

Title 2

ADMINISTRATION AND PERSONNEL

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Chapter 2.02

GENERAL PERSONNEL POLICIES

Sections:

- 2.02.010 Purpose.
- 2.02.020 Index of Title Two offices and the applicable sections.
- 2.02.030 Offices or positions not specified by ordinance.
- 2.02.040 Offices alternative to state law established.
- 2.02.050 Appointment and compensation of aides, assistants and deputies.
- 2.02.060 Selection process prior to appointment.
- 2.02.070 Discrimination.
- 2.02.080 Procedures in employment relations.

2.02.010 Purpose. During 1974, the human resources committee determined to undertake a general realignment and reorganization of the officers, officials and employees of the city. In 1975, the human resources committee recommended to the council that several existent ordinances be renumbered, amended or repealed, and that several new ordinances be created. As a result, Chapter 2.08, a Charter ordinance adopted November 15, 1971, was repealed by Chapter 2.06, a Charter ordinance adopted August 12, 1975, effective October 18, 1975. Chapters 2.02, 2.08, 2.10 and 2.12 were renumbered, amended, repealed and recreated, and adopted August 12, 1975, effective October 18, 1975.

The general scheme was to include those officers, officials and employees in separate ordinances, where a common factor applied to each of them. The common factor may be the appointing authority or state statutes, or that the official city "Table of Organization," (hereafter T/O), required creation of the ordinance. Each ordinance is quite similar, but each has differences.

Several ordinances that pertained to individual offices and purported to be job descriptions were repealed, for most of their provisions were found in state law, other ordinances, or the general employment policies of the city.

Past experience indicates the personnel policies established by these ordinances and the table of organization will need constant review. Frequent changes in federal and state laws will require some amendments. Other amendments will arise as the scope of various offices and positions expands or contracts to meet changing needs of the citizens, the council and the municipal corporation. Amendments may only be made by action of the common council. Therefore, all city officers, officials and employees should anticipate and facilitate these continuing adjustments to the changing scope of the work.

A quick-finder alphabetical index for the section that applies to the office or position is codified in section 2.02.020. (Ord. 61-4291 §1(part), 1975.)

2.02.020 Index of Title Two offices and the applicable sections.

Assessor	2.06.015
Attorney	2.06.015
Chief Inspector and Zoning Administrator	2.12.010
Clerk	2.08.010
Electrical inspector	2.12.010
Engineer	2.12.010
Finance director	2.06.010
Forester	2.10.010
Plumbing inspector	2.12.010
Director Public Works and Utilities	2.06.015
Street superintendent	2.12.010
Treasurer	2.08.010

(Ord. 61-5735 §1(part), 2017; Ord 61-5377 §1(part), 2008; Ord. 61-4339A §4(part), 1977; Ord. 61-4291 §1(part), 1975.)

2.02.030 Offices or positions not specified by ordinance. Many offices or job titles have been deleted from the code book. They now appear in the T/O. (Ord. 61-4291 §1(part), 1975.)

2.02.040 Offices alternative to state law established. The statutes provide that certain offices shall be established in cities, or in the alternative, a city may abolish the office and assign to another the duties of such office. Accordingly, the membership of the board of public works shall be the attorney, finance director and director of public works and utilities. (Ord. 61-5735 §2(part), 2017; Ord. 61-4473 §1, 1980; Ord. 61-4291 §1(part), 1975.)

2.02.050 Appointment and compensation of aides, assistants and deputies. State law provides, and in some instances requires, that deputies be appointed. They shall be appointed by their respective superiors.

In some instances department heads or other supervisory personnel appoint aides or assistants. The power to make such appointments arises out of the authority inherent to such positions of responsibility.

No deputy, aide or assistant shall be granted compensation for services rendered as such unless the position appears in the T/O and the amount of the compensation appears in an adopted budget. (Ord. 61-4291 §1(part), 1975.)

2.02.060 Selection process prior to appointment. When a vacancy occurs in an office to which Chapters 2.06, 2.08, 2.10 and 2.12 apply; the appointing authority shall promptly meet with the director of human resources to discuss selection of an appropriate individual to fill that vacancy. The director of human resources shall develop and execute a recruitment plan for the selection of a qualified individual to fill the position. Such system may include advertising the vacancy, testing applicants, interviewing applicants, establishing and weighting appropriate selection factors and designating qualified applicants. Recruitment and evaluation procedures shall be conducted in a

manner recognized by the human resources profession as generally acceptable. The appointing authority, after consultation with the director of human resources, shall then appoint to such position one of the person who has successfully been certified as qualified for the vacant position. (Ord. 61-5585 §1, 2013, File No. 13-0806; Ord. 61-4291 §1(part), 1975.)

2.02.070 Discrimination. No officer, official or employee shall discriminate against a job applicant or an employee in violation of any federal, state or city law or regulation notwithstanding such are not enumerated in this chapter. Such discrimination shall be grounds for discipline. (Ord. 61-4291 §1(part), 1975.)

2.02.080 Procedures in employment relations. The human resources committee shall:

(a) Jurisdiction. Have charge of all matters arising under Chapter 111 of the Wisconsin Statutes.

(b) Election, certification, decertification, fact finding and mediation. The human resources committee shall direct the conduct on behalf of the city of all proceedings involving the Wisconsin Employment Relations Commission relative to fact finding proceedings and mediations and relative to the election, certification and decertification of collective bargaining units, including proceedings for the determination of the number of employees, type of bargaining unit and eligibility of employees in the classified service to participate in such elections.

(c) Collective bargaining and negotiations. Collective bargaining and negotiations with certified bargaining units shall be carried on as the human resources committee shall from time to time direct.

(d) Agreement. The agreements reached at the conclusion of such collective bargaining shall be reduced to writing and submitted in the form of a proposed ordinance or resolution to the common council for its approval, amendment or rejection.

(e) Enforcement. Upon direction of the human resources committee, the city attorney and/or labor negotiator shall be authorized to institute legal proceedings to prevent employees from continuing to engage in practices prohibited by or in violation of Chapter 111 of the Wisconsin Statutes and to enforce any ordinance or resolution by the common council relating to agreements reached at the conclusion of collective bargaining procedures, as provided for in subsections (c) and (d).

(f) Employees not included in recognized bargaining units. The human resources committee and human resources director shall annually review the wages, hours and conditions of employment of all employees not represented by recognized city employee organizations and submit their recommendations to the common council each year for the following year. (Ord. 61-4382 §1, 1978; Ord. 61-4291 §1(part), 1975.)

Chapter 2.03

CODE OF ETHICS FOR PUBLIC OFFICIALS AND EMPLOYEES

Sections:

- 2.03.010 Declaration of policy.
- 2.03.020 Definitions.
- 2.03.030 Standards of conduct.
- 2.03.040 Organization and composition of the board.
- 2.03.050 Duties of the board.
- 2.03.060 Investigation of complaints.
- 2.03.070 Probable cause of violation.
- 2.03.080 Hearing procedure.
- 2.03.090 Findings of fact and conclusions—Orders and recommendations.
- 2.03.100 Removal, suspension and censure.
- 2.03.110 Costs.

2.03.010 Declaration of policy. (a) Moral and ethical standards among city public officials and employees are essential to the conduct of representative government; and, the common council believes that a code of ethics, to establish standards of conduct for government officials and employees by setting forth those acts or actions that are incompatible with the impartial and responsible exercise of the public trust and avoid conflicts between personal interests and public responsibilities, will improve the quality and integrity of public service and promote, strengthen and nurture the faith and confidence of the citizens of this community in their public officials and employees.

(b) This code does not prevent any official/employee from accepting other employment or following any pursuit, which in no way interferes with the full and faithful discharge of his or her public duties. The common council recognizes that citizens who serve the city as public officials/employees retain their rights as citizens to interest of a personal or economic nature; that standards of ethical conduct for public officials/employees of the city need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society and those conflicts which are substantial and material; and, that city officials/employees may need to engage in employment, professional or business activities, other than official duties, in order to support themselves and/or their families, to maintain a continuity of professional or business activity or may need to maintain investments, when activities or investments do not conflict with the specific provisions of this section. (Ord. 61-4706 §1(Exh. A)(part), 1990.)

2.03.020 Definitions. For the purpose of this chapter, the words set out in this section shall have the following meanings:

- (a) “Anything of value”:
 - (1) Means any money, property, favor, service, payment, advance, forbearance, loan, guarantee of loan or promise of future employment;

(2) Includes, without restriction by enumeration, tickets, passes, admission offered and provided by sponsors or organizations doing business with the city;

(3) Shall not preclude an official/employee from attending programs or events sponsored by an agency of city government to which an official/employee shall attend or participate in the course of official/employee duty, and it shall not include political contributions which are reported under Chapter 111 of the Wisconsin Statutes, or hospitality extended for a purpose unrelated to city business by a person other than an organization;

(4) Shall not include fees, honorariums, compensation or reimbursement of expenses, provided reimbursement does not exceed one hundred dollars for a published work, meeting, presentation of a paper, talk or demonstration. If the value of the above exceeds one hundred dollars, the official/employee shall report such receipt to the board, with a brief report of the event concerned. The report shall be made within sixty days of its receipt.

(b) "Associated," when used with reference to an organization, means any organization in which an individual or a member of his or her immediate family is a director, officer or trustee, or owns or controls, directly or indirectly, at least ten percent of the outstanding equity, voting rights or indebtedness, whether individually or in the aggregate.

(c) "Board" means the ethics board.

(d) "City" means the city of Wausau.

(e) "Employee" means any person excluded from the definition of an official who is employed by the city.

(f) "Financial interest" means any interest, which yields a monetary or other material benefit to the official/employee or to any person employing or retaining the services of the official/employee.

(g) "Gift" means the payment or receipt of anything of value without valuable consideration.

(h) "Immediate family" means:

(1) An individual's spouse;

(2) An individual's relative by marriage, lineal descent or adoption, who receives, directly or indirectly, more than fifty percent of his or her support from such individual or from whom such individual receives, directly or indirectly, more than fifty percent of his or her support.

(i) "Income" has the meaning given under Section 61 of the Federal Internal Revenue Code.

(j) "Internal Revenue Code" has the meaning given under Section 71.02(1) (a) and (2) (b) of the Wisconsin Statutes.

(k) "Ministerial action" means an action performed in a prescribed manner in obedience to the mandate of legal authority without regard to the exercise of judgment as to the propriety of the action being taken.

(l) "Official" means any official holding an elected city office, any candidate for elected city office and all members of boards, commissions or committees appointed by the mayor or common council.

(m) "Organization" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, unincorporated association, receivership, trust or any legal entity organized for profit, other than an individual or government entity.

(n) "Payor" means any person providing anything of value to the official/employee, and his or her spouse.

(o) "Person" means any individual, person or organization. (Ord. 61-4706 §1(Exh. A) (part), 1990.)

2.03.030 Standards of conduct. (a) No official/employee shall use his or her public position or office to obtain financial gain or anything of value for the private benefit of himself or herself or his or her immediate family, or for an organization with which the official/employee is associated.

(b) No official/employee shall solicit or accept from any person, directly or indirectly, anything of value, if it could reasonably be expected to influence the official's vote, official/employee actions or judgments, or could reasonably be considered as reward for any official/employee action or inaction on the part of the official/employee. This subsection does not prohibit an official/employee from engaging in outside employment or his or her normal course of business.

(c) No official/employee shall intentionally use or disclose information gained in the course of or by reason of his or her official position or activities in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family or for any other person, if the information has not been communicated to the public or is not public information.

(d) No official/employee shall use or attempt to use his or her public position to influence or gain unlawful benefits, advantages or privileges for himself, herself or other person.

(e) No official/employee and no organization in which an official/employee or a member of his or her immediate family is associated shall enter into a contract with the city, for more than three thousand dollars per year, without first disclosing it at and entering it into the minutes of the

meeting of the appropriate governmental body. Any contract or lease entered into in violation of this subsection may be voided by the city in an action commenced within three years of the date on which the board or the department or official/employee acting for the city, in regard to the allocation of city funds from which payment is derived, knew or should have known that a violation of this subsection occurred. This subsection does not affect the application of Section 946.13 of the Wisconsin Statutes.

(f) An official/employee may appear on behalf of and may make inquiries for information for a person before any city employee, department, board, commission or other agency, only if the official/employee receives no compensation therefor beyond the salary and other compensation or other reimbursement due which the official/employee is entitled by law.

(g) No official/employee shall engage in or accept private employment or act in regard to any financial interest, direct or indirect, which is incompatible with the proper discharge of his or her official/employee duties, if it could reasonably be expected to influence the official's vote, official/employee actions or judgment or could reasonably be expected to influence the official's vote, official/employee actions or judgment or could reasonably be considered as a reward for any official/employee action or inaction on the part of the official/employee, unless otherwise permitted by law and unless disclosure is made, as hereinafter provided.

(h) No official/employee shall, for compensation, act on behalf of any person other than the city, in connection with any judicial or quasi-judicial proceeding or matter which might give rise to a judicial or quasi-judicial proceeding in which the official/employee has at any time participated personally in his official/employee capacity.

(i) No official shall vote on any matter when the official or the official's immediate family has a personal financial interest.

(j) No official/employee shall in his or her official capacity do any act which he or she knows is in excess of his or her lawful authority or which he or she knows he or she is forbidden by law to do in his or her official capacity.

(k) No official/employee, without common council authorization, shall use or permit the use of any city property for personal convenience, use or profit.

(l) No former official shall, for compensation, for twelve months following the date on which he or she ceases to be an official, act on behalf of any person other than the city in connection with any judicial or quasi-judicial proceeding or matter which might give rise to a judicial or quasi-judicial proceeding in which the former official participated personally and substantially as a city official.

(m) No official/employee shall grant special consideration, treatment or advantage to any person, beyond that which is available to every other person.

(n) This section does not prohibit an official/employee of the city from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual

necessary expenses, or prohibit an official/employee from taking official action with respect to any proposal to modify city ordinances or resolutions. (Ord. 61-4706 §1(Exh. A)(part), 1990.)

2.03.040 Organization and composition of the board. (a) There is created a board with five members appointed by the mayor and subject to confirmation by the common council. Members should be from diverse segments of the community. Each board member shall be a resident of the city and shall serve without compensation. The term of office shall be five years. On the first appointment of the board, board members shall be appointed for terms of one, two, three, four, and five years respectively.

(b) The members of the board shall select their own chairperson annually and shall adopt such rules as may be necessary to carry out the duties and responsibilities of the board under this chapter. Any rules adopted shall be subject to the approval of the common council.

(c) The city attorney shall furnish the board whatever legal assistance is necessary and proper to carry out its functions. The board or the city attorney may request the common council to authorize special counsel for the board. The board shall be furnished with whatever staff assistance is required to fulfill its duties. (Ord. 61-4706 §1(Exh. A)(part) , 1990.)

2.03.050 Duties of the board. Duties of the board are set out as follows:

(a) Prescribe and make available forms for use under this chapter;

(b) Accept and file any information related to the purposes of or required by this chapter;

(c) Investigate any violation of this chapter on its own motion or upon complaint properly filed with it;

(d) Maintain a record of its investigation, inquiries and proceedings. The findings of the board shall be public records;

(e) Any person who is involved or about to be involved in any matter that could involve conduct prohibited by this chapter, or could result in a material conflict of interest on his or her part, may apply to the board for an advisory opinion. The board will not issue any opinion on conduct which may, in the judgment of the board, involve a violation of state or federal law. Such person may be guided by the opinion rendered by the board and the board is prohibited from issuing any complaint against any such person who acts in accordance with the opinion. Such person shall have the opportunity to present his or her interpretation of the facts at issue and of the applicability of provisions of this chapter before the advisory opinion is rendered. A material conflict of interest on the part of any person is deemed to exist whenever the person's action or failure to act could reasonably be expected to produce or assist in producing a substantial benefit, directly or indirectly, for the person or his or her immediate family or an organization with which he or she is associated or the matter in question is one in which the official/employee, in his or her private capacity, or a member of his or her immediate family or an organization with which he or she is associated, has a substantial interest;

(f) Records obtained in connection with a request for an advisory opinion, other than summaries of advisory opinions that do not disclose the identity of individuals requesting such opinions, or organizations on whose behalf they are requested, are not open for public inspection. The board may, however, make such records public with the consent of the individual requesting the advisory opinion or the organization or governmental body on whose behalf it is requested. A person who makes or reports to make public the substance of or any portion of an advisory opinion requested by or on behalf of the person is deemed to have waived the confidentiality of the request for an advisory opinion and any of the records obtained or prepared by the board, in connection with the request for an advisory opinion.

(g) Records obtained or prepared by the board, in connection with an investigation, are not open for public inspection, except that the board shall permit inspection of records that are made public in the course of hearing by the board to determine if a violation of this chapter has occurred. Whenever the board refers such investigation and hearing records to the city or a district attorney, they may be made public in the course of a prosecution;

(h) Maintain a current list of persons doing business in or engaged in transaction with or affecting the city for use by officials/employees. (Ord. 61-4706 §1(Exh. A)(part), 1990.)

2.03.060 Investigation of complaints. (a) The board shall accept from any individual, either personally or on behalf of an organization or governmental body, a verified complaint, in writing, signed and sworn to under oath, which states the name of any person alleged to have committed a violation of this chapter and which sets forth the particulars thereof. The board shall forward to the accused, within ten days, a copy of the complaint and a general statement of the applicable ordinances with respect to such verified complaint. If the board determines that the verified complaint alleges facts sufficient to constitute a violation of this chapter, it may make an investigation with respect to any alleged violation. If the board determines that the verified complaint was brought for harassment purposes, the board shall so state.

(b) The board shall investigate any complaint properly filed with it. Pursuant to any investigation conducted under this section, the board has the power:

(1) To require any person to submit in writing such reports and answers to questions relevant to the proceedings conducted under this section, as the board may prescribe, such submission to be made within such period and under oath, or otherwise, as the board may determine;

(2) To administer oaths and require, by subpoena issued by it, the attendance and testimony of witnesses and the production of any documentary evidence relating to the investigation or hearing being conducted;

(3) To order testimony to be taken by deposition before any person, who is designated by the board, and has the power to administer oaths, and, in such instances, to compel testimony and the production of evidence in the same manner as authorized by subsection (b)(2) of this section;

(4) To pay witnesses the same fees and mileage as are paid in like circumstances by the courts of Wisconsin.

(c) Following the receipt of a verified complaint or upon the receipt of other information, whether or not under oath, that provides a reasonable basis for the belief that a violation of this chapter has been committed, or that an investigation of a possible violation is warranted, the board may investigate the circumstances concerning the possible violation. No investigation of any person may be commenced until it has been authorized by the board, by a majority vote, and until the person, who is the subject of the investigation, has been notified of the investigation, pursuant to subsection (c)(3) of this section. During the course of an investigation, if the board finds probable cause to believe that a violation of this chapter has occurred, it may:

(1) If no verified complaint has been filed, upon its own motion, make a verified complaint, which shall be in writing, shall state the name of the person who is alleged to have committed a violation of this chapter and shall set forth the particulars thereof. Within ten days, the board shall forward to the accused a copy of the complaint and a specific statement enumerating the source or sources of information on which the complaint is based.

(2) If a verified complaint has been filed and the board finds probable cause to believe that a violation of this chapter, other than one contained in the complaint, has occurred, it may amend the complaint upon its own motion, to include such violations. If the complaint is so amended by the board, a copy of the amendment shall be sent to the person complained of within forty-eight hours.

(3) As soon as it becomes apparent to the board that there exists probable cause for the belief that a particular person has committed a violation of this chapter, the board shall notify the alleged violator, by mailing a copy of a notice informing the alleged violator that such person is the subject of the investigation authorized by the board, and a general statement of the applicable ordinances with respect to such investigation. Service of the notice is complete upon mailing.

(4) No action may be taken on any complaint, which is filed later than three years after a violation of this chapter is alleged to have occurred.

(Ord. 61-4706 §1(Exh. A)(part), 1990.)

2.03.070 Probable cause of violation. At the conclusion of this investigation, the board shall, in preliminary written findings of fact and conclusions based thereof, make a determination of whether or not probable cause exists to believe that a violation of this chapter has occurred. If the board determines that no probable cause exists, it shall immediately send written notice of such determination to the accused and to the party who made the complaint. If the board determines that there is probable cause for believing that a violation of this chapter has been committed, the preliminary findings and fact and conclusions may contain:

(a) A recommendation for prosecution, which shall be referred to the city attorney or district attorney, as appropriate;

(b) An order setting a date for hearing before the board to determine whether a violation of this chapter occurred. Such order shall be served upon the accused. A hearing ordered under this subsection shall be commenced within thirty days of the date it is ordered, unless the accused petitions for and the board consents to a later date. (Ord. 61-4706 §1 (Exh. A)(part), 1990.)

2.03.080 Hearing procedure. During any investigation and during any hearing which is conducted to determine whether a violation of this chapter has occurred, the person under investigation or the accused may be represented by counsel of his or her choosing and the accused or his or her representative, if any, shall have an opportunity to challenge the sufficiency of any complaint, which has been filed against him or her, to examine all documents and records obtained or prepared by the board in connection with the matter heard, to bring witness, to establish all pertinent facts and circumstances, to question or refute testimony or evidence, including the opportunity to confront and cross examine adverse witnesses. During any hearing conducted by the board to determine whether a violation of this chapter has occurred, all evidence, including certified copies or records, which the board considers, shall be fully offered and made a part of the record in the proceedings. Upon request of the accused, the board shall issue subpoenas to compel the attendance of necessary witnesses. The standards of evidence and the burden of proof applicable to civil forfeiture actions shall apply to hearings under this section. A hearing shall not be held with less than four members in attendance for the entire hearing. The board shall make a determination upon such evidence submitted by an affirmative vote of at least three members present at the hearing. (Ord. 61-4759 § 1(part), 1991; Ord. 61-4706 §1(Exh. A)(part), 1990.)

2.03.090 Findings of fact and conclusions—Orders and recommendations. If the board determines that no violation of this chapter has occurred, it shall immediately send written notice of such determination to the accused and to the party who made the complaint. If the board determines that violation of this chapter has occurred, its findings of fact and conclusions may contain one or more of the following orders or recommendations:

(a) In the case of any appointed officer or employee, a recommendation that he or she be censured, suspended or removed from office or employment. Such recommendation shall be made to the appropriate authority which may censure, suspend or take action to remove the official/employee from office or employment;

(b) In the case of an elected city officer, a recommendation that the officer be censured, suspended or removed from office. Such recommendation shall be made to the common council;

(c) In the case of a municipal justice, a recommendation that the justice be reprimanded, censured, suspended or removed from office. Such recommendation shall be sent to the Wisconsin Supreme Court and to the city of Wausau common council;

(d) An order requiring the official/employee to conform his or her conduct to this chapter;

(e) An order requiring the official/employee to forfeit not less than one hundred dollars or more than one thousand dollars, for each violation of this chapter. The city attorney, when so requested by the board, shall institute proceedings to prosecute and recover any forfeiture incurred under this section, which is not paid by the person against whom it is assessed;

(f) Such other recommendation or order as may be necessary and appropriate and as consistent with the intent and purposes of this chapter. (Ord. 61-4759 §1(part), 1991; Ord. 61-4706 §1(Exh. A)(part), 1990.)

2.03.100 Removal, suspension and censure. Upon receipt of a recommendation from the board that an officer be censured, suspended or removed from office, the appropriate appointing authority or common council, as the case may be, may proceed in accordance with procedures outlined in the municipal code and/or state statutes; but no officer subject to a civil service or to a police and fire commission law, or whose removal is governed by such law, shall be censured, suspended or removed otherwise than as therein provided. (Ord. 61-4706 §1(Exh. A)(part), 1990.)

2.03.110 Costs. (a) If the board finds that a complaint filed under this chapter was wilful and malicious and without probable cause, the expenses of investigation and hearing of any such complaint by the board shall be paid by the person making the complaint. In all other cases such expenses shall be paid by the city.

(b) If any board proceedings are discontinued or dismissed or are determined favorably to an official/employee the city shall pay all reasonable expenses which the official/employee necessarily expended by reason of such proceedings. (Ord. 61-5138 §1, 2001, File No. 90-0317; Ord. 61-4706 §1(Exh. A)(part), 1990.)

Chapter 2.04

ELECTED OFFICIALS¹

Sections:

- 2.04.010 Mayor.
- 2.04.020 Common council.
- 2.04.030 Municipal justice.

2.04.010 Mayor.² There shall be a mayor who shall be elected at the regular city election for a term of four years commencing on the third Tuesday of April in the year of his election.

The mayor shall devote his full time to discharge of his statutory duties as outlined by Section 62.09(8) of the Wisconsin Statutes and all other duties and responsibilities incident to his office. He shall engage in no other remunerative employment. (Ord. 61-4081 §1, 1968; prior code §2.01(1).)

2.04.020 Common council.³ There shall be one city alderperson from each of the eleven aldermanic districts who shall be elected at the regular city election for a term of two years commencing on the third Tuesday of April in the year of his/her election.

A person may file for both the positions of city alderperson and county supervisor and be elected to both of those positions. (Ord. 61-4977 §1, 1997; Ord. 61-4622 §1, 1987.)

2.04.030 Municipal justice. There shall be a municipal justice who shall be elected at the regular city election for a term of four years commencing on May 1 of the year of the election. (Ord. 61-5600 §1, 2013, File No. 97-0424; Ord. 61-5594 §1, 2013, File No. 75-1138; Ord. 61-4299 §1, 1975.)

¹ For statutory provisions pertaining to city officers generally, see § 62.09, Wis. Stats.

² Section 2.04.010 was adopted by an unnumbered Charter Ordinance dated May 14, 1963.

³ Section 2.04.010 was adopted by a Charter Ordinance # 24 dated May 26, 2015.

Chapter 2.05

DIRECTOR OF PUBLIC WORKS AND UTILITIES

Sections:

- 2.05.010 Creation of the position of director of public works and utilities, and appointment.

2.05.010 Creation of the position of director of public works and utilities, and appointment.

The position of director of public works and utilities is hereby created; this position shall be responsible for carrying out the mission of the city as it applies to the department of public works and Wausau Water Works, and for administering the policies that further this mission; this person shall be the overall supervisor, director, and coordinator of all of the job duties and projects within the two departments, and the job descriptions of the utility director and the director of public works shall provide the general guides within which the director of public works and utilities will operate; the director of public works and utilities shall establish and maintain job descriptions with the approval of the human resources director and position flow charts within the two departments under the control of the director of public works and utilities; all of the duties of the utility director and of the director of public works and all of the boards and commissions that those positions sit on, specifically including, but not limited to, the board of public works and plan commission, shall be discharged and filled by the director of public works and utilities; the position shall be filled by appointment of the mayor, subject to confirmation by a majority vote of the entire membership of the common council. This appointed officer serves at the pleasure of the council and may be removed by that body, at pleasure, pursuant to s. 17.12, Wis. Stats. (Ord. 61-5735 §3(part), 2017; Ord. 61-5651, §1, 2015, File No. 04-1214; Ord. 61-5374 §1, 2008; Ord. 61-5242 §1, 2004, File No. 04-1214.)

Chapter 2.06

CHARTER PERSONNEL APPOINTMENTS

Sections:

- 2.06.010 Offices created.
- 2.06.015 Appointment.
- 2.06.020 Term of office.
- 2.06.030 Selection process prior to appointment.
- 2.06.040 Removal.
- 2.06.050 Annual review of goals and objectives.
- 2.06.070 Compensation, fringe benefits and employment policies.
- 2.06.080 Present officials.

2.06.010 Offices created. There are created the offices of finance director and public works director. (Charter Ord. 18 §3(part), 1975.)

2.06.015 Appointment. The following officers shall be appointed by the mayor, subject to confirmation by a majority vote of the entire membership of the common council:

- | | |
|----------|-----------------------|
| Assessor | Finance director |
| Attorney | Public works director |

(Charter Ord. 22 §1, 2005, File No. 80-1221; Ord. 61-4471 §1, 1980; Charter Ord. 18 §3(part), 1975.)

2.06.020 Term of office. All officers appointed under the terms of this chapter shall serve for an indefinite term. (Charter Ord. 18 §3(part), 1975.)

2.06.030 Selection process prior to appointment. When a vacancy occurs in an office created in this chapter, the selection procedure in Chapter 2.02.060 shall be strictly followed prior to council confirmation of a mayoral appointment, unless the appointee is currently in the employ of the city, in which event the person, if otherwise qualified, may be appointed and confirmed without recourse to Chapter 2.02.060.

After interviewing those applicants who appear to be both acceptable and qualified, the mayor shall recommend an appointee to the common council for confirmation. The confirmation shall require a majority vote of the entire membership of the council. Such membership is not to include the mayor. (Charter Ord. 18 §3(part), 1975.)

2.06.040 Removal. An officer appointed under this chapter may be removed by the council, for cause, on its own or another's written complaint. The complainant shall cause to be served a verified complaint upon the subject officer, the mayor, or the president of the common council. The mayor or council president shall then request that the human resources committee meet in a closed session to consider the allegation of the complaint. The complaint shall specify the grounds for

removal as: (a) neglect of duty; (b) misconduct in office; or (c) inefficiency; and shall state facts to support the allegations.

No complaint shall be acted upon unless the complainant is a resident, elector, or taxpayer of the city. Removal shall be by order of the common council, adopted by a three-fourths vote of the entire membership of the common council.

In the event such a complaint is filed, the mayor may suspend the subject officer, with pay, pending final disposition of the matter, and temporarily appoint another to perform the duties of the suspended officer. (Charter Ord. 18 §3(part), 1975.)

2.06.050 Annual review of goals and objectives. All officers appointed under the terms of this chapter shall be interviewed at least once annually by the mayor, together with the human resources committee, to provide each a formal opportunity to discuss mutual concerns, goals and objectives. (Charter Ord. 18 §3(part), 1975.)

2.06.070 Compensation, fringe benefits and employment policies. The compensation, fringe benefits and employment policies that apply to officers appointed under the terms of this chapter shall be as set forth elsewhere in the code. (Charter Ord. 18 §3(part), 1975.)

2.06.080 Present officials. Those persons presently occupying the offices enumerated in this chapter shall be and are appointed to, reappointed and confirmed in such offices and positions, notwithstanding any provision to the contrary stated in this chapter. All other provisions of this chapter shall apply to such offices, positions and persons, effective on October 18, 1975. (Charter Ord. 18 §3(part), 1975.)

Chapter 2.08

CERTAIN STATUTORY APPOINTMENTS

Sections:

- 2.08.010 Appointment.
- 2.08.020 Selection process prior to appointment.
- 2.08.030 Removal.
- 2.08.040 Annual review of goals and objectives.
- 2.08.060 Compensation, fringe benefits and employment policies.
- 2.08.070 Present officers.

2.08.010 Appointment. The following officers shall be appointed for such terms and by such authority as enumerated in this section:

<u>Officer</u>	<u>By Whom Appointed</u>	<u>Term</u>
Clerk	Mayor	Indefinite
Treasurer	Mayor	Indefinite

(Ord. 61-4339A §4(part), 1977; Ord. 61-4292 §1(part), 1975.)

2.08.020 Selection process prior to appointment. When a vacancy occurs in an office enumerated in this chapter, the selection procedure in section 2.02.060 shall be strictly followed prior to the appointing authority exercising its power of appointment unless the applicant is currently in the employ of the city, in which event the person, if otherwise qualified, may be appointed without recourse to section 2.02.060.

After interviewing the applicants who appear to be both acceptable and qualified, the appointing authority may, subject to all applicable federal and state laws and regulations, make the appointment. (Ord. 61-4292 §1(part), 1975.)

2.08.030 Removal. Officers appointed under this chapter may be removed and temporary replacements made, as the state statutes and common law provide.

