



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 173
[2009 Assembly Bill 213]

**Laws Applicable to Cities and
Villages**

2009 Wisconsin Act 173 does the following:

1. Requires compensation for city and village elective offices to be established before the earliest time for filing nomination papers for the office (or, if nomination papers are not used for an elective village office, before the caucus date for that office). In so providing, the Act repeals prior language regarding the establishment of salaries for elective city offices and appointive city offices with definite terms. Also, for consistency with law that applies to cities, the Act removes the requirement that the salary of a village president and village board member be an “annual” salary.
2. Makes the bidding procedure for village public construction contracts consistent with the bidding procedure that applies to city public construction contracts. Prior to the Act, villages had the option to use the city procedure.
3. Provides that persons serving in city appointive offices serve until their respective successors are appointed and qualify, for consistency with current village law. For both cities and villages, the bill allows an ordinance to provide otherwise.
4. Authorizes, consistent with law that applies to city public construction contracts, a village by resolution or ordinance to alter the statutory requirement that the village president and clerk execute all contracts, conveyances, commissions, licenses, or other written instruments.
5. Repeals officer-of-the-peace status of village board members for consistency with the former repeal of police powers for city council members.
6. Repeals the directive that applied to city clerks, but not village clerks, to annually publish as a Class 1 notice a statement showing the receipts and disbursements as to each fund during the preceding fiscal year.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.

7. Extends the authority of first, second, and third class cities to regulate political signs larger than 11 square feet in area to include fourth class cities and villages.

8. Repeals the statute providing that counties and cities were strictly liable, subject to contributory negligence principles, for injuries to persons or property caused by a mob or riot within their respective jurisdictions.

9. Consistent with law that applies to villages, expressly authorizes cities to contract for police protection with a village, town, another city, or a county and authorizes cities to contract for fire protection with a village, town, or another city.

10. Clarifies that the condemnation procedure under s. 32.05, Stats., may be used for certain housing and urban renewal condemnation in villages, as well as in cities.

11. Authorizes a first class city, consistent with the authority of other classes of cities and of villages, to use the bidder prequalification procedure for public contracts.

Effective date: The Act took effect on March 30, 2010.

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