

STATE OF WISCONSIN

WAUKESHA COUNTY

TOWN OF DELAFIELD

ORDINANCE NO. 2009-005

AN ORDINANCE TO REPEAL AND RECREATE SECTION 1.04(2)
OF THE TOWN OF DELAFIELD CODE OF ORDINANCES
TO PROVIDE FOR APPOINTMENT OF A CLERK-TREASURER
FOR THE TOWN OF DELAFIELD

WHEREAS, at the Town Meeting on August 11, 2009, the electors for the Town of Delafield granted the Town Board authority to appoint a combined Clerk-Treasurer for the Town of Delafield pursuant to Sections 60.0305(1) and 60.10(1)(b)(2) of the Wisconsin Statutes; and

WHEREAS, it is necessary to revise Subsection (2) of Section 1.04, "Appointed Officials", of the Town of Delafield Code of Ordinances to reflect the authority granted by the Town electors;

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF DELAFIELD DO ORDAIN AS FOLLOWS:

SECTION 1: Chapter 1, "General Provisions as to Officials, Section 1.04, "Appointed Officials", Subsection (2) of the Town of Delafield Code is hereby repealed and recreated to read as follows:

(2) In addition to the Town officials appointed under Section 1.04(1), the Town Board shall appoint by a majority of the members-elect of the Town Board as defined by Wisconsin Statute § 59.001(2m) a Town Clerk-Treasurer as authorized by the Town meeting under Wisconsin Statute §§ 60.10(1)(b)2m, 60.0305(1), and 60.10(1)(b)(2). The initially appointed Town Clerk-Treasurer shall be appointed pursuant to Wisconsin Statute § 60.30(1)(e), (f) and (g) and shall not take office until the term of the incumbent Town Clerk expires, which shall be the earlier of December 31, 2009, or the date that a vacancy in such office occurs under Wisconsin Statute § 17.03. The initial term of office of the appointed Town Clerk-Treasurer shall commence upon the filing of the appointed Clerk-Treasurer's oath of office under Wisconsin Statute § 19.01 and end on December 31, 2010. The term of office for the Town Clerk-Treasurer thereafter shall be for one calendar year commencing on January 1st of each year. The person appointed to the position of Town Clerk-Treasurer may be reappointed and may be dismissed by the Board only for cause as defined in Wisconsin Statute § 17.001.

SECTION 2: SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any


other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

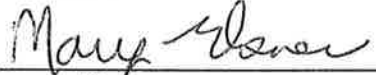
This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Passed and approved this 11th day of August, 2009.

Town of Delafield

By: 
Paul Kanter, Town Chairman

ATTEST:


Mary Elsher, Town Clerk

Published/posted this 18th day of August, 2009.