

# *Wisconsin Municipal Law Codebook*

## *Cities, Towns, and Villages*

### Table of Contents

#### I. SELECTED STATUTES FROM CHAPTERS 13–995

##### **Chapter 13: Legislative Branch**

13.48 (13) Long-range public building program (application of laws, rules, codes, ordinances and regulations) .....	3
---	---

##### **Chapter 16: Department of Administration**

16.297 Grants for local government expenditures; moral obligation pledge .....	3
16.61 Records of state offices and other public records .....	3
16.612 Local government records; optical disc and electronic storage standards .....	6

##### **Chapter 17: Resignations, Vacancies, and Removals from Office**

17.001 Definition .....	6
17.01 Resignations to whom made; when effective .....	6
17.015 Municipal judge: multiple resignations.....	7
17.02 Notice of resignations.....	7
17.025 Temporary vacancies.....	7
17.03 Vacancies, how caused .....	8
17.035 Vacancies; military leaves .....	8
17.12 Removal and suspension of city officers .....	9
17.13 Removal of village, town, town sanitary district, school district, and technical college officers .....	9
17.14 Removal; assessors; boards of review; county boards; procedure.....	9
17.15 Removals; other officers.....	10
17.16 Removals; definition; procedure; disqualification .....	10
17.17 Notice of vacancies .....	11
17.23 Vacancies in city offices; how filled.....	11
17.24 Vacancies in village offices .....	12
17.245 New city, village or town office, filling.....	12
17.25 Vacancies in town offices; how filled .....	12

<b>Chapter 19: General Duties of Public Officials .....</b>	<b>13</b>
---	-----------

##### **Chapter 20: Appropriations and Budget Management**

20.931 Prohibited boycotts.....	53
---------------------------------	----

<b>Chapter 27: Public Parks and Places of Recreation</b>	
27.07 First class city option .....	53
27.075 County exercise of municipal park powers.....	53
27.08 City park board, powers .....	53
27.09 City forester, duties; tree planting .....	54
27.10 Taxation and finance .....	55
27.11 Board of public land commissioners.....	56
27.12 Nonliability .....	57
27.13 Town and village parks.....	57
27.14 Police protection.....	57
27.15 Moneys for cities of the 1st class, how disbursed.....	57
27.98 General penalty provision .....	58
27.99 Parties to a violation .....	58
<b>Chapter 30: Navigable Waters, Harbors and Navigation [Excerpts]</b>	
Subchapter II: Navigable Waters and Navigation in General .....	58
Subchapter III: Development and Operation of Harbors.....	93
<b>Chapter 32: Eminent Domain.....</b>	101
<b>Chapter 43: Libraries</b>	
43.30 Public library records .....	135
43.52 Municipal libraries .....	135
43.53 Joint libraries.....	136
43.54 Municipal library board composition .....	136
43.58 Powers and duties.....	137
<b>Chapter 51: State Alcohol, Drug Abuse, Developmental Disabilities and Mental Health Act</b>	
51.15 Emergency detention.....	138
<b>Chapter 60: Towns.....</b>	143
<b>Chapter 61: Villages .....</b>	183
<b>Chapter 62: Cities .....</b>	195
<b>Chapter 63: County and City Civil Service</b>	
Subchapter II: First Class City .....	247
<b>Chapter 64: Other Forms of City Government</b>	
Subchapter I: City Manager Plan.....	252

