

ORDINANCE NO. 537

An Ordinance to Repeal and Recreate Sections 1.03; 1.05(3); 1.15(4)[e]1.; 2.20(3)[c]; 2.21(4)[a]; 2.35(2)[b]; 2.35(4)[b]; 2.35 (5)[a]; 2.40(6)[c]; 3.08(2)[b]; 8.04(2)[g]; 8.08(2)[a]; 8.09[e]; 9.05 A.; 10.01(3); 10.03(3); 11.02(3); 11.02(4); 13.13(3)[e]; 13.13(3)[g]; 14.04(3); 14.07(1); 14.07(2); 15.02(2)[a]; 15.02(6); 16.03(14); and 31.07(1) and to Repeal Section 2.22 of the General Ordinances of the Village Of River Hills

The Village Board of the Village of River Hills, Milwaukee County, Wisconsin, does ordain as follows:

Section I. Section 1.03 "Financial Procedure" of Chapter One (1) of the General Ordinances of the Village of River Hills is hereby repealed and recreated to read as follows:

Section 1.03. FINANCIAL PROCEDURE. Pursuant to the provisions of Section 66.0609, Wisconsin Statutes, an alternative system for the approval of financial claims against the Village of River Hills Treasury is hereby provided, to-wit:

(1) Auditing and Approving Claim. Payment of a claim other than claims subject to Section 893.80 Stats., may be made from the Village Treasury provided that the Village Clerk shall have audited and approved each claim and he or she and the Village Manager shall have each endorsed their approval thereon, after determining that there has been a compliance with the following conditions, to-wit:

[a] That the funds are available therefor, pursuant to the budget approved by the Village Board.

[b] That the item or service covered by such claim has been duly authorized by the proper official, department head, board or committee.

[c] That the item or service has been actually supplied or rendered in conformity with such authorization.

[d] That the claim is just and valid, pursuant to law.

The Clerk may require the submission of such proof and evidence to support the foregoing as he or she may deem necessary in his or her discretion.

(2) List of Claims Filed Monthly. The Village Clerk shall file with the Village Board, at each monthly meeting of the Board, a list of the claims approved, showing the date paid, the name of the claimant and the purpose and amount thereof. The Village Board shall thereupon, by motion, approve or disapprove the said list of claims.

(3) Detailed Annual Audit. There shall be an annual detailed audit of the financial transactions and accounts of the Village of River Hills by a public accountant licensed under the

provisions of Chapter 442, Stats., the designation to be made by the Village Board.

(4) Clerk's Fidelity Bond. In order that the procedure outlined in this section may be applicable, the Village Clerk is hereby required to furnish to the Village a fidelity bond of not less than Twenty Thousand (\$20,000.00) Dollars.

(5) Claim Procedure Inapplicable. The claim procedure required by Sections 62.25(1) and 61.51, Wis. Stats. and other relevant provisions, except Section 893.80, Stats., shall not be applicable to the Village of River Hills.

(6) Village Treasury Disbursements. Pursuant to the provisions of Section 66.0607(3) of Wisconsin Stats., all disbursements from the Village Treasury shall be by order check signed by the Village Clerk and Village Treasurer, or their duly authorized deputies. All checks in excess of Twenty-Five Thousand (\$25,000.00) Dollars shall be countersigned by the Village President.'

Section II. Subsection 3 of Section 1.05 "Office of Village Manager" of Chapter One (1) of the General Ordinances of the Village of River Hills is hereby repealed and recreated to read as follows:

'Section 1.05. OFFICE OF VILLAGE MANAGER.

- (3) Powers and Duties. The Village Manager shall have the following powers and duties, to-wit:
- [a] To attend all meetings of the Village Board unless excused by the Board.
 - [b] To keep the Village Board advised concerning developments pertaining to the Village administration, business affairs.
 - [c] To make recommendations from time to time for the improvement of the efficiency and quality of the services performed by the Village.
 - [d] To appoint, and when necessary for the good of the service, suspend or remove employees of the Village, except as he or she may authorize the head of a department or office to appoint, suspend, or remove subordinates in such department or office.
 - [e] To perform, ex-officio, the duties of superintendent of the Police and Fire Departments of said Village.
 - [f] To have charge of the operation and maintenance of all Village owned property, lands, buildings, improvements, and equipment, and all public ways, ditches, drains, storm sewers, water mains and water hydrants.

- [g] To take charge of the construction of all public ways, public works and improvements, undertaken directly by the Village of River Hills.
- [h] To purchase all items of materials, supplies, or equipment, for which funds are provided in the budget; and to obtain three bids in each case, if feasible.
- [i] To recommend to the Village Board from time to time the purchase of items of materials, supplies or equipment.
- [j] To prepare and submit annually to the Village board, as of the end of each fiscal year, a complete report on the financial condition and administrative activities of the Village for such year.
- [k] To prepare and submit annually to the Village Board a financial budget of anticipated income and expenditures for the ensuing fiscal year; and to supervise the administration of such budget as adopted.
- [l] To perform such other duties as may be delegated to the Manager by the Village Board, or any committee thereof.'

