

## CHAPTER 2

### VILLAGE GOVERNMENT

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#### **2.01 VILLAGE GOVERNMENT**

The Village of Pulaski is a body corporate and politic with the powers of a municipality at common law and governed by the provisions of Chapters 61 and 66 of the Wisconsin Statutes, laws amending those chapters, other acts of the legislature and the Constitution of the State of Wisconsin.

State Law Reference: Wis. Const., Art. XI, Sec.3.

#### **2.02 OFFICIAL VILLAGE NEWSPAPER**

The official newspaper for the Village shall be, and all legal notices required to be published by law shall be published in the Green Bay Press-Gazette.

#### **2.03 PUBLIC WORKS CONTRACTS**

All public works contracts exceeding the statutorily prescribed minimum amount shall, pursuant to the provisions of s. 61.56, Wis. Stats., be let under the provisions of s. 62.15 of the Wisconsin Statutes. The authority vested in the board of public works shall be, in such cases, exercised by the Village Board or as delegated by the Village Board. (*Ord. #376*)

#### **2.04 PULASKI AREA MUNICIPAL COURT**

- (a) **COURT ESTABLISHED.** There is hereby established, pursuant to the provisions of Chapter 755 of the Wisconsin Statutes, a joint, multi-jurisdictional municipal court for the Village of Pulaski and the Town of Pittsfield, to be known as the "Pulaski Area Municipal Court" (the "Joint Municipal Court").

- (b) **JURISDICTION.** The Joint Municipal Court shall have jurisdiction as provided in §755.045 and §755.05, Wis. Stats., and as otherwise provided by Wisconsin law. The Municipal Court shall also have jurisdiction over juvenile offenders under the authority of §938.17(2)(cm), Wis. Stats.
- (c) **MUNICIPAL JUDGE.** The Joint Municipal Court shall be under the administration and operation of and presided over by the Municipal Judge, as provided herein.
- (1) Election; Term. The Municipal Judge of the existing Pulaski Municipal Court shall serve as the initial Municipal Judge for the Joint Municipal Court until the end of the Municipal Judge's current term. Thereafter, the Municipal Judge shall be elected at large by the electors of the Village and the Town at the Spring election in odd number years for a term of four (4) years, commencing on May 1 succeeding the election. The Municipal Judge shall serve until a successor is elected and qualified.
  - (2) Vacancies. A vacancy in the position of Municipal Judge for the Joint Municipal Court shall be filled by appointment, as agreed upon by the Village Board and the Town Board, pursuant to the provisions of §8.50(4)(fm), Wis. Stats.
  - (3) Salary. The Municipal Judge shall receive a salary paid by the Village, which shall be in lieu of fees and costs. No salary shall be paid to the Municipal Judge for any time during the term for which the official bond and oath have not been executed and filed, as required by subparagraph (4) of this subsection.
  - (4) Bond; Oath. The Municipal Judge shall execute and file with the Clerk of Courts for the Brown County Circuit Court the Oath prescribed by §757.02, Wis. Stats., and the Bond. The Municipal Judge shall not be qualified to act until a certified copy of the Bond is filed with the Clerk of the Village and the Clerk of the Town and a certified copy of the Oath is filed with the Office of the State Administrator of Courts, as required by §755.03, Wis. Stats.
  - (5) Sessions. The Joint Municipal Court shall be open on such days and times as shall be set by the Municipal Judge.
  - (6) Civil Warrants. The Municipal Judge may issue civil warrants to enforce matters under the jurisdiction of the Municipal Court, pursuant to the provisions of §§755.045(2), 66.122 and 66.123, Wis. Stats.
- (d) **LOCATION.** The Municipal Judge shall keep office and hold court in the Municipal Court within the Municipal Building in the Village.
- (e) **PROCEDURE.** The procedure for the Joint Municipal Court shall be as prescribed by this Section and State law, including, without limitation, the provisions of Chapters 800 and 755 of the Wisconsin Statutes and §§23.50 to 23.85, Wis. Stats., §345.11, Stats., §§345.20 to 345.53, Wis. Stats., and §972.11(3m), Wis. Stats.

- (f) **FORFEITURES, PENALTIES AND RESTITUTION.** The Municipal Judge may impose such fines, forfeitures and sanctions as is made and provided under Wisconsin law and under the Ordinances of the Village and the Town. The Municipal Judge shall collect all forfeitures, penalty assessments, jail assessments, court costs, fees and taxable costs in any action or proceeding before the Municipal Court and shall pay over the amounts collected to the Village Clerk within thirty (30) days of receipt. At such time, the Municipal Judge shall also report to the Village Clerk the title of the action, the offense for which the forfeiture was imposed, and the total amount of forfeiture, assessment, fees and costs. The Municipal Judge may also order such restitution as the Court shall determine in the manner made and provided under Wisconsin law.
- (g) **CONTEMPT.** The Municipal Judge may impose such sanctions as are authorized under §800.12(2), Wis. Stats., for contempt of court, as defined in §785.01(1), Wis. Stats., in accordance with the procedures set forth in §785.03, Wis. Stats. The Municipal Judge may also impose a forfeiture for contempt under §800.12(1), Wis. Stats., in an amount not to exceed \$50.00 or, upon non-payment thereof, a penalty assessment under §165.87, Stats., jail assessment under §302.46, Stats., and any applicable domestic abuse assessment under §973.055(1), Stats., or a jail sentence not to exceed seven (7) days.
- (h) **EMPLOYEES.** The Municipal Judge shall, in writing, appoint such clerks and deputy clerks as are authorized and funded by the municipalities.
- (i) **STIPULATIONS AND DEPOSITS.**
- (1) Deposit Schedule to be Established. The Municipal Judge shall establish and submit to the Village Board and Town Board for approval, by Resolution, a Schedule of Deposits for violations of Village Ordinances and Town Ordinances, except traffic regulations as are governed by §345.26, Wis. Stats.
  - (2) Stipulation and Deposit in Lieu of Court Appearances. Persons cited for violations of Village or Town Ordinances, for which a deposit has been established under this subsection, shall be permitted to make a stipulation of "No Contest" and the payment of a deposit in lieu of a court appearance as provided in §§800.03, 800.04 and 800.09, Wis. Stats.
  - (3) Traffic and All-Terrain Deposits. The Deposit Scheduled established by the Wisconsin Judicial Conference and the procedures set forth in Chapters 23 and 345 of the Wisconsin Statutes shall apply to stipulation and deposits for violations of traffic regulations enacted in accordance with §345.26, Wis. Stats., and all-terrain vehicle regulations enacted in accordance with §23.33, Wis. Stats. (Ord. #462-07)