<b>Chapter 65: Municipal Budget Systems .....</b>	255
<b>Chapter 66: General Municipality Law.....</b>	263
<b>Chapter 67: Municipal Borrowing and Municipal Bonds .....</b>	487
<b>Chapter 68: Municipal Administrative Procedure .....</b>	503
<b>Chapter 70: General Property Taxes .....</b>	507
<b>Chapter 73: Tax Appeals Commission and Department of Revenue</b>	
73.01 (5)    Tax appeals commission (appeals to commission) .....	567
73.015    Review of determination of tax appeals commission .....	567
<b>Chapter 74: Property Tax Collection .....</b>	569
<b>Chapter 79: State Revenue Sharing</b>	
Subchapter I: Municipal and County Shared Revenue .....	587
<b>Chapter 82: Town Highways.....</b>	599
<b>Chapter 86: Miscellaneous Highway Provisions</b>	
86.51    Requirements for local projects.....	609
<b>Chapter 98: Weights and Measures</b>	
98.04    Municipalities .....	609
<b>Chapter 101: Department of Safety and Professional Services – Regulation of Industry, Buildings and Safety</b>	
101.123    Smoking prohibited .....	609
<b>Chapter 103: Employment Regulations</b>	
103.007    Local regulation of hours of labor and overtime; statewide concern; uniformity .....	611
103.12    Local regulation of employment benefits; statewide concern; uniformity .....	611
103.36    Employer right to solicit salary information of prospective employees; statewide concern; uniformity .....	612
<b>Chapter 111: Employment Relations</b>	
Subchapter IV: Municipal Employment Relations.....	612
<b>Chapter 125: Alcohol Beverages .....</b>	625

<b>Chapter 165: Department of Justice</b>	
165.98 Grants for body cameras for law enforcement officers .....	687
<b>Chapter 167: Safeguards of Persons and Property</b>	
167.10 Regulation of fireworks.....	687
<b>Chapter 173: Animals; Humane Officers</b>	691
<b>Chapter 174: Dogs.....</b>	699
<b>Chapter 175: Miscellaneous Police Provisions</b>	
175.095 Daylight saving time .....	705
175.10 Sale to employees prohibited .....	705
175.20 Amusement places, license, regulation.....	705
175.25 Storage of junked automobiles.....	705
175.44 Law enforcement use of force .....	705
175.46 Mutual aid agreements .....	706
<b>Chapter 213: Police and Fire Fighting Service</b>	
213.02 City and village fire company trustees: election, powers .....	707
213.03 City and village fire company trustees: term; vacancies .....	707
213.04 City and village fire companies: how disbanded .....	707
213.05 Organization of town fire companies.....	707
213.06 Purposes of town fire companies; refusal to act.....	707
213.07 Town fire company reports; exemptions.....	708
213.08 What is a town fire department .....	708
213.095 Police power of fire chief, rescue squads.....	708
213.13 Rest days for fire fighters.....	708
<b>Chapter 281: Water and Sewage</b>	
281.31 Navigable waters protection law .....	708
<b>Chapter 287: Solid Waste Reduction, Recovery and Recycling</b>	
287.09 Municipal and county duties and powers.....	709
287.093 Lien of recycling fees .....	710
287.095 Responsible unit liability .....	710
287.10 Limit on local regulation.....	710
287.11 Effective recycling programs.....	710
287.13 Municipal waste flow control; required use of recycling or resource recovery facility .....	711
<b>Chapter 323: Emergency Management .....</b>	717

<b>Chapter 341: Registration of Vehicles</b>		
341.35        Municipal or county vehicle registration fee .....		739
<b>Chapter 345: Vehicles – Civil and Criminal Liability</b>		
345.05        Municipal liability for motor vehicle accidents.....		739
<b>Chapter 349: Vehicles – Powers of State and Local Authorities.....</b>		741
<b>Chapter 440: Department of Safety and Professional Services</b>		
440.465        Limitations on local and other regulation .....		757
<b>Chapter 703: Condominiums</b>		
703.115        Local review of condominium instruments .....		757
<b>Chapter 755: Municipal Court.....</b>		759
<b>Chapter 778: Collection of Forfeitures</b>		
778.10        Municipal forfeitures, how recovered.....		763
778.20        Who liable for costs.....		763
<b>Chapter 779: Liens</b>		
779.14        Public works, form of contract, bond, remedy .....		763
779.15        Public improvements; lien on money, bonds, or warrants due the prime contractor; duty of officials .....		765
779.155        Judgment creditors, attachment of funds due to public contractors.....		765
<b>Chapter 781: Extraordinary Remedies</b>		
781.10        Certiorari review of certain local decisions.....		766
<b>Chapter 800: Municipal Court Procedure .....</b>		767
<b>Chapter 809: Rules of Appellate Procedure</b>		
809.108        Appeals in proceedings related to political subdivision approvals .....		777
<b>Chapter 814: Court Costs, Fees, and Surcharges</b>		
814.65        Fees of the municipal court .....		777
814.705        Governing body may establish higher fees.....		777
814.71        Fees of city police, constables and village marshals .....		777
814.78        Surcharges in ch. 66 forfeiture actions .....		777
814.79        Surcharges in ch. 345 forfeiture actions .....		778
814.81        Surcharges in ch. 800 forfeiture actions .....		778
<b>Chapter 823: Nuisances .....</b>		779