Section III. Subsection (4)[e] 1. of Section 1.15 Public Records of Chapter One (1) of the General Ordinances of the Village of River Hills relating to Village Government is hereby repealed and recreated to read as follows:

'(4) Public Access to Records.

[e] A requester shall be charged a fee to defray the cost of locating and copying records as follows:

1. The cost of photocopying shall be as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website. Said cost has been calculated not to exceed the actual, necessary and direct cost of reproduction.'

Section IV. Subsection (3)[c] of Section 2.20 Transient Merchants of Chapter Two (2) of the General Ordinances of the Village of River Hills relating to Police and Fire Regulations is hereby repealed and recreated to read as follows:

'**Section 2.20 TRANSIENT MERCHANTS.**

(3) Registration Required.

[c] At the time the registration is filed with the clerk, a fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board shall be paid to the Clerk to cover the cost of processing said registration. The Resolution and

the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website. Upon payment of said fee, submission of a properly completed and signed registration application, and the receipt of a clear report from the Chief of Police or his designee, the Clerk shall register the applicant as a transient merchant, date the entry, and issue a Registration Identification to the applicant. Said Registration Identification shall be valid for a period of one year from the date of entry, subject to subsequent refusal as provided below. Complete registration and fee shall be required of each individual, whether principal, agent, or employee who transacts any transient merchants business in the Village.'

Section V. Subsection (4)[a] of Section 2.21 Solicitors of Chapter Two (2) of the General Ordinances of the Village of River Hills relating to Police and Fire Regulations is hereby repealed and recreated to read as follows:

(4) Fees. [a] The fee for a Registration Identification hereunder shall be as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board per person for each member of an organization actually performing solicitation. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.'

Section VI. Section 2.22 of Chapter Two (2) of the General Ordinances of the Village of River Hills relating to Police and Fire Regulations is hereby repealed.

Section VII. Subsection (2)[b] of Section 2.35 of Chapter Two (2) of the General Ordinances of the Village of River Hills relating to Police and Fire Regulations is hereby repealed and recreated to read as follows:

'Section 2.35. PRIVATE ALARM SYSTEMS.

(2) Permits.

[b] Permit Fee. A permit fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board for each type of alarm system shall be paid at the time of filing an appropriate application for a permit. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.'

Section VIII. Subsection (4)[b] of Section 2.35 of Chapter Two (2) of the General Ordinances of the Village of River Hills relating to Police and Fire Regulations is hereby repealed and recreated to read as follows:

'[b] Deposit Required. In addition to the permit fee required by this ordinance, all permit holders shall maintain on deposit with the Village the sum as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board for each permit issued, as security for the payment of forfeitures in the event of a false alarm. All permit holders shall redeposit such sum of money as has been forfeited within ten (10) days after receipt of notice to do so. Failure to maintain the deposit shall be cause for cancellation of the permit. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.'

Section IX. Subsection (5)[a] of Section 2.35 of Chapter Two (2) of the General Ordinances of the Village of River Hills relating to Police and Fire Regulations is hereby repealed and recreated to read as follows:

‘(5) Forfeitures. [a] For each false alarm, resulting in the dispatching of police personnel, the permittee shall be subject to a forfeiture of an amount as amended from time to time by Resolution of the Village Board for each such false alarm to be deducted from the deposit of the permittee. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.’

Section X. Subsection (6)[c] of Section 2.40 of Chapter Two (2) of the General Ordinances of the Village of River Hills relating to Police and Fire Regulations is hereby repealed and recreated to read as follows:

‘(6) Special Permits.
[c] All applications for special use permits shall be filed in duplicate with the Village Clerk and shall be accompanied by a filing fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board for each permit requested. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.’

Section XI. Subsection 3.08(2)[b] of Chapter 3 Traffic Code of the General Ordinances of the Village of River Hills is hereby amended to read as follows:

‘Section 3.08. BICYCLE REGULATIONS.

(2) Registration of Bicycles. It shall be unlawful for any person to operate or use any bicycle upon any of the streets or public highways of this Village, without first obtaining a license therefor, and unless said bicycle is properly registered and tagged as follows:

[b] Upon the filing of an application for registration of a bicycle and the payment of a license fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board, the Chief of Police shall issue to the applicant a Registration Certificate identifying the bicycle, which Certificate shall entitle the registered bicycle to be operated upon the streets and highways of the Village for as long as the applicant is the owner of the bicycle. There shall be affixed to the frame of the bicycle in a conspicuous place, a license tag numbered as specified in the Registration Certificate which license tag shall be issued by the Village. In the event of the theft or loss of the license tag, the Police Chief shall issue a duplicate license tag upon payment of a fee covering the actual cost to the Village of such license tag. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.’