The complainant shall cause to be served a verified complaint upon the officer and the appointing authority. The complainant must have standing to complain; i.e., be a resident, elector or taxpayer of the city. Such authority shall then act upon the complaint as provided by state statutes and common law. Removal may not be made without a public hearing if the officer so requests. If the charges are of a serious nature, and no other provision is made therefor in the statutes, the mayor may suspend the officer, with pay, pending final disposition of the matter, and temporarily appoint another to perform the duties of the suspended officer. (Ord. 61-4292 §1(part), 1975.)

2.08.040 Annual review of goals and objectives. All officers appointed under the terms of this chapter shall be interviewed at least once annually by the appointing authority to provide each a formal opportunity to discuss mutual concerns, goals and objectives. (Ord. 61-4292 §1(part), 1975.)

2.08.060 Compensation, fringe benefits and employment policies. The compensation, fringe benefits and employment policies that apply to officers appointed under the terms of this chapter shall be as set forth elsewhere in this code. (Ord. 61-4292 §1(part), 1975.)

2.08.070 Present officers. Those persons occupying the offices enumerated in this chapter shall be and are appointed to, reappointed and confirmed in such offices notwithstanding any provision to the contrary stated in this chapter. All other provisions of this chapter shall apply to such offices and persons, effective on October 18, 1975. (Ord. 61-4292 §1(part), 1975.)

Chapter 2.10

NONENUMERATED APPOINTMENTS

Sections:

- 2.10.010 Appointment.
- 2.10.020 Term of office or employment.
- 2.10.030 Selection process prior to appointment.
- 2.10.040 Removal.
- 2.10.050 Annual review of goals and objectives.
- 2.10.070 Compensation, fringe benefits and employment policies.

2.10.010 Appointment. All officials, officers or employees who report to boards, commissions, joint city-county committees, utilities and quasi-governmental organizations and carry out the policies set by such bodies shall be appointed by such bodies, unless otherwise specified elsewhere in this code or state statutes. (Ord. 61-4293 §1(part), 1975.)

2.10.020 Term of office or employment. The term of office or employment shall be as determined by the appointing authority, unless otherwise specified elsewhere in this code or in state statutes. (Ord. 61-4293 §1(part), 1975.)

2.10.030 Selection process prior to appointment. When a vacancy occurs in an office or position enumerated in this chapter, and it is within the jurisdiction of the common council to so order, the selection procedure in Chapter 2.02.060 shall be strictly followed prior to the appointing authority making an appointment, unless the applicant is currently in the employ of the city or one of the appointing authorities enumerated in this chapter, in which event the person, if otherwise qualified, may be appointed or employed without recourse to Chapter 2.02.060.

After interviewing those applicants who appear to be both acceptable and qualified, the body may make its appointment. (Ord. 61-4293 §1(part), 1975.)

2.10.040 Removal. An officer, official or employee appointed under this chapter may be removed as provided by state statutes and common law. The complainant must have standing to bring the complaint; i.e., be a resident, elector or taxpayer of the city.

The complainant shall cause to be served a verified complaint upon the appointing body and the accused. It shall then meet in a closed session to consider the allegation of the complaint. The complaint shall specify the grounds for removal and make specific factual allegations to support the complaint. Removal may not be had without a public hearing, if the accused so requests.

In the event such a complaint is served, the mayor may suspend the accused officer or employee, with pay, pending disposal of the matter, and appoint another temporarily to perform the duties of the suspended officer or employee. (Ord. 61-4293 §1(part), 1975.)

2.10.050 Annual review of goals and objectives. All officers appointed under the terms of this chapter shall be interviewed at least once annually by the mayor, the appointing authority, and the human resources committee to provide each a formal opportunity to discuss mutual concerns, goals and objectives. (Ord. 61-4293 §1(part), 1975.)

2.10.070 Compensation, fringe benefits and employment policies. Those persons occupying the offices or positions enumerated in this chapter shall be and are appointed to, reappointed and confirmed in such offices and positions notwithstanding any provision to the contrary stated in this chapter. All other provisions of this chapter shall apply to such offices, positions and persons, effective October 18, 1975. (Ord. 61-4293 §1(part), 1975.)

Chapter 2.12

ENUMERATED APPOINTMENTS

Sections:

- 2.12.010 Appointment.
- 2.12.015 Creation of human resources department and creation and appointment of human resources director.
- 2.12.020 Selection process prior to appointment.
- 2.12.030 Removal.
- 2.12.040 Annual review of goals and objectives.
- 2.12.050 Compensation, fringe benefits and employment policies.
- 2.12.060 Present offices, officials or employees.

2.12.010 Appointment. The following officers, officials or employees shall be appointed by, and for such terms, as are set forth below, subject to confirmation by the mayor.

<u>Position</u>	<u>By Whom Appointed</u>	<u>Term</u>
Street superintendent	Director of Public Works and Utilities	Indefinite
Electrical, plumbing, and building inspectors	Chief Inspector and Zoning Administrator	Indefinite
Engineer	Mayor	Indefinite
Project manager	Public works director	Indefinite
Project engineer	Director of Public Works and Utilities	Indefinite
Community development director	Mayor	Indefinite
Chief Inspector and Zoning Administrator	Mayor	Indefinite

(Ord. 61-5735 §4(part), 2017; Ord 61-5377 §2(part), 2008; Ord 61-5252 §1, 2005, File No. 75-0824; Ord. 61-4473 §2, 1980; Ord. 61-4339A §4(part), 1977; Ord. 61-4317 §1, 1976; Ord. 61-4294 §1(part), 1975.)

2.12.015 Creation of human resources department and creation and appointment of human resources director. There shall be a city human resources department and a city human resources director who shall be appointed by the mayor, subject to confirmation by a majority vote of the entire membership of the common council. This appointed officer serves at the pleasure of the council and may be removed by that body, at pleasure, pursuant to s. 17.12, Wis. Stats.

The human resources director shall have the power to employ appropriate personnel within the department, pursuant to whatever direction and budget the common council shall provide. (Ord. 61-3735 §5(part), 2017; Ord. 61-4987 §1, 1997; Ord. 61-4642 §1, 1988.)

2.12.020 Selection process prior to appointment. When a vacancy occurs in an office or position enumerated in this chapter, the selection procedure in section 2.02.060 shall be strictly followed prior to the appointing authority exercising the powers of appointment unless the applicant is currently in the employ of the city, in which event the person, if otherwise qualified, may be appointed or employed without recourse to section 2.02.060.

After interviewing those applicants who appear to be both acceptable and qualified, the appointing authority may make the appointment, subject to confirmation by the mayor. Appointments shall, in all cases, be made in accordance with applicable state laws or regulations. (Ord. 61-4294 §1(part), 1975.)

2.12.030 Removal. The several persons appointed in this chapter may be removed as the state statutes and common law provide. The complainant must have standing to complain; i.e., be a resident, elector or taxpayer of the city. Removal may not be had without a public hearing, if the accused so requests.

The complainant shall cause to be served a verified complaint upon the appointing authority and the accused. The complaint shall specify the grounds for removal and make specific factual allegations to support the complaint. In the event such a complaint is filed, the appointing authority may suspend the accused person, with pay, pending final disposition of the matter, and temporarily appoint another to perform the duties of the suspended person. (Ord 61-5252 §2, 2005, File No. 75-0824; Ord. 61-4294 §1(part), 1975.)

2.12.040 Annual review of goals and objectives. All persons appointed under the terms of this chapter shall be interviewed at least once annually by the appointing authority and/or the human resources committee, to provide each a formal opportunity to discuss mutual concerns, goals and objectives. (Ord 61-5252 §3, 2005, File No. 75-0824; Ord. 61-4294 §1(part), 1975.)

2.12.050 Compensation, fringe benefits and employment policies. The compensation, fringe benefits and employment policies that apply to officers appointed under the terms of this chapter shall be governed elsewhere in this code. (Ord. 61-4294 §1(part), 1975.)

2.12.060 Present offices, officials or employees. Those persons occupying the offices or positions enumerated in this chapter shall be and are appointed to, reappointed and confirmed in such offices and positions, notwithstanding any provision to the contrary stated in this chapter. All other provisions of this chapter shall apply to such offices, positions and persons, effective October 18, 1975. (Ord. 61-4294 §1(part), 1975.)

Chapter 2.16

STANDING RULES OF THE COMMON COUNCIL

Sections:

2.16.010 Generally.

2.16.010 Generally. The standing rules of the common council are set forth as follows:

RULE 1 - MEETINGS

A. Regular Meetings. (1) Following the spring election of each year, the common council shall meet on the third Tuesday of April for the purpose of organization. Regular meetings of the common council shall be held on the second and fourth Tuesday of every month at 7 p.m., in the council chambers.

(2) If any meeting date, as fixed by par. (1), falls on a legal holiday or election day, the meeting shall instead be held on the first business day succeeding that holiday or election day at the same hour and place, unless the meeting is canceled or another date is specified by the mayor.

(3) The mayor, from time to time and for good cause, may cancel or reschedule any of the regularly scheduled monthly meetings to another time and date, but each regular meeting so rescheduled shall then be considered a special meeting.

B. Special Meetings. (1) The mayor may call special meetings by notice to each council member. The notice shall be delivered to the members personally by telephone or left at their usual abode at least 24 hours before the meeting, unless for good cause a 24-hour notice is impossible or impractical. In that case, a shorter notice may be given, but the notice may not at any time be provided less than 6 hours in advance of the meeting. The notice shall specify the time, place, and purpose of the meeting. Meeting notices shall comply with Wis. Stats. 19.83 and 19.84(1) & (3). Attendance by a council member is a waiver of any defect of notice.

(2) The mayor may call a special meeting, without notice, at a regularly convened council meeting if all members are present.

(3) Special meetings shall be deemed regular meetings for the purpose of transacting any business that may be permitted by law.

C. Adjournment. Any council member may move to adjourn a meeting. If any agenda item is not considered before a motion to adjourn is adopted, it shall automatically be referred to the council's next regular meeting, unless the motion provides for a specific date and hour.

D. Transmission of Committee Business to the Council. Committee actions taken in the three business days prior to a council meeting shall be held until the next meeting after the upcoming meeting unless two-thirds (2/3) of the council agree the matter should be taken up immediately for cause. (Ord. 61-5617 §1(part), 2014)

RULE 2 - QUORUM REQUIRED

A quorum is necessary for the transaction of any council business. Two-thirds (2/3) of all members of the council, excluding the mayor, shall constitute a quorum. Vacant seats shall be counted to determine whether or not a quorum is present.

RULE 3 - CALL TO ORDER

The presiding officer shall at the hour appointed call the members to order. If both the mayor and the council president are absent from the meeting, the clerk shall call the council to order and preside until the council selects a member to preside at that meeting.

RULE 4 - ABSENCE OF MEMBERS

If an alderman for any reason cannot attend a regularly scheduled meeting, he or she shall notify the city clerk, before the meeting in question, of his or her anticipated absence. The alderman's absence shall be entered into the council's record.

RULE 5 - ORDER OF BUSINESS

The business of the council shall be conducted in the following order:

1. Call to order by the presiding officer.
2. Pledge of Allegiance, Roll Call. If a quorum is not present, the meeting shall automatically adjourn to the next regular meeting or other specified date.
3. Presentations.
4. Consideration of the minutes of the preceding meeting, approval of the minutes if correct, and correction of mistakes if any.
5. Comments and suggestions from preregistered citizens (as authorized under Rule 16).
6. Communications and recommendations from the mayor.
7. Reports of city officers.
8. Committee reports (standing and nonstanding).
9. Unfinished business from previous meetings.
10. Consent agenda.
11. New business (resolutions and ordinances).

12. Comments and suggestions from citizens present during Public Comment occurring both before and after the business meeting. (Ord. 61-5711 §1(part), 2016)

RULE 6 - INTRODUCTION OF BUSINESS

A. Introduction Requirements. All ordinances, resolutions, memorials or other communications shall be in writing, contain a brief statement of their content, indicate the name of the presenting member/committee, and, prior to their consideration by council, be delivered to the clerk. At the first permitted opportunity, the presiding officer or designee shall read each by title at a meeting of the council. Any alderman may require at any time the reading in full of any matter while it is before the council.

B. Filing. Each proposed ordinance or resolution shall be filed in the office of the clerk no less than seven (7) days prior to that scheduled council meeting at which the measure is to be introduced. Council and standing committee packets must be prepared and available for distribution no less than six (6) days prior to that scheduled council or committee meeting and the council packet must also contain all committee results for each measure to be considered. If for good cause this prefiling is impossible or impractical, the presiding officer of the council or chairperson of the committee may waive this requirement. (Ord. 61-5617 §1(part), 2014)

C. Reintroduction Restricted. Unless otherwise provided by city ordinance, no proposed ordinance or resolution, having once been defeated, may again be introduced in the same or in the substantially same form until 30 days after the date when that ordinance or resolution was defeated.

RULE 7 - PRESIDING OFFICER

A. Designation Of. The mayor shall be the presiding officer. In the absence of the mayor, the president of the council shall preside at the meetings of the council and be styled "Acting Mayor." If both the mayor and council president are absent, the clerk shall call the meeting to order and preside until the council selects a member to preside at the meeting.

B. Function. The presiding officer shall preserve order and conduct the proceedings of the council. If a member does not follow the council's rules, the presiding officer may, on his or her own motion, or shall, at any member's request, call the offending member to order. The council, if appealed to, shall decide the matter. The city attorney shall act as its parliamentarian.

C. Questions of Order. Any alderman may raise a point of order or question of the order ("question of order"). The question of order must be raised at the time of the alleged breach of order occurs. The presiding officer shall, in turn, immediately rule on the question of order, subject to an appeal by a member to the council. The appeal may be sustained by a majority vote of the members present, exclusive of the presiding officer.

D. Motion. The mayor may speak on any question or make any motion if he or she vacates the chair and designates the council president to preside temporarily.

E. Veto. The mayor may exercise his or her veto power as defined in sec. 62.09(8)(c), Stats., and disapprove any common council action. Disapproval is expressed by mayoral veto made within five (5) business days of the time it is submitted to him or her by the city clerk. A veto shall be accompanied by the mayor's reason for rejecting the proposal, which shall be placed on file with the clerk. The clerk shall place the vetoed measure on the agenda of the next regularly scheduled meeting for council override consideration. The council may override the mayor's veto by a two-thirds (2/3) vote of all its members. (Ord. 61-5559 §1, 2013)

RULE 8 - PRESIDENT OF THE COUNCIL

A. Selection. The council president shall be selected by a majority vote of all council members at the organizational meeting conducted on the third Tuesday of April.

B. Absence of Mayor. During the mayor's absence or inability to serve, the council president shall be acting mayor and shall be vested with the powers and duties of the mayor, except the council president may not approve a council act that the mayor has vetoed. When presiding, the council president retains his or her right to vote as alderman and may not vote in case of a tie.

RULE 9 - VOTING

A. Mode of Voting. (1) Any alderman may demand an aye and no vote on any matter. However, the vote shall be by ayes and noes if the council is: (a) confirming appointments; (b) adopting any measure that assesses or levies taxes; (c) appropriating or disbursing money; or (d) creating any liability or charge against the city or any fund of the city.

(2) No member may explain his or her vote during the calling of the ayes and noes. All aye and no votes shall be recorded by the clerk.

B. Majority of Vote Required. A majority vote of all members of the council in favor of any proposed ordinance, resolution or appointment shall be necessary for passage or approval, unless a larger number is required by law. In all other cases, a majority of the votes cast shall be necessary for council action, provided a quorum has voted.

C. Tie Vote. The mayor shall not vote except in case of a tie. When the mayor does vote in case of a tie, his or her vote shall be counted in determining whether a sufficient number of the council has voted favorably or unfavorably on any measure.

D. Abstentions. (1) All council members present shall vote on all matters or issues placed before them; unless required to abstain due to a direct pecuniary or personal interest not common to other members of the council. Members shall identify for the record whether the conflict is pecuniary or personal.

(2) A council member who is required by law to abstain from voting on any particular matter shall not be counted for determining (a) the number of “members present” if passage of that measure requires a favorable vote by a majority or other fractional vote (*i.e.*, 2/3 or 3/4) of the alderman “present,” or (b) the presence of a quorum for purposes of that particular vote.

E. Vote Change. A council member may change his or her vote on a matter up to the time the result of the vote is announced.

F. Absentee Voting. No member may cast an absentee vote on any proposed ordinance, order, resolution or proposition before the council regardless of whether the absence is planned or unplanned.

RULE 10 - RECONSIDERATION OF QUESTION

Any member who voted with the prevailing side on any question may move for a reconsideration of the vote immediately after the vote or at the next succeeding regular meeting of the council. If a motion to reconsider is defeated, it may not again be presented to the council.

RULE 11 - ORDINANCES

A. Referral of Ordinances. All ordinances under consideration shall have been first reviewed by the appropriate committee who shall make an action recommendation on the matter to council, unless an alderman moves for immediate consideration of the ordinance.

B. Immediate Consideration of Ordinance. Upon a motion for immediate consideration, the presiding officer shall put the question, “Is there any objection to an immediate consideration of the ordinance?” If an objection is voiced by an alderman, a roll call vote on the motion for immediate consideration is required. If no objection is voiced, then the clerk shall record unanimous consent to the motion for immediate consideration. The presiding officer shall then state the principal question.

C. Legal Review. The council may not vote on any ordinance unless the ordinance language has been reviewed and its enforce ability has been attested to by the city attorney.

D. Affirmative Rule. All ordinances under consideration shall be written in the affirmative whereby the council votes to approve the measure by voting yes or not to approve the measure by voting no.

RULE 12 - RESOLUTIONS

A. Referral of Resolutions. All resolutions under consideration shall have been first considered by the appropriate committee who shall make an action recommendation on the matter to council, unless an alderman moves for immediate consideration of the resolution.

B. Immediate Consideration of Resolution. Upon a motion for immediate consideration, the presiding officer shall put the question, "Is there any objection to an immediate consideration of the resolution?" If an objection is voiced by an alderman, a roll call vote on the motion for immediate consideration is required. If no objection is voiced, then the clerk shall record unanimous consent to the motion for immediate consideration. The presiding officer shall then state the principal question.

C. Resolutions Providing for Appropriation of Money. A resolution providing for the appropriation of money shall not be granted immediate consideration unless the number of votes required by Rule 15B are cast in favor of immediate consideration. Such resolution shall designate the particular fund from which the appropriation is to be made.

D. Affirmative Rule. All resolutions under consideration shall be written in the affirmative whereby the council votes to approve the measure by voting yes or not to approve the measure by voting no.

RULE 13 - COMMITTEES

A. Appointments. The mayor shall appoint members to each of the standing committees at the organizational meeting of the newly elected council conducted on the third Tuesday of April.

B. Standing Committees. The standing committees of the council shall be:

1. Capital Improvements and Street Maintenance
2. Coordinating (made up of chairpersons of other standing committees)
3. Economic Development
4. Finance
5. Human Resources
6. Park and Recreation
7. Public Health and Safety

C. Committee of the Whole. The mayor, the coordinating committee or council president may call for a meeting of the entire council as a committee of the whole for discussion and consideration on any matter. The mayor shall be an ex officio, non-voting member of the committee, and the council president shall be the chairperson of the committee of the whole. In the absence of the council president, the mayor shall preside as vice-chair. (Ord. 61-5711 §2 (part), 2016; Ord. 61-5617 §1(part), 2014)

D. Subcommittees and Special Committees. The chairperson of any standing committee or of the Metro-Ride Commission may appoint members to a subcommittee or citizens to a special committee with the consent of the council for the purpose of investigating issues before the committee and making recommendation on issue before the committee. The committee chairperson shall also name the chairperson of the subcommittee or special committee. (Ord. 61-5617 §1(part), 2014)

E. Committee Reports. (1) Each committee shall keep a written record on all matters referred to it. Committee reports/minutes shall be filed with the clerk and distributed to all members of the council. Matters under council consideration shall include the meeting minute detail with the proposed ordinance or resolution unless it is impossible or not practical to do so. Staff reports may also be submitted to the clerk.

(2) For each ordinance or resolution referred to it, the committee shall submit a separate written report/minutes and recommendation to council. The council shall at the same meeting consider and vote on the separately reported ordinance or resolution. The council, however, may defer action on the measure to its next regular meeting or other specified meeting.

F. Notice of Committee Meetings. The committee chairperson shall file notice of each committee meeting with the clerk. The notice shall comply with the notice requirement of sec. 19.84, Stats. In addition to compliance with state law, standing committee meeting times shall be posted to the city's online calendar by the first of each month in which the meeting is to occur.

- (1) The clerk shall call the first committee meeting on each term.
- (2) Committee members shall elect a chairperson and a vice chairperson at their first meeting.
- (3) Committee members shall determine at their first meeting a schedule of regular meeting times for matters referred to them for investigation and report and shall meet to consider items that may be deemed necessary upon the call of the chairperson or upon the call of a majority of the members of the committee. The chairperson may also schedule other such meeting times as he or she may deem necessary. (Ord. 61-5617 §1(part), 2014)

G. Committee Referrals. The presiding officer shall make all committee referrals, except as provided under Rule 15.

H. Coordinating Committee. The coordinating committee shall be composed of all of the chairpersons of the standing committees. The coordinating committee shall be chaired by the council president. The coordinating committee shall meet as necessary to coordinate the agenda items to be taken up by the council and its committees. (Ord. 61-5711 §1(part), 2016; Ord. 61-5703 §1, 2016; Ord. 61-5617 §1(part), 2014; Ord. 61-5562 §1, 2013; Ord. 61-5561§1, 2013; Ord. 61-5560 §1, 2013.)

RULE 14 - COMMITTEE REPORTS

Committee chairs may make brief report to the council on any matters pertaining to their committees they feel pertinent to council business as long as the item has been noted on the agenda.

RULE 15 - FINANCIAL MATTERS

A. Bills. All bills against the city shall be itemized and presented to the finance director for examination. Payment of bills, regular wages and salaries of officers and employees already provided for in the budget adopted by the council shall be made without submission to the council after ratification by the department/division head submitting them and approval of the finance director.

B. Other Financial Claims. All financial claims shall be referred to the Board of Public Works for consideration upon recommendation of the city's insurance carrier.

C. Ordinances and Resolutions. The council shall act on all ordinances and resolutions appropriating money or creating any charge against the city, other than the payment of claims for purchases or work previously authorized by the council. (Ord. 61-5731 §1, 2017)

RULE 16 - CITIZENS' RIGHT TO ADDRESS COUNCIL

A. Right Declared. A citizen may address the council under either or both:

1. Rule 5(12);
2. Rule 5 (5), provided the following conditions are met:
 - a. The citizen registers with the clerk before the meeting is called to order, and indicates his or her interest to address the council; and
 - b. The citizen's comments relate to a matter on the agenda for that meeting.

B. Time Limited. Except for informational and public hearings, speakers shall be limited to three minute addresses unless the council consents, by a two-thirds (2/3) vote of the members present to extend the time.

C. Other Restrictions. If the presiding officer decides that the comments are not relevant or are abusive, the presiding officer may:

1. Order the citizen to modify his or her comments;
2. Order the citizen to refrain from speaking;
3. Order the citizen to leave the council chambers;
4. Take such other steps as may be necessary to ensure the efficient conduct of the council's business.

RULE 17 - MANNER OF DELIBERATION

A. Manner Of. No alderman shall address the council until recognized by the presiding officer. The alderman shall then address the presiding officer and keep all remarks to the question under discussion. The alderman shall also avoid personal confrontations when speaking.

B. Recognition. When two or more members simultaneously seek recognition, the presiding officer shall name the member who is to speak first.

C. Motions. No motion shall be discussed or acted upon until it has been seconded, unless these rules specifically permit one alderman to initiate action. If a motion is withdrawn, the second to the motion must also be withdrawn.

D. Motions, Precedence Of. When a question is under consideration, no motion shall be entertained except a motion to:

1. Adjourn.
2. Recess.
3. Lay on the table.
4. Move the previous question (call for the question)
5. Postpone to a certain day.
6. Refer to a committee.
7. Amend.
8. Postpone indefinitely.

These motions shall take precedence in the order listed.

E. Termination of Debate. Any member wishing to terminate the debate may move the previous question (call for the question). The presiding officer shall then announce the question as, "Shall the question before the council not be put?" If no objection is voiced, the clerk shall record unanimous consent to terminate debate. If an objection is voiced by an alderman, a roll call vote on the motion for termination of debate is required. If two-thirds (2/3) of the members present vote in the affirmative, the question before the council shall be taken without further debate. The presiding officer shall then state the principal question. The council then votes, first on any pending amendments and then on the main question. (Ord. 61-5563 §1, 2013.)

RULE 18 - CONSENT AGENDA

A. Clerk's Responsibilities. The city clerk may create a subsection on any council agenda entitled "consent agenda." In a consent agenda, the clerk shall place matters that, in the clerk's judgment, are routine and noncontroversial and do not require a special vote or specific action by the council.

B. Procedure for Adoption. The following procedure shall apply when a consent agenda is used:

1. No separate discussion of debate may be permitted on any matter listed on the consent agenda.
2. A single motion, seconded and adopted by a majority vote of all members on the council, shall be required to approve, adopt, enact or otherwise favorably resolve all matters listed on the consent agenda.

3. Any alderman may request removal of any item or part of an item included in the consent agenda. At the time of the consent agenda is considered, that item, requested by the alderman, shall be removed without debate or vote.
4. If any item or any part of the item has been removed from the consent agenda in accordance with this rule, the council shall consider that item at an appropriate time during the council's regular order of business.

RULE 19 - ROBERT'S RULES OF ORDER TO GOVERN COUNCIL

In the absence of a standing rule, the council shall be governed by the most current edition of *Robert's Rules of Order Newly Revised*, unless contrary to state law. (Ord. 61-5564 §1, 2013.)

RULE 20 - SUSPENSION OF RULES

These rules or any part of them may be suspended in connection with any matter under consideration by a recorded vote of two-thirds (2/3) of the members present.

RULE 21 - AMENDING OF THE RULES

By a recorded vote of two-thirds (2/3) of all the members of the council, these rules or any part of them may be amended.

(Ord. 61-5363 §1, 2008, File No. 02-0432; Ord. 61-5289 §1, 2006, File No. 02-0432; Ord. 61-5181 §1, 2002, File No. 02-0432; Ord. 61-5070 §1, 2000.)

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Chapter 2.18

MUNICIPAL JUSTICE

Sections:

- 2.18.010 Compensation.
- 2.18.020 Bond and oath.
- 2.18.030 Qualifications.
- 2.18.040 Jurisdiction.
- 2.18.045 Dispositions and sanctions in juvenile cases.
- 2.18.050 Procedure.
- 2.18.060 Bailiff.
- 2.18.070 Employees.
- 2.18.080 Substitute and interim municipal justice.
- 2.18.090 Case schedule.
- 2.18.100 Salary.
- 2.18.110 Amendments.
- 2.18.120 Fees and costs.
- 2.18.130 Severability.

2.18.010 Compensation. The municipal justice shall receive such compensation as determined by the common council, which shall be in lieu of fees and costs. No compensation shall be paid to the justice for any time during the term for which the official bond and oath have not been executed and filed. No compensation shall be paid for any day for which court is scheduled to be in session pursuant to section 2.18.050 for which the municipal justice is not in attendance, except that the municipal justice shall be permitted one working day absent per full calendar month worked, which time may be used as sick time, vacation time or personal time. Where possible, two weeks' advance notice of an off day or off days shall be submitted in writing to the mayor, the city attorney and the city police chief. The municipal justice shall, as a condition precedent to receiving any compensation in the forthcoming month, file an affidavit with the city treasurer on or before the last working day of each calendar month stating that no case which has been submitted in final form to him in the past thirty days, exclusive of time of total disability, if any, remains undecided. (Ord. 61-4303 §1(part), 1975.)

2.18.020 Bond and oath. The municipal justice shall execute and file with the clerk of the circuit court for Marathon County the oath prescribed by Section 256.02 of the Wisconsin Statutes, and a bond in the penal sum of two thousand dollars as prescribed by Section 62.09(4) of the Wisconsin Statutes. (Ord. 61-4303 §1(part), 1975.)

2.18.030 Qualifications. The municipal justice shall be licensed to practice law in the state, in good standing with the bar, and a resident of the city. (Ord. 61-4303 §1(part), 1975.)

2.18.040 Jurisdiction. (a) The municipal justice shall have jurisdiction as provided in Sections 755.045 and 800.01 of the Wisconsin Statutes, and exclusive jurisdiction of violations of city ordinances, except as provided by Sections 755.045(1)(a) and (b) of the Wisconsin Statutes.

(b) The municipal justice may, in addition to any fine or penalty that may be imposed by law for any violation of a city ordinance, impose a forfeiture for contempt as provided in Section 800.12 of the Wisconsin Statutes. This forfeiture shall not exceed fifty dollars, or upon default in payment of the forfeiture, a jail sentence of not to exceed seven days.

(c) Municipal court jurisdiction over juveniles age twelve through sixteen years of age for violation of nontraffic ordinance violations.

(1) Pursuant to Sections 938.17(2)(cm) and (d) of the Wisconsin Statutes, the city adopts provisions of Chapter 938 of the Wisconsin Statutes, specifically sections 938.02(1), 938.02(10m), and all of section 938.17, including any amendments and/or revisions thereto.

(2) Subject to the provisions and limitations of Chapter 938, the Laws of 1995, and as amended and/or revised, complaints alleging a violation of any provision of this code against persons twelve, thirteen, fourteen, fifteen and sixteen years of age may be brought in the municipal court for the city.

(Ord. 61-4945 §2, 1996; Ord. 61-4303 §1(part), 1975.)

2.18.045 Dispositions and sanctions in juvenile cases. (a) Dispositions. The dispositions contained in Chapter 938 of the Wisconsin Statutes, specifically sections 938.343, 938.344, and 938.355 are incorporated by reference as permitted by Sections 938.17(2)(cm) and (d) of the Wisconsin Statutes.

(b) The municipal court shall not impose incarceration as a penalty or sanction in a juvenile case. The sanctions contained in Chapter 938 of the Wisconsin Statutes, specifically sections 938.17 and 938.355(6), as permitted by Sections 938.17(2)(cm) and (d) of the Wisconsin Statutes, are incorporated by reference.

(c) Section 125.074(4) of the Wisconsin Statutes is adopted by reference and incorporated herein, including all of the penalty provisions under Chapter 343 of the Wisconsin Statutes as incorporated by section 125.07.

(d) Those persons under twenty-one who qualify for an operator's license pursuant to Chapter 125 of the Wisconsin Statutes and the applicable city ordinances shall be eligible for such a license. (Ord. 61-5082 §1, 2000; Ord. 61-4945 §3, 1996.)

2.18.050 Procedure. (a) The court shall be open not less than three nor more than five days per week, as the public health and safety committee of the common council may direct. The court shall also be open one or more Wednesday evenings each month as may be required to serve those persons for whom day court would be a burden, but no night court need be held when no matters are scheduled for night court.

(b) The procedures of the municipal court shall be in accord with the applicable Wisconsin Statutes and city ordinances. The court shall abide by the Wisconsin Rules of Evidence

and the Uniform State Traffic Deposit Schedule. In nontraffic matters, the city attorney shall draft a bond schedule which shall become effective upon approval by the municipal justice. No bond shall exceed the maximum penalty which could be imposed for the ordinance violation. The police chief shall be furnished a copy of all bond schedules and amendments thereto.

(c) The municipal justice shall collect all forfeitures, fines and costs in any action or proceeding made in the court, and shall pay over such moneys to the city treasurer at such times and in such a manner as the city treasurer directs. (Ord. 61-4303 §1(part), 1975.)

2.18.060 Bailiff. A full-time police officer selected by the chief of police shall be assigned as bailiff to the municipal court. (Ord. 61-4303 §1(part), 1975.)

