

Town of Grant Plan Commission Ordinance

The Town Board of the Town of Grant, Portage County, Wisconsin, does ordain as follows:

Section 1. Title

This ordinance is entitled the "Town of Grant Plan Commission Ordinance."

Section 2. Purpose

The purpose of this ordinance is to establish a Town of Grant Plan Commission and set forth its organization, powers and duties, to further the health, safety, welfare and wise use of resources for the benefit of current and future residents of the Town and affected neighboring jurisdictions, through the adoption and implementation of comprehensive planning with significant citizen involvement.

Section 3. Authority; Establishment (5-Member)

The Town Board of the Town of Grant has been authorized by the Town meeting under sec. 60.10(2)(c), Wis. Stats., to exercise village powers and the Town has a population of less than 2,500, according to the most recent regular or special federal census, sec. 990.01 (29), Wis. Stats. The Town Board hereby exercises village powers under sec. 60.22(3), Wis. Stats., and establishes a five (5) member Plan Commission under secs. 60.62(4), 61.35 and 62.23, Wis. Stats. The Plan Commission shall be considered the "Town Planning Agency" under secs. 236.02(13) and 236.45, Wis. Stats., which authorize, but do not require, Town adoption of a subdivision or other land division ordinance.

Section 4. Membership (5-Member)

The Town of Grant's Plan Commission will consist of five members who shall be persons of recognized experience and qualifications.

Section 5. Appointments

The Town Board Chairperson shall appoint the members of the Plan Commission during the month of May to fill any expiring term. The Town Board Chairperson may appoint himself or herself or another Town Board member to the Commission and may appoint one other town elected or appointed official to the Commission. Other Commission members shall consist of 3 or more citizens members who are not town officials. Any citizen appointed to the Plan Commission shall take and file the oath of office within five (5) days of notice of appointment, as provided under secs. 19.01 and 60.31, Wis. Stats.

Section 6. Terms of Office (With Citizen Member Terms Staggered)

The term of office for the Plan Commission Chairperson and each Commission member shall be for a period of 3 years, ending on May 31, or until a successor is appointed and qualified.

Initial Terms The citizen members initially appointed to the Plan Commission shall be appointed for staggered terms.

Town Board Member or Town Board Chairperson. The Plan Commission member who may be a Town Board member or Town Board Chairman, shall serve for a period of two (2) years, as allowed sec. 66.0501(2) Wis. Stats., concurrent with his or her term on the Town Board, except an initial appointment made after May 31 shall be for a term that expires two (2) years from the previous May 31.

Section 7. Vacancies

A person who is appointed to fill a vacancy on the Plan Commission shall serve for the remainder of the term.

Section 8. Compensation; Expenses

The Town Board of the Town of Grant hereby sets a per diem allowance per meeting for members and secretary as a non-voting member of the Plan Commission, as allowed under sec. 66.0501(2), Wis. Stats. In addition, the Town Board may reimburse reasonable costs and expenses, as allowed under sec. 60.321, Wis. Stats.

Section 9. Experts & Staff

The Plan Commission may, under sec. 62.23(1), Wis. Stats., employ experts and staff, and pay for their services and necessary and proper expenses, within the limits of any appropriation made to the Commission by the Town Board for such purposes, and subject to Town Board ordinances and resolutions.

Section 10. Rules; Records

The Plan Commission, under sec. 62.23(2), Wis. Stats., may adopt rules for the transaction of its business, subject to Town ordinances, and shall keep a record of its resolutions, transactions, findings and determinations, which shall be a public record under secs. 19.21-19.39, Wis. Stats.

Section 11. Chairperson & Officers

- (1) Chairperson. The Plan Commission Chairperson shall be appointed and serve a term as provided in sections 5 and 6 of this ordinance. The Chairperson shall, subject to Town ordinances and Commission rules, provide leadership to the Commission, preside at Commission meetings and hearings, set meeting and hearing dates and agendas, and ensure that the laws are followed.
- (2) Vice Chairperson. The Plan Commission may elect, by open vote or secret ballot under sec. 19.88(1), Wis. Stats., a Vice Chairperson to act in the place of the Chairperson when the Chairperson is absent or incapacitated for any cause.
- (3) Secretary. The Town Board appoints a non-Plan Commission person as a non voting member as secretary or the Plan Commission shall elect, by open vote or secret ballot under sec. 19.88(1), Wis. Stats., one of its members to serve as secretary,

Section 12. Commission Members as Local Public Officials

All members of the Plan Commission shall faithfully discharge their official duties to the best of their abilities, as provided in the oath of office, sec. 19.01, Wis. Stats., in accordance with, but not limited to, the provisions of the Wisconsin Statutes on: Public Records, sec. 19.21-19.39; Code of Ethics for Local Government Officials, secs. 19.42, 19.58 & 19.59; Open Meetings, sec. 19.81-19.89; Misconduct in Office, sec. 946.12; and Private Interests in Public Contracts, sec. 946.13. Commission members shall further perform their duties in a fair and rational manner and avoid arbitrary actions.

Section 13. General & Miscellaneous Powers

The Plan Commission, under sec. 62.23(4), Wis. Stats., shall have the power:

- (1) Necessary to enable it to perform its functions and promote Town planning.
- (2) To make reports and recommendations relating to the plan and development of the Town to the Town Board, other public bodies, citizens, public utilities and organizations.
- (3) To recommend to the Town Board programs for public improvements and the financing of such improvements.
- (4) To receive from public officials, within a reasonable time, requested available information required for the Commission to do its work.
- (5) For itself, its members and employees, in the performance of their duties, to enter upon land, make examinations and surveys, and place and maintain necessary monuments and marks thereon. However, entry shall not be made upon private land, except to the extent that the private land is held open to the general public, without the permission of the landowner or tenant or an inspection warrant issued for cause under 66.0119 of Wis. Stats., or other court-issued warrant.

Section 14. Town Comprehensive Planning; General Authority & Requirements

The Plan Commission shall make and adopt a comprehensive plan under secs. 62.23 and 66.1001, Wis. Stats., Plan which contains the elements specified in sec. 66.1001(2), Wis. Stats, and follows the procedures in sec. 66.1001(4), Wis. Stats.

Section 15. Effective Date

Following passage by the Town Board, this ordinance shall take effect the day after the date of publication or posting as provided by sec. 60.80, Wis. Stats.

ADOPTED this 11th day of October, 2004.

Thomas W. Kettle (Town Board Chairperson)

Published this 14th day of October, 2005.

Attest: Kelly Gross (Town Clerk)