

Sample Ordinances for Board of Review Membership Based on s. 70.46(1), Wisconsin Statutes*

EXAMPLE #1

(1) MEMBERSHIP. The Board of Review shall consist of: (a) The Village President; except that if the Village President is absent, refuses, or is otherwise unavailable to hear an objection, a Village Trustee appointed as an alternate by the Village President, subject to confirmation by the Village Board each year, additionally, if the Village President is absent, refuses or is otherwise unavailable to hear an objection, the Deputy Village Clerk shall serve; (b) The Clerk; except that if the Village Clerk is absent, refuses, or is otherwise unavailable to hear an objection, the Deputy Village Clerk shall serve; and (c) One Village Trustee appointed annually by the President, subject to confirmation by the Village Board, during the month of April; except that if said Trustee is absent, refuses, or is otherwise unavailable to hear an objection, a Village Trustee appointed as an alternate by the Village President, subject to confirmation by the Village Board each year, additionally, if the Village Trustee is otherwise unavailable to hear an objection, the Deputy Village Clerk shall serve.

(2) ORGANIZATION. At the first meeting of the Board, to be held on the second Monday in May (pursuant to State Statutes), the members shall organize by the election of a chairman and a vice-chairman. The Clerk shall act as a secretary of the Board.

EXAMPLE #2

(1) MEMBERSHIP. (a) The Board of Review shall consist of five (5) members and two (2) alternates and shall be residents of the City, none of whom shall be an elected City official. The members shall be appointed by the Mayor with the approval of the Common Council and shall serve for terms of two (2) years, commencing on May 1st in the particular year for which appointed, or until their successors are appointed and qualified. The Mayor shall stagger the terms of the first appointments as one- or two- year terms, in order to have subsequent appointments for each year. (b) The City Clerk or Deputy Clerk shall serve as the clerk for the Board of Review.

(2) DETERMINATION OF APPEALS. All other provisions of §70.47, Wis. Stats., regarding hearing and determining appeals are applicable.

(3) COMPENSATION. Compensation for the members of the Board of Review shall be established from time to time by resolution of the Common Council.

(4) TRAINING. As provided under §70.46(4), Wis. Stats., the Board of Review may not be constituted unless it includes one voting member who has within two years of the first meeting attended a training session under §73.03(55), Wis. Stats.

EXAMPLE #3

The Supervisors shall constitute the Board of Review for the Town. The Town Clerk shall be the clerk of the Board of Review and shall keep an accurate record of all of its proceedings. In addition, alternate members may be appointed and may serve as follows. Alternate members shall be Town residents, and may include public officers and public employees. One alternate member shall be appointed annually by the Town Chair, subject to the confirmation of the Town Board, for a term of three years, provided that initially three alternate members shall be appointed for terms of one, two and three years respectively. At the time of their appointment, each alternate members shall be designated either as first, second or third alternate, to establish the priority of all alternate members, and this priority may be revised annually by the Town Chair subject to the confirmation of the Town Board. The first alternate member shall act with full power when one member is absent, refuses, or is otherwise unavailable to hear an objection. The second alternate member shall act with full power when two members (or one member and the first alternate member) are absent, refuse, or are otherwise unavailable to hear an objection. The third alternate member shall act with full power when three members (or two members and the first or second alternate member; or one member and the first and second alternate members) are absent, refuse, or are otherwise unavailable to hear an objection. The members and alternate members of the Board, except those who are full-time officials of the Town, shall receive such compensation as shall be fixed by resolution of the Town Board.

**These are samples only. Not meant to be how towns, villages and cities must write their own ordinance. Each municipality must develop their own ordinance, picking and choosing some of the above language. It is recommended that any such ordinance be reviewed by your municipal attorney.*