<b>Chapter 840: Real Property Actions; General Provisions</b>		
840.10	Lis pendens; who may file; effect when void; discharge .....	787
<b>Chapter 885: Witnesses and Oral Testimony</b>		
885.04	Municipal judge; subpoena served in state.....	787
885.07	State witnesses in civil actions and municipal witnesses in forfeiture actions, how paid .....	787
<b>Chapter 887: Depositions, Oaths and Affidavits</b>		
887.20	Deposition in municipal court .....	787
<b>Chapter 889: Documentary and Record Evidence</b>		
889.04	County and municipal ordinances .....	788
889.13	Transcript of municipal court records .....	788
889.14	Proof of unrecorded proceedings before municipal judge .....	788
<b>Chapter 893: Limitations of Commencement of Actions and Proceedings; Procedure for Claims Against Governmental Units</b>		
893.38	Extension of certain approvals.....	788
893.80	Claims against governmental bodies or officers, agents or employees; notice of injury; limitation of damages and suits .....	789
893.83	Damages caused by accumulation of snow or ice; liability of city, village, town, and county .....	794
<b>Chapter 895: Damages, Liability, and Miscellaneous Provisions</b>		
<b>Regarding Actions in Courts</b>		
895.35	Expenses in actions against municipal and other officers .....	795
895.46	State and political subdivisions thereof to pay judgments taken against officers .....	795
895.463	Zoning ordinances .....	797
895.476	Civil liability exemption; exposure to the novel coronavirus SARS-CoV-2 or COVID-19 .....	797
895.4801	Immunity for health care providers during COVID-19 emergency .....	797
895.52	Recreational activities; limitation of property owners' liability.....	798
895.529	Civil liability limitation; duty of care owed to trespassers .....	801
<b>Chapter 902: Evidence — Judicial Notice</b>		
902.03	County and municipal ordinances; administrative rules of state and federal agencies .....	801
<b>Chapter 946: Crimes Against Government and Its Administration</b>		
Subchapter II: Bribery and Official Misconduct .....		801

<b>Chapter 985: Publication of Legal Notices; Public Newspapers; Fees</b>	
985.01 Definitions.....	804
985.02 Method of notification.....	805
985.03 Qualifications of newspapers.....	805
985.05 Official municipal newspapers .....	805
985.06 Official city newspaper .....	806
985.07 Classes and frequency of legal notices.....	806
985.075 Substance of 2nd and 3rd insertions .....	806
985.08 Fees for publishing .....	806
985.09 Computation of time, Sundays, legal holidays.....	807
985.10 Publication on Sunday .....	807
985.11 Fees and work on Sunday.....	807
985.12 Proof of publication .....	807
985.13 Change of name or discontinuance of paper .....	807
985.14 Refusal to publish .....	808
985.15 Forfeiture for refusal to publish.....	808
<b>Chapter 992: Curative Acts</b>	
992.23 Validation of actions; county zoning .....	808
<b>Chapter 995: Miscellaneous Statutes</b>	
995.20 Legal holidays .....	808

## II. SELECTED WISCONSIN CONSTITUTIONAL PROVISIONS

<b>Article I. Declaration of Rights</b>	
Sec. 13 Private property for public use .....	811
<b>Article IV. Legislative</b>	
Sec. 23 Town and county government.....	813
<b>Article VII. Judiciary</b>	
Sec. 14 Municipal court .....	813
<b>Article XI. Corporations</b>	
Sec. 2 Property taken by municipality .....	813
Sec. 3 Municipal home rule; debt limit; tax to pay debt .....	813
Sec. 3a Acquisition of lands by state and subdivisions; sale of excess.....	814

## III. SELECTED WISCONSIN ADMINISTRATIVE CODE PROVISIONS

Adm 12 Electronic Records Management—Standards and Requirements .....	819
Adm 92 Relocation Assistance .....	821

## INDEX