2.18.070 Employees. The court shall be staffed by such clerical personnel as are authorized by the common council. Such employees will be selected as are other city employees holding similar positions. (Ord. 61-4303 §1(part), 1975.)

2.18.080 Substitute and interim municipal justice. In the event the municipal justice is ill, absent or unable to perform the duties of the office, the provisions of Section 254.08 of the Wisconsin Statutes shall apply. In the event of death or resignation, the mayor shall appoint an interim municipal justice who shall serve until the next available election date for the office. Substitute and interim municipal justices are subject to this chapter in the same manner as is the municipal justice. Interim municipal justices must be licensed and admitted to the bar to practice law in the state. Substitute municipal justices are not required to, but may be licensed or admitted to practice law in the state. Substitute and interim municipal justices shall receive the same daily fee as does the municipal justice, which daily fee is computed by dividing the yearly salary of the municipal justice by two hundred sixty-two. (Ord. 61-4303 §1(part), 1975.)

2.18.090 Case schedule. Where possible, the following time frames are to be used in the municipal court:

(a) Law enforcement officers and others chargeable with the responsibility of writing citations or other legal processes which provide a court date shall, at the time of issuance of the citation, provide a court date which is within thirty days of the date of issuance. The party charged with an ordinance violation shall not have the right to be heard in night court if a night court date is not available within thirty days of the date charged. The failure of an issuing officer or official to provide the opportunity for a night court hearing or a hearing within thirty days of the date of issuance shall not, in any matter, constitute a defense to the violation charged.

(b) The court, when granting an adjournment upon request, shall set the adjourned date within thirty days of the date of the request for an adjournment.

(c) The municipal justice shall, where a case has been submitted to him in final form, issue a determination of guilt or innocence within thirty days thereafter. (Ord. 61-4303 §1(part), 1975.)

2.18.100 Salary. The salary of the municipal justice shall not be decreased during the term of office. (Ord. 61-4303 §1(part), 1975.)

2.18.110 Amendments. The common council may amend the ordinance codified in this chapter as the council may, in its sole discretion, deem in the public interest. (Ord. 61-4303 §1(part), 1975.)

2.18.120 Fees and costs. The fees and costs chargeable in this court shall be set by the common council in the form of a charter ordinance. (Ord. 61-4303 §1(part), 1975.)

2.18.130 Severability. The provisions of any part of this chapter are severable. If any provision or subsection hereof or the application thereof to any person or circumstances, is held invalid, the other provisions, subsections and applications of this chapter to other persons or circumstances shall not be affected thereby. It is the intent of this chapter that the same would have been adopted had such invalid provisions, if any, not been included herein. (Ord. 61-4303 §1(part), 1975.)

Chapter 2.19

ESTABLISHING FEES AND COSTS IN THE MUNICIPAL COURT⁴

Sections:

- 2.19.010 Applicable state laws.
- 2.19.020 Costs and fees.

2.19.010 Applicable state laws. The common council elects, under Section 66.0101(3) of the Wisconsin Statutes, to establish fees and costs for the municipal court, pursuant to Sections 66.0114(1)(b) and 814.65 of the Wisconsin Statutes. (Charter Ord. 21 §1(part), 2000.)

2.19.020 Costs and fees. (a) The allowance and taxation of costs, fees and disbursements shall be made pursuant to Section 814.65 of the Wisconsin Statutes, including any amendments and revisions thereto.

(b) Witness fees, fees for service of process, and costs for mileage for appearance of city employees or officials taxed to and paid by the defendant shall not be paid to such employee or official, but shall be paid into the city, as are other fees and costs.

(c) The municipal justice may tax and allow such additional or other costs, fees and disbursements as are permitted by law, in addition to those required by (a). (Charter Ord. 21 §1(part), 2000.)

⁴ For constitutional provisions regarding home rule powers for cities, see Wis. Const. Art. XI, §3. For rules for operation of the municipal court of the city and for the provision that the common council shall prescribe, in a charter ordinance, mandatory fees and costs charged in the court, see Ch. 2.18 of this title.

Prior ordinance history: Charter Ord. 19.

Chapter 2.20

ORDINANCE ENFORCEMENT

Sections:

- 2.20.010 Purpose.
- 2 20.020 Compliance.
- 2 20.030 Special inspection warrants.
- 2 20.040 Uniform ordinance violation citation.
- 2.20.045 Enforcement of certain property violations
- 2 20.050 Other actions or proceedings.
- 2 20.060 Municipal, state or federal court.
- 2 20.070 Appeals.

2.20.010 Purpose. A uniform procedure for enforcement of municipal rules, regulations and laws is a purpose of this chapter. It also grants authority to certain department heads to cause actions to be initiated. This chapter does not apply to enforcement by police department personnel except as otherwise specifically provided. Wherever the term city attorney appears, it includes assistants and special counsel. (Ord. 61-5616 §2(part), 2014; Ord. 61-4412 §1(part), 1979.)

2.20.020 Compliance. It is a policy of the city that compliance, not revenue, is an objective of the municipal code. It is determined to be in the public interest that city officials and employees exercise discretion, where appropriate, to obtain compliance without resorting to court action. (Ord. 61-4412 §1(part), 1979.)

2.20.030 Special inspection warrants. The city attorney may apply to a court of competent jurisdiction for special inspection warrants. Special inspection warrants provide for entry into premises where entry has been refused to an inspector. (See § 66.0119, Wis. Stats.) (Ord. 61-4412 §1(part), 1979.)

2.20.040 Uniform ordinance violation citation. The following officials may issue, on information and belief or on their own knowledge, a uniform ordinance violation citation, pursuant to Section 66.0113 of the Wisconsin Statutes for violations of ordinances directly relating to their official responsibilities:

- | | |
|--|--|
| Building inspector | Fire inspector |
| Director of inspections and electrical systems | Housing inspector |
| City forester | Plumbing inspector |
| Director of parks | Director of Public works and Utilities |
| Electrical inspector | Employee assigned duties |

	and responsibilities of sidewalk
Engineer	Treasurer
Finance director	Director of Public Works and Utilities

The public health and safety committee is delegated authority to authorize the officials designated in this section to name subordinates who may also issue such citations directly relating to their official responsibilities. (Ord. 61-5735 §6(part), 2017; Ord. 61-5616 §3(part), 2014; Ord. 61-5377 §3 (part), 2008; Ord. 61-4413 §1, 1979; Ord. 61-4412 §1(part), 1979.)

2.20.045 Enforcement of certain property violations. (a) Findings. The Wausau City Council has determined that correction of certain minor, non-structural code violations concerning real property would be greatly enhanced by timely enforcement and the collection of a forfeiture designed to encourage code compliance, defray the administrative costs of enforcement, but which does not carry the additional burden of court costs on property owners, occupants, or other persons in charge of real property. The City Council finds that the issuance of warning letters in advance of enforcement of these minor, non-structural violations is a time-consuming and staff-intensive way to achieve code compliance and permits blighted or other unsightly conditions to linger in city neighborhoods to the detriment of the community and surrounding property owners and residents. This ordinance is enacted to encourage property owners, occupants, and other persons in charge of real property to exercise their responsibility to ensure that the following city ordinances governing the condition and maintenance of property are followed to improve conditions in city neighborhoods and to protect the health, safety and welfare of the public.

(b) Notice of Property Violation. In lieu of issuing a municipal uniform ordinance violation citation under section 1.01.025 for code violations set forth in subsection (c), officials authorized pursuant to sections 1.01.027 or 2.20.040 of this code may issue a Notice of Property Violation to the real property owner, occupant, or other person in charge of the real property served by 1st class mail or as provided under Wis. Stat. s. 801.11(1)(a) and (b), (5), and (6). The Notice of Property Violation shall provide for a forfeiture upon stipulation as provided in subsection (c) and shall provide that such forfeiture shall be paid only upon the agreement or stipulation of the alleged violator to the violation and the forfeiture amount.

(c) Violations. The forfeiture upon stipulation for the following minor, non-structural code violations relating to real property defined in the respective code reference shall be in accordance with the following schedule:

Location of waste container violations	[6.44.040(c)]	\$30.00
Waste container curbside hour violations	[6.44.060]	30.00
Noncollectible materials	[6.44.080]	30.00
Storing of refuse	[6.44.090]	30.00
Failure to mow	[6.48.010]	30.00
Removal of animal excreta	[8.08.220]	30.00
Obstructions and encroachments prohibited	[12.44.020]	30.00

Permits required, unapproved signs	[15.48.030]	30.00
Signs on city property	[15.48.120]	30.00
Unregistered, unlicensed and junk vehicles	[16.04.035]	50.00
Off-street parking in yards	[23.12.130]	30.00
Storage of recreational equipment in yards	[23.12.133]	30.00

(d) Stipulation to Violation. An alleged violator noticed under subsection (b) may, but is not required to, enter into a stipulation of guilt or no contest to the violation and to the forfeiture set forth in subsection (c) by paying the stipulated amount within fourteen (14) days of the issuance date of the Notice of Property Violation. The amount of the stipulated forfeiture shall be paid in cash, money order, or bank check to the city clerk. A stipulated forfeiture shall not be deemed timely where any payment made by check is dishonored by the bank. In the event the alleged violator elects not to enter into a stipulation with respect to the violation and pay the forfeiture as provided herein, the city may issue the alleged violator a municipal uniform ordinance violation citation pursuant to section 1.01.025, commencing an action in municipal court and providing the alleged violator the opportunity, among other things, to enter a plea of not guilty and to contest the alleged violation through trial. In such cases, the penalty for the violation upon successful prosecution shall include the costs of prosecution imposed as provided in section 1.01.025(c)(2) and chapter 2.19.

(e) Review of Notice of Property Violation. An alleged violator may obtain review of the Notice of Property Violation by submitting a written request for review together with any relevant information and a copy of the notice to the chief inspector, zoning and inspection division within fourteen (14) days of the issuance date of the notice. The alleged violator will have fourteen (14) days from the date of an adverse decision on the request for review to enter into a stipulation of guilt or no contest to the violation and pay the forfeiture set forth in subsection (c) if he/she so elects. In the event the alleged violator elects not to enter into a stipulation, the city may issue the alleged violator a municipal uniform ordinance violation citation as provided in subsection (c). In the event the chief inspector finds in favor of the alleged violator, the Notice of Property Violation will be dismissed. The city elects not to be bound by Chapter 68, Wisconsin Statutes with respect to administrative procedure in this regard. (Ord. 61-5615 §1, 2014, File No. 14-0407)

2.20.050 Other actions or proceedings. In lieu of issuing a uniform ordinance violation citation, a city employee or official may submit a written report of a code violation to the city attorney, who shall forward such information to the board, commission, committee or official having subject matter jurisdiction. Where the allegations in such written report disclose facts that require immediate action for reason of emergency, nuisance or to protect the health or safety of person or property, the city attorney may bring an action or proceeding in the name of the city, without the designated referral. (Ord. 61-4412 §1(part), 1979.)

2.20.060 Municipal, state or federal court. Actions or proceedings may be commenced in any court of competent jurisdiction. (Ord. 61-4412 §1(part), 1979.)

2.20.070 Appeals. The city attorney shall have the discretion to respond to or file appeals in all matters. A brief summary of each such appeal shall be given to each committee, commission or board having jurisdiction over the subject matter. (Ord. 61-4412 §1(part), 1979.)

Chapter 2.21

ADMINISTRATIVE REVIEW PROCEDURE

Sections:

- 2.21.010 Purpose.
- 2.21.020 Scope.
- 2.21.030 Board—Composition.
- 2.21.040 Board—Procedures.
- 2.21.050 Board—Membership restricted.
- 2.21.060 Board—Clerk.
- 2.21.070 Appeal requests to clerk.
- 2.21.080 Other appeal remedies.
- 2.21.090 Severability.

2.21.010 Purpose. In order to insure fair play and due process in the administration of the affairs, ordinances, resolutions and bylaws of the city, the common council declares that the provisions of Chapter 68 of the Wisconsin Statutes, relating to municipal administrative review procedure shall be in full force and effect in the city except when in conflict with this chapter. (Ord. 61-4443 §1(part), 1980.)

2.21.020 Scope. All officers, employees, agencies, committees, boards and commissions of the city shall comply with the requirements of Chapter 68 of the Wisconsin Statutes, and shall conduct initial administrative reviews of their own determinations in accordance with Section 68.09 of the Wisconsin Statutes, upon filing of a proper written request therefor. (Ord. 61-4443 §1(part), 1980.)

2.21.030 Board—Composition. There is created for the city an administrative review appeals board (appeals board hereafter) consisting of three members and an alternate member which shall have the duty and responsibility of hearing appeals from initial administrative determinations or decisions of officers, employees, agencies, committees, boards and commissions of the city filed in accordance with Section 68.10 of the Wisconsin Statutes, and making a final determination thereupon. The chairman of the public health and safety committee, the chairman of the capital improvement and street maintenance committee, and one citizen shall constitute the membership. The mayor shall appoint the citizen member and in addition one alternate, who shall act only when a member of the appeals board is temporarily unable to serve or refuses, or may not serve, because of interest in or involvement in a prior determination on the subject matter of the appeal. Where there is doubt as to the propriety of acting, the member shall request an informal opinion of the city attorney and act in accord with such opinion. (Ord. 61-4443 §1(part), 1980.)

2.21.040 Board—Procedures. In conducting administrative review hearings and making final decisions, the appeals board shall be governed by the provisions of Sections 68.11 and 68.12 of the Wisconsin Statutes. Decisions of the appeals board shall be made by a majority vote of the members. The appeals board may adopt rules for conduct of hearings not in conflict with or

inconsistent with the provisions of Section 68.11 of the Wisconsin Statutes. (Ord. 61-4443 §1(part), 1980.)

2.21.050 Board—Membership restricted. No city officer or employee, or an agent or contractor doing more than five thousand dollars per calendar year business with the city, may serve as a citizen member of the appeals board. (Ord. 61-4443 §1(part), 1980.)

2.21.060 Board—Clerk. The city clerk shall:

- (a) Have charge of all the records, files, exhibits and transcripts of the appeals board;
- (b) Prepare the forms to be used in administrative appeals, and shall supply such forms to person requesting them;
- (c) Set the date, time and place for hearing before the appeals board and shall give notice thereof to the board, the appellant, the city officer, employee, agency, committee, board or commission whose decision is under appeal, and the city attorney. The hearing shall be recorded by a stenographer or reporter designated by the appeals board. (Ord. 61-4443 §1(part), 1980.)

2.21.070 Appeal requests to clerk. City officers, employees, heads of city agencies, committees, boards and commissions shall be responsible for timely transmission of requests for appeal to the city clerk. (Ord. 61-4443 §1(part), 1980.)

2.21.080 Other appeal remedies. The provisions of this chapter shall not be deemed to repeal or supersede other procedures for review of administrative determinations within the city when otherwise specifically provided in the Wisconsin Statutes. (Ord. 61-4443 §1(part), 1980.)

2.21.090 Severability. If any section, clause provision or portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby. (Ord. 61-4443 §1(part), 1980.)

Chapter 2.22

AFFIRMATIVE ACTION

Sections:

- 2.22.010 Purpose.
- 2.22.020 Policy.
- 2.22.030 Dissemination of policy.
- 2.22.050 Responsibility for implementation.
- 2.22.060 Auditing and reporting procedures.
- 2.22.070 Enforcement after complaint and investigation.

2.22.010 Purpose. (a) Federal and state laws and administrative rules require employers, both public and private, to engage in certain personnel policies. Those same laws and rules likewise prohibit certain personnel practices by employers.

(b) Affirmative action has as its goal the more or less equal representation in employee groups throughout the United States of racial minorities, women, and the handicapped. Equal representation is generally defined as the same mix on the employee roster as each class or group represents in the local population mix; for example: If American Indians represent three percent of the population in the locality in which the employees reside, employee rosters should be composed of about three percent American Indians. The income and responsibility levels should also reflect proportionate ratios of each class or group; for example: If women represent twenty-five percent of the employees in a company, generally speaking, twenty-five percent of the supervisors, managers and executives should be women.

(c) Upon examination of the current roster of city employees, it is clear policies to achieve the aforesaid goals are required; therefore, the common council of the city declares its intention to comply with federal and state laws and regulations by adopting and implementing the ordinance codified in this chapter. (Ord. 61-4312 §1(part), 1976.)

2.22.020 Policy. The city shall, subject to the provisions of any and all lawful collective bargaining agreements, insure a policy of equal employment opportunity in all of its policies affecting recruiting, hiring, transfers, promotions, compensation, in-service education, layoff and recall practices, and all other benefits. These shall be administered without regard to race, creed, color, national origin, ancestry, handicap, sex or age, except where sex or age is a bona fide occupational qualification. (Ord. 61-4312 §1(part), 1976.)

2.22.030 Dissemination of policy. Some or all of the following techniques shall be employed to achieve the widest possible dissemination of the program's existence and goals:

- (a) Post appropriate materials on departmental bulletin boards;
- (b) Conduct in-service affirmative action programs;

(c) Disseminate affirmative action information and materials in employee orientation programs;

(d) Inform recruiting sources in writing of the affirmative action program and request that these sources actively recruit from and refer underrepresented classes of persons for vacancies as they occur;

(e) Publicize the program in the community by notifying interested organizations and appropriate community agencies;

(f) Stress equal employment opportunity in advertising and recruiting bulletins. (Ord. 61-4312 §1(part), 1976.)

(Ord. 61-5777 §1(part), 2018, File 18-0408; Ord. 61-5316 §1, 2006, File No. 06-1212; Ord. 61-5080 §1, 2000; Ord. 61-4736 §1, 1991; Ord. 61-4712 §1, 1990; Ord. 61-4370, 1978; Ord. 61-4312 §1(part), 1976.)

2.22.050 Responsibility for implementation. (a) Each department head shall, with the assistance of the human resources director, develop specific goals and timetables for inclusions in the affirmative action program. These shall include an estimate of employee vacancies for a three-year period and the establishment of employment goals by which to evaluate departmental compliance with the affirmative action program. The goals and timetables shall be reviewed at least annually by the diversity committee to insure that the goals are attainable, significant, and measurable in accordance with economic conditions and the size of the work force. These goals and timetables shall be presented to the diversity committee for review.

(b) The human resources director shall establish audit and reporting procedures for all departmental employment activities including, but not limited to, job interviews, selection, placement, promotions and terminations; measure the overall effectiveness of the affirmative action program; provide career counseling for all employees; and report quarterly to the diversity committee on problems, progress and the attainment of departmental goals and timetables.

(c) The city shall recruit persons from under represented classes for all positions. The following shall take place:

(1) Organizations which represent or are concerned with racial minorities, women, and the handicapped shall be contacted regarding job openings.

(2) The city shall cooperate with all federally funded manpower programs operating within the community.

(3) All high schools, institutes, colleges and universities in the community shall be appraised of this program and their support shall be solicited.

(d) Under the direction of the human resources director, the city shall recruit, train and provide promotional opportunities for classes of persons under represented as employees and insure

the full understanding of the city commitments under the affirmative action program. Training shall be conducted for supervisors on the subject of equal employment opportunity and the city's affirmative action program. Promotional procedures shall be evaluated continually to assure their job relatedness and fairness. Community education projects shall be encouraged. In-service training programs shall be established as an important part of the affirmative action program so that these persons can be promoted when promotional opportunities become available. (Ord. 61-5080 §2, 2000; Ord. 61-4312 §1(part), 1976.)

2.22.060 Auditing and reporting procedures. The following procedures are established:

(a) The diversity commission shall monitor all equal employment opportunity activities in city government and make a progress report to the common council in January of each year.

(b) The mayor shall regularly inform the citizens of the city of the effectiveness of the affirmative action program. (Ord. 61-5080 §3, 2000; Ord. 61-4312 §1(part), 1976.)

2.22.070 Enforcement after complaint and investigation. Subsequent to the complaint and investigation procedures as specified in section 2.22.040, and upon recommendation of the human resources committee, persons found in violation of this chapter may be subject to disciplinary action including, but not limited to, oral or written reprimand, suspension without pay, or dismissal. (Ord. 61-4312 §1(part), 1976.)

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Chapter 2.56

PUBLIC RECORDS

Sections:

- 2.56.010 Public records.
- 2.56.020 Records retention.

2.56.010 Public records. (a) Definitions.

(1) "Authority" means any of the following city entities having custody of a city record: an office, city official, agency, board, commission, committee, council, department or public body corporate and politic created by constitution, resolution, law, ordinance, rule or order; or a formally constituted subunit of the foregoing.

(2) "Custodian" means that officer, department head, division head, or employee of the city designated under subsection (3) or otherwise responsible by law to keep and preserve any city records or file, deposit or keep such records in his or her office, or is lawfully in possession or entitled to possession of such public records and who is required by this section to respond to requests for access to such records.

(3) "Record" means any material on which written, drawn, printed, spoken, visual, or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. "Record" includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), and computer printouts. "Record" does not include drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent or bequest; and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.

(b) Duty to Maintain Records.

(1) Except as provided under subsection (g), each officer and employee of the city shall safely keep and preserve all records received from his or her predecessor or other persons and required by law to be filed, deposited or kept in his or her office or which are in the lawful possession or control of the officer or employee or his or her deputies, or to the possession or control of which he or she or they may be lawfully entitled as such officers or employees.

(2) Upon the expiration of an officer's term of office or an employee's term of employment, or whenever the office or position of employment becomes vacant, each such officer or employee shall deliver to his or her successor all records then in his or her custody and the successor shall receipt therefor to the officer or employee, who shall file said receipt with the city clerk. If a vacancy occurs before a successor is selected or qualifies, such records shall be delivered to and receipted for by the clerk, on behalf of the successor, to be delivered to such successor upon the latter's receipt.

(c) Legal Custodian(s).

(1) Each city official is the legal custodian of his or her records and the records of his or her office, but the official may designate an employee of his or her staff to act as the legal custodian.

(2) Unless otherwise prohibited by law, the city clerk or the clerk's designee shall act as legal custodian for the common council and for any committees, commissions, boards, or other authorities created by ordinance or resolution of the common council.

(3) For every authority not specified in (1) or (2) of this subsection (c), the authority's chief administrative officer is the legal custodian for the authority, but the officer may designate an employee of his or her staff to act as the legal custodian.

(4) Each legal custodian shall name a person to act as legal custodian in his or her absence or the absence of his or her designee.

(5) The legal custodian shall have full legal power to render decisions and to carry out the duties of an authority under Subchapter 11 of Chapter 19, Wisconsin Statutes, and this section. The designation of a legal custodian does not affect the powers and duties of an authority under this section.

(d) Public Access to Records.

(1) Except as provided in subsection (f), any person has a right to inspect a record and to make or receive a copy of any record as provided in Section 19.35(1) of the Wisconsin Statutes.

(2) Records will be available for inspection and copying during all regular office hours.

(3) If regular office hours are not maintained at the location where records are kept, the records will be available for inspection and copying upon at least forty-eight hours' advance notice of intent to inspect or copy.

- (4) A requester shall be permitted to use facilities comparable to those available to city employees to inspect, copy or abstract a record.
- (5) The legal custodian may require supervision during inspection or may impose other reasonable restrictions on the manner of access to an original record if the record is irreplaceable or easily damaged.
- (6) A requester shall be charged a fee to defray the cost of locating and copying records as follows:
 - (A) The cost of photocopying shall be as provided in section 3.40.010(a). Said cost has been calculated not to exceed the actual, necessary and direct cost of reproduction.
 - (B) If the form of a written record does not permit copying, the actual and necessary cost of photographing and photographic processing shall be charged.
 - (C) The actual full cost of providing a copy of other records not in printed form on paper, such as films, computer printouts and audio or videotapes, shall be charged.
 - (D) If mailing or shipping is necessary, the actual cost thereof shall also be charged.
 - (E) There shall be no charge for locating a record unless the actual cost therefor exceeds fifty dollars, in which case the actual cost shall be determined by the legal custodian and billed to the requester.
 - (F) The legal custodian shall estimate the cost of all applicable fees and may require a cash deposit adequate to assure payment if such estimate exceeds five dollars.
 - (G) Elected and appointed officials of the city shall not be required to pay for public records they may reasonably require for the proper performance of their official duties.
 - (H) The legal custodian may provide copies of a record without charge or at a reduced charge where he or she determines that waiver or reduction of the fee is in the public interest.
- (7) Pursuant to Section 19.34 of the Wisconsin Statutes, and the guidelines therein listed, each authority shall adopt, prominently display and make available for inspection and copying at its offices, for the guidance of the public, a notice containing a description of its organization and the established times and places at which, the legal custodian from whom, and the methods whereby, the public may

obtain information and access to records in its custody, make requests for records, or obtain copies of records, and the costs thereof.

(e) Access Procedures.

(1) A request to inspect or copy a record shall be made to the legal custodian. A request shall be deemed sufficient if it reasonably describes the requested record or the information requested. However, a request for a record without a reasonable limitation as to subject matter or length of time represented by the record does not constitute a sufficient request. A request may be made orally, but a request must be in writing before an action to enforce the request is commenced under Section 19.37 of the Wisconsin Statutes. Except as provided below, no request may be refused because the person making the request is unwilling to be identified or to state the purpose of the request. No request may be refused because the request is received by mail, unless prepayment of a fee is required under subsection (d)(6)(F). A requester may be required to show acceptable identification whenever the requested record is kept at a private residence or whenever security reasons or federal law or regulations so require.

(2) Each custodian, upon request for any record, shall, as soon as practicable and without delay, either fill the request or notify the requester of the authority's determination to deny the request in whole or in part and the reasons therefor. If the legal custodian, after conferring with the city attorney, determines that a written request is so general as to be unduly time consuming, the party making the request may first be required to itemize his or her request in a manner which would permit reasonable compliance.

(3) A request for a record may be denied as provided in subsection (f). If a request is made orally, the request may be denied orally unless a demand for a written statement of the reasons denying the request is made by the requester within five business days of the oral denial. If a written request is denied in whole or in part, the requester shall receive a written statement of the reasons for denying the request. Every written denial of a request shall inform the requester that if the request for the record was made in writing, then the determination is subject to review upon petition for a writ of mandamus under Section 19.37(1) of the Wisconsin Statutes, or upon application to the Attorney General or a district attorney.

(f) Limitations on Right to Access.

(1) As provided by Section 19.36 of the Wisconsin Statutes, the following records are exempt from inspection under this section:

(A) Records specifically exempted from disclosure by state or federal law or authorized to be exempted from disclosure by state law;

- (B) Any record relating to investigative information obtained for law enforcement purposes if federal law or regulations require exemption from disclosure or if exemption from disclosure is a condition to receipt of aids by the state;
 - (C) Computer programs, although the material used as input for a computer program or the material produced as a product of the computer program is subject to inspection; and
 - (D) A record or any portion of a record containing information qualifying as a common law trade secret.
- (2) As provided by Section 43.30 of the Wisconsin Statutes, public library circulation records are exempt from inspection under this section.
- (3) In responding to a request for inspection or copying of a record which is not specifically exempt from disclosure, the legal custodian, after conferring with the city attorney, may deny the request, in whole or in part, only if he or she determines that the harm to the public interest resulting from disclosure would outweigh the public interest in full access to the requested record. Examples of matters for which disclosure may be refused include, but are not limited to, the following:
- (A) Records obtained under official pledges of confidentiality which were necessary and given in order to obtain the information contained in them;
 - (B) Records of current deliberations after a quasi-judicial hearing;
 - (C) Records of current deliberations concerning employment, dismissal, promotion, demotion, compensation, performance, or discipline of any city officer or employee, or the investigation of charges against a city officer or employee, unless such officer or employee consents to such disclosure;
 - (D) Records concerning current strategy for crime detection or prevention;
 - (E) Records of current deliberations or negotiations on the purchase of city property, investing of city funds, or other city business whenever competitive or bargaining reasons require nondisclosure;
 - (F) Financial, medical, social or personal histories or disciplinary data of specific persons which, if disclosed, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such history or data;
 - (G) Communications between legal counsel for the city and any officer, agent or employee of the city, when advice is being rendered concerning

strategy with respect to current litigation in which the city or any of its officers, agents or employees is or is likely to become involved, or communications which are privileged under Section 905.03 of the Wisconsin Statutes.

(4) If a record contains information that may be made public and information that may not be made public, the custodian of the record shall provide the information that may be made public and delete the information that may not be made public from the record before release. The custodian shall confer with the city attorney prior to releasing any such record and shall follow the guidance of the city attorney when separating out the exempt material. If in the judgment of the custodian and the city attorney there is no feasible way to separate the exempt material from the nonexempt material without unreasonably jeopardizing nondisclosure of the exempt material, the entire record shall be withheld from disclosure.

(g) Destruction of Records.

(1) City officers may destroy the following nonutility financial records of which they are the legal custodians and which are considered obsolete, after completion of any required audit by the bureau of municipal audit or an auditor licensed under Chapter 442 of the Wisconsin Statutes, but not less than seven years after payment or receipt of any sum involved in the particular transaction, unless a shorter period has been fixed by the State Public Records Board pursuant to Section 16.61(3)(e) of the Wisconsin Statutes, and then after such shorter period:

- (A) Bank statements, deposit books, slips and stubs;
- (B) Bonds and coupons after maturity;
- (C) Canceled checks, duplicates and check stubs;
- (D) Payrolls and other time and employment records of personnel included under the Wisconsin Retirement Fund;
- (E) Receipt forms;
- (F) Vouchers, requisitions, purchase orders and all other supporting documents pertaining thereto;
- (G) Special assessment records.

(2) City officers may destroy the following utility records of which they are the legal custodians and which are considered obsolete after completion of any required audit by the bureau of municipal audit or an auditor licensed under Chapter 442 of the Wisconsin Statutes, subject to State Public Service Commission regulations, but not less than seven years after the record was effective unless a shorter period has

been fixed by the State Public Records Board pursuant to Section 16.61(3)(e) of the Wisconsin Statutes, and then after such a shorter period, except that water stubs, receipts of current billings and customers' ledgers may be destroyed after two years:

- (A) Water and sewer stubs and receipts of current billings;
- (B) Customer's ledgers;
- (C) Vouchers and supporting documents pertaining to charges not included in plant accounts;
- (D) Other utility records with the written approval of the State Public Service Commission.

(3) City officers may destroy the following records of which they are the legal custodian and which are considered obsolete, but not less than seven years after the record was effective unless another period has been set by statute, and then after such a period, or unless a shorter period has been fixed by the State Public Records Board pursuant to Section 16.61(3)(e) of the Wisconsin Statutes, and then after such a shorter period:

- (A) Assessment rolls and related records, including board of review minutes;
- (B) Contracts and papers relating thereto;
- (C) Correspondence and communications;
- (D) Financial reports other than annual financial reports;
- (E) Insurance policies;
- (F) Justice dockets;
- (G) Oaths of office;
- (H) Reports of boards, commissions, committees and officials duplicated in the official council minutes;
- (I) Resolutions and petitions;
- (J) Voter record cards.

(4) Unless notice is waived by the State Historical Society, at least sixty days' notice shall be given the State Historical Society prior to the destruction of any record as provided by Section 19.21(4)(a) of the Wisconsin Statutes.

(5) Any tape recordings of a governmental meeting of the city may be destroyed, erased or reused no sooner than ninety days after the minutes of the meeting have been approved and published, if the purpose of the recording was to make minutes of the meeting.

(h) Preservation Through Microfilm. Any city officer, or the director of any department or division of city government may keep and preserve public records in his or her possession by means of microfilm or other photographic reproduction method. Such records shall meet the standards for photographic reproduction set forth in Section 16.61(7) (a) and (b) of the Wisconsin Statutes, and shall be considered original records for all purposes. Such records shall be preserved along with other files of the department or division and shall be open to public inspection and copying according to the provisions of state law and subsections (d) through (f). (Ord. 61-5739 §1, 2017; Ord. 61-5605 §1 (part), 2014; Ord. 61-4503 §2, 1982.)

