

**TOWN OF LEON PLAN COMMISSION
ORDINANCE**

The Town Board of the Town of Leon, Monroe County, Wisconsin does ordain as follows:

Section 1. Title

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

Section 2. Purpose

The purpose of this ordinance is to establish a Town of Leon 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. The Leon Plan Commission shall meet as a minimum twice per year and more often if requested by the Leon Town Board or Town Chairperson or by Commission Chairperson.

Section 3. Authority: Establishment (7 Member)

The Town Board of the Town of Leon, having been authorized by the Town meeting of sec. 60.10(2)©, Wisc. Stats., to exercise village powers, hereby exercises village powers under sec. 60.22(3) Wisc. Stats., and establishes a seven (7) member Plan Commission under secs. 61.35 and 62.23, Wisc. Stats. The Plan Commission shall be considered the "Town Planning Agency" under secs. 236.02(13) and 236.45, Wisc. Stats., which authorize, but do not require, Town adoption of a subdivision or other land division ordinance.

Section 4. Membership (7 Member)

The Plan Commission consists of one (1) member of the Town Board, the Town Clerk, and five (5) citizen members, who are not otherwise Town officials, who shall be persons of recognized experience and qualifications. (If the Town Clerk is not appointed by Town Chairperson, then there will be six (6) citizen members.)

Section 5. Appointments

The Town Board Chairperson shall appoint the members of the Plan Commission and designate a Plan Commission Chairperson during the month of April to fill any expiring term(s). (All appointments are subject to the advisory approval of the Town Board.) In a year in which any Town Board member is elected at the spring election, any appointment by the Town Board Chairperson shall be made after the election and qualification of the Town Board members elected. 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, Wisc. Stats.

Section 6. Terms of Office (With Citizen Member Terms Not Staggered)

The term of office for the Plan Commission Chairperson and each Commission member shall be for a period of three (3) years, ending on April 30, or until a successor is

appointed and qualified. However, the Plan Commission Chairperson or member who is a Town Board Chairperson or Town Board member shall serve on the Commission for a period of two (2) years, as allowed under sec. 66.0501(2), Wisc. Stats., concurrent with his or her term on the Town Board. An initial appointment of such Town Board Chairperson or Town Board member made after April 30 shall be for a term that expires two (2) years from the previous April 30.

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 Leon hereby sets a per diem allowance of \$50.00 per meeting for citizen and Town Board members of the Plan Commission, as allowed under sec. 66.0501(2), Wisc. Stats. In addition, the Town Board may reimburse reasonable costs and expenses, as allowed under sec. 60.321., Wisc. Stats.

Section 9. Experts & Staff

The Plan Commission may, under sec.62.23(1), Wisc. Stats., recommend to the Town Board the employment of experts and staff, and may review and recommend to the approval authority proposed payments under contract with an expert.

Section 10. Rules; Records

The Plan Commission, under sec. 62.23(2), Wisc. 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 to 19.39, Wisc. Stats.

Section 11. Chairperson & Officers

(1) Chairperson. The Plan Commission Chairperson shall be appointed and serve a term provided in sections 5 and 6 of this ordinance. The Chairperson shall, subject to Town ordinances and Commission rules:

- (a) provide leadership to the Commission;
- (b) set Commission meeting and hearing dates;
- (c) provide notice of Commission meetings and hearings and set their agendas, personally or by his or her designee;
- (d) preside at Commission meetings and hearings; and
- (e) 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), Wisc. 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 Plan Commission shall elect, by open vote or secret ballot under sec. 19.88(1), Wisc. Stats., one of its members to serve as Secretary, or, with the approval of the Town Board, designate the Town Clerk or other Town Officer or employee a 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, Wisc. Stats., in accordance with, but not limited to, the provisions of the Wisconsin Statutes on: Public Records, secs. 19.21 to 19.39; Code of Ethics for Local Government Officials. secs. 19.42, 19.58 & 19.59; Open Meetings, secs. 19.81 to 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), Wisc. 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 planning and development of the Town and 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. If such permission has been refused, entry shall be made under the authority of an inspection warrant issued for cause under sec. 66.0119, Wisc. Stats., or other court-issued warrant.

Section 14. 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, Wisc. Stats.

ADOPTED this _____ day of _____, 20__

_____ (Town Board Chairperson)

Published/Posted this _____ day of _____, 20__

Attest: _____ (Town Clerk)