village President	\$ <del>3,200.00</del> 4000 (Effective New Term 2014)
Clerk/Treasurer	\$12,000.00 (Effective 01/01/14)
Village Trustees	\$ <del>800.00</del> 1000 (Effective New Term 2014)
Assessor	\$1,000.00
Constable	\$ 300.00

Such salaries shall be paid quarterly to said officers. In addition, all of such officers and all members of the Village Board, Commissions and Board appointed Committees shall be reimbursed for their actual out-of-pocket expenses including such mileage as may be established by the Village Board from time to time while engaged in the business of the Village.

(Amended ~~October 15, 2004~~02/03/14).

(5) 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 appointive offices shall be filled in the same manner as the original appointment for the residue of the unexpired term, unless the term for such office is indefinite.

**2.09 RECEIPT OF GIFTS AND GRATUITIES PROHIBITED.**

(Re-numbered ~~12-09-13~~02-03-14)

(1) It shall be unlawful for any public employee or public official to receive or offer to receive either directly or indirectly, any give, gratuity, or anything of value which he is not authorized to receive from any person, if such person:

- (a) Has or is seeking to obtain contractual or other business or financial relationships with such public employee's employer or the governmental body of the public official; or
- (b) Conducts operations or activities which are regulated by such public employee's employer or the governmental body of a public official; or
- (c) Has interests which may be substantially affected by such public employee's employer or the governmental body of the public official.

(2) The receipt of any gift, gratuity, or anything of value as denoted above is contrary to the public policy of the Village of Elmwood Park.

**2.10 SUBSTITUTE FOR VILLAGE TREASURER'S BOND.**

(Re-numbered ~~12-09-13~~02-03-14)

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Pursuant to the authority granted in Wis. Stat. 70.67(2), the Village of Elmwood Park does hereby obligate itself to pay all taxes of any kind required by law to be paid by the Village Treasurer to the County Treasurer in lieu of requiring the Village Treasurer to provide a bond with sureties.

(Adopted December 19, 1985).