

Town of Casey
Plan Commission Ordinance # 5-04

The Town Board of the Town of Casey, Washburn County, Wisconsin does ordain as follows:

SECTION 1. Title

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

SECTION 2. Purpose

The purpose of this ordinance is to establish a Town of Casey 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

The Town Board of the Town of Casey, having been authorized by the Town meeting under Sec. 60.11(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.

SECTION 4 Membership

The Town Plan Commission shall consist of five (5) members. The members shall be appointed by the Town Chairperson including the presiding officer. The Town Board Chairperson may appoint himself or herself to the commission as well as other town elected or appointment official, but there shall always be at least four (4) citizen members who are not town officials.

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. 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 or designation 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 with five (5) days of notice of appointment, as provided under Secs. 19.01 and 60.31 Wis. Stats.

Vacancies shall be filled for the unexpired terms of the members. The Town Chairperson shall appoint persons to fill vacancies subject to approval by the Town Board.

SECTION 6 Terms of Office (With Member Terms Staggered)

The term of office for the Plan Commission Chairperson and each Commission member shall be for a period of three (3) years, ending April 30, or until a successor is appointed and qualified, except for first appointed members. The first appointed members shall serve the following terms:

- One (1) person shall serve for one (1) year ending April 30, 2005
- Two (2) persons shall serve for two (2) years ending April 30, 2006
- Two (2) persons shall serve for three (3) years ending April 30, 2007.

The five (5) members, upon creation of the Commission, will hold office from the succeeding first day following the creation of the Commission.

SECTION 7 Vacancies

Plan Commission members may be removed for cause upon written charges by the Town Board.

SECTION 8 Compensation: Expenses

The Town Board of the Town of Casey hereby sets a per diem allowance of twenty (20) dollars per meeting for members 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., recommend to the Town Board the employment of experts and staff, and may review and recommend to the approval authority proposed payments under any contract with an expert.

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 SECTION 4 and SECTION 5 and SECTION 6 of this ordinance. The Plan Commission Chairperson shall, subject to Town ordinances and Plan Commission rules:
 - (a) provide leadership to the Plan Commission;
 - (b) set Plan Commission meetings and hearing dates;
 - (c) provide notice of Plan Commission meetings and hearings and set their agendas, personally or by his or her designee;
 - (d) preside at Plan 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), Wis. Stats., a Vice Plan Commission Chairperson to act in the place of the Plan Commission Chairperson when the Plan Commission Chairperson is absent or incapacitated for any cause.
- (3) Secretary. The Plan Commission may elect, by open vote or secret ballot under Sec. 19.88 (1), Wis. Stats., one of its members to serve as Secretary.

SECTION 12. Organization

The Plan Commission shall organize and adopt rules for its own governance in accordance with the provisions of this ordinance.

Meetings *shall be* held quarterly or at the call of the Plan Commission Chairperson or a majority of the full membership of the Plan Commission and shall be open to the public.

Special and Standing Committees may be appointed by the Plan Commission Chairperson.

Quorum shall be three (3) members, but all actions shall require approval of a majority of the full Plan Commission except a motion to adjourn.

A Written Record shall be kept showing all actions taken, resolutions, findings, determinations, transactions, and recommendations made; and a copy shall be filed with the Town Clerk as a public record.

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, 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 land owner or tenant. If such entry permission has been refused, entry shall be made under the authority of an inspection warrant issued for cause under Sec. 66.0119, Wis. Stats., or other court-issued warrant.

SECTION 14. Town Comprehensive Planning: General Authority & Requirements

- (1) The Plan Commission shall make and adopt a comprehensive plan under Secs. 62.23 and 66.1001, Wis. Stats., which contains the elements specified in Sec. 66.1001(2), Wis. Stats, and follows the procedures in Sec. 66.1001(4), Wis. Stats. The plan shall be made with the general purpose of guiding and accomplishing a coordinated and harmonious development of the municipality which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity, or the general welfare, as well as efficiency and economy in the process of development.
- (2) The Plan Commission shall make and adopt the comprehensive plan within the time period directed by the Town Board, but not later than a time sufficient to allow the Town Board to review the plan and pass an ordinance adopting it to take effect on or before January 1, 2010, so that the Town comprehensive plan is in effect by the date on which any Town program or action affecting land use must be consistent with the Town comprehensive plan under Sec. 66.1001(3), Wis. Stats.
- (3) In this section the requirement to “make” the plan means that the Plan Commission shall ensure that the plan is prepared, and oversee and coordinate the preparation of the plan, whether the work is performed for the Town by the Plan Commission, Town staff, another unit of government, the regional planning commission, a consultant, citizens, an advisory committee, or any other person, group or organization.
- (4) To make reports and recommendations, relating to the development of the town to public officials, agencies, utilities, and other organizations and citizens.
- (5) To make and recommend an Official Map to the Town Board in accordance with Sec. 62.23(6) Wis. Stats.
- (6) To prepare and recommend a Future Land Use Map as a guide to Washburn County Zoning Ordinance.
- (7) To prepare and recommend , if needed, Land Division Regulations to the Town Board in accordance with Sec. 236.45 of the Wis. Stats.
- (8) To make any changes to the Comprehensive Plan and recommend any changes or amendments to the Town Board deemed necessary or desirable concerning the Official Map, Zoning and Land Division Ordinances.
- (9) To consider , report, and recommend on all matters referred to them.

SECTION 15. Additional Powers and Duties

The Plan Commission shall have all additional powers and duties granted or assigned by the Town Board or by Town Ordinances. All the powers and duties granted or assigned by the Wisconsin Statutes to Planning Commissions and any amendments thereto are hereby granted or assigned to the Planning Commission and such Statutes are hereby adopted by reference.

SECTION 16. Severability and Conflict


If any section or part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

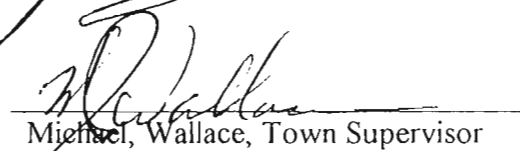
SECTION 17. Effective Date

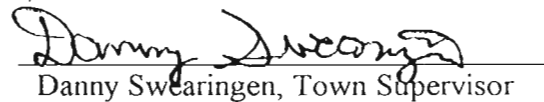
Following passage by the Town Board, this ordinance shall take effect the day after the date of publication or posting as provided by Sec. 60.80, Wis. Stats.

Adopted 12th day of May, 2004.

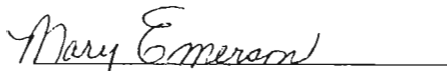
Posted
Published 14 day of May, 2004.


Gene Bethel, Town Chairman


Michael Wallace, Town Supervisor


Danny Swearingen, Town Supervisor

Attest,


Mary Emerson, Town Clerk