Section XII. Subsection 8.04(2)[g]; 8.08(2)[a]; and 8.09[e] of Chapter 8 Subdivision Control of the General Ordinances of the Village of River Hills is hereby amended to read as follows:

‘Section 8.04. PROCEDURE.

(2) Preliminary Plat.

[g] All requests for approval of preliminary plats shall be accompanied by a filing fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board for subdivisions not exceeding ten (10) lots. An additional filing fee shall be paid for all subdivisions containing more than ten (10) lots. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.’

‘Section 8.08. REGULATION OF DIVISIONS OF LAND OTHER THAN SUBDIVISIONS.

(2) Certified Survey Maps. [a] (1) Procedure. The divider shall file a certified survey map with the Village Clerk together with a filing fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board. Within ninety (90) days after such filing, the Village Board shall either approve, conditionally approve or reject the map. The divider shall be notified in writing of any conditions of approval or the reasons for rejection. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.’

‘Section 8.09. OFFICIAL MAP.

[e] All requests for amendment to the Official Map shall be accompanied by a filing fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.’

Section XIII. Subsection 9.05(A.) of Chapter 9 Right-of-Way Management of the General Ordinances of the Village of River Hills is hereby amended to read as follows:

‘Section 9.05 EXCAVATION PERMIT FEE.

A. The Excavation Permit Fee has been determined by the Village to be an amount sufficient to recover the costs incurred by the Village. This fee shall recover administrative and inspection costs incurred by the Village. No repair fee shall be collected by the Village, however the Permittee shall be required to repair the public right-of-way to Village specifications, subject to inspection and acceptance by the Village, as per Sec. 9.08, Inspection. The Village may require a repair or restoration bond in an amount based upon the Village’s estimate of costs to repair and restore an excavation site. The Public Right-of-Way Excavation Permit Fee Schedule as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board for Road and Terrace Work. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.

Section XIV. Subsection 10.01(3) and 10.03(3) of Chapter 10 Highway and Highway Drainage of the General Ordinances of the Village of River Hills is hereby amended to read as follows:

‘Section 10.01. ISSUANCE OF PERMIT.

(3) Permit Fee. There shall accompany said application for a culvert permit a permit fee together with a deposit as set forth in the schedule of fees as adopted and subject to amendment from

time to time by Resolution of the Village Board to cover the actual expenses incurred by the Village. Any excess of said deposit over such expenses shall be refunded and all expenses incurred by the Village in excess of such deposit shall be paid by the permittee. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.'

'Section 10.03. REGULATIONS FOR CONSTRUCTION OF A HIGHWAY OR DRIVEWAY TO SERVE MORE THAN ONE PARCEL.

(3) Permit Fee. All such applications for a permit to construct a highway or driveway to serve more than one parcel of land shall be accompanied by a filing fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.'

Section XV. Subsection 11.02(3) and 11.02(4) of Chapter 11 Crossing of Natural Water Courses of the General Ordinances of the Village of River Hills is hereby amended to read as follows:

'Section 11.02. PERMIT REQUIREMENTS.

(3) Permit Fee. A permit fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board shall accompany the application at the time of filing thereof. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.

(4) Deposit. A deposit as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board shall be submitted at the time of filing the application for the purpose of covering any expenses the Village may incur for engineering services in the approval or preparation of plans and specifications, the supervision of the construction of any such crossing, or otherwise attending upon the application and permit herein involved. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.

In the event that the estimated costs to be incurred by the Village are in excess of what was estimated by the Village Manager, the deposit shall be to an amount as estimated by the Village Manager. Any excess of said deposit over such expenses shall be refunded and all such expenses above the deposit shall be paid by the permittee.'

Section XVI. Subsection 3[e] and 3[g] of Section 13.13 Private Sewage Systems of Chapter Thirteen (13) of the General Ordinances of the Village of River Hills relating to the Plumbing, Sewage Disposal and Water Pump Installation Regulations is hereby repealed and recreated to read as follows:

'Section 13.13 PRIVATE SEWAGE SYSTEMS.

(3) Definitions.

[e] "Conventional private sewage system" or "conventional system" means a type of private sewage system of which all the components relative to the design, installation, operation

and maintenance conform to the standards addressed or permitted under Ch. SPS 383, Wis. Adm. Code. Types of conventional systems include:

1. Gravity flow soil absorption systems;
2. Pressure distribution soil absorption systems;
3. Mound system; and
4. Holding tanks.