2.56.020 Records retention.

WISCONSIN MUNICIPAL RECORDS RETENTION SCHEDULE

<u>UTILITY RECORDS (Sewer, Water & Electric)</u>	<u>RETENTION</u>
Records of inventory, inventory disposition and scrap	3 years
Customer applications, contracts, deposit records, interest receipts	3 years
Meter reading records	2 years
Revenue summaries	6 years
Customer ledgers, bill summaries, trial balances, account indices	3 years
Collection reports, summaries, bill stubs, bill copies, customer account adjustments, high bill complaints	3 years
Water quality laboratory tests (Deep well and landfill well water analyses detail and summary reports; chemical and bacteriological analyses of municipal drinking water detail and summary reports; municipal drinking water fluoride analyses; swimming pool water bacteriological analyses; public bathing beach water bacteriological analyses; and water quality control readings	Retain individual sample records 5 years. If information has been transferred to a permanent test site location file, retain for one year and destroy.

WORK PERMITS

Until Child turns 21

SALES & USE TAX

RETENTION

Returns, schedules, work papers, etc.	6 years
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REAL PROPERTY RECORDS

RETENTION

Deeds	Permanent
Opinions of title	Permanent
Abstracts and certificates of title	Permanent
Title insurance policies	Permanent
Plats	Permanent
Easements	Permanent
Leases	7 years after termination of lease and destroy
Vacation or alteration of plat	Permanent

ASSESSMENT RECORDS

RETENTION

Final assessment roll	Permanent
Personal property blotters	7 Years
Assessment workroll	2 Years
Assessment property cards	Until superceded

ACCOUNTING DOCUMENTS

ACCOUNTS PAYABLE

RETENTION

Purchase invoices	7 years and destroy provided record has been audited
Vouchers	7 years and destroy provided record has been audited

ACCOUNTS RECEIVABLE

RETENTION

Accounts receivable invoices	7 years and destroy provided record has been audited
Receipts	7 years and destroy provided record has been audited
Collection blotters	1 year after audit and destroy

JOURNALS, REGISTERS & LEDGER

RETENTION

Receipts journal	15 years and destroy
Voucher/order register	15 years and destroy
General journal	15 years and destroy
Journal voucher	15 years and destroy
Appropriation journal	15 years and destroy
Appropriation journal	15 years and destroy
General ledger	15 years and notify State Historical Society
Trial Balance	Until audited and destroy

PAYROLL

RETENTION

Payroll support records	2 years and destroy provided the record has been audited
Employee's withholding allowance certificate	5 years after being superseded and destroy
Employee's Wisconsin withholding exemption certificate	5 years after being superseded and destroy
Employee enrollment and waiver cards	2 years after being superseded or terminated and destroy
Employee earning records	5 years and destroy
Payroll check register	5 years and destroy provided record has been audited
Payroll distributing record	5 years and destroy provided record has been audited

PAYROLL

RETENTION

Payroll voucher	5 years and destroy provided record has been audited
Canceled payroll checks	5 years and destroy provided record has been audited
Wage and tax statement	5 years and destroy provided record has been audited
Report of Wisconsin income tax withheld	5 years and destroy provided record has been audited
Employer's annual reconciliation of Wisconsin income tax withheld from wages	5 years and destroy provided record has been audited
Federal deposit tax stubs	5 years and destroy provided record has been audited
Quarterly report of federal income tax withheld	5 years and destroy provided record has been audited
Annual report of federal income tax withheld	5 years and destroy
State's quarterly report of wages paid	5 years and destroy provided record has been audited
Monthly memorandum report	5 years and destroy provided record has been audited
Quarterly report, payroll summary	5 years and destroy provided record has been audited
Premium due notices	5 years and destroy provided record has been audited

PURCHASING

RETENTION

Purchase requisitions	1 year after purchase order issued
Purchase orders	7 years and destroy
Receiving report	7 years and destroy
Bids, successful	7 years after the contract has expired and destroy

PURCHASING

RETENTION

Bids, unsuccessful	1 year after purchase order issued
Inventory of property	Retain until superseded and destroy

BUDGETS AND AUDITS

RETENTION

Budget worksheets	3 years and destroy
Minutes of the board of estimates	Permanent
Final budget	Permanent
Audit reports	Permanent

SPECIAL ASSESSMENTS

RETENTION

Preliminary resolution	2 years and destroy provided a copy of the report is on file with the public works project records
Report on special assessment notice and hearing	2 years and destroy provided a copy of the report is on file with the public works project records
Waiver of special assessment notice and hearing	1 year and destroy, or retain 1 year after the final audit resolution is approved and destroy
Final resolution	Permanent
Certified special assessment roll	Retain until all assessments are collected or for 7 years whichever is longer
Statement of new special assessments	5 years and destroy provided record has been audited
Special assessment payment register	Retain until all assessments are collected or for 7 years, whichever is longer

BOARD OF REVIEW

RETENTION

Form of objection to property assessment and supporting documentation	7 years after the final action of the board of review or the completion of appeal and destroy
Minutes book of board of review	7 years and then notify the state historical society

BOARD OF REVIEW

RETENTION

Proceeding of the board of review on audio tapes or as stenographic notes including any transcriptions thereof	7 years after the final action of the board of review or the completion of appeal and destroy
Notice of determinations of the board of review	7 years after the final action of the board of review or the completion of appeal and destroy

TAX CALCULATION

RETENTION

Tax levy certification of the school district clerk	3 years and destroy provided the record has been audited
Certificates of apportionment	3 years and destroy provided the record has been audited
State shared aid payment notices, any and all	Retain 6 years and destroy provided record has been audited
Final worksheet for determining allowable levy	5 years and destroy provided record has been audited
Statement of taxes	Retain final copy permanently
Statement of new special assessments	5 years and destroy provided record has been audited
Statement of sewer service charges	5 years and destroy provided record has been audited
General property tax credit certification	5 years and destroy provided record has been audited
Explanation of property tax credit certification	5 years and destroy provided record has been audited
Real property tax roll	This record is transferred to the county treasurer
Personal property tax roll	Retain 15 years and notify the state historical society

TAX COLLECTION

RETENTION

Escrow account list	Retain until superseded and destroy
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TAX COLLECTION

RETENTION

Receipts	For cities and villages, retain 7 years and destroy provided record has been audited. For towns, retain 15 years and destroy.
Receipt stub book	7 years and destroy provided record has been audited
Tax collection blotters	Retain until audited and destroy
Statement of taxes remaining unpaid	Retain with the tax roll
Tax settlement receipt	5 years and destroy provided record has been audited
Municipal treasurer's settlement	5 years and destroy provided record has been audited
Personal property tax roll	15 years and notify the state historical society

LICENSES AND PERMITS

RETENTION

Applications accepted and rejected: All liquor and beer related license applications All other license applications	4 years and destroy 3 years and destroy
Receipts	7 years and destroy
License stubs	All liquor and beer related license stubs 4 years. All other stubs 3 years and destroy
Cat and dog licenses monthly reported to county clerk (by treasurer)	3 years and destroy

MUNICIPAL BORROWING

RETENTION

Bond procedure record	7 years after bond issue expires and destroy
Bond register	7 years after bond issue expires and destroy
Bond payment register	7 years after bond issue expires or following payment of all outstanding matured bonds/notes/coupons, whichever is later, and destroy

MUNICIPAL BORROWING

RETENTION

Canceled bonds, coupons, and promissory notes	Until audited and destroy
Certificates of destruction	7 years after bond issue expires or following payment of all outstanding matured bonds/notes/coupons, whichever is later, and destroy

FIDELITY BOND

RETENTION

Fidelity bond	5 years after bond expires and destroy
Fidelity bond book	5 years after last bond entered expires and destroy
Oath of office	5 years after the term of service covered by the oath has ended and destroy

LEGAL OPINIONS

RETENTION

Legal opinions	Permanent
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VOTERS, CAMPAIGN & ELECTION RECORDS

RETENTION

Active registration cards	Retain the active file as long as current
Canceled registration cards	4 years after cancellation and destroy
Poll list and registry list	2 years after nonpartisan primary or election, 4 years after partisan primary or election
Nomination papers	90 days after the election and destroy
Certificate listing candidates nominated by caucus	90 days after the election and destroy
Campaign registration statements (EB-1)	6 years and destroy
Campaign financial reports (EB-2)	6 years and destroy
Election notices in cities and villages	90 days after the election and destroy

VOTERS, CAMPAIGN & ELECTION RECORDS RETENTION

Election notices in towns	1 year after the date of the election and destroy. If the election is contested, retain one year after the contest has been settled and destroy
Applications for absentee ballots	90 days after the election and destroy provided applications for federal elections are retained 22 months and destroy
Paper ballots and voting machine recorders—local elections	90 days after the election and destroy. Voting machine recorders may be reactivated 14 days following a primary or 60 days following a spring or general election.
Tally sheets—Local elections	90 days after the election and destroy
Inspectors statement of defective and challenged ballots—Local elections	90 days after the election and destroy
Ballots, voting machine records, tally sheets, inspector statement of defective and challenged ballots—federal elections	Retain for 22 months and destroy

ENGINEERING AND PUBLIC WORKS RETENTION

Field notes	Permanent
Benchmark books	Permanent
Section corner monument logs	Permanent
Aerial photographs	Retain until superseded and destroy
City map	Permanent
Water, storm, and sanitary sewer main maps	Permanent
Profile and grade books	Permanent
Excavation plans of private utilities	Permanent
Index to maps	Permanent

ENGINEERING AND PUBLIC WORKS

RETENTION

Preliminary subdivision plats	Retain until superseded by the final plat and destroy
Final subdivision plats	Permanent
Annexation plats	Permanent
Assessor's plats	Permanent
Structure plans for municipal buildings and bridges	Retain for life of the structure and notify the state historical society
Annual reports	Permanent
Records of the board of public works (includes minutes of the meetings of the board and supporting documents submitted to the board)	Permanent
Records of the plan commission (includes minutes of the meetings of the board and supporting documents submitted to the board)	Permanent
Records of the zoning board of appeals (includes minutes of the meetings of the board and supporting documents submitted to the board)	Permanent
House number and address change file	Permanent
Street vacations and dedications, copies	Retain for active reference life and destroy
Permits (include permits for the excavation of streets by private utility companies)	3 years and destroy
Petitions for street and sewer systems	2 years and destroy
Special assessment calculations	2 years and destroy
TV sewer inspections records	Retain until superseded and destroy
State highway aids program records	7 years and destroy provided the record has been audited

PUBLIC WORKS PROJECTS & CONTRACTS

RETENTION

Notice to contractors	Retain in the contract file 7 years after completion of the project and destroy. For
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PUBLIC WORKS PROJECTS & CONTRACTS RETENTION

	unsuccessful bidders, retain 2 years and destroy
Certified check	Retain until the contract has been signed and return to bidder
Bid bond	Retain in the contract file 7 years after completion of the project and destroy. For unsuccessful bidders, retain 2 years and destroy
Bidder's proof of responsibility	Retain in the contract file 7 years after completion of the project and destroy. For unsuccessful bidders, retain 2 years and destroy
Bids	Retain in the contract file 7 years after completion of the project and destroy. For unsuccessful bidders, retain 2 years and destroy
Affidavit of organization and authority	Retain in the contract file 7 years after completion of the project and destroy. For unsuccessful bidders, retain 2 years and destroy
Bid tabulations	2 years and destroy
Performance bond	Retain in the contract file 7 years after completion of the project and destroy
Contract	Retain in the contract file 7 years after completion of the project and destroy
Mater project files	20 years after the life of the structure and notify the state historical society
Blue prints	Retain until superseded by the as-built tracings and destroy
As-build tracings	Retain for the life of the project and notify the state historical society

STREETS AND HIGHWAYS

RETENTION

Street operations file	2 years after created or superseded and destroy
Street and sidewalk maintenance and repair records	25 years and destroy
Tree planting, inspection, trimming and removal records	25 years and destroy
Stock control records	2 years after created or superseded and destroy
Fuel usage reports	2 years after created or superseded and destroy
Heavy equipment and vehicle inventory ledger	Retain for the life of the equipment and/or vehicle or until the inventory ledger is superseded and destroy
Vehicle maintenance histories	Retain for the life of the vehicle and destroy
Vehicle expense reports	Retain for the life of the vehicle and destroy
Payroll support records	2 years and destroy
Purchasing records	7 years and destroy provided the record has been audited
Complaint ledger	2 years and destroy
Monthly reports	2 years and destroy
Annual reports	Retain permanently

PARKS

RETENTION

Master park plan	Retain permanently
Plats	Retain permanently
Aerial photographs	Retain permanently
Supervisor's daily report of work completed	2 years and destroy
Payroll support records	2 years and destroy provided record has been audited

PARKS

RETENTION

Reservation requests	30 days and destroy. If payment receipts are attached, retain 7 years and destroy provided record has been audited
Master reservation book	2 years and destroy
Records of the park and recreation committee (includes minutes of the meetings of the board and supporting documents submitted to the board)	Retain permanently

BUILDING PERMITS AND INSPECTIONS

RETENTION

Application and permits	For life of structure
Code compliance inspection reports	For life of structure
Inspection address file	For life of structure
Certificates of occupancy	Retain until superseded and destroy
Energy calculation worksheets	3 years and destroy
State approved commercial building plans	4 years and notify the state historical society
Permit fee receipts	7 years and destroy provided record has been audited
Permit ledger	7 years and destroy
City attorney's case file, copy	1 year after the case has been closed and destroy
Quarter section maps, copies	Retain until superseded and destroy
Records of the building board of appeals (including minutes of the meetings of the board and supporting documents submitted to the board)	Permanent. Retain office reference copies 5 years and destroy
Records of the zoning board of appeals (includes minutes of the meetings of the board and supporting documents submit to the board)	Permanent. Retain office reference copies 5 years and destroy

BUILDING PERMITS AND INSPECTIONS RETENTION

Records of the plan commission (including minutes of the meetings of the commission and supporting documents submitted to the commission)	Retain permanently
Sign code advisory committee minutes	Permanent

SANITATION AND CONSUMER PROTECTION RETENTION

Public swimming pool survey reports, campgrounds and camping survey reports, mobile home park survey reports, recreational and education camp survey reports, restaurant and tavern survey reports, hotels, motels, tourists rooms, and rooming houses survey reports, retail dairy case and milk products reports, retail and wholesale food establishment reports, nursing home survey reports, and vending machine survey reports	5 years and destroy
Restaurant license applications	3 years and destroy
Retail dairy products licenses	3 years and destroy
Food handling and sale permits	3 years and destroy
Septic tank permits	Permanent
Open air burning permits	6 months and destroy
Weights and measures, field test reports and package weighting reports	3 years and destroy
Complaints and follow-up reports	5 years from the date the complaint was resolved and destroy
Utility disconnections in private residence investigation reports	3 years and destroy
Request to declare a medical emergency	3 years and destroy

COMMITTEE, BOARD & COUNCIL RECORDS RETENTION

Minutes of any kind	Retain permanently
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COMMITTEE, BOARD & COUNCIL RECORDS RETENTION

Audio tapes	Retain one year and destroy or erase tape, 90 days if made only for the purpose of writing the minutes
Ordinances, resolutions	Retain permanently
Ordinance book	Retain permanently
Affidavits of publication	Retain 3 years and destroy provided affidavits of publication of ordinance are maintained permanently in the ordinance book
All other records	Minimum period—seven (7) years

A NOTE ON RECORDS RETENTION: The State Historical Society no longer has facilities to house records you do not have space for. Heretofore, it was possible to store your permanent records with them. Now if a record is to be retained by your municipality permanently it is incumbent upon your municipality to find a place in which to store it. § 19.21(4) Wis. Stats. now offers a method of destroying records which no longer have to be retained without the need to notify the Historical Society each time you destroy such records. This is accomplished by adopting a Records Retention Schedule and an Ordinance approved by them. Contact the State Historical Society for further information. The Schedule herein (for copyright reasons) is not in the format they wish you to use.

NOTE OF CAUTION: In spite of (and “notwithstanding”) this retention schedule, if the records you are considering to discard have anything to do with a state or federal grant or federal pass through money — Wisconsin Fund, Wisconsin Development Fund, Community Development Block Grant, Urban Development Block Grant, EPA, EDA, etc., contact the grant agency first. As a rule of thumb, do not even think about discarding these kinds of documents unless 10 years have passed.

(Ord. 61-5339 §1, 2007, Council File No. 07-0718; Ord. 61-5320 §1, 2007, Council File No. 92-1019.)

Chapter 2.60

BOARDS AND COMMISSIONS

Sections:

- 2.60.010 Boards and commissions enumerated—Appointment.
- 2.60.020 Terms of office.
- 2.60.030 Board of review.
- 2.60.035 Confidentiality of information about income and expenses requested by the assessor in property assessment matters in the city of Wausau.
- 2.60.040 Board of public works.
- 2.60.070 Plan commission.
- 2.60.080 Board of zoning appeals.
- 2.60.100 Water commission.
- 2.60.120 Building advisory board.
- 2.60.130 Police and fire commission.
- 2.60.180 Airport commission.
- 2.60.190 Transit commission.
- 2.60.240 Veterans committee.
- 2.60.250 Legislative committee.
- 2.60.260 Neighbor to neighbor committee.
- 2.60.270 Room tax commission
- 2.60.280 Wausau arts commission
- 2.60.290 Sustainability, energy and environment committee.

2.60.010 Boards and commissions enumerated—Appointment. Citizen members of the following boards and commissions shall be appointed by the mayor; such appointments shall be confirmed by the common council:

- (a) Board of review;
- (b) Board of zoning appeals;
- (c) Building advisory board;
- (d) Police and fire commission;
- (e) Wausau waterworks commission;
- (f) Plan commission;
- (g) Community development authority;
- (h) Airport committee;

- (i) Veterans committee.
- (j) Legislative committee.
- (k) Neighbor to neighbor committee.
- (l) Room tax commission.
- (m) Wausau arts commission
- (n) Sustainability, energy and environment committee

(Ord. 61-5789 §, 2018, File No. 18-0706; Ord. 61-5777 §1-6(part), 2018, File 18-0408; Ord. 61-5776 §1, 2018; Ord. 61-5775 §1(part), 2018, File No. 18-0304; Ord. 61-5713 §3, 2016, File No. 16-0810; Ord. 61-5705 §1(part), 2016, File No. 16-0311; Ord. 61-5232 §1, 2004, File No. 04-0804; Ord. 61-5204 §1, 2003, File No. 61-5204, File No. 03-0522; Ord. 61-5182 §1, 2002, File No. 91-0836; Ord. 61-5175 §1, 2002, File No. 02-0512; Ord. 61-4751 §1, 1991; Ord. 61-4508 §2, 1983; Ord. 61-4508 §1, 1983, Ord. 61-4460 §1, 1980; Ord. 61-4339A §1(part), 1977; Ord. 61-4140 §2, 1969; Ord. 61-4704 §1(part), 1967; prior code §2.03(1).)

2.60.020 Terms of office. Citizen members of the board of review, the housing authority, the police and fire commission and the Wausau water works commission shall serve five-year terms. Members of all other boards and commissions shall serve three-year terms unless otherwise specified by statute or ordinance. The terms of all members shall begin on May 1. No person may be appointed to more than two consecutive regular terms as a member of any city board or commission, unless the reappointment is specifically approved by the common council. (Ord. 61-5777 §7(part), 2018; Ord. 61-4999 §1, 1998; Ord. 61-4074 §1(part), 1967; prior code §2.03(2).)

2.60.030 Board of review. The board of review shall be composed of five residents of the city, none of whom shall occupy any public office. Two similarly qualified alternate members may also be appointed. Qualifications and responsibilities for the board of review shall be as established by Section 70.46 of the Wisconsin Statutes. (Ord. 61-5474, §1, 2011, File No. 11-0409; Ord. 61-4074 §1(part), 1967; prior code §2.03(3).)

2.60.035 Confidentiality of information about income and expenses requested by the assessor in property assessment matters in the city of Wausau. Whenever the assessor, in the performance of the assessor's duties, requests or obtains income and expense information pursuant to Section 70.47(7)(af) of the Wisconsin Statutes, or any successor statute thereto, then, such income and expense information that is provided to the assessor shall be held by the assessor on a confidential basis; except, however, that the information may be revealed to and used by persons: in the discharging of duties imposed by law; in the discharge of duties imposed by office (including, but not limited to, use by the assessor in performance of official duties of the assessor's office and use by the board of review in performance of its official duties); or pursuant to order of a court. Income and expense information provided to the assessor under section 70.47(7)(af), unless a court determines that it is inaccurate, is, per section 70.47(7)(af), not subject to the right of inspection and copying under Section 19.35(1) of the Wisconsin Statutes. (Ord. 61-5065 §1, 2000.)

2.60.040 Board of public works. The provisions of Wis. Stat. §62.14(1), (3) are hereby made inapplicable to the City of Wausau. The board of public works shall be composed of the city attorney, the director of public works and utilities, and the finance director. Members of the board of public works shall receive no additional compensation for their services on the board. (Ord. 61-5724 §1, 2016, File No. 04-1214; Ord. 61-5374 §2, 2008; Ord. 61-5242 §2, 2004, File No. 04-1214; Ord. 61-4473 §3, 1980; Ord. 61-4316 §1, 1976; Ord. 61-4122 §1(3), 1969; Ord. 61-4017 §1(part), 1967; prior code §2.03(4).)

2.60.070 Plan commission. The city plan commission shall be composed of the mayor, who shall be the presiding officer, the director of public works and utilities, the park and recreation committee chairman, an alderperson, and three residents of the city. The alderperson member shall be elected by a two-thirds vote of the common council at its regular April meeting each year. Qualifications and responsibilities of the members of the plan commission shall be as established by Section 62.23 of the Wisconsin Statutes. (Ord. 61-5777 §8(part), 2018; Ord. 61-5374 §3, 2008; Ord. 61-5242 §3, 2004, File No. 04-1214; Ord. 61-4472 §4, 1980; Ord. 61-4316 §4, 1976; Ord. 61-4074 §1(part), 1967; prior code §2.03(7).)

2.60.080 Board of zoning appeals. The board of zoning appeals shall be composed of five residents of the city. In addition, one person may be appointed as an alternate member of the board. The qualifications and responsibilities of the members of the board of zoning appeals shall be as established by Section 62.23 (7)(e) of the Wisconsin Statutes. (Ord. 61-4074 §1(part), 1967; prior code §2.03(8).)

2.60.090 Sustainability, energy and environment committee. (a) Purpose. The relationship between the built environment and the natural environment has a major effect on the quality of life. The sustainability, energy and environment committee is hereby created to act as an advisory body to the Common Council in the development of policies, programs, and decisions that affect the relationship between the City and the environment. The Committee researches, advises, and recommends to the City Council policies and programs that advance sustainability in Wausau, with particular attention paid to sustainability in the following areas:

- (1) Energy management (City operations and the City as a whole);
- (2) Large scale climate;
- (3) Local food and agriculture;
- (4) Ecology and wildlife;
- (5) Livable neighborhoods and happy communities;
- (6) Land use and development;
- (7) Building practices;

- (8) Purchasing practices;
- (9) Economic development (green jobs);
- (10) Solid waste, recycling, and hazardous waste;
- (11) Water and wastewater management;
- (12) Stormwater and watershed health;
- (13) Transportation;
- (14) Light pollution;
- (15) Air quality;
- (16) Environmental justice;
- (17) Preparedness and resiliency.

(b) Definition. “Committee” means the Sustainability, Energy and Environment Committee.

(c) Structure. The Committee shall be staffed by the Department of Planning and Community and Economic Development and the Department of Public Works and shall assist and work with the Economic Development Committee, as well as the Committees of the Common Council, as needed.

(d) Composition.

(1) Committee Membership. The Committee shall consist of seven (7) members, including one (1) alderperson. The remaining members shall be citizen members who are Wausau residents and are actively involved as business representatives, preferably from a business that is recognized as a leader in sustainability; representatives from a sustainability industry; teachers, students, or staff from a Wausau public high school; faculty, staff members, or students from the UW-system or North Central Technical College; representatives of related government agencies or related non-profit entities; or other citizens with a related expertise. Members shall be appointed by the Mayor and confirmed by the Council.

(2) Terms. The terms of all committee members shall be for three years or until their successors are qualified. However, the term of the aldermanic member shall expire with the expiration of her/his term as alderperson, and the members appointed to the first term following the effective date of this ordinance shall be appointed to staggered terms. Two (2) members shall serve an initial term of one

(1) year, two (2) shall serve an initial term of two (2) years, and two (2) shall serve an initial term of the full three (3) years. No member shall serve more than two (2) consecutive three-year terms. However, the members appointed to the first term after the effective date of this ordinance who serve an initial term of less than three (3) years, and any member appointed to fill the unexpired term of a former member, shall be eligible to serve two (2) full consecutive three-year terms thereafter.

(e) Committee Authority. The Committee shall have the following powers and duties in advising the Mayor and the Common Council:

- (1) Research, advise, and recommend to the City Council and other city committees policies and programs that advance sustainability in Wausau, with particular attention to the subjects referred to in 2.60.290(a);
- (2) Establish and administer guidelines and procedures for securing and distributing grants, and securing private funding for energy and sustainability upgrades;
- (3) Advise municipal efforts to engage citizens, professionals and advocates and the community in a broad range of civic initiatives;
- (4) Coordinate and support efforts to unite and focus municipal programs and services as they relate to the environment, energy and sustainability;
- (5) Organize group purchases of services and products related to energy and sustainability;
- (6) Develop goals to achieve a more sustainable city;
- (7) Recommend specific actions, strategies, and policies to achieve these goals;
- (8) Form working groups within the committee to work on specific actions.
(Ord. 61-5789 §2, 2018, File No. 18-0706)

2.60.100 Wausau waterworks commission. The Wausau waterworks commission shall be composed of the mayor, an alderperson elected by the common council, and three residents of the city. Qualifications and responsibilities of the members of the Wausau waterworks commission shall be as established by Section 66.0805 of the Wisconsin Statutes. (Ord. 61-5777 §9(part), 2018; Ord. 61-4074 §1(part), 1967; prior code §2.03(10).)

(Ord. 61-5777 §2(part), 2018, File 18-0408; Ord. 61-4074 §1(part), 1967; prior code §2.03(11).)

2.60.120 Building advisory board. The building advisory board shall be composed of the director of public works and utilities, the fire chief or his representative, two citizen architects, one

citizen master electrician, one citizen master plumber, one citizen general contractor, and two members of the common council appointed by the mayor. The qualifications and responsibilities of the building advisory board shall be as established by Chapter 15.04. (Ord. 61-5735 §7(part), 2017; Ord. 61-4316 §5, 1976; Ord. 61-4074 §1(part), 1967; prior code §2.03(12).)

2.60.130 Police and fire commission. The police and fire commission shall be composed of five residents of the city. Qualifications and responsibilities of the members of the police and fire commission shall be as established by Section 62.13 of the Wisconsin Statutes. (Ord. 61-4074 §1 (part), 1967; prior code §2.03(13).)

2.60.180 Airport committee. The airport committee shall be comprised of seven members appointed by the mayor. Four of the members shall be alderpersons and three of the members shall be citizens. They shall be appointed by the mayor and subject to confirmation by the common council. The alderpersons shall serve during their term of office, and the citizen members shall serve three-year terms; provided, that on the first appointment one of the citizen members shall have a three-year term, one a two-year term and one a one-year term. The mayor shall appoint the chairperson. The committee shall make recommendations to the council on the maintenance, operation, control, fees and charges, and the contracted services for the Wausau Downtown Airport. In addition, the committee shall make recommendations regarding any of the provisions contained in Section 114.14 of the Wisconsin Statutes. (Ord. 61-4716 §1, 1990.)

2.60.190 Transit commission. (a) Creation. Pursuant to Section 66.1021 of the Wisconsin Statutes, there is created the Wausau transit commission.

(b) Definitions. In this section:

- (1) “Comprehensive unified local transportation system” means a transportation system comprised of motor bus lines and any other local public transportation facilities, the major portions of which are within the city.
- (2) “Facilities and equipment” includes land (but not public highways), buses and other rolling stock, and other real or personal property.
- (3) “Public transportation” means transportation by bus, rail, or other conveyance, either publicly or privately owned, which provides to the public general or special service (but not including school buses or charter or sightseeing service) on a regular and continuing basis.
- (4) “Transit commission” or “commission” means the transit commission created hereunder.

(c) Composition. The transit commission shall consist of three alderpersons, two Wausau residents, and one resident member from each community being served by the Wausau Area Transit System. The three alderpersons and two Wausau residents shall be appointed by the mayor and approved by the common council. The resident members from the communities being served shall be appointed by their respective municipalities. If one of those members whose term expires

was the chairperson, the mayor shall appoint a different chairperson. (Ord. 94-1144 §1, 2002, File No. 94-1144.)

(d) Term and Qualifications.

(1) The first members of the transit commission shall be appointed for staggered three-year terms. The term of office of each member thereafter appointed shall be three years.

(2) No person holding stocks or bonds in any corporation subject to the jurisdiction of the transit commission, or who is in any other manner directly or indirectly pecuniarily interested in any such corporation, shall be a member of, nor employed by, the transit commission.

(e) Duties. Members shall serve in an advisory capacity to the city council and shall help formulate the policies governing the operations of the Wausau Area Transit System. They shall make recommendations to the mayor and council relating to service areas, rates, capital outlay, budgeting and scheduling.

(f) Comprehensive Unified Local Transportation System. The jurisdiction, powers and duties of the transit commission shall extend to the comprehensive unified local transportation system for which the commission is established including any portion of such system extending into adjacent or suburban territory within this state lying outside of the city not more than thirty miles from the nearest point marking the corporate limits of the city. (Ord. 61-4879 §1, 1994; Ord. 61-4692 §1, 1989; added at the request of the city attorney, March 27, 1972.)

(Ord. 61-5777 §3(part), 2018, File 18-0408; Ord. 61-5010 §1, 1998; Ord. 61-5003 §2, 1998.)

2.60.240 Veterans committee. There shall be a veterans committee composed and appointed as follows:

Ten veterans appointed by the mayor who shall serve five-year terms.

In addition to the appointed veterans, the committee shall include the elected commanders of their respective veteran organizations for the term of their office, to-wit: American Legion Post 10, Amvets Post 3929, DAV Chapter 64, VFW Post 388, and the VVA Chapter 478. The committee may also include the Marathon County Veterans Service Office for the duration of his or her appointment as an ex-officio member.

There shall be no limit on the number of terms that a member may serve. (Ord. 61-5205 §1, 2003, File No. 02-0512; Ord. 61-5175 §2, 2002, File No. 02-0512.)

2.60.250 Legislative committee. The committee shall consist of three alderpersons and two citizen members who routinely review proposed legislative action on state and federal levels to study the legislation's benefits and/or detriments and recommend an official city response to governmental representatives. In addition, the committee shall be instrumental in coordinating the efforts of city

staff to initiate, create or lobby for legislation beneficial to the city and/or its residents. (Ord. 61-5204 §2, 2003, File No. 03-0522.)

2.60.260 Neighbor to neighbor committee. (a) Scope. A nonstanding citizen committee that reports to the mayor's office. The committee's purpose is to empower citizen neighborhood associations. The city of Wausau will offer and make available tactical support and informational resources to assist the committee in achieving its goals.

(b) Membership.

(1) Nine voting members to be appointed by the mayor, each to a two-year term, running concurrent with the terms of common council members. A committee chairperson shall be appointed by the mayor and the nine appointed members are to be approved by the common council.

(c) Meetings. To be held twice a month.

(d) Goals.

(1) To act as a clearinghouse for information.

(2) To address the issue of neighborhood security.

(3) To address the issue of compliance with city ordinances by property owners.

(4) To provide recommendations to the mayor's office and common council regarding the aforementioned issues.

(5) To encourage communication and coordination between groups that have an interest in the aforementioned issues.

(6) To promote the growth and success of citizen neighborhood associations within the city of Wausau.

(e) Challenges and recommended actions.

(1) To establish more citizen neighborhood associations within the city of Wausau.

(2) To explore the feasibility of defining and establishing a volunteer group to assist law enforcement and inspections personnel with their duties.

(3) To define a formula/template for the purpose of funding citizen neighborhood association activities and projects with private sector monies.

(4) To promote a sense of community responsibility within neighborhoods.

- (5) To engage nonprofit participation in meeting neighbor goals.
- (f) Features.
 - (1) Provides city-wide program and representation.
 - (2) Has clear objectives and builds on already successful, proven neighborhood initiatives.
 - (3) Focuses on problems identified by neighborhood associations; neighborhood security, and compliance with city ordinances in regard to quality of life issues.
 - (4) Avoids duplication of social services already offered by other government agencies.
 - (5) Empowers individual citizens and promotes volunteerism. (Ord. 61-5322 §1, 2007, File No. 04-0804; Ord. 61-5232 §2, 2004, File No. 04-0804.)

2.60.270 Room Tax Commission. The Room Tax Commission shall consist of five (5) members appointed by the mayor and confirmed by a majority vote of the members of the Common Council who are present when the vote is taken. Members shall serve without compensation. All members shall be adult residents of the city. At least two members shall be alderpersons. One member shall represent the hotel and motel industry. Strong consideration shall be given to an owner/operator of a hotel in the city. An alderperson may serve as chair of this commission. (Ord. 61-5713 §1, 2016, File No. 16-0810.)

2.60.280 Wausau Arts Commission. (a) Purpose. The arts are an intrinsic expression of human life. Thriving communities enjoy shared experiences of diverse and abundant arts and culture. Arts investments create jobs, leverage private gifts, build a sense of place, invite tourism, revitalize neighborhoods, attract creative people, cultivate democracy, preserve cultural legacy, generate local tax revenue, and enhance our quality of life. The Wausau Arts Commission exists to advise the Wausau City Council on the planning, programming, procurement, installation, operations and maintenance of public visual art projects and artworks.

- (b) Definition. “Commission” means the Wausau Arts Commission.
- (c) Structure. The Commission shall be staffed by the Department of Planning and Community and Economic Development and shall assist and work with the Economic Development Committee, as well as the committees of the Common Council, as needed.
- (d) Composition.
 - (1) Commission Membership. The Commission shall consist of seven (7) members, including one (1) alderperson. The remaining members shall be citizen members who are Wausau residents and are actively involved as a member of

Wausau's art community. Members shall be appointed by the Mayor and confirmed by the Council.

(2) Terms. The terms of all commission members shall be for three years or until their successors are qualified. However, the term of the aldermanic member shall expire with the expiration of her/his term as alderperson, and the members appointed to the first term following the effective date of this ordinance shall be appointed to staggered terms. Two (2) members shall serve an initial term of one (1) year, two (2) shall serve an initial term of two (2) years, and two (2) shall serve an initial term of the full three (3) years. No member shall serve more than two (2) consecutive three-year terms. However, the members appointed to the first term after the effective date of this ordinance who serve an initial term of less than three (3) years, and any member appointed to fill the unexpired term of a former member, shall be eligible to serve two (2) full consecutive three-year terms thereafter.

(e) Commission Authority. The Commission shall have the following powers and duties in advising the Mayor and the Common Council:

(1) Establish and administer guidelines and procedures for securing and distributing grants, and securing private funding for art purchases;

(2) Implement the city's art program, including but not limited to a review and selection process for purchasing, commissioning, and siting works of art;

(3) Advise municipal efforts to engage artists and creative workers and the community in a broad range of civic initiatives;

(4) Coordinate and support efforts to unite and focus municipal programs and services as they relate to the arts and cultural activities. (Ord. 61-5775 §2(part), 2018, File No. 18-0304)

Chapter 2.64

CIVIL DEFENSE

Sections:

- 2.64.010 Joint action ordinance adopted.
- 2.64.020 Emergency government director.

2.64.010 Joint action ordinance adopted. Joint Action Emergency Government Ordinance No. 67 of the board of supervisors of Marathon County providing for a county-municipal joint action civil defense plan of organization was adopted by said county board on the 24th day of May, 1977. A copy of County ordinance No. 67 is made a part of this chapter by reference, and is ratified and accepted between the city of Wausau and the county of Marathon, as provided by Section III of said joint action ordinance. (Ord. 61-4344 §1(part), 1977.)

2.64.020 Emergency government director. The county/municipal emergency government director, appointed and employed by the Marathon County Board as provided in the ordinance referred to in section 2.64.010 is designated and appointed emergency government director for the city subject to the conditions and provisions as set forth in the Wisconsin Statutes, and the county joint action ordinance. (Ord. 61-4344 §1(part), 1977.)

Chapter 2.72

RESIDENCY REQUIREMENT ABOLISHED

Sections:

2.72.010 Residency requirement abolished.

2.72.010 Residency requirement abolished. (a) Chapters 2.66, 2.67, 2.68, and 2.71 of the Wausau Municipal Code are amended by deleting from the provisions of the ordinance and agreements adopted, authorized and approved by those chapters any requirement of residency within the corporate limits of the city.

(b) Any labor agreements not covered by the aforescribed ordinance sections shall be amended to reflect a deletion of the residency requirement. (Ord. 61-4647 §1, 1988.)

Chapter 2.74

COMMUNITY DEVELOPMENT DEPARTMENT

Sections:

- 2.74.010 Director.
- 2.74.020 Objectives of the department.
- 2.74.040 Retention of authority and discretion.

2.74.010 Director. The director shall be appointed pursuant to section 2.12.010. (Ord. 61-4385 §1(part), 1978.)

2.74.020 Objectives of the department. (a) The department personnel shall be responsible for coordinating the procurement of all state and federal financial assistance programs and activities of benefit and importance to the improvement of the city, including but not limited to housing, municipal transportation and community development activities.

(b) The department personnel shall, when requested, assist in the implementation of programs involving state or federal financial assistance.

(c) The department personnel shall be available, upon request, to provide technical assistance and staff functions to the redevelopment authority and housing authority of the city, and the Wausau area transit system.

(d) In the event those department personnel specifically charged with the duties enumerated in subsections (a), (b), and (c) are unable to provide the common council in a timely and efficient manner with advice, expertise, plans or programs to implement the general objectives enumerated above, private persons, companies or others may be retained by the city, who shall inform, report to, advise, take direction from or otherwise and in all possible ways, be of service to the department, common council, city officers or officials, and where appropriate the general population of the city. To those ends the common council delegates to the coordinating committee the following duties and authority:

(1) To hire, employ, contract with or otherwise retain consultants in all disciplines, including but not limited, to engineers, architects, lawyers, bond, financial or loan advisors, planners, psychologists, advertising or public relations persons, demographers, artists and relocation persons;

(2) Develop and study plans for the expansion or contraction of boundaries, environs and internal design and order of the city, including but not limited to city-owned land, buildings, streets, parks, sanitary sewers, water mains, storm drains, public transportation, location, design relocation, redesign, removal, replacement, purchase, sale, condemnation and razing of present or future buildings, public or private, within or without the city;

- (3) Advise the plan commission on the implementation of the extraterritorial zoning powers possessed by the city;
- (4) Recommend to the common council various and sundry methods by which the finances of the city may be managed (not in conflict with the usual duties and obligations of the finance director and the finance committee), including but not limited to the desirability of refinancing the present debt load, future long and short term debt financing, note, bond, land contract, purchase, money mortgage, long term land lease, turnkey, tax increment, industrial revenue, revenue, open account and the many forms of special assessment financing permitted by state law;
- (5) Negotiate and discuss with all persons, agencies, companies and governments for the betterment, improvement, health, well-being and general welfare of the citizens of the city, including the application for the acceptance of gifts, grants, loans, easements, help, advice, counsel and all other forms of assistance now existing or legislated or arising in the future.

(Ord. 61-4385 §1(part), 1978.)

2.74.040 Retention of authority and discretion. Nothing in this chapter shall be construed as an abrogation or delegation of the legal right of the common council to adopt such motions, resolutions or ordinances in a manner consistent with its own powers and rules as will permit it to amend, repeal, renumber or otherwise deal with any or all of the issues aforesaid, including but not limited to borrowing such funds and acquiring or disposing of such real property in such manner as the common council may determine to be in the public interest. (Ord. 61-4385 §1 (part), 1978.)

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Chapter 2.75

DEPARTMENT OF INSPECTION AND ELECTRICAL SYSTEMS

Sections:

- 2.75.010 Director of inspections and electrical systems.
- 2.75.020 Objectives of the department.

2.75.010 Director of inspections and electrical systems. (a) The head of the department shall be known as the director of inspections and electrical systems; he shall be appointed pursuant to Section 2.12.010 of the Wausau Municipal Code.

(b) The department of inspection and electrical systems shall be under the supervision of the director of inspections and electrical systems, and the department shall include the following divisions, officials and employees:

Inspection division:

- Plumbing inspector
- Electrical inspector
- Building inspector
- Property inspector

Electrical systems division:

- Electrical systems supervisor
- Electrical workers
- Clerical assistant

(Ord. 61-4472 §1(part), 1980.)

2.75.020 Objectives of the department. The department shall be responsible for those matters of inspection, zoning, construction, repair, safety, health and any other area, which are within the jurisdiction of the department. (Ord. 61-4472 §1(part), 1980.)

Chapter 2.76

COMMUNITY DEVELOPMENT AUTHORITY

Sections:

- 2.76.010 Created.
- 2.76.020 Authorization.
- 2.76.030 Redevelopment authority terminated.
- 2.76.040 Findings.
- 2.76.050 Transfer of authority and title.
- 2.76.060 Membership—Term of office.
- 2.76.070 Powers, duties and functions.

2.76.010 Created (a) Pursuant to Section 66.1335 of the Wisconsin Statutes there is created in the city a housing and community development authority which shall be known as the “Community Development Authority of the City of Wausau.”

(b) It shall be deemed a separate body politic and corporate for the purpose of carrying out blight elimination, slum clearance, urban renewal programs and projects, and housing projects. (Ord. 61-4684 §§1(part), 2, 1989.)

2.76.020 Authorization. The authority is also authorized to act as the agent of the city in planning and carrying out community development programs and activities approved by the mayor and common council under the Federal Housing and Community Development Act of 1974 and as agent to perform all acts, except the development of the general plan of the city, which may be otherwise performed by the plan commission under Sections 66.1301 to 66.1327(3), 66.1331, 66.1337 or 66.1105 of the Wisconsin Statutes. (Ord. 61-4684 §3, 1989.)

2.76.030 Redevelopment authority terminated. The redevelopment authority heretofore created under Section 66.1333 of the Wisconsin Statutes now operating in the city and the housing authority created under Section 66.1201 of the Wisconsin Statutes now operating in the city shall terminate upon the effective date of the ordinance codified in this chapter. (Ord. 61-4684 §4A, 1989.)

2.76.040 Findings. A need for blight elimination, slum clearance, urban renewal and community development programs and projects and housing projects exists in the city. (Ord. 61-4684 § 4B, 1989.)

2.76.050 Transfer of authority and title. (a) Any programs and projects which have been begun by housing and redevelopment authorities shall, upon the effective date of the ordinance codified in this chapter, be transferred to and completed by the community development authority. Any procedures, hearings, actions or approvals taken or initiated by the redevelopment authority under Section 66.1333 of the Wisconsin Statutes on pending projects is deemed to have been taken or initiated by the community development authority as though the community development authority had originally undertaken such procedures, hearings, actions or approvals.

(b) Any form of indebtedness that is issued by a housing or redevelopment authority shall, upon the effective date of the ordinance codified in this chapter, be assumed by the community development authority, except as indicated in subsection (e) of this section. The title to all real estate and other property now owned by the redevelopment and/or housing authority shall now vest in the community development authority without further action or conveyance.

(c) Upon the adoption of this chapter, all contracts entered into between the federal government and a housing or redevelopment authority, or between such authorities and other parties shall be assumed and discharged by the community development authority, except for the termination of operations by housing and redevelopment authorities. Housing and redevelopment authorities may execute any agreements contemplated by this section. Contracts for disposition of real property entered into by the redevelopment authority with respect to any project shall be deemed contracts of the community development authority without the requirement of amendments thereto. Contracts entered into between the federal government and the redevelopment authority or the housing authority shall bind the community development authority in the same manner as though originally entered into by the community development authority.

(d) The community development authority may execute appropriate documents to reflect its assumption of the obligations set forth in this section.

(e) Should it be determined that the housing authority has issued bonds or other securities that require the operation of the housing authority in order to fulfill its commitments with respect to the discharge of principal or interest, or both, it may continue in existence solely for that purpose. (Ord. 61-4684 §4 C-G, 1989.)

2.76.060 Membership—Term of office. (a) The community development authority shall consist of seven resident persons having sufficient ability and experience in the fields of urban renewal, community development and housing.

(b) The mayor shall, with confirmation of the council, appoint such commissioners; two of the commissioners shall be members of the common council and shall serve during their terms of office as council members.

(c) The first appointments of the five other members shall be for the following terms: two for one year and one each for terms of two, three and four years. Thereafter, the terms of other members shall be four years and until their successors are appointed and qualified.

(d) Vacancies shall be filled for the unexpired term as provided in this section. (Ord. 61-4684 §5, 1989.)

2.76.070 Powers, duties and functions. The community development authority shall have all powers, duties and functions set out in Sections 66.1201 and 66.13333 of the Wisconsin Statutes for housing and redevelopment authorities and as to all housing projects initiated by the community development authority it shall proceed under Section 66.1201 of the Wisconsin Statutes and as to all projects relating to blight elimination, slum clearance, urban renewal and redevelopment programs it shall proceed under Sections 66.1301 to 66.1327(3), 66.1331, 66.1333, 66.1337 or 66.1105 of the

Wisconsin Statutes as determined appropriate by the common council on a project-by-project basis. As to all community development programs and activities undertaken by the city under the Federal Housing and Community Development Act of 1974, the community development authority shall proceed under all applicable laws and ordinances not inconsistent with the laws of this state. In addition, the community development authority may act as agent of the city to perform all acts, except the development of the general plan of the city, which may be otherwise performed by the plan commission under Sections 66.1301 to 66.1327(3), 66.1331, 66.1337 or 66.1105 of the Wisconsin Statutes. (Ord. 61-4684 §6, 1989.)

Chapter 2.82

HISTORIC PRESERVATION COMMISSION

Sections:

- 2.82.010 Purpose and intent.
- 2.82.020 Definitions.
- 2.82.030 Historic preservation commission—Composition.
- 2.82.040 Powers and duties.
- 2.82.050 Designation of landmarks and historic sites.
- 2.82.055 Local historic landmarks.
- 2.82.060 Creation of historic districts.
- 2.82.065 Historic districts.
- 2.82.070 Construction, alteration or removal.
- 2.82.080 Demolition.
- 2.82.090 Circuit court appeal.
- 2.82.100 Maintenance of landmarks, historic sites and historic districts.
- 2.82.110 Conditions dangerous to life, health or property.
- 2.82.120 Penalties for violations.

2.82.010 Purpose and intent. It is declared a matter of public policy that the protection, enhancement, perpetuation and use of buildings of special architectural character or special historical interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people. The purpose of this chapter is to:

- (a) Effect and accomplish the protection, enhancement and perpetuation of such buildings and of districts which represent or reflect elements of the city's cultural, social, economic, political, and architectural history;
- (b) Safeguard the city's historic and cultural heritage, as embodied and reflected in such landmarks and historic districts;
- (c) Stabilize and improve property values;
- (d) Foster civic pride in the notable accomplishments of the past;
- (e) Protect and enhance the city's attractions to residents, tourists and visitors, and serve as a support and stimulus to business and industry;
- (f) Strengthen the economy of the city;
- (g) Promote the use of historic districts and landmarks for the education, pleasure and welfare of the people of the city; and

(h) Aid and assist individuals, public entities and other property owners in the nomination of their properties to the National Register of Historic Places. (Ord. 61-4808 §1(part), 1993.)

2.82.020 Definitions. In this chapter, unless the context clearly requires otherwise, the definitions shall be as follows:

“Alteration” means any act or process that changes one or more of the exterior architectural features of a building, which feature is visible to passers by from a front or corner side public street. Alteration includes, but is not limited to, reroofing or residing a building using materials which are different in composition, texture, or appearance than the existing roofing or siding. Alteration does not include changes which affect only the color of the building or a portion thereof, including painting.

“Building” means any structure built, used, designed or intended for the shelter, protection or enclosure of persons or property of any kind, and which is permanently affixed to the land.

“Certificate of appropriateness” means a certificate issued by the commission approving construction, alteration or removal of a landmark, building upon a lot which includes a landmark, building within a historic district, lot within a historic district or building upon a historic site.

“Class I historic district” is an area designated by the common council on recommendation of the commission, composed of two or more contiguous lots that together comprise a district of special character or special historic interest or value as part of the development, heritage or cultural characteristics of the city, state or nation, and which has been designated a historic district under this chapter.

“Class II historic district” is an area designated by the common council on recommendation of the commission, composed of two or more contiguous lots that together comprise a district of special character or special historic interest or value as part of the development, heritage or cultural characteristics of the city, state or nation, and which has been designated a historic district under this chapter. The decision of the commission regarding a certificate of appropriateness for any property within a Class II historic district shall be advisory only.

“Commission” means the historic preservation commission created under this chapter.

“Construction” means the act of adding an addition to an existing building or the erection of a new principal or accessory building on a lot.

“Contributing structure” means a building located within a historic district which is the principal building upon the lot, and which meets both of the following criteria:

- (a) Is at least fifty years of age; and
- (b) Is of architectural or historic significance, or is representative of a type, method or period of construction.

Contributing buildings include simpler versions of major architectural styles as well as buildings which have lost some integrity, but which maintain the general form or some of the stylistic features of these styles and which contribute to the overall scale and rhythm of a historic district.

“Demolition” means any act or process that destroys in part or in whole a landmark, a building upon a lot which includes a landmark, or a building within a historic district.

“Historic site” means a parcel of land whose historic significance is due to a substantial value in tracing the history of aboriginal people, or upon which a historic event has occurred, or which is identified with historic persons, and which has been designated a historic site under this chapter.

“Lot” means a unit of property which is treated as a single entity for the purpose of levying real estate taxes.

“Landmark” means any building, monument, street, bridge or park which has a special architectural character or special historic interest or value as part of the development, heritage or cultural characteristics of the city, state or nation and which has been designated a historic landmark under this chapter.

“Noncontributing structure” means a building located within a historic district which is the principal building upon the lot, and which does not meet the criteria for a contributing building, or which represents a significant loss of integrity through extensive remodeling.

“Removal” means any relocation of a building on its site or to another site. (Ord 61-5383 §2 (part), 2008; Ord. 61-4961 §1, 1996; Ord. 61-4808 §1(part), 1993.)

2.82.030 Historic preservation commission—Composition. A historic preservation commission is created consisting of nine members and the building inspector and city planner as ex officio members. Of the membership, one shall be an architect or architectural designer, one shall be a historian, one shall be an alderperson and six shall be citizen members. Each member shall have, to the highest extent practicable, a known interest in historic preservation. The mayor shall appoint the commissioners subject to confirmation by the common council. Of the initial members so appointed, two shall serve a term of one year, three shall serve a term of two years, three shall serve a term of three years and the alderperson shall serve for his or her term of office. Thereafter, the term for each member shall be three years, except the commissioner who is an alderperson shall serve for his or her term of office, and the ex officio members shall serve for the term of their appointment. (Ord 61-5383 §2 (part), 2008; Ord. 61-5062 §1, 2000; Ord. 61-4808 §1(part), 1993.)

2.82.040 Powers and duties. The commission shall have the following powers and duties:

- (a) To investigate and recommend to the common council the adoption of ordinances designating areas as historic districts;
- (b) To investigate and recommend the designation of landmarks and historic sites within the city limits;

- (c) To maintain or cause to be maintained a survey which identifies historically and architecturally significant properties, buildings and areas that exemplify the cultural, social, economic, political or architectural history of the nation, state, or city;
- (d) To advise and assist owners of landmarks, historic sites or buildings within historic districts on the physical and financial aspects of preservation, renovation, rehabilitation and reuse, and on procedures for inclusion on the national register of historic places;
- (e) To assist in the nomination of landmarks and historic districts to the national register of historic places, and to review and comment on any national register nominations submitted to the commission upon request of the mayor or common council;
- (f) To issue certificates of appropriateness and statements of waiver under the provisions of this chapter;
- (g) To inform and educate the citizens of Wausau concerning the historic and architectural heritage of the city and the importance of historic preservation as an enhancement of the quality of life;
- (h) To recommend to the common council for initial approval and any subsequent revisions, specific design guidelines for construction, alteration or removal of landmarks and buildings within historic districts or upon historic sites;
- (i) To administer on behalf of the city any property or full or partial interest in real property, located within the city, including easements, that the city may have or accept as a gift or otherwise for historic preservation purposes, upon authorization and approval by the common council;
- (j) To accept and administer on behalf of the city such gifts, grants, and money as may be appropriate for the purposes of this chapter. Such money may be expended, subject to authorization and approval by the common council, for publishing maps and brochures or for hiring staff persons or consultants or performing other appropriate functions for the purpose of carrying out the duties and powers of the commission and the purposes of this chapter;
- (k) To call upon available city staff members as well as other experts for technical advice;
- (l) To retain such specialists or consultants or to appoint, subject to common council approval, such citizen advisory committees as may be required from time to time;
- (m) To present information to the common council or any boards, commissions or committees on any matter affecting landmarks, historic districts, historic sites or historically or architecturally significant properties or buildings;

- (n) To confer recognition upon the owners of landmarks, historic sites or buildings within historic districts by means of certificates, plaques or markers;
- (o) To educate property owners regarding availability of local, state and federal funding for historic preservation purposes. (Ord. 61-4808 §1(part), 1993.)

2.82.050 Designation of landmarks and historic sites. (a) Criteria. For purposes of this chapter, a landmark or historic site designation may be placed on any building or any site, natural or improved, which:

- (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state or community; or
 - (2) Is identified with historic persons or with important events in national, state or local history; or
 - (3) Embodies the distinguishing characteristics of an architectural type or specimen, inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship; or
 - (4) Is representative of the notable work of a master builder, designer or architect.
- (b) Procedures.

- (1) Any person may make application to the commission for the nomination of a building as a landmark or historic site or for the rescission of such designation. Upon receiving such nomination, the commission may recommend the designation of a landmark or historic site or the rescission of such designation, using the procedures under subdivision (2) of this subsection;
- (2) The commission may, after notice and public hearing, recommend the designation of landmarks or historic sites or the rescission of such designation after application of the criteria in subsection (a) of this section. At least forty days prior to such hearing, the commission shall notify the owners of record, as listed in the office of the city assessor, who are owners of subject property and the owners of property in whole or in part situated within two hundred feet of the boundaries of the lot upon which the subject property is located. Notice of such hearing shall also be published as a class 1 notice, under the Wisconsin Statutes. The commission shall also notify the following: community development department, inspection department and city planner, who may respond to the commission within twenty days of notification with comments on the proposed designation or rescission. The commission shall then conduct such public hearing and, in addition to the notified persons, may hear from other interested persons, as the commission deems appropriate. The commission shall conduct an independent investigation into the proposed designation or rescission. Following the public hearing, the commission shall vote to recommend the designation or rescission of the landmark or historic site designation. Any recommendation to designate a landmark or historic site and any recommendation

concerning the rescission of such designation shall be made in writing and shall be forwarded to the plan commission for consideration at the plan commission's next regularly scheduled meeting. Notification of such recommendation shall also be sent by the preservation commission to the property owner or owners of the subject property prior to consideration by the plan commission.

(3) The plan commission shall review the designation or rescission recommendation of the preservation commission and make a recommendation regarding designation or rescission to the common council within thirty days of receipt of the preservation commission report. The plan commission shall consider the following factors in formulating a recommendation:

(A) Will the designation of the property as a landmark or historic site interfere with the orderly, coordinated and harmonious development of the city;

(B) Will the designation of the property as a landmark or historic site conflict with parts of the master plan, official map or redevelopment plan;

(C) Will the designation of property as a landmark or historic site promote the general public welfare;

(4) The common council, upon receipt of the recommendation from the preservation commission, and the plan commission shall act upon the recommendations at its next regularly scheduled meeting. Designation of a landmark or historic site or the rescission of such designation shall be done by the adoption of an ordinance, which shall be in recordable form and shall be recorded, at city expense, in the office of the county register of deeds.

(Ord 61-5383 §2 (part), 2008; Ord. 61-5186 §1(part), 2002, File No. 02-0716; Ord. 61-4808 §1(part), 1993.)

2.82.055 Local historic landmarks. The following properties are designated as local historic landmarks:

(1) The property located at 309 McClellan Street (Wausau Club) and more particularly described as:

PIN: 37.291.4.2907.253.0279

Lots 5, 6 and 7 of Block 16 in the original plat of the City of Wausau, Marathon County, Wisconsin.

(2) The property located at 403 McIndoe Street (Cyrus Yawkey House) and more particularly described as:

PIN: 37.291.4.2907.253.0154

Lots numbered Five (5), Six (6), Seven (7) and Eight (8) and the North Ten (10) feet of Lots numbered One (1) and Two (2), in Block numbered Twelve (12), McIndoe and Shuter's Addition, City of Wausau, Marathon County, Wisconsin.

(3) The property located at 215 West Thomas Street (Old Engine No. 4 Fire House) and more particularly described as follows:

PIN: 37.291.4.2907.354.0971

That part of the southwest quarter (SW 1/4) of the Southeast quarter (SE 1/4) of Section thirty-five (35), Township twenty-nine (29) North, Range seven (7) East, in the City of Wausau, described as follows:

Beginning at a point 30 feet South and 30 feet East of the center of South Third Avenue and Thomas Street; running thence South, along the East line of South Third Avenue, 70 feet; thence East, parallel with Thomas Street, 60 feet; thence North, parallel with South Third Avenue, 70 feet to the South line of Thomas Street; and thence West, along the South line of Thomas Street, 60 feet to the point of beginning.

(4) The property located at 529 North Third Street, and more particularly described as:

PIN: 37.291.4.2907.253.0280

That part of Lot eight (8) in Block sixteen (16) of the Original Plat of the Village (now City) of Wausau, Marathon County, Wisconsin, described as follows:

Beginning at the Northwest corner of said Block 16; and running thence South, on the West line of said Block, 42 feet and 2 inches; thence East 60 feet to the East line of said Lot 8 in said Block; thence North, along the East line of said lot, 42 feet and 1-1/8 inches to the North line of said Block; and thence West, along the North line of said Block, 60 feet to the place of beginning.

(5) The property located at 114 Grand Avenue and more particularly described as follows:

PIN: 37.291.4.2907.362.0151

Lot one (1) of Certified Survey Map No. 7012 recorded in the office of the Register of Deeds for Marathon, County, Wisconsin, on September 28, 1992, in Volume 26 of Certified Survey Maps on page 205, as Document No. 977831; being the East twenty-one (21) feet of Lot four (4), and all of Lots five (5) and six (6), all in Block one (1) of Stewart, Manson and Hinton's Addition in the City of Wausau, Marathon County, Wisconsin.

PIN: 37.291.4.2907.364.0235

Lots One (1), Four (4), Seven (7), Eight (8), and the West twenty-nine (29) feet of Lots Two (2), Three (3) and Six (6) of Block Eight (8) of the Original Plat of the Village (now City) of Wausau, Marathon County, Wisconsin.

(6) The property located at 317 North 1st Street (Federal Building) and more particularly described as:

PIN: 37.291.4.2907.364.0235

Lots One (1), Four (4), Seven (7), Eight (8), and the West Twenty-Nine (29) feet of Lots Two (2), Three (3) and Six (6) of Block Eight (8) of the Original Plat of the Village (now City) of Wausau, Marathon County, Wisconsin.

(7) The property located at 812 Grant Street (Lyman Thayer House) and more particularly described as:

PIN: 37.291.4.2907.254.0117

Lots Eight (8), Block One (1), A. Warren Jrs. East Addition, City of Wausau, Marathon County, Wisconsin.

(8) The property located at 621 North Second Street (only the St. James Catholic Church building) and more particularly described as:

PIN: 37.291.4.2907.253.0241

Lots One (1), Two (2), Seven (7) and Eight (8), Block Two (2), McIndoe & Shutters Addition, City of Wausau, Marathon County, Wisconsin.

(9) The property located at 408 Seymour Street (only the St. Mary's Catholic Church Building) and more particularly described as:

PIN: 37.291.4.2907.362.0378

Lots One (1), Two (2), Three (3) and Seven (7), Block 3, and Lots Three (3) and Six (6), Block 2, Rhomboid Addition to the City of Wausau, Marathon County, Wisconsin, and also part of the SE 1/4 of the NW 1/4, Section 36, Township 29 North, Range 7 East, commencing at the Southwest corner of Lot (3), Block 2, of said addition; thence East 240 feet to the West line of Seymour Street; thence Southerly, along said Street to the North line of Church Street; thence West to the East line of Grand Avenue; thence Northerly to the point of beginning, except the parcel described in CSM Volume 16, page 283, excluding the "School building".

(10) The property located at 324 East Wausau Avenue (only the Athletic Park Granite Wall and Front Entrance) and more particularly described as:

PIN: 37.291.4.2907.243.0980

That part of Government Lot One (1) lying South of Winton Street, East of Third Street, West of Fifth Street, and North of Wausau Avenue, located in Section 24, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, and containing Wausau Athletic Park Granite Wall and Front Entrance, except the parcel described in Volume 457 of Deeds, page 233, Volume 407, page 372, Volume 509, page 189, and Volume 22, page 56.

(11) The 1936 portion of Wausau East High School located on the property at 708 Fulton Street more particularly described as:

PIN: 37.291.4.2907.254.0067

Dunbar and Browns Park Addition, Block 3 and Block 6, City of Wausau, Marathon County, Wisconsin.

(12) The former Chicago Northwestern Railroad Depot located on the property at 209 West Washington Street more particularly described as:

PIN: 37.291.4.2907.264.0985

Part of Government Lot 6, Section 26, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as that part of Clark Island described in Volume D509-343 as shown on CSM Volume 2-62, excepting the parcel described in Volume M722-44.

(13) The former Milwaukee Road Railroad Depot located on the property at 720 Grant Street more particularly described as:

PIN: 37.291.4.2907.254.0950

Part of the SW 1/4 of the SE 1/4, Section 25, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, as described in Records of the Office of the City Assessor, City of Wausau.

(14) St. Stephen's Lutheran Church located on the property at 502 McClellan Street more particularly described as:

PIN: 37.291.4.2907.253.0334

Lots 1, 2, 3 and 4, Block 7, Stewart, Manson & Hintons Addition to the City of Wausau, Marathon County, Wisconsin, as shown on CSM recorded in Volume 7, Page 198.

(15) Oak Island Park Field House (Shelter) located on the property at 500 River Drive more particularly described as:

PIN: 37.291.4.2907.362.0994

Part of Section 36, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as Oak Island and also that part of Government Lots 1 and 2 described in Volumes D315-567, D443-594, excluding the parcels described in Volumes D443-596, D461-333, D483-130, including RR/RW described in Document #1258589.

(16) Duey Wright House located at 904 Grand Avenue, more particularly described as:

PIN: 37.291.4.2907.363.0960

Part of Government Lot 2 described in Volume 356, Page 27, Section 36, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin.

(17) Charles Manson House located at 1224 Highland Park Boulevard, more particularly described as:

PIN: 37.291.4.2907.254.0029

Part of Highland Park Addition to the City of Wausau, Marathon County, Wisconsin, described as Lot 10, Block 3, including the South 10 feet of vacated Hamilton Street lying North of said lot, also part of the NE 1/4 of the SE 1/4, Section 25, Township 29 North, Range 7 East, described as Lot 1 of CSM Volume 10, Page 157 (2684).

(18) Marathon Park Exhibition Building, Judging Pavilion, and Cattle Barns 1 and 2, more particularly described as:

PIN: 37.291.4.2907.341.0999

The NE 1/4 of the NE 1/4, and also the North 80 feet of the SE 1/4 of the NE 1/4, Section 34, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin (Marathon Park).

(19) Nathan Orr House located at 915 Grand Avenue, more particularly described as:

PIN: 37.291.4.2907.363.0882

Part of Government Lot 2 described as Lot (1) of CSM Volume 67-54 (14972)

(20) Louis Marchetti House located at 921 Grand Avenue, more particularly described as:

PIN: 37.291.4.2907.363.0882

Part of Government Lot 2 described as Lot (1) of CSM Volume 67-54 (14972)

(21) Barker Stewart Island, more particularly described as:

PIN: 37.291.4.2907.264.0988

That part of Government Lot 6 known as Stewart Island described in Volume 172 of Deeds, Page 313, Section 26. Township 29 North, Range 7 East. City of Wausau, Marathon County, Wisconsin (Barker Stewart Island).

(22) Wausau City Hall, 407 Grant Street, more particularly described as:

PIN: 37.291.4.2907.253.0223

All of Lots 1 to 8 including Block 4, McIndoe & Shuter's Addition to the City of Wausau, Marathon County, Wisconsin (Wausau City Hall).

(23) Marathon Park Big Kitchen; Stone Gate Entrance and Fence at Garfield Avenue Entrance; Stone Gate Building and Fence at South 8th Avenue Entrance; Stone Gate Building at South 12th Avenue Entrance; and Stone Gate Building at South 17th Avenue Entrance, more particularly described as:

PIN: 37.291.4.2907.341.0999

The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, and also the North 80 feet of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 34, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin (Marathon Park).

(24) Pleasant View Park Stone Shelter Structure, more particularly described as:

PIN: 37.291.4.2907.364.0311

Pleasant View Park Lots 1 to 24 including Block 6 & Lots 1 to 12, including Block 7, and also that part of Manson Street vacated lying between 12th Street and 13th Street, including that part of vacated South 13th Street lying East and adjacent to said parcel, and also the North $\frac{1}{2}$ of vacated alley lying South of said parcel, City of Wausau, Marathon County, Wisconsin (Pleasant View Park).

(25) Glass Hat, 1203 North Third Street, more particularly described as:

PIN: 37.291.4.2907.253.0127

G Werheims Addition, South 70' of Lot 1, Block 1

(26) Egyptian Mausoleum, 1701 Grand Avenue.

PIN: 291.2807.011.0910

Sec 01-28-07 That Part of South ½ of Northeast ¼ Lying East of Grand Avenue and Lying West of Curling Way, Except Lot 1 of Certified Survey Map Volume 80, Page 85, Document #1684241, Including That Portion of Junction Street Right of Way Vacated per Resolution Recorded as Document #1688989 Lying in the East ½, Northeast ¼

(27) Pine Grove Cemetery Gatehouse, 1501 Grand Avenue.

PIN: 291.2807.011.0928

That Part of North ½, Northeast ¼, Lying East of Grand Avenue, Except East 10 Acres, Thereof Sec 1-28-7

(28) F.O. Crocker House, 818 North 1st Street

PIN: 291.2907.253.0199

McIndoe & Shutters Addition, Lot 5, Block D

(29) Douglas Sauerbering House, 908/910 North 1st Street

PIN: 291.2907.253.0191

McIndoe & Shutters Addition, Lot 2, Block E, Except Certified Survey Map Volume 67, Page 106 (15024)

(30) 902/904 North 1st Street

PIN: 291.2907.253.0190

Lot 1, McIndoe & Shutters Addition, Block E, Also that Part of Lot 8, Lying East of East Line of Railroad Right-of-Way

(31) Lustron House, 311 Ethel Street

PIN: 291.2807.013.0554

Eau Claire Heights Addition, Lot 6, Block 12

(Ord. 61-5798 §1, 2018, File No. 18-1205; Ord. 61-0610 §1, 2018, File No. 18-0610; Ord. 61-5780 §1, 2018, File No. 18-0611; Ord. 61-5783 §1, 2018, File 18-0607; Ord. 61-5744 §1, 2017, File No. 17-0713; Ord. 61-5743 §1, 2017, File No. 17-0712; Ord. 61-5712 §1, 2016, File No. 16-0807; Ord.

61-5434 §1, 2010, File No. 10-0414; Ord. 61-5433 §1, 2010, File No. 08-0304; Ord. 61-5432 §1, 2010, File No. 10-0413; Ord. 61-5431 §1, 2010, File No. 10-0412; Ord. 61-5408 § 1, 2009, File No. 96-0430; Ord. 61-5409 § 1, 2009, File No. 96-0430; Ord. 61-5362 §1, 2008, File No. 08-0304; Ord. 61-5342 §1, 2007, File No. 07-0809; Ord. 61-5307 §1, 2006, File No. 06-1004; Ord. 61-5226 §1, 2004 File No. 04-0214; Ord. 61-5184 §1, 2002, File No. 02-0613; Ord. 61-5160 §1, 2002, File No. 02-0205; Ord. 61-5143 §1, 2001, File No. 01-1224; Ord. 61-5069 §1, 2000; Ord. 61-5068 §1, 2000; Ord. 61-5064, §1, 2000; Ord. 61-5063 §1, 2000; Ord. 61-5056 §1, 1999; Ord. 61-5017 §1, 1998; Ord. 4894 §1, 1995; Ord. 61-4851 §1, 1994; Ord. 61-4838 §1, 1994.)

2.82.060 Creation of historic districts. (a) Criteria. For preservation purposes, the commission may select geographically defined areas within the city to be designated as either Class I or Class II historic districts. A historic district may be designated for any geographic area of particular historic, architectural or cultural significance to the city which:

- (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state or community; or
- (2) Is identified with a historic person or with important events in national, state or local history; or
- (3) Embodies the distinguishing characteristics of architectural type specimens inherently valuable for the study of a period or periods, styles, methods of construction, indigenous materials or craftsmanship; or
- (4) Is representative of the notable works of master builders, designers or architects.

(b) Review and Adoption Procedure Historic Districts.

(1) Historic Preservation Commission.

(A) The historic preservation commission shall hold a public hearing when considering the designation of a historic district. Notice of the time, place and purpose of such hearing shall be given by publication as a class I notice under the Wisconsin Statutes in the official city paper. Notice of the time, place and purpose of the public hearing shall also be sent to the city clerk and to the owners of record, as listed in the office of the city assessor, who are owners of property within the proposed historic district. Said notice is to be sent at least forty days prior to the date of the public hearing. Following the public hearing, the historic preservation commission shall vote to recommend, reject, withhold action on the designation of the historic district or to amend the boundaries of the proposed district. The commission shall have another public hearing in accordance with the procedures for hearing under this section if the commission votes to amend the boundaries.

(B) If within thirty days of the date of publication of notice of the public hearing under subdivision (1)(A) of this subsection, a petition objecting to the creation of the proposed historic district signed by at least one-third of the owners of lots within the boundaries of the proposed historic district as indicated in the notice is filed in the city clerk's office, no further action shall be taken on the proposed historic district. It shall not be submitted to the plan commission for consideration nor shall it be submitted to the common council. For any proposed historic district, the historic preservation commission may not consider a proposal to create a historic district containing any of the property within the proposed historic district as indicated in the notice within one year from the date of the initial notice, if such petition has been filed.

(C) If no petition or an insufficient petition having the signatures of less than one-third of the owners of lots within the proposed historic district is received, the recommendation of the historic landmark commission shall be made in writing and shall be forwarded to the plan commission within thirty days following the close of the public hearing for consideration at the plan commission's next regularly scheduled meeting.

(2) Plan Commission. The plan commission shall review the historic district recommendation of the commission and make a recommendation to the common council within thirty days. The plan commission shall consider the following factors in formulating a recommendation:

(A) Will the designation of the property as a historic district interfere with the orderly, coordinated, and harmonious development of the city;

(B) Will the designation of the property as a historic district conflict with parts of the master plan, official map or redevelopment plans;

(C) Will the designation of property as a historic district promote the general public health, safety and general welfare.

(3) The Common Council. The common council, upon receipt of the recommendations from the plan commission and historic landmark commission, shall either designate or reject the historic district at its next regularly scheduled meeting. Designation of the historic district shall be done by adoption of an ordinance setting forth the geographical boundaries of such district, which ordinance shall be recorded, at city expense, in the office of the county register of deeds.

(c) Amendment/Alteration of Historic District Boundaries. A written request to the commission to amend or alter the boundaries of a historic district that has been created under this section may be made at any time by any property owner wishing to either include or exclude their property within the boundaries of a historic district. The commission may also consider amendments or alterations to historic district boundaries on the commission's own motion. The

historic preservation commission and plan commission shall follow the review and adoption procedures outlined in section 2.82.060(b)(1) and (2) in considering any request for amendment or alteration of historic district boundaries, except that only the owners of property included within the proposed amendment area shall be sent a copy of the required public hearing notice. The common council, upon receipt of the recommendations of the plan commission and historic preservation commission, shall either amend, alter or not change the historic district boundary at its next regularly scheduled meeting. Amendment or alteration of historic district boundaries shall be done by ordinance setting forth the geographical boundaries affected, which ordinance shall be recorded, at city expense, in the office of the county register of deeds. (Ord 61-5383 §2 (part), 2008; Ord 61-5186 §1(part), 2002, File No. 02-0716; Ord. 61-5013 §1, 1998; Ord. 61-4961 §2, 1996; Ord. 61-4808 §1(part), 1993.)

2.82.065 Historic Districts. (a) The following properties are designated as the Class II Downtown Historic District:

- (1) The property located at 630 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0249

MCINDOE & SHUTERS ADD N 43' OF LOTS 5 & 6 BLK 2 AS SHN ON CSM VOL 13 PG 8

- (2) The property located at 626 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0248

MCINDOE & SCHUTERS ADD S 23' OF N 66' OF LOTS 5 & 6 BLK 2 AS SHN ON CSM VOL 2 PG 27

- (3) The property located at 622 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0247

MCINDOE & SHUTERS ADD S 27 FT OF N 93 FT OF LOTS 5 & 6 BLK 2

- (4) The property located at 620 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0246

MCINDOE & SHUTERS ADD LOTS 5 & 6 EX N 93' THEREOF BLK 2

- (5) The property located at 614 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0245

MCINDOE & SHUTERS ADD N 25' 6.5" OF LOT 4 BLK 2

(6) The property located at 608 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0254

MCINDOE & SHUTERS ADD LOT 4 BLK 2, EX N 25.54', ALSO EX S 70.46'

(7) The property located at 604, 606 North Third Street and more particularly described
as:

PIN: 37.291.4.2907.253.0244

MCINDOE & SHUTERS ADD LOT 4 BLK 2, EX N 49.54', ALSO EX S 30'
THEREOF

(8) The property located at 600 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0243

MCINDOE & SHUTERS ADD S 30' OF LOT 4 BLK 2

(9) The property located at 500-02 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0267

ORIGINAL PLAT CITY OF WAUSAU ALL OF BLOCK 15 AS SHN ON CSM REC
IN VOL 3 PG 146 VOL 4 PG 242

(10) The property located at 424, 426, 430, 432 North Third Street and more particularly
described as:

PIN: 37.291.4.2907.253.0310

ORIG PLAT CITY OF WAUSAU ALL OF BLK 14 EX E 85' OF S 164' ALSO EX W
23' OF N 70' OF LOT 8

(11) The property located at 422 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0309

ORIG PLAT CITY OF WAUSAU N 21' OF S 44' OF E 75' OF LOTS 5 & 6 BLK 14

(12) The property located at 416, 420 North Third Street and more particularly described
as:

PIN: 37.291.4.2907.253.0308

ORIG PLAT CITY OF WAUSAU N 19' OF LOTS 3 & 4 BLK 14 ALSO S 23' OF LOTS 5 & 6 LYG E OF ALLEY

(13) The property located at 406, 408, 410 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0306

ORIG PLAT CITY OF WAUSAU PART OF LOTS 3 & 4 BLK 14 DESD AS LOT (1) OF CSM VOL 34-177 (8799).

ORIG PLAT CITY OF WAUSAU PART OF LOTS 3 & 4 COM 30' N OF SE OR OF LOT 4 N 71' W 75' S 71' E 75' TO BEG BLK 14

(14) The property located at 402 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0305

ORIG PLAT CITY OF WAUSAU S 30 FT OF E 75 FT OF LOTS 3 & 4 BLK 14

(15) The property located at 330 North Third Street and more particularly described as:

PIN: 37.291.4.2907.362.0233

ORIG PLAT CITY OF WAUSAU LOTS 5 & 6 EX S 59' & LOTS 7 & 8 EX S 30' BLK 13

(16) The property located at 320, 324 North Third Street and more particularly described as:

PIN: 37.291.4.2907.362.0231

ORIG PLAT CITY OF WAUSAU S HALF OF LOTS 5 & 6 BLK 13

(17) The property located at 300 North Third Street and more particularly described as:

PIN: 37.291.4.2907.362.0229

LOTS 2, 3 & 4 IN BLK 13 OF THE ORIG. PLAT OF THE CITY OF WAUSAU, MARATHON COUNTY, WISCONSIN, ALSO EASEMENTS AS RED'D IN VOL 359 PG 1058

(18) The property located at 301 North Third Street and more particularly described as:

PIN: 37.291.4.2907.362.0216

ORIG PLAT CITY OF WAUSAU PT OF LOTS 1 & 2 BLK 18 PCL 1 AS SHN ON
CSM VOL 7 PG 145

(19) The property located at 303 North Third Street and more particularly described as:

PIN: 37.291.4.2907.362.0213

ORIG PLAT CITY OF WAUSAU PT OF LOTS 1 & 2 BLK 18 PCL #2 AS SHN ON
CSM VOL 7 PG 145

as: (20) The property located at 305, 307 North Third Street and more particularly described

PIN: 37.291.4.2907.362.0212

ORIG PLAT CITY OF WAUSAU N 66 FT OF LOTS 1 & 2 BLK 18

as: (21) The property located at 311, 315 North Third Street and more particularly described

PIN: 37.291.4.2907.362.0223

ORIG PLAT CITY OF WAUSAU PT OF LOTS 7 & 8 BLK 18 COM 6" N OF SW
COR OF LOT 8 N 49' E 120' S 49' W 120' TO BEG

(22) The property located at 325 North Third Street and more particularly described as:

PIN: 37.291.4.2907.362.0222

ORIG PLAT CITY OF WAUSAU PT OF LOTS 7 & 8 BLK 18 COM 51.6' S OF NW
COR OF LOT 8 S 21.4' E 119' N 4.34' W 30' N 1.14' W 6' N 15.92' W 83' TO BEG

(23) The property located at 327 North Third Street and more particularly described as:

PIN: 37.291.4.2907.362.0221

ORIG PLAT CITY OF WAUSAU PT OF LOTS 6, 7 & 8 BLK 18 COM AT NW COR
OF LOT 8 S 51.6' E 83' S 15.92' E 6' S 1.14' E 30' S 4.34' E 8.17' N 73' W 127.17' TO
BEG

(24) The property located at 401 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0315

ORIG PLAT CITY OF WAUSAU PT OF BLK 17 COM 160'3" S OF NW COR OF
BLK 17 S 81'6" TO SW COR OF BLK 17 E 166' N 82' W TO BEG

(25) The property located at 415-419, 427 North Third Street and more particularly
described as:

PIN: 37.291.4.2907.253.0312

ORIG PLAT CITY OF WAUSAU PT OF BLK 17 COM AT NW COR OF BLK 17 E
150' S 159.63' W 150' N 160'3" TO BEG

(26) The property located at 501,503 North Third Street and more particularly described
as:

PIN: 37.291.4.2907.253.0275

ORIG PLAT CITY OF WAUSAU PT OF LOTS 1 & 2 BLK 16 COM AT SW COR OF
LOT 1 NLY 48' ELY 104.2' SLY 48' WLY 104.2' TO BEG

(27) The property located at 505 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0274

ORIG PLAT CITY OF WAUSAU PT OF LOT 1 & 2 BLK 16 COM 48' N OF SW COR
OF LOT 1 N 74'2" E 104.2" S 74.2" W 104.2' TO BEG

(28) The property located at 515,519 North Third Street and more particularly described
as:

PIN: 37.291.4.2907.253.0282

ORIG PLAT CITY OF WAUSAU S 40'1" OF LOT 8 BLK 16

(29) The property located at 525 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0281

ORIG PLAT CITY OF WAUSAU LOT 8 BLK 16 EX S 40'1" THEREOF ALSO EX
PCL DES IN VOL 217 OF DEEDS PG 488

(30) The property located at 529 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0280

ORIG PLAT CITY OF WAUSAU PT OF LOT 8 BLK 16 COM AT NW COR OF LOT
8 S 42'2" E 60' N 42' 1-1/8" TO N LN OF LOT 8 W 60' TO BEG

(31) The property located at 601,603 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0236

MCINDOE & SHUTERS ADD SLY 47 FT OF LOTS 1 AND 2 EX ELY 15 FT OF LOT 2 BLK 3

(32) The property located at 605, 607 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0235

MCINDOE & SHUTERS ADD PT OF LOTS 1 & 2 COM 27' SLY FROM NW COR OF LOT 1 ELY TO A POINT 15' WLY FROM E LN OF LOT 2 S 47.5' TO A POINT 47' N OF S LN OF LOT 2 W TO A POINT 47' N FROM SW COR OF LOT 1 N 47.5 TO BEG BLK 3

(33) The property located at 615 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0234

MCINDOE & SHUTERS ADD N 27' OF W 105' OF LOTS 1 & 2 BLK 3

(34) The property located at 627 North Third Street and more particularly described as:

PIN: 37.291.4.2907.253.0240

MCINDOE & SHUTERS ADD LOTS 7 & 8 BLK 3

(35) The property located at 406 Grant Street and more particularly described as:

PIN: 37.291.4.2907.253.0220

MCINDOE & SHUTERS ADD LOTS 1-8 BLK 5, EX VOL 40 PG 529

(36) The property located at 407 Grant Street and more particularly described as:

PIN: 37.291.4.2907.253.0223

MCINDOE & SHUTERS ADD ALL OF LOTS 1 TO 8 INCL BLK 4 1.32 ACRES

(37) The property located at 330 McClellan Street and more particularly described as:

PIN: 37.291.4.2907.253.0237

MCCLELLAN ST MCINDOE & SHUTERS ADD LOTS 3 & 4 & ELY 15' OF LOT 2
BLK 3 .37A

(38) The property located at 622 North Fourth Street and more particularly described as:

PIN: 37.291.4.2907.253.0238

MCINDOE & SHUTERS ADD PT OF LOTS 5 & 6 COM AT SE COR OF LOT 5 N
51' W 81' S 51' E TO BEG BLK 3.09 ACRES

(39) The property located at 630 North Fourth Street and more particularly described as:

PIN: 37.291.4.2907.253.0239

MCINDOE & SHUTERS ADD LOTS 5 & 6 BLK 3 EX SLY 51' OF E 81' OF LOTS 5
& 6

(40) The property located at 621 North Second Street and more particularly described as:

PIN: 37.291.4.2907.253.0241

MCINDOE & SHUTERS ADD LOTS 1 2 7 & 8 BLK 2.66 ACRES

(41) The property located at 210 McClellan Street and more particularly described as:

PIN: 37.291.4.2907.253.0242

MCINDOE & SHUTERS ADD LOT 3 BLK 2 AS SHN ON CSM VOL 2 PG 16

(42) The property located at 605 North First Street and more particularly described as:

PIN: 37.291.4.2907.253.0250

MCINDOE & SHUTERS ADD LOT 1 BLK 1 .17 ACRES

(43) The property located at 602 North Second Street and more particularly described as:

PIN: 37.291.4.2907.253.0251

MCINDOE & SHUTERS ADD LOTS 2 3 4 & W 8' OF N 1/2 OF LOT 6 ALSO LOTS
7 & 8 BLK 1

(44) The property located at 620 North Second Street and more particularly described as:

PIN: 37.291.4.2907.253.0252

MCINDOE & SHUTERS ADD PT OF LOTS 5 & 6 BLK 1 COM AT NE COR OF LOT 5, S 60' TO BEG, THENCE W 67', S S 10', W 45', N 10', W 8', S 60', E 120', N 60' TO POB

(45) The property located at 630 North Second Street and more particularly described as:

PIN: 37.291.4.2907.253.0253

MCINDOE & SHUTERS ADD N HALF OF LOT 5 ALSO N HALF OF LOT 6 EX W 53' THEREOF BLK 1

(46) The property located at 111 Grant Street and more particularly described as:

PIN: 37.291.4.2907.253.0255

MCINDOE & SHUTERS ADD N 70' OF LOT 6, EX E 7' & W 8' THEREOF BLK 1

(47) The property located at 100 Scott Street and more particularly described as:

PIN: 27.291.4.2907.253.0258

ORIG PLAT CITY OF WAUSAU PT OF LOT 1 BLK 6 BEG AT SE COR OF LOT 1, THENCE W 52.48', N 122.3', E 54.48', S 90.3', W 2', S 32' TO POB

(48) The property located at 120 Scott Street and more particularly described as:

PIN: 37.291.4.2907.253.0260

ORIG PLAT CITY OF WAUSAU PT OF LOT 3 BLK 6 COM AT SW COR OF LOT 3 N 81' E 33' S 81' W 33' TO BEG

(49) The property located at 124 Scott Street and more particularly described as:

PIN: 37.291.4.2907.253.0261

CITY OF WAUSAU PT OF LOTS 3 & 4 BLK 6 COM 33' E OF SW COR OF LOT 3 E 39'11" N 66'5" W 39'11" S 66'5" TO BEG

(50) The property located at 128 Scott Street and more particularly described as:

PIN: 37.291.4.2907.253.0262

ORIG PLAT CITY OF WAUSAU PT OF LOT 4 BLK 6 COM AT SE COR OF LOT 4 W TO A PT 72'11" E OF SW COR OF LOT 3 N 76' E TO E LN OF LOT 4 S TO BEG

(51) The property located at 530 North Second Street and more particularly described as:

PIN: 37.291.4.2907.253.0263

ORIG PLAT CITY OF WAUSAU LOTS 5 6 7 & 8 BLK 6 ALSO THAT PT OF LOTS 3 & 4 DESD IN VOL 367 OF DEEDS PG 314 CSM VOL 3 PG 221 .66 ACRES

(52) The property located at 318 Scott Street and more particularly described as:

PIN: 37.291.4.2907.253.0276

ORIGINAL PLAT CITY OF WAUSAU W 31' OF LOT 3 BLK 16 ALSO PT OF LOT 2 COM 104.2' E OF SW COR OF LOT 1 N TO N LN OF LOT 2 E TO NE COR OF LOT 2 S TO SE COR OF LOT 2 W ALG S LN OF LOT 2 TO BEG

(53) The property located at 324 Scott Street and more particularly described as:

PIN: 37.291.4.2907.253.0277

ORIG PLAT CITY OF WAUSAU LOT 3 BLK 16 EX W 31' ALSO LOT 4 EX E 40' THEREOF

(54) The property located at 328 Scott Street and more particularly described as:

PIN: 37.291.4.2907.253.0278

ORIG PLAT CITY OF WAUSAU ELY 40' OF LOT 4 BLK 16 CSM V 21 PG 169

(55) The property located at 309 McClellan Street and more particularly described as:

PIN: 37.291.4.2907.253.0279

ORIG PLAT CITY OF WAUSAU LOTS 5 6 & 7 BLK 16

(56) The property located at 400 Scott Street and more particularly described as:

PIN: 37.291.4.2907.253.0283

ORIGINAL PLAT CITY OF WAUSAU LOTS 1 & 2 BLK 27 EXE 5' OF LOT 2 AS SHN ON CSM RECD IN VOL 2 PG 63

(57) The property located at 414 Scott Street and more particularly described as:

PIN: 37.291.4.2907.253.0284

ORIG PLAT CITY OF WAUSAU LOTS 3 & 4 BLK 27 & E 5' OF LOT 2 .34 A

(58) The property located at 425 McClellan Street and more particularly described as:

PIN: 37.291.4.2907.253.0285

ORIG PLAT CITY OF WAUSAU LOT 5 BLK 27 AS SHN ON CSM RECD IN VOL 1
PG 188 .17 A

(59) The property located at 421 McClellan Street and more particularly described as:

PIN: 37.291.4.2907.253.0286

ORIG PLAT CITY OF WAUSAU LOT 6 BLK 27 AS SHN ON CSM RECD IN VOL 1
PG 188 .17 A

(60) The property located at 521 North Fourth Street and more particularly described as:

PIN: 37.291.4.2907.253.0287

ORIG PLAT CITY OF WAUSAU LOTS 7 & 8 BLK 27 AS SHN ON CSM RECD IN
VOL 1 PG 188 .32 A

(61) The property located at 401 North First Street and more particularly described as:

PIN: 37.291.4.2907.253.0296

ORIG PLAT CITY OF WAUSAU LOTS 1 2 3 & 4 BLK 7 .66 ACRES

(62) The property located at 127 Scott Street and more particularly described as:

PIN: 37.291.4.2907.253.0297

ORIG PLAT CITY OF WAUSAU PT OF LOT 5 BLK 7 COM AT NE COR OF LOT 5
W 48.7', S 56.8', E 6', S TO N LN OF ALLEY, E TO E LN OF LOT 5, N TO BEG

(63) The property located at 119 Scott Street and more particularly described as:

PIN: 37.291.4.2907.253.0299

ORIG PLAT CITY OF WAUSAU LOTS 5 & 6 BLK 7 EX PCLS DESD IN VOLS 363
OF DEEDS PG 9 VOL 363 PG 11 ALSO EX W 30 FT OF LOT 6

(64) The property located at 117 Scott Street and more particularly described as:

PIN: 37.291.4.2907.253.0300

ORIG PLAT CITY OF WAUSAU W 30' OF LOT 6 BLK 7

(65) The property located at 113 Scott Street and more particularly described as:

PIN: 37.291.4.2907.253.0301

ORIG PLAT CITY OF WAUSAU LOT 7 BLK 7 & S 54' OF LOT 8 AS SHN ON CSM
RECD IN VOL 1 PG 217

(66) The property located at 101 Scott Street and more particularly described as:

PIN: 37.291.4.2907.253.0302

ORIG PLAT CITY OF WAUSAU N 67.18' OF LOT 8 BLK 7

(67) The property located at 201 Scott Street and more particularly described as:

PIN: 37.291.4.2907.253.0311

ORIG PLAT CITY OF WAUSAU W 23' OF N 70' OF LOT 8 BLK 14

(68) The property located at 400 North Fourth Street and more particularly described as:

PIN: 37.291.4.2907.253.0316

ORIG PLAT CITY OF WAUSAU THAT PT OF BLK 17 LYG E OF A 24' ALLEY SD
ALLEY DESD IN VOL 401 OF DEEDS PG 65

(69) The property located at 401 North Fourth Street and more particularly described as:

PIN: 37.291.4.2907.253.0317

ORIG PLAT CITY OF WAUSAU S 45' 4" OF LOTS 1 & 2 BLK 26

(70) The property located at 428 Jefferson Street and more particularly described as:

PIN: 37.291.4.2907.253.0318

ORIG PLAT CITY OF WAUSAU LOT 3 BLK 26 EX W 25.22' OF N 38' THEREOF
ALSO ALL OF LOTS 4 & 5 AND E HALF OF LOT 6 .56 ACRES

(71) The property located at 407 Scott Street and more particularly described as:

PIN: 37.291.4.2907.253.0319

ORIG PLAT CITY OF WAUSAU E 32.5' OF N 62' OF LOT 7 BLK 26.05 AC

(72) The property located at 427 North Fourth Street and more particularly described as:

PIN: 37.291.4.2907.253.0320

ORIG PLAT CITY OF WAUSAU N 62' OF LOTS 7 & 8 BLK 26 EX E 32.5
THEREOF .13A

(73) The property located at 411 North Fourth Street and more particularly described as:

PIN: 37.291.4.2907.253.0321

ORIG PLAT CITY OF WAUSAU LOTS 1 & 2 BLK 26 EX S 45'4" ALSO W 25.22'
OF N 38' OF LOT 3 ALSO W 1/2 OF LOT 6 ALSO LOTS 7 & 8 EX N 62'

(74) The property located at 504 Grant Street and more particularly described as:

PIN: 37.291.4.2907.253.0322

STEWART MANSON & HINTONS ADD LOTS 1, 2, 3, 4 & W 40' OF LOT 5 BLK 8

(75) The property located at 502 McClellan Street and more particularly described as:

PIN: 37.291.4.2907.253.0334

STEWART MANSON & HINTONS ADD LOTS 1 2 3 & 4 BLK 7 AS SHN ON CSM
RECD IN VL 7 PG 198 .45A

(76) The property located at 613 North Fifth Street and more particularly described as:

PIN: 37.291.4.2907.253.0346

STEWART MANSON & HINTONS ADD LOTS 15 & 16 BLK 7 AS SHN ON CSM
RECD IN VOL 2 PG 280 .32 ACRE

(77) The property located at 108 Scott Street and more particularly described as:

PIN: 37.291.4.2907.253.0482

ORIGINAL PLAT CITY OF WAUSAU LOT 2 & PT OF LOT 1 BLK 6, BEG AT SE
COR OF LOT 2, THENCE W 68.98', N 32', E 2', N 90.43', F 66.98', S 122.43' TO POB
CSM VOL 10 PG 207

(78) The property located at 317 North First Street and particularly described as:

PIN: 37.291.4.2907.253.0490

ORIG PLAT CITY OF WAUSAU LOTS 1 4 7 8 & W 29 FT OF LOTS 2 3 & 6 BLK 8
.82 ACRES

(79) The property located at 314 North Fifth Street and more particularly described as:

PIN: 37.291.4.2907.253.0491

ORIG PLAT CITY OF WAUSAU N HALF OF LOT 5 & E HALF OF N HALF OF
LOT 6 BLK 25

(80) The property located at 413 Jefferson Street and more particularly described as:

PIN: 37.291.4.2907.253.0492

ORIG PLAT CITY OF WAUSAU PT OF LOTS 6 & 7 BLK 25 COM 30 FT W OF NE
COR OF LOT 6 W TO NW COR OF LOT 8 S TO S LINE OF N HALF OF LOT 8 E
TO A PT DUE S OF BEG N TO BEG EX W 76 FT THEREOF

(81) The property located at 329 North Fourth Street and more particularly described as:

PIN: 37.291.4.2907.253.0493

ORIG PLAT CITY OF WAUSAU PT OF LOTS 7 & 8 BLK 25 COM AT NW COR OF
LOT 8 S TO S LN OF N HALF OF LOT 8 E 76 FT N TO N LN OF LOT 7 W 76 FT
TO BEG EX VOL 29 PG 425

(82) The property located at 325 North Fourth Street and more particularly described as:

PIN: 37.291.4.2907.253.0494

ORIGINAL PLAT CITY OF WAUSAU THAT PT OF LOTS 7 & 8 BLK 25 DESD IN
VOL 29 PG 425

(83) The property located at 327 Jefferson Street and more particularly described as:

PIN: 37.291.4.2907.253.0495

ORIG PLAT CITY OF WAUSAU LOT 5 BLK 18 ALSO THAT PT OF LOT 6 LYG E
OF A LN RUNNING PARA WITH & 81' 4" W OF E LN OF LOT 5

(84) The property located at 311 North Second Street and more particularly described as:

PIN: 37.291.4.2907.253.0499

ORIG PLAT CITY OF WAUSAU W HALF OF LOT 1 EX S 71'9" THEREOF BLK 13

(85) The property located at 315 North Second Street and more particularly described as:

PIN: 37.291.4.2907.253.0502

ORIG PLAT CITY OF WAUSAU S 30' OF LOTS 7 & 8 BLK 13

(86) The property located at 320 North Second Street and more particularly described as:

PIN: 37.291.4.2907.253.0503

ORIG PLAT CITY OF WAUSAU S HALF OF S HALF OF LOTS 5 & 6 BLK 8 EX W
29'

(87) The property located at 131 Jefferson Street and more particularly described as:

PIN: 37.291.4.2907.253.0504

ORIG PLAT CITY OF WAUSAU N HALF OF LOTS 5 & 6 BLK 8 EX W
29' THEREOF ALSO N 30' OF S HALF OF LOTS 5 & 6 EX W 29' THEREOF AS
SHN ON CSM VOL 3 PG 48

(88) The property located at 307 Jefferson Street and more particularly described as:

PIN: 37.291.4.2907.253.0505

ORIG PLAT CITY OF WAUSAU PT OF LOT 6 BLK 18 COM 114'4" W OF NE COR
OF LOT 5 E 33' S 109' W 33' N 109' TO BEG

(89) The property located at 426 Washington Street and more particularly described as:

PIN: 37.291.4.2907.362.0206

ORIG PLAT CITY OF WAUSAU LOTS 3 & 4 & S HALF OF LOTS 5 & 6 BLK 25
.50 ACRES

(90) The property located at 319 North Fourth Street and more particularly described as:

PIN: 37.291.4.2907.362.0211

ORIG PLAT CITY OF WAUSAU LOTS 1 & 2 & S 1/2 OF LOTS 7 & 8 BLK 25 CSM
VOL 29 PG 134

(91) The property located at 312 Washington Street and more particularly described as:

PIN: 37.291.4.2907.362.0214

ORIG PLAT CITY OF WAUSAU S 56' OF LOT 2 BLK 18 EX E 3'2" ALSO EX W 20'
THEREOF

(92) The property located at 316 Washington Street and more particularly described as:

PIN: 37.291.4.2907.362.0215

ORIG PLAT CITY OF WAUSAU E 3 FT 2 IN OF S 56 FT BLK 18 OF LOT 2 & W 26
FT 10 IN OF S 60 FT OF LOT 3

(93) The property located at 320 Washington Street and more particularly described as:

PIN: 37.291.4.2907.362.0217

ORIGINAL PLAT CITY OF WAUSAU S 60' OF LOT 3 BLK 18 EX W 26'10"

(94) The property located at 324 Washington Street and more particularly described as;

PIN: 37.291.4.2907.362.0218

ORIG PLAT CITY OF WAUSAU S HALF OF LOT 4 BLK 18

(95) The property located at 310 North Fourth Street and more particularly described as:

PIN: 37.291.4.2907.362.0219

ORIG PLAT CITY OF WAUSAU N 1/2 OF LOT 4 & LOT 3 EX S 60' BLK 18

(96) The property located at 303 North Second Street and more particularly described as:

PIN: 37.291.4.2907.362.0225

ORIG PLAT CITY OF WAUSAU S 71'9" OF W HALF OF LOT 1 BLK 13

(97) The property located at 206 Washington Street and more particularly described as:

PIN: 37.291.4.2907.362.0226

ORIG PLAT CITY OF WAUSAU E HALF OF LOT 1 BLK 13

(98) The property located at 124 Washington Street and more particularly described as:

PIN: 37.291.4.2907.362.0236

ORIG PLAT CITY OF WAUSAU LOTS 2 & 3 EX W 29' ALSO EX E 46' THEREOF
BLK 8

(99) The property located at 310 North Second Street and more particularly described as:

PIN: 37.291.4.2907.362.0237

ORIG PLAT CITY OF WAUSAU E 46' OF LOTS 2 & 3 BLK 8

(Ord. 61-5028 §1, 1999; Ord. 61-4975 §1, 1997.)

(b) The following properties are designated as the Class II Andrew Warren Historic District:

(1) The property located at 616 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0080

WARRENS 1ST ADD LOT 4 BLK 5

(2) The property located at 620 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0081

WARRENS 1ST ADD LOT 5 BLK 5 EX E 4' OF THE S 57.86' THEREOF

(3) The property located at 622 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0082

WARRENS 1ST ADD THAT PT OF LOT 6 BLK 5 LYG S OF RRRW & THE E 4' OF
THE S 57.86' OF LOT 5

(4) The property located at 626 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0083

WARRENS 1ST ADD THAT PT OF LOTS 7 & 8 BLK 5 LYG S OF RR RW

(5) The property located at 504 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0094

WARRENS 1ST ADD LOTS 1 & 2 BLK 1

(6) The property located at 512 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0095

WARRENS 1ST ADD LOT 3 BLK 1

(7) The property located at 516 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0096

WARRENS 1ST ADD W 50' OF LOT 4 BLK 1

(8) The property located at 520 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0097

WARRENS 1ST ADD E 10 FT OF LOT 4 BLK 1 & W 40 FT OF LOT 5

(9) The property located at 524 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0098

WARRENS 1ST ADD LOT 6 EX E 10' BLK 1 ALSO E ONE THIRD OF LOT 5

(10) The property located at 528 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0099

WARRENS 1ST ADD LOT 7 BLK 1 & E 10' OF LOT 7

(11) The property located at 530 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0100

WARRENS 1ST ADD LOT 8 BLK 1

(12) The property located at 531 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0101

WARRENS 1ST ADD LOT 9 BLK 1

(13) The property located at 523 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0102

WARRENS 1ST ADD LOT 10 BLK 1 & E HALF OF LOT 11

(14) The property located at 519 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0103

WARRENS 1ST ADD LOT 12 BLK 1 & W HALF OF LOT 11

(15) The property located at 519 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0103

WARRENS 1ST ADD LOT 12 BLK 1 & W HALF OF LOT 11

(16) The property located at 515 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0104

WARRENS 1ST ADD LOT 13 BLK 1

(17) The property located at 507 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0105

WARRENS 1ST ADD LOTS 14 & 15 BLK 1

(18) The property located at 501 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0106

WARRENS 1ST ADD LOT 16 BLK 1 EX COM AT NW COR OF SAID LOT E 6'
SWLY 8.55' TO W LN N 6' TO POB

(19) The property located at 502 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0107-37.291.4.2907.253.0112

WARRENS 1ST ADD UNIT A-F OF THE MYLREA CONDOMINIUM
DEVELOPMENT LOCATED OF LOTS 1 2 & 3 BLK 6

(20) The property located at 522 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0114

WARRENS FIRST ADD E ½ OF LOT 5 & ALL OF LOT 6 BLK 6

(21) The property located at 526 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0115

WARRENS 1ST ADD LOT 7 BLK 6

(22) The property located at 530 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0116

WARRENS 1ST ADD LOT 8 BLK 6

(23) The property located at 910 North Sixth Street and more particularly described at:

PIN: 37.291.4.2907.253.0117

WARRENS 1ST ADD S 54' OF LOTS 9 & 10 BLK 6

(24) The property located at 915 North Fifth Street and more particularly described at:

PIN: 37.291.4.2907.253.0124

WARRENS 1ST ADD LOTS 15 & 16 BLK 6

(25) The property located at 410 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0148

STEWART PARCHER & MANSONS ADD LOTS 7 & 8 BLK 17 EX PCL DESD IN
VOL 130 PG 283 ST

(26) The property located at 414 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0153

MCINDOE & SHUTERS ADD PT OF LOTS 3 & 4 COM AT INSECTN OF S LN OF
LOT 4 & W LN OF 5TH ST W 45' NLY PARALLEL WITH 5TH ST TO A POINT ON
CTR LN OF BLK 12 WHICH IS 45' W OF W LN OF 5TH ST E 45' SLY TO BEG BLK
12

(27) The property located at 403 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0154

MCINDOE & SHUTERS ADD N 10' OF LOTS 1 & 2 & ALL OF LOTS 6 7 & 8 ALSO THAT PT OF LOT 5 LYG W OF 5TH ST BLK 12 CSM VOL 31-2

(28) The property located at 504 Grant Street and more particularly described at:

PIN: 37.291.4.2907.253.0322

STEWART MANSON & HINTONS ADD LOTS 1 2 3 4 & W 40' OF LOT 5 BLK 8

(29) The property located at 530 Grant Street and more particularly described at:

PIN: 37.291.4.2907.253.0326

STEWART MANSON & HINTONS ADD E 30' OF LOT 7 & ALL OF LOT 8 BLK 8

(30) The property located at 710 North Sixth Street and more particularly described at:

PIN: 37.291.4.2907.253.0327

STEWART MANSON & HINTONS ADD S 60' OF LOTS 9 & 10 BLK 8 .17 A

(31) The property located at 529 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0328

STEWART MANSON & HINTONS ADD LOT 9 & 10 EX S 60' THEREOF BLK 8 ALSO LOTS 7 & 8 BLK 9 STEWART MANSON & PARCHERS 2ND ADD

(32) The property located at 523 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0329

STEWART MANSON & HINTONS ADD LOT 11 BLK 8 AND STEWART MANSON & PARCHERS 2ND ADD LOT 6 BLK 9

(33) The property located at 527 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0330

STEWART MANSON & HINTONS ADD LOT 12 BLK 8 ALSO LOT 5 BLK 9 STEWART MANSON & PARCHERS 2ND ADD SHN ON CSM VOL 8 PG 268

(34) The property located at 515 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0331

STEWART MANSON & HINTONS ADD LOT 13 BLK 8 ALSO LOT 4 BLK 9 OF STEWART MANSON & PARCHERS 2ND ADD

(35) The property located at 511 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0332

STEWART MANSON & HINTONS ADD LOT 14 BLK 8 AND STEWART MANSON & PARCHERS 2ND ADD LOT 3 BLK 9

(36) The property located at 715 North Fifth Street and more particularly described at:

PIN: 37.291.4.2907.253.0333

STEWART MANSON & HINTONS ADD LOT 15 & 16 BLK 8 ALSO LOTS 1 & 2 OF STEWART MANSON & PARCHERS 2ND ADD BLK 9

(37) The property located at 529 Grant Street and more particularly described at:

PIN: 37.291.4.2907.253.0333

STEWART MANSON & HINTONS ADD LOT 9 & E ½ OF LOT 10 BLK 7

(38) The property located at 521 Grant Street and more particularly described at:

PIN: 37.291.4.2907.253.0343

STEWART MANSON & HINTONS ADD W ½ OF LOT 10 & ALL OF LOTS 11 & 12 BLK 7

(39) The property located at 513 Grand Street and more particularly described at:

PIN: 37.291.4.2907.253.0344

STEWART MANSON & HINTONS ADD LOT 13 BLK 7 AS SHN ON CSM RECD IN VOL 2 PG 280 .16 ACRES

(40) The property located at 509 Grant Street and more particularly described at:

PIN: 37.291.4.2907.253.0345

STEWART MANSON & HINTONS ADD LOT 14 BLK 7

(41) The property located at 613 North Fifth Street and more particularly described at:

PIN: 37.291.4.2907.253.0346

STEWART MANSON & HINTONS ADD LOTS 15 & 16 BLK 7 AS SHN ON CSM
RECD IN VOL 2 PG 280

(42) The property located at 703 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0373

STEWART MANSON & PARCHERS 2ND ADD N 114' OF LOT 15 BLK 8

(43) The property located at 625 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0378

STEWART MANSON & PARCHERS 2ND ADD LOT 18 BLK 8

(44) The property located at 621 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0379

STEWART MANSON & PARCHERS 2ND ADD LOT 19 BLK 8

(45) The property located at 615 Grant Street and more particularly described at:

PIN: 37.291.4.2907.253.0398

STEWART PARCHER & MANSONS ADD LOT 13 ALSO W 15' OF LOT 12 BLK 10

(46) The property located at 607 & 611 Grant Street and more particularly described
at:

PIN: 37.291.4.2907.253.0399

STEWART PARCHER & MANSONS ADD LOT 14 BLK 10

(47) The property located at 603 Grant Street and more particularly described at:

PIN: 37.291.4.2907.253.0400

STEWART PARCHER & MANSONS ADD LOT 15 & 16 BLK 10

(48) The property located at 604 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0467

WARRENS 1ST ADD LOTS 1 & 2 BLK 2 & W 42' OF LOT 3

(49) The property located at 616 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0468

WARRENS 1ST ADD LOTS 3 & 4 BLK 2 EX W 42' OF LOT 3

(50) The property located at 620 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0469

WARRENS 1ST ADD LOT 5 BLK 2 & W 20' OF LOT 6

(51) The property located at 624 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0470

WARRENS 1ST ADD E 40' OF LOT 6 BLK 2 & W 40' OF LOT 7

(52) The property located at 630 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0471

WARRENS 1ST ADD LOT 8 & E 20 FT OF LOT 7 BLK 2

(53) The property located at 629 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0472

WARRENS 1ST ADD LOT 9 & E HALF OF LOT 10 BLK 2

(54) The property located at 625 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0373

WARRENS 1ST ADD W HALF OF LOT 10 BLK 2 & E HALF OF LOT 11

(55) The property located at 621 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0474

WARRENS 1ST ADD W ½ OF LOT 11 AND ALL OF LOT 12 BLK 2

(56) The property located at 613 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0475

WARRENS 1ST ADD LOT 13 BLK 2

(57) The property located at 609 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0476

WARRENS 1ST ADD LOT 14 BLK 2

(58) The property located at 601 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0477

WARRENS 1ST ADD LOTS 15 & 16 BLK 2

(59) The property located at 901 North Sixth Street AND 610 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0567

WARRENS 1ST ADD S1/2 OF LOTS 1 & 2 & ALL OF LOTS 3 BLK 5 CSM VOL 6 PG 212

(60) The property located at 629 Street and more particularly described at:

PIN: 37.291.4.2907.253.0573

STEWART MANSON & PARCHERS 2ND ADD LOTS 1-5 & LOTS 20-24 INCL VAC ALLEY ADJ SD LOTS, ALSO LOTS 7 & 8 AND LOTS 17 & 18 EX VOL 457 PG 622 BLK 8. (Ord. 61-5540 §1. 2012, File No. 12-1208)

(c) The following properties are designated as the Class II Easthill Residential Historic District

(1) The property located at 905 North 7th Street and more particularly described at:

PIN: 37.291.4.2907.253.0065

WARRENS 1ST ADD LOTS 1 & 2 BLK 4 EX COM AT SW COR OF LOT 1 N 45' E 86' N 12' NELY TO A PT 68' N & 16' W OF SE COR OF LOT 2 N TO N LN OF LOT 2 E 16' TO NE COR OF LOT 2 THENCE S TO SE COR OF LOT 2 THENCE W TO BEG CSM VOL 20 PG 31

(2) The property located at 903 North 7th Street Street and more particularly described at:

PIN: 37.291.4.2907.253.0066

WARRENS 1ST ADD S 45' OF W 50' OF LOT 1 BLK 1

(3) The property located at 708 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0067

WARRENS 1ST ADD PT OF LOTS 1 & 2 BLK 4 COM AT SW COR OF LOT 1 N 45 FT E 36 FT N 12 FT NELY TO A PT 68 FT N & 16 FT W OF WE COR OF LOT 2 N TO N LINE OF LOT 2 E 16 FT TO NE COR OF LOT 2 THENCE S TO SE COR OF LOT 2 THENCE W TO BEG EX S 45 FT OF W 50 FT OF LOT 1

(4) The property located at 712 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0068

WARRENS 1ST ADD LOT 3 BLK 4

(5) The property located at 709 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.253.0069

WARRENS 1ST ADD E HALF OF LOT 14 BLK 4 ALSO DUNBAR & BROWNS PARK ADD W 15' OF LOT 10 BLK 2

(6) The property located at 707 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.253.0070

WARRENS 1ST ADD W HALF OF LOT 14 BLK 4 & E HALF OF LOT 15

(7) The property located at 703 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.253.0071

WARRENS 1ST ADD W HALF OF LOT 15 & ALL OF LOT 16 BLK 4

(8) The property located at 704 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0072

WARRENS 1ST ADD LOT 1 BLK 3 & W 9' OF LOT 2 EX PCL DESD IN VOL 450 OF DEEDS PG 331 ST INCL S1/2 OF VAC ALLEY LYG N OR SD LOT

(9) The property located at 706 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0073

WARRENS 1ST ADD E 51' OF LOT 2 BLK 3 INCL S1/2 OF VAC ALLEY LYN N OF SD LOT

(10) The property located at 710 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.253.0074

WARRENS 1ST ADD LOT 3 EX RR RW BLK 3 INCL S1/2 OF VAC ALLEY LYG N OF SD LOT

(11) The property located at 711 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.253.0075

WARRENS 1ST ADD THAT PT OF LOTS 14 15 & 16 BLK 3 LYG N & E OF RR RW INCL N1/2 OF VAC ALLEY LYG S OF SD LOT

(12) The property located at 809 North 7th Street and more particularly described at:

PIN: 37.291.4.2907.253.0076

WARRENS 1ST ADD THAT PT OF LOT 15 & 16 BLK 3 LYG SLY OF RR R/W INCL N1/2 OF VAC ALLEY LYG S OF SD LOT

(13) The property located at 910 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0030

TREVITTS ADD LOTS 2 & 3 EX W 15' OF LOT 2 BLK 1

(14) The property located at 914 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0031

TREVITTS ADD LOT 4 BLK 1

(15) The property located at 918 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0032

TREVITTS ADD LOT 5 BLK 1

(16) The property located at 922 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0033

TREVITTS ADD LOT 6 BLK 1

(17) The property located at 1003 North 9th Street and more particularly described at:

PIN: 37.291.4.2907.254.0039

TREVITTS ADD LOTS 1 & 2 BLK 2

(18) The property located at 918 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0040

TREVITTS ADD LOTS 4 5 & 6 BLK 2

(19) The property located at 1012 North 10th Street and more particularly described at:

PIN: 37.291.4.2907.254.0041

TREVITTS ADD LOT 7 & E 15' OF LOT 8 BLK 2

(20) The property located at 915 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0042

TREVITTS ADD LOT 8 EX E 15' ALSO LOT 9 EX W 15' BLK 2

(21) The property located at 911 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0043

TREVITTS ADD W 15' OF LOT 9 ALL OF LOT 10 & E 15' OF LOT 11 BLK 2

(22) The property located at 1015 North 9th Street and more particularly described at:

PIN: 37.291.4.2907.254.0044

TREVITTS ADD LOT 12 & W 45' OF LOT 11 BLK 2

(23) The property located at 804 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0045

DUNBAR & BROWNS PARK ADD LOT 1 BLK 1

(24) The property located at 808 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0046

DUNBAR & BROWNS PARK ADD LOT 2 BLK 1

(25) The property located at 812 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0047

DUNBAR & BROWNS PARK ADD LOT 3 BLK 1

(26) The property located at 816 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0048

DUNBAR & BROWNS PARK ADD LOT 4 BLK 1

(27) The property located at 822 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0049

DUNBAR & BROWNS PARK ADD LOTS 5 & 6 BLK 1 INCL THE S1/2 OF VAC ALLEY LYG N OF SD PRL

(28) The property located at 826 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0050

DUNBAR & BROWNS PARK ADD LOT 7 BLK 1 INCL S1/2 OF VAC ALLEY LYG N OF SD PCL

(29) The property located at 832 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0051

DUNBAR & BROWNS PARK ADD LOT 8 BLK 1 INCL S1/2 OF VAC ALLEY LYG N OF SD PCL

(30) The property located at 912 North 9th Street and more particularly described at:

PIN: 37.291.4.2907.254.0052

DUNBAR & BROWNS PARK ADD LOTS 9 10 & 11 BLK 1 INCL N1/2 OF VAC ALLEY LYG S OF SD PCL

(31) The property located at 915 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0053

DUNBAR & BROWNS PARK ADD LOT 12 & E HALF OF LOT 13 BLK 1

(32) The property located at 811 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0054

DUNBAR & BROWNS PARK ADD LOT 14 & W HALF OF LOT 13 BLK 1

(33) The property located at 807 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0055

DUNBAR & BROWNS PARK ADD E 55' OF LOT 15 BLK 1

(34) The property located at 801 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0056

DUNBAR & BROWNS PARK ADD LOT 16 & W 5' OF LOT 15 BLK 1

(35) The property located at 716 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0057

DUNBAR & BROWNS PARK ADD LOT 1 BLK 2

(36) The property located at 720 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0058

DUNBAR & BROWNS PARK ADD LOT 2 BLK 2

(37) The property located at 722 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0059

DUNBAR & BROWNS PARK ADD LOT 3 BLK 2

(38) The property located at 726 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0060

DUNBAR & BROWNS PARK ADD LOT 4 BLK 2

(39) The property located at 730 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0061

DUNBAR & BROWNS PARK ADD LOT 5 BLK 2

(40) The property located at 729 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0062

DUNBAR & BROWNS PARK ADD LOT 6 BLK 2

(41) The property located at 725 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0063

DUNBAR & BROWNS PARK ADD LOT 7 BLK 2

(42) The property located at 721 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0064

DUNBAR & BROWNS PARK ADD LOT 8 BLK 2

(43) The property located at 717 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0065

DUNBAR & BROWNS PARK ADD LOT 9 BLK 2

(44) The property located at 715 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0066

DUNBAR & BROWNS PARK ADD E 45' OF LOT 10 BLK 2

(45) The property located at 802 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0068

DUNBAR & BROWNS PARK ADD LOTS 1 & 2 EX E 1' OF LOT 2 BLK 4

(46) The property located at 814 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0069

DUNBAR & BROWNS PARK ADD LOT 3 & E 1' OF LOT 2 BLK 4

(47) The property located at 816 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0070

DUNBAR & BROWNS PARK ADD LOT 4 BLK 4

(48) The property located at 818 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0071

DUNBAR & BROWNS PARK ADD LOT 5 BLK 4

(49) The property located at 820 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0072

DUNBAR & BROWNS PARK ADD LOT 6 BLK 4

(50) The property located at 828 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0073

DUNBAR & BROWNS PARK ADD LOT 7 BLK 4

(51) The property located at 830 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0074

DUNBAR & BROWNS PARK ADD S 78' OF LOT 8 BLK 4

(52) The property located at 1010 North 9th Street and more particularly described at:

PIN: 37.291.4.2907.254.0075

DUNBAR & BROWNS PARK ADD N 50' OF LOT 8 BLK 4

(53) The property located at 1014 North 9th Street and more particularly described at:

PIN: 37.291.4.2907.254.0076

DUNBAR & BROWNS PARK ADD LOTS 9 & 10 BLK 4

(54) The property located at 821 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0077

DUNBAR & BROWNS PARK ADD LOT 11 BLK 4

(55) The property located at 817 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0078

DUNBAR & BROWNS PARK ADD LOT 12 BLK 4

(56) The property located at 813 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0079

DUNBAR & BROWNS PARK ADD LOT 13 BLK 4

(57) The property located at 809 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0080

DUNBAR & BROWNS PARK ADD LOT 14 BLK 4

(58) The property located at 1015 North 8th Street and more particularly described at:

PIN: 37.291.4.2907.254.0081

DUNBAR & BROWNS PARK ADD N 60' OF LOTS 15 & 16 BLK 4

(59) The property located at 1011 North 8th Street and more particularly described at:

PIN: 37.291.4.2907.254.0082

DUNBAR & BROWNS PARK ADD LOTS 15 & 16 EX N 60' THEREOF BLK 4

(60) The property located at 802 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0083

DUNBAR & BROWNS PARK ADD LOT 1 BLK 5

(61) The property located at 806 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0084

DUNBAR & BROWNS PARK ADD LOT 2 BLK 5

(62) The property located at 810 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0085

DUNBAR & BROWNS PARK ADD LOT 3 BLK 5

(63) The property located at 814 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0086

DUNBAR & BROWNS PARK ADD LOT 4 BLK 5 CSM VOL 35-18

(64) The property located at 818 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0087

DUNBAR & BROWNS PARK ADD LOT 5 BLK 5

(65) The property located at 824 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0088

DUNBAR & BROWNS PARK ADD LOTS 6 BLK 5

(66) The property located at 828 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0089

DUNBAR & BROWNS PARK ADD LOT 7 BLK 5

(67) The property located at 830 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0090

DUNBAR & BROWNS PARK ADD LOT 8 BLK 5

(68) The property located at 812 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0102

DUNBAR & PARCHERS 1ST ADD LOTS 1 S & W HALF OF LOT 3 BLK 1

(69) The property located at 830 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0103

DUNBAR & PARCHERS 1ST ADD E HALF OF LOT 3 ALL OF LOTS 4 5 6 & 7 & E HALF OF LOT 8 BLK 1

(70) The property located at 809 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0104

DUNBAR & PARCHERS 1ST ADD W HALF OF LOT 8 & ALL OF LOTS 9 & 10 BLK 1

(71) The property located at 803 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0105

DUNBAR & PARCHERS 1ST ADD LOT 11 BLK 1 INCL N1/2 OF VAC ALLEY LYG S OF SD LOT CSM VOL 71-83

(72) The property located at 727 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0106

DUNBAR & PARCHERS 1ST ADD LOT 12 & E 10' OF LOT 13 BLK 1 & N1/2 OF VAC ALLEY LYG S OF SD LOT

(73) The property located at 725 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0107

DUNBAR & PARCHERS 1ST ADD PT OF LOTS 13 & 14 COM 120' W OF NE COR OF LOT 11 S 110' W 60' N 110' E 60' TO BEG BLK 1

(74) The property located at 721 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0108

DUNBAR & PARCHERS 1ST ADD W 30' OF LOT 14 & E 30' OF LOT 15 BLK 1

(75) The property located at 717 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0109

DUNBAR & PARCHERS 1ST ADD W 20' OF LOT 15 & E 32'4" OF LOT 16 BLK 1

(76) The property located at 715 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0110

DUNBAR & PARCHERS 1ST ADD PT OF LOT 16 & 17 COM 17' 8" E OF NW COR OF LOT 16 S 114' W 61' N 114' E 61' TO BEG BLK 1 INCL ALL OF VAC ALLEY LYG S OF SD LOT

(77) The property located at 803 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0112

A WARREN JRS EAST ADD LOT 1 BLK 1

(78) The property located at 815 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0113

A WARREN JRS EAST ADD LOT 2 BLK 1

(79) The property located at 821 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.01114

A WARREN JRS EAST ADD LOT 3 & W HALF OF LOT 4 BLK 1

(80) The property located at 825 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0115

A WARREN JRS EAST ADD E HALF OF LOT 4 & ALL OF LOTS 5 & 6 BLK 1

(81) The property located at 704 LaSalle Street and more particularly described at:

PIN: 37.291.4.2907.254.0116

A WARREN JRS EAST ADD LOT 7 BLK 1

(82) The property located at 812 Grant Street and more particularly described at:

PIN: 37.291.4.2907.254.0117

A WARREN JRS EAST ADD LOT 8 BLK 1

(83) The property located at 810 Grant Street and more particularly described at:

PIN: 37.291.4.2907.254.0118

A WARREN JRS EAST ADD LOT 9 BLK 1

(84) The property located at 806 Grant Street and more particularly described at:

PIN: 37.291.4.2907.254.0119

A WARREN JRS EAST ADD LOT 10 BLK 1

(85) The property located at 802 Grant Street and more particularly described at:

PIN: 37.291.4.2907.254.0120

A WARREN JRS EAST ADD LOT 11 BLK 1 EX THAT PT DESD IN VOL 365 OF DEEDS PG 194

(86) The property located at 903 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0122

A WARREN JRS EAST ADD LOTS 1 & 2 BLK 2

(87) The property located at 909 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0123

A WARREN JRS EAST ADD LOTS 3 & 4 BLK 2

(88) The property located at 921 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0124

A WARREN JRS EAST ADD THAT PT OF LOTS 5 6 & 7 BLK 2 LYG W OF GRAY PLACE

(89) The property located at 715 Gray Place and more particularly described at:

PIN: 37.291.4.2907.254.0125

A WARREN JRS EAST ADD N 91' OF LOTS 8 9 & 10 EX THAT PT OF LOT 8 LYG W OF GRAY PL BLK 2

(90) The property located at 918 Scott Street and more particularly described at:

PIN: 37.291.4.2907.254.0126

A WARREN JRS EAST ADD LOTS 16 & 17 BLK 6 & S1/2 OF VAC ALLEY LYG N OF SD LOTS

(91) The property located at 707 Gray Place and more particularly described at:

PIN: 37.291.4.2907.254.0127

A WARREN JRS EAST ADD THAT PT OF LOTS 8 9 & 10 BLK 2 LYG E OF GRAY PLACE EX N 91' ALSO THAT PT OF LOTS 11 12 & 13 LYG E OF GRAY PL ALSO ALL OF VAC ALLEY LYG IN SC BLK

(92) The property located at 924 Grant Street and more particularly described at:

PIN: 37.291.4.2907.254.0128

A WARREN JRS EAST ADD THAT PT OF LOT 13 BLK 2 BYG W OF GRAY PL ALSO ALL OF LOTS 14 15 & 16

(93) The property located at 916 Grant Street and more particularly described at:

PIN: 37.291.4.2907.254.0129

A WARREN JRS EAST ADD LOT 17 & E HALF OF LOT 18 BLK 2

(94) The property located at 906 Grant Street and more particularly described at:

PIN: 37.291.4.2907.254.0130

A WARREN JRS EAST ADD W HALF OF LOT 18 & ALL OF LOTS 19 & 20 BLK 2

(95) The property located at 915 Grant Street and more particularly described at:

PIN: 37.291.4.2907.254.0131

A WARREN JRS EAST ADD LOTS 1 2 3 4 5 & 6 BLK 3 ALSO THAT PT OF LOT 7 LYG W OF CENTER LN OF GRAY PLACE & N HALF OF VAC ALLEY LYG S & ADJ TO SD PCL DESC AS PCL (1) OF CSM VL 42-95

(96) The property located at 609 Gray Place and more particularly described at:

PIN: 37.291.4.2907.254.0132

A WARREN JRS EAST ADD LOTS 9 & 10 AND THAT PT OF LOTS 7 & 8 LYG E OF CENTER LN OF GRAY PL ALSO N 13' OF THAT PT OF ALLEY LYG S OF SD LOTS BLK 3

(97) The property located at 603 Gray Place and more particularly described at:

PIN: 37.291.4.2907.254.0133

A WARREN JRS EAST ADD LOTS 11 12 13 & THAT PT OF 14 LYG E OF GRAY PLACE ALSO S 3 FT OF THAT PART OF ALLEY LYING N OF SAID LOTS BLK 3

(98) The property located at 604 Gray Place and more particularly described at:

PIN: 37.291.4.2907.254.0134

A WARREN JRS EAST ADD PT OF LOTS 14 15 & 16 BLK 3 DESD AS LOT (1) OF CSM VL 49-8

(99) The property located at 914 McClellan Street and 916 McClellan Street and more particularly described at:

PIN: 37.291.4.2907.254.0135

A WARREN JRS EAST ADD LOT 16 EX E 17' ALL OF LOT 17 BLK 3 & S HALF OF VAC ALLEY LYG N & ADJ TO SD PCL

(100) The property located at 900 McClellan Street and more particularly described at:

PIN: 37.291.4.2907.254.0136

A WARREN JRS EAST ADD LOTS 18 19 20 BLK 3 & THE S HALF OF VAC ALLEY LYG N & ADJ TO SD LOTS

(101) The property located at 801 Grant Street and more particularly described at:

PIN: 37.291.4.2907.254.0137

A WARREN JRS EAST ADD LOT 1 BLK 4 EX S 40' THEREOF

(102) The property located at 807 Grant Street and more particularly described at:

PIN: 37.291.4.2907.254.0139

A WARREN JRS EAST ADD LOT 2 BLK 4 AS SHN ON CSM REC'D IN VOL 13 PG 146 LOTS

(103) The property located at 811 Grant Street and more particularly described at:

PIN: 37.291.4.2907.254.0140

A WARREN JRS EAST ADD LOT 3 BLK 4

(104) The property located at 616 LaSalle Street and more particularly described at:

PIN: 37.291.4.2907.254.0141

A WARREN JRS E ADD LOT 4 BLK 4

(105) The property located at 602 LaSalle Street and more particularly described at:

PIN: 37.291.4.2907.254.0142

A WARREN JRS EAST ADD LOT 5 BLK 4

(106) The property located at 806 McClellan Street and more particularly described at:

PIN: 37.291.4.2907.254.0143

A WARREN JRS EAST ADD LOT 6 BLK 4

(107) The property located at 802 McClellan Street and more particularly described at:

PIN: 37.291.4.2907.254.0144

A WARREN JRS EAST ADD LOT 7 BLK 4

(108) The property located at 514 LaSalle Street and more particularly described at:

PIN: 37.291.4.2907.254.0147

A WARREN JRS EAST ADD LOT 2 BLK 5 EX S 60' THEREOF

(109) The property located at 510 LaSalle Street and more particularly described at:

PIN: 37.291.4.2907.254.0148

A WARREN JRS EAST ADD S 60' OF LOT 2 BLK 5

(110) The property located at 804 Scott Street and more particularly described at:

PIN: 37.291.4.2907.254.0149

A WARREN JRS EAST ADD E 50' OF LOT 3 BLK 5

(111) The property located at 802 Scott Street and more particularly described at:

PIN: 37.291.4.2907.254.0150

A WARREN JRS EAST ADD S 89.78' OF LOT 4 & OF THE W 10' OF LOT 3 BLK 5
PCL 2 CSM VOL 14 PG 11

(112) The property located at 515 LaSalle Street and more particularly described at:

PIN: 37.291.4.2907.254.0152

A WARREN JRS EAST ADD LOTS 1 2 & 3 BLK 6 ALSO N HALF OF VAC ALLEY
LYG S & ADJ TO SD LOTS

(113) The property located at 915 McClellan Street and more particularly described at:

PIN: 37.291.4.2907.254.0153

A WARREN JRS EAST ADD LOT 4 BLK 6 ALSO N HALF OF VAC ALLEY LYG S
OF & ADJ TO SAID LOT

(114) The property located at 917 McClellan Street and more particularly described at:

PIN: 37.291.4.2907.254.0154

A WARREN JRS EAST ADD LOT 5 & THAT PT OF LOT 6 LYG W OF GRAY PL
BLK 6 ALSO N HALF OF ALLEY LYG S OF & ADJ TO SD LOT

(115) The property located at 501 LaSalle Street and more particularly described at:

PIN: 37.291.4.2907.254.0155

A WARREN JRS EAST ADD LOTS 18 TO 20 INCL BLK 6 ALSO THE S HALF OF
ALLEY NOW VAC LYG N OF SD LOTS

(116) The property located at 901 Scott Street and more particularly described at:

PIN: 37.291.4.2907.254.0156

A WARREN JRS EAST ADD N HALF OF LOTS 1 & 2 BLK 7 ALSO N HALF OF W
50' OF LOT 3

(117) The property located at 915 Scott Street and more particularly described at:

PIN: 37.291.4.2907.254.0158

A WARREN JRS EAST ADD E 10' OF N HALF OF LOT 3 BLK 7 & ALL OF LOT 4

(118) The property located at 917 Scott Street and more particularly described at:

PIN: 37.291.4.2907.254.0159

A WARREN JRS EAST ADD LOT 5 BLK 7

(119) The property located at 923 Scott Street and more particularly described at:

PIN: 37.291.4.2907.254.0160

A WARREN JRS EAST ADD LOT 6 BLK 7

(120) The property located at 925 Scott Street and more particularly described at:

PIN: 37.291.4.2907.254.0161

A WARREN JRS EAST ADD LOT 7 BLK 7 AS SHN ON CSM VOL 8 PG 117

(121) The property located at 929 Scott Street and more particularly described at:

PIN: 37.291.4.2907.254.0162

A WARREN JRS EAST ADD LOT 8 BLK 7

(122) The property located at 801 Scott Street and more particularly described at:

PIN: 37.291.4.2907.254.0173

A WARREN JRS EAST ADD N 81' OF LOT 1 BLK 8

(123) The property located at 711 North 10th Street and more particularly described at:

PIN: 37.291.4.2907.254.0192

HOEFLINGERS 2ND ADD LOT 9 BLK 2 H B HUNTINGTONS ADD LOT 1 & 2 BLK 4

(124) The property located at 1002 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0282

H B HUNTINGTONS ADD LOTS 1 2 & 3 BLK 1 ALSO N ½ OF VAC FULTON ST
LYG S OF & ADJ TO SD LOTS

(125) The property located at 911 North 10th Street and more particularly described at:

PIN: 37.291.4.2907.254.0283

H B HUNTINGTONS ADD LOTS 1 2 & 3 BLK 2 ALSO N ½ OF VAC ALLEY LYG S OF & ADJ TO SAID LOTS INCL S ½ OF VAC FULTON ST LYG N OF SD LOTS

(126) The property located at 1016 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0284

H B HUNTINGTONS ADD LOT 9 BLK 2 ALSO S ½ OF VAC ALLEY LYG N OF SAID LOT

(127) The property located at 1008 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0285

H B HUNTINGTONS ADD PT OF HOTS 10 & 11 BLK 2 BEG AT SE COR OF LOT 10 W ALG S LN OF SD LOTS 75' N 70' E 25' N 44' TO N LN OF LOT 10 50' TO NE COR S ALG E LN OF LOT 10 114' TO POB, INCL S HALF OF VAC ALLEY LYG N OF SD PCL

(128) The property located at 1004 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0286

H B HUNTINGTONS ADD LOTS 10 11 & 12 EX PCL DESD IN VOL 445 OF DEEDS PG 248 BLK 2 ALSO S HALF OF VAC ALLEY LYG N OF & ADJ TO SD PARCEL

(129) The property located at 815 North 10th Street and more particularly described at:

PIN: 37.291.4.2907.254.0287

H B HUNTINGTONS ADD LOT 1 2 & 3 BLK 3 ALSO N ½ OF VAC ALLEY LYG S & ADJ TO SAID LOTS

(130) The property located at 1017 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0288

H B HUNTINGTONS ADD LOTS 4 & 5 BLK 3 INCL N1/2 OF VAC ALLEY LYG S & ADJ TO SD LOTS

(131) The property located at 801 North 10th Street and more particularly described at:

PIN: 37.291.4.2907.254.0290

H B HUNTINGTONS ADD LOTS 10 11 & 12 BLK 3 ALSO S HALF OF VAC ALLEY
LYG N OF & ADJ TO SD LOTS

(132) The property located at 508 North 10th Street and more particularly described at:

PIN: 37.291.4.2907.254.0318

A WARREN JRS EAST ADD THAT PT OF LOT 6 & 15 BLK 6 LYG E OF GRAY PL
ALSO ALL OF LOTS 7 8 9 10 11 12 13 & 14 ALSO ALL OF VAC ALLEY LYG ADJ
TO SAID LOTS

(133) The property located at 708 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0337

DUNBAR & BROWNS PARK ADD PT OF BLK 3 & BLK 6 DESD AS LOT (1) OF
CSM VOL 61-96

(134) The property located at 706 Fulton Street and 716 Fulton Street and more
particularly described at:

PIN: 37.291.4.2907.254.0338

DUNBAR & BROWNS PARK ADD PT OF BLK 3 DESD AS LOT (2) OF CSM VOL
61-96

(135) The property located at 713 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0341

DUNBAR & PARCHERS 1ST ADD A STRIP OF LAND 6'8" ON THE N AND 3'5"
ON THE S OFF THE W SIDE OF LOT 17 BLK 1 INCL ALL OF VAC ALLEY LYG S
OF SD LOT

(136) The property located at 916 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0953

PT OF NW SE W ½ OF COM ON N LN OF FRANKLIN ST 150' E OF E LN OF LA
SALLE ST E 150' N TO A PT EQUI DISTANT FROM N LN OF FRANKLIN ST & S
LN OF MCINDOE ST W 150' S TO BEG SEC 25-29-7

(137) The property located at 802 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0964

THAT PT OF NW SE SEC 25-29-7 COM ON N LN OF FRANKLIN ST AT THE SW COR OF LOT 1 BLK 1 OF DUNBAR & PARCHERS 1ST ADD; THENCE N ALG W LN OF LOT 1 120.2' TO CENTER OF ALLEY VAC BY ORD REC'D IN VOL 88 OF DEEDS PG 37; THENCE W ALG THE CENTER LN OF VAC ALLEY 116.5'; S 120.2' TO N LN OF FRANKLIN ST; THENCE E 116.5' TO PT OF BEG

(138) The property located at 726 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0965

PT OF NW SE & OF LOTS 13 & 14 BLK 1 DUNBAR & PARCHERS 1ST ADD COM 116.5' W OF SE COR OF LOT 18 OF SD ADD N 130' W 63.5' S 130' E 63.5' TO BEG SEC 25-29-7

(139) The property located at 724 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0966

PT OF NW SE COM 180' E OF SE COR OF BLK 3 WARRENS 1ST ADD N 113' W 60' S TO N LN OF FRANKLIN ST E TO BEG SEC 25-29-7

(140) The property located at 720 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0967

PT OF NW SE COM 120' E OF SE COR OF BLK 3 WARRENS 1ST ADD N 113' W 60' S TO N LN OF FRANKLIN ST E TO BEG SEC 25-29-7

(141) The property located at 716 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0968

PT OF NW SE COM AT INSECTN OF N LN OF FRANKLIN ST & ELY LINE OF RR RW E 36' N 114' W 60' S 54' TO ELY LN OF RR RW SELY ALG SD R W 65' TO BEG SEC 25-29-7

(142) The property located at 930 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0969

PT OF NW SE S HALF OF COM 450' E OF SE COR OF LOT 5 BLK 1 DUNBAR & PARCHERS 1ST ADD E TO W LN OF 10TH ST N TO S LN OF MCINDOE ST W ALG SD ST TO A PT DUE N OF BEG S TO BEG SEC 25 29 7

(143) The property located at 922 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0970

PT OF WN SE COM 360' E OF SE COR LOT 5 BLK 1 DUNBAR & PARCHERS 1ST
ADD E 90' N 121.5' W 90' S 121.5' TO BEG SEC 25-29-7

(144) The property located at 918 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0971

PT OF NW SE E HALF OF COM ON N LN OF FRANKLIN ST 150' EOF E LN OF
LASALLE ST E 150' TO A PT EQUI DISTANT FROM N LN OF FRANKLIN ST & S
LN OF MCINDOE ST W 150' S TO BEG SEC 25-29-7

(145) The property located at 904 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0972

PT OF NW SE COM ON E LN OF LASALLE ST 57' S OF S LN OF MCINDOE ST E
150' S TO N LN OF FRANKLIN ST W 150' N TO BEG SEC 25-29-7 CSM VOL 9-59

(146) The property located at 815 LaSalle Street and more particularly described at:

PIN: 37.291.4.2907.254.0973

PT OF NW SE COM 60' E OF NE COR OF LOT 6 BLK 1 DUNBAR & PARCHERS
1ST ADD S 57' E 150' N 57' W 150' TO BEG SEC 25-29-7 AS SHN ON CSM VOL 9
PG 59

(147) The property located at 901 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0974

PT OF NW SE COM ON S LN OF MC INDOE ST 150' E OF E LN OF LA SALLE ST
E 75' S TO A PT EQUI DISTANT FROM S LN OF MC INDOE ST & N LN OF
FRANKLIN ST W 75' N TO BEG SEC 25-29-7

(148) The property located at 903 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0975

PT OF NW SE COM ON S LN OF MC INDOE ST 300' E OF E LN OF L SALLE ST S
TO A PT OF EQUI DISTANT FROM S LN OF MC INDOE ST & N LN OF
FRANKLIN ST W 75' N TO S LN OF MC INDOE ST E 75' TO BEG SEC 25 29 7

(149) The property located at 911 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0976

PT OF NW SE COM ON S LN OF MC INDOE ST 300' E OF E LN OF LA SALLE ST S TO A PT EQUI DISTANT FROM S LN OF MC INDOE ST & N LN OF FRANKLIN ST E 90' N TO S LN OF MC INDOE ST W 90' TO BEG SEC 25-29-7

(150) The property located at 929 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0977

PT OF NW SE N HALF OF COM 450' E OF SE COR OF LOT 5 BLK 1 DUNBAR & PARCHERS 1ST ADD E TO W LN OF 10TH ST N TO S LN OF MCINDOE ST W ALG SD ST TO A PT DUE N OF BEG S TO BEG SEC 25 29 7

(151) The property located at 922 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0978

SEC 25-29-7 PT OF NW SE COM AT NW COR OF 10TH & MCINDOE STS W 60' N 114' E 60' S 114' TO BEG INCL S1/2 OF VAC ALLEY LYG N OF SD LOT

(152) The property located at 918 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0979

SEC 25-29-7 PT OF NW SE COM 60' W OF NW COR OF 10TH & MCINDOE STS W 70.24' N 114' E 68.86' S 114' TO BEG INCL S1/2 OF VAC ALLEY LYG N OF SD LOTS

(153) The property located at 914 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0980

SEC 25-29-7 PT OF NW SE COM 180' E OF NE COR OF 9TH & MCINDOE STS N 114' E 70' S 114' W 70' TO BEG INCL S1/2 OF VAC ALLEY LYG N OF SD LOT

(154) The property located at 910 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0981

PT OF NW SE COM 120' E OF NE COR OF 9TH & MCINDOE STS N 120' E 60' S 120' S 60' TO BEG SEC 25-29-7 INCL S ½ OF VAC ALLEY LYG N OF SD LOT

(155) The property located at 906 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0982

PT OF NW SE COM 120' E OF SE COR OF LOT 8 BLK 1 DUNBAR & BROWNS PARK ADD E 60' N 114' TO ALLEY W W ALG SD ALLEY 60' S TO BEG SEC 25-29-7

(156) The property located at 902 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0983

PT OF NW SE COR AT NE CORNER OF 9TH & MCINDOE STS E 60' N 114' W 60' S 114' TO BEG SEC 25-29-7

(157) The property located at 901 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0984

PT OF NW SE COM AT SE COR OF 9TH & FULTON STS E 67' S 114' TO ALLEY W ALG SD ALLEY 67' N TO BEG SEC 25-29-7

(158) The property located at 903 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0985

PT OF NW SE COM ON S LN OF FULTON ST 120' E OF E LN OF 9TH ST W 53' S 114' TO ALLEY E ALG ALLEY 53' N 114' TO BEG SEC 25-29-7 INCL N1/2 OF VAC ALLEY LYG S OF SD LOT LYG ELY OF A LN 120' E OF E LN OF 9TH ST

(159) The property located at 911 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0986

SEC 25-29-7 PT OF NW SE COM ON S LN OF FULTON ST 120' E OF E LN OF 9TH ST E 80' S 114' W 80' N 114' TO BEG INCL N1/2 OF VAC ALLEY LYG S OF SD LOT

(160) The property located at 915 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0987

SEC 25-29-7 PT OF NW SE COM ON S LN OF FULTON ST 200' E OF E LN OF 9TH ST E 80' S 114' W 80' N 114' TO BEG INCL N1/2 OF VAC ALLEY LYS S OF SD LOT

(161) The property located at 923 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0988

SEC 25-29-7 PT OF NW SE COM 280' E OF SE COR OF 9TH ST & FUTLON ST E 97.34' TO W LN OF 10TH ST S 114' W 97.34' N 114' TO BEG INCL N1/2 OF VAC ALLEY LYG S OF SD LOT

(162) The property located at 910 Fulton Street and more particularly described at:

PIN: 37.291.4.2907.254.0989

PT OF NW SE COM ON N LN OF FULTON ST 120' E OF E LN OF 9TH ST E 60' N 122.75' TO ALLEY W ALG SD ALLEY 60' S 122.75' TO BEG SEC 25-29-7

(163) The property located at 902 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0990

PT OF NW SE COM AT NE COR OF 9TH & ADAMS STS E 60' N 122.8' W 60' S 122.8' TO BEG ALSO W 15' OF LOT 2 BLK 1 A W TREVITTS ADD SEC 25-29-7

(d) The following properties are designated as the Class II Highland Park District

(1) The property located at 1206 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0001

HIGHLAND PARK ADD LOT A EX N 184' THEREOF

(2) The property located at 1025 Everest Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0002

HIGHLAND PARK ADD N 184' OF LOT A

(3) The property located at 1219 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0003

HIGHLAND PARK ADD N 101' OF LOT B

(4) The property located at 1217 Kreutzer Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0004

HIGHLAND PARK ADD LOT B EX S 263' THEREOF ALSO EX N 101' THEREOF

(5) The property located at 1222 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0005

HIGHLAND PARK ADD S 263' OF LOT B

(6) The property located at 1010 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0006

HIGHLAND PARK ADD LOT 1 BLK 1

(7) The property located at 1065 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0007

HIGHLAND PARK ADD LOT 2 & W 32' OF LOT 3 BLK 1

(8) The property located at 1014 Everest Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0008

HIGHLAND PARK ADD S 100' OF LOT 3 EX W 32' THEREOF ALSO N 50' OF LOT 4 BLK 1

(9) The property located at 1101 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0009

HIGHLAND PARK ADD ALL THAT PT OF LOT 3 BLK 1 LYG E OF E LN OF 11TH ST EXTENDED N & N OF A LN PARA WITH & 100' N OF N LN OF LOT 4 BLK 1

(10) The property located at 1012 Everest Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0010

HIGHLAND PARK ADD S 100' OF LOT 4 BLK 1 INCL PT OF CSM VOL 4-16 (826) DESD AS E1/2 OF LOT 6 BLK 1 OF H B HUNTINGTONS ADD

(11) The property located at 1010 Everest Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0011

HIGHLAND PARK ADD LOT 5 BLK 1

(12) The property located at 1100 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0012

HIGHLAND PARK ADD LOT 6 BLK 1 & THAT PT OF VAC 11TH ST LYG W OF SD LOT ALSO LOTS 4 5 & 6 BLK 1 EX N 115' & LOTS 4 5 6 7 & 8 BLK 2 OF H B HUNTINGTONS ADD INCL VAC FULTON ST ADJ SD LOTS CSM VOL 19 PG 14

(13) The property located at 1105 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0013

HIGHLAND PARK ADD LOT 1 ALSO ALL THAT PT OF LOT 2 LYG W OF E LN OF LOT 1 EXTENDED N BLK 2 ALSO HOEFLINGERS 4TH ADD LOTS 7 & 8 INCL THAT PT OF VAC 12TH ST LYG BETWN ABOVE DESD LOTS & S 6' OF VAC ALLEY LYG N OF VAC 12TH & LOTS 7 & 8 BLK 5

(14) The property located at 1215 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0015

HIGHLAND PARK ADD E 78' OF LOT 2 & ALL OF LOTS 3 & 4 BLK 2 ALSO N 6' OF VAC ALLEY LYG S OF SD LOTS INCL THAT PT OF VAC 12TH ST LYG SLY & ADJ SD LOTS

(15) The property located at 1107 North 10th Street and more particularly described at:

PIN: 37.291.4.2907.254.0016

HIGHLAND PARK ADD LOT 1 BLK 3

(16) The property located at 1111 North 10th Street and more particularly described at:

PIN: 37.291.4.2907.254.0017

HIGHLAND PARK ADD LOT 2 ALSO PT OF LOT 5 COM AT NE COR OF LOT 2 E 50' S TO SLY LN OF LOT 5 SWLY ALG SLY LN OF LOT 5 TO SWLY COR OF SD LOT N TO BEG BLK 3

(17) The property located at 1009 Hamilton Street and more particularly described at:

PIN: 37.291.4.2907.254.0020

HIGHLAND PARK ADD PART OF LOT 5 COM AT NW COR OF LOT 5 E 79' S 53' SWLY 50.45' TO A PT 63' E OF NE COR OF LOT 2 BLK 3 OF SD ADD W 63' TO NE COR OF LOT 2 N 100' TO BEG BLK 3

(18) The property located at 1020 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0021

HIGHLAND PARK ADD LOT 5 & W 50' OF LOT 6 EX PCLS DESD IN VOLS 296 OF DEEDS PG 217 VOL 398 PG 3 BLK 3

(19) The property located at 1022 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0022

HIGHLAND PARK ADD LOT 6 EX W 50' THEREOF ALSO EX E 50' THEREOF BLK 3

(20) The property located at 1106 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0023

HIGHLAND PARK ADD E 50' OF LOT 6 AND W 50' OF LOT 7 ALSO ALL LAND LYG N LY OF W LY 50' OF LOT 7 AND S LY OF HAMILTON ST BLK 3

(21) The property located at 1208 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0025

HIGHLAND PARK ADD E 100' OF LOT 7 & W 75' OF LOT 8 BLK 3 INCL S 10' OF VAC HAMILTON ST LYG N OF SD PCL

(22) The property located at 1212 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0026

HIGHLAND PARK ADD E HALF OF LOT 8 BLK 3 INCL S 10' OF VAC

HAMILTON ST LYG N OF SD PCL

(23) The property located at 1216 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0027

HIGHLAND PARK ADD W 75' OF LOT 9 BLK 3 INCL S 10' OF VAC HAMILTON ST LYG N OF SD PCL

(24) The property located at 1220 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0028

HIGHLAND PARK ADD E 75' OF LOT 9 BLK 3 INCL S 10' OF VAC HAMILTON ST LYG N OF SD PCL

(25) The property located at 1224 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0029

HIGHLAND PARK ADD LOT 10 BLK 3 INCL S 10' OF VAC HAMILTON ST LYG N OF SD LOT ALSO PT OF NE SE SEC 25-29-7 DESD AS LOT (1) OF CSM VOL 10-157(2684)

(26) The property located at 910 North 13th Street and more particularly described at:

PIN: 37.291.4.2907.254.0268

HOEFLINGERS 4TH ADD LOTS 9 10 11 & 12 BLK 5 ALSO THE S1/2 OF VAC ALLEY LYG N OF SAID LOTS NDA CSM VOL 12-164(3294) DOC #806496

(27) The property located at 812 North 13th Street and more particularly described at:

PIN: 37.291.4.2907.254.0269

HOEFLINGERS 4TH ADD LOTS 1 & 2 & ALL OF ALLEY NOW VAC LYG S OF SD LOTS BLK 6

(28) The property located at 1209 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0270

HOEFLINGERS 4TH ADD LOTS 3 & 4 BLK 6

(29) The property located at 1205 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0271

HOEFLINGERS 4TH ADD LOTS 5 & 6 BLK 6

(30) The property located at 1202 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0272

HOEFLINGERS 4TH ADD LOTS 7 8 & 9 BLK 6

(31) The property located at 802 North 13th Street and more particularly described at:

PIN: 37.291.4.2907.254.0275

HOEFLINGERS 4TH ADD LOTS 10 11 & 12 BLK 6

(32) The property located at 1303 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0277

HOEFLINGERS 4TH ADD PT OF LOT 3 & ALL OF LOTS 4 & 5 BLK 7 INCL N1/2 OF VAC ALLEY LYG S OF SD LOTS PCL A AS SHN ON CSM VOL 14 PG 53

(33) The property located at 801 North 13th Street and more particularly described at:

PIN: 37.291.4.2907.254.0278

HOEFLINGERS 4TH ADD LOTS 6 & 7 BLK 7 ALSO THE S ½ OF VAC ALLEY LYG N OF AND ADJ THERETO

(34) The property located at 1010 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0289

H B HUNTINGTONS ADD LOTS 7 8 & 9 BLK 3 DESD AS PCL (1) OF CSM VOL 47-137 (11275)

(35) The property located at 1111 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0291

E J GOODRICKS ADD LOTS 1 2 3 4 EX W 10' OF LOT 4 BLK 2

(36) The property located at 1021 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0292

H B HUNTINGTONS ADD LOT 6 BLK 3 INCL N1/2 OF VAC ALLEY LYG S & ADJ SD LOT & ALL OF VAC 11TH ST LYG E & ADJ SD LOT ALSO W 10' OF LOT 4 BLK 2 OF E J GOODRICKS ADD CSM VOL 44-45(10603)

(37) The property located at 1116 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0295

E J GOODRICKS ADD E 66' OF LOT 5 BLK 2

(38) The property located at 1114 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0296

E J GOODRICKS ADD E 66' OF W 132' OF LOT 5 BLK 2

(39) The property located at 1110 Franklin Street and more particularly described at:

PIN: 37.291.4.2907.254.0297

E J GOODRICKS ADD W THIRD OF LOT 5 BLK 2 CSM VOL 18 PG 271

(40) The property located at 1019 Adams Street and more particularly described at:

PIN: 37.291.4.2907.254.0329

HB HUNTINGTONS ADD BLK 1 OF N 115 FT OF LOTS 4 & 5 & THE N 115' FT OF LOT 6 EX E HALF AS SHN IN CSM VOL 4 PG 16 & CSM VOL 11 PG 173

(41) The property located at 1000 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0945

SEC 25-29-7 PT OF NE SE COM AT INSECTN OF E LN OF 13TH ST & S LN OF HIGHLAND PK BLVD S ALG E LN OF 13TH ST 110' E 318' TO E LN OF SD FORTY N 215' W 293.2' TO ELY LN OF HIGHLAND PARK BLVD SWLY ALG SD BLVD 107.8' TO BEG CSM VOL 2-259

(42) The property located at 1231 Highland Court and more particularly described at:

PIN: 37.291.4.2907.254.0952

SEC 25-29-7 PT OF NE1/4 SE1/4 COM AT NE COR OF CSM 11-94 (2924) THE POB THENCE ELY TO E LN OF SD NE1/4 SE1/4 S 130' W 170' N 130' TO BEG EX PCL DESD IN VOL M759-1028

(43) The property located at 1310 McIndoe Street and more particularly described at:

PIN: 37.291.4.2907.254.0991

PT OF NE SE COM AT INSECTN ON N LN OF MCINDOE ST & E LN OF 13TH ST E ALG MCINDOE ST 318' TO E LN OF NE SE N 127' TO SE COR OF PCL DESD IN VOL 319 OF DEEDS PG 47 W ALG S LN OF SAID PCL 318.8' TO E LN OF 13TH ST S ALG 13TH ST 126' TO BEG SEC 25-29-7 AS SHN ON CSM VOL 14 PG 139 EX PCL DESD IN VOL 418 PG 258

(44) The property located at 1010 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0994

PT OF NE SE COM AT NE COR OF PCL DESD IN VOL 319 OF DEEDS PG 47 N 118' W 290.7' TO ELY LN OF HIGHLAND PARK BLVD SLY ALG SD BLVD 118.7' TO NW COR OF PCL DESD IN VOL 319 OF DEEDS PG 47 E ALG SD PCL 296.5' TO BEG SEC 25-29-7

(45) The property located at 1016 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0995

PT OF NE SE COM 510' S OF NE COR OF NE SE W 290.7' TO E LN OF HIGHLAND PARK BLVD N ALG SD BLVD 150.7' E 306.8' TO E LN OF NE SE S 150' TO BEG SEC 25-29-7

(46) The property located at 1111 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0996

PT OF NE SE COM 260' S OF NE COR OF NE SE S 100' W TO E LN OF HIGHLAND PARK BLVD N ALG SAID BLVD TO A PT DUE W OF BEG E TO BEG SEC 25-29-7 AS SHOWN ON CSM VOL 1 PG 142

(47) The property located at 1225 Highland Park Boulevard and more particularly described at:

PIN: 37.291.4.2907.254.0997

PT OF NE SE COM 20 FT S OF SE COR OF LOT 10 BLK 3 HIGHLAND PARK ADD
E TO E LINE OF NE SE S 130 FT W TO E LINE OF HIGHLAND PARK BLVD N TO
BEG SEC 25 29 7 EX PCL DESD IN VOL 145 PG 329 AS SHN ON CSM RECD IN
VOL 11 PG 94

(48) The property located at 1226 Highland Court and more particularly described at:

PIN: 37.291.4.2907.254.0999

SEC 25-29-7 PT OF NE1/4 SE1/4 DESD AS PCL (2) OF CSM VOL 10-157(2684)
INCL S 20' OF VAC HIGHLAND CT LYG SLY & ADJ TO SD CSM

(Ord. 61-5729 §1, 2017, File No. 17-0107; Ord. 61-5570 §1, 2013, File No. 13-0511)

2.82.070 Construction, alteration or removal. (a) Certificate of Appropriateness Required.
A certificate of appropriateness shall be required before any construction, alteration or removal is
undertaken on:

- (1) A landmark;
- (2) A building located upon a lot which includes a landmark;
- (3) A building within a Class I historic district;
- (4) A lot within a Class I historic district;
- (5) A building upon a historic site.

No owner, except an owner in a Class II historic district, shall perform or permit or cause to be performed any construction, alteration or removal involving such property unless a certificate of appropriateness has been issued by the commission. Owners in a Class II historic district shall apply for a certificate of appropriateness but the decision of the commission shall be advisory only and construction, alteration or removal may proceed after final decision by the commission or if the commission fails to act within the time prescribed in (c).

(b) Application for Certificates of Appropriateness.

- (1) Every application for a building permit, including the accompanying plans and specifications, for which an application for a certificate of appropriateness is also required, shall be forwarded by the building inspection department to the commission within two business days following receipt of the application by the building inspection department. The building inspection department shall not issue the building permit until a certificate of appropriateness has been issued by the

commission or if no determination has been made by the commission within the time prescribed in (c)(1).

(2) Application for review of construction, alteration or removal not requiring a building permit but for which an application for a certificate of appropriateness is required shall be made on a form prepared by the commission and available at the office of the building inspection department. The application shall be filed with the building inspection department and shall be forwarded to the commission within two business days following receipt by the building inspection department.

(c) Determination by Commission.

(1) The commission shall review the application and decide whether or not to issue a certificate of appropriateness within seven business days of the filing of the application for a building permit under subsection (b)(1) of this section or the application for a certificate of appropriateness under subsection (b)(2) of this section.

(2) The commission shall establish an ad hoc subcommittee of no less than three of its members to review applications for a certificate of appropriateness. The subcommittee review of the application shall take place within five business days of the filing of the application with the commission. A certificate of appropriateness shall be issued upon the signatures of a majority of the members of the subcommittee. If not reviewed within five business days, the application shall be deemed approved.

(3) Written notice of the approval or denial of the application for a certificate of appropriateness shall be provided to the applicant and building inspection department within five business days following the commission's decision and shall be accompanied by a certificate of appropriateness in the case of an approval, which shall be valid for one year from the date of issuance. If the commission denies the application, it shall, at the request of the applicant, cooperate and work with the applicant in an attempt to obtain a certificate of appropriateness within the guidelines of this chapter.

(d) Determination of Applicable Standards for Review. In reviewing an application for a certificate of appropriateness for property located within a historic district, the commission shall first determine whether the application involves a contributing structure or noncontributing structure, as defined in this chapter, and shall then apply the appropriate standards for review.

(e) Standards for Review—Landmarks, Historic Sites, Contributing Structures, etc. The standards set forth in this subsection shall be applied by the commission in reviewing any application for