[g] "Alternative private sewage system" or "alternative system" means a type of private sewage system of which all or part of the design involves new or innovative concepts for the disposal of wastewater either not addressed or permitted by the standards of Ch. SPS 383 Wis. Admin. Code relative to soil conditions, site conditions, construction techniques or operation or maintenance practices.

Section XVII. Subsection three (3) of Section 14.04 Electrical Inspector of Chapter Fourteen (14) of the General Ordinances of the Village of River Hills relating to the Electrical Code is hereby repealed and recreated to read as follows:

‘(3) Powers; Duties. The Electrical Inspector shall have the power and it shall be his duty to enforce the provisions of this Code and all laws and orders relating to electrical installations, equipment, fixtures, and buildings, insofar as they may relate to matters involving such electrical installations, as may be laid down from time to time by the Wisconsin Department of Safety and Professional Services. For this purpose, he shall have the right to enter into buildings and premises and make inspection thereof at all reasonable hours and no person shall interfere with nor refuse to permit access to any such buildings or premises by such Electrical Inspector. It shall be his duty to require the production of a permit for any electrical work being done or the required license therefor and to make all inspections required by this chapter in the manner set forth herein and as may be further directed by the Village Manager.’

Section XVIII. Subsection one (1) of Section 14.07 Other Provisions Adopted of Chapter Fourteen (14) of the General Ordinances of the Village of River Hills relating to the Electrical Code is hereby repealed and recreated to read as follows:

‘(1) Supplement to Code. The provisions of this Code shall supplement any laws of the State of Wisconsin, and orders, rules, and regulations of the Wisconsin Department of Safety and Professional Services relating to electrical installations, alterations, or repair.’

Section XIX. Subsection two (2) of Section 14.07 Other Provisions Adopted of Chapter Fourteen (14) of the General Ordinances of the Village of River Hills relating to the Electrical Code is hereby repealed and recreated to read as follows:

‘(2) Conflict. Where requirements of the State Law, the order, rules and regulations of the Department of Safety and Professional Services and the provisions of this code shall conflict, the stricter requirements shall govern.’

Section XX. Subsection 15.02 (2)[a] of Chapter 15 Filling and Excavating of Lands of the General Ordinances of the Village of River Hills is hereby amended to read as follows:

‘(2) [a] No land owner or land user may commence land disturbing construction activity, land development activity, excavate or fill any lands as set forth in (1) above, without receiving prior approval of a control plan for the site and a permit from the Village Clerk. At least one land owner or land user controlling or using the site and desiring to undertake an activity requiring a permit shall submit an application for a permit and a control plan and pay an application fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website. By submitting an application the applicant is authorizing the Village Engineer and his designees to enter the site to obtain information required for the review of the control plan.’

Section XXI. Subsection 15.02 (6) of Chapter 15 Filling and Excavating of Lands of the General Ordinances of the Village of River Hills is hereby amended to read as follows:

‘(6) The initial permit fee for all operations under the provisions of subsection (2) hereof, shall be as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board, and shall permit operations for one month from the date of the permit. An additional permit fee per month, after the first month, as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board, shall be paid at the time of application, up to maximum of six (6) months. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website. In the event that the operations are not completed within the time for which permit fees have been paid, the permit shall terminate and a new application, surety bond, and initial and monthly permit fees shall be submitted and approved before the permittee shall be allowed to continue the operations. No refund of any permit fees shall be made.’

Section XXII. Subsection 16.03 (14) of Chapter 16 Alcohol Beverage Regulations of the General Ordinances of the Village of River Hills is hereby amended to read as follows:

‘(14) Fees. The fees for the issuance of licenses under this chapter shall be as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.’

Section XXIII. Subsection 31.07 (1) of Chapter 31 of the General Ordinances of the Village of River Hills is hereby amended to read as follows:

‘**Section 31.07. FEES.** (1) Administrative Fees. A non-refundable administrative fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board shall be paid in addition to the permit and inspection fees. The Resolution and the

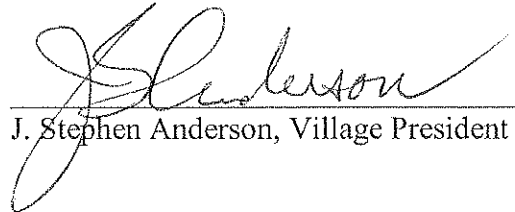
applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.'

Section XXIV. If any subsection, section or portions of this article or the sections of this ordinance as enacted hereunder is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions hereof.

Section XXV. All ordinances or parts of ordinances conflicting with the provisions of this ordinance are to such extent repealed.

Section XXVI. This ordinance shall be in full force and effect after its passage and publication as provided by law.

PASSED AND ADOPTED by the Village Board of the Village of River Hills this 16th day of October, 2019.



J. Stephen Anderson, Village President

Countersigned:



Tammy LaBorde, Village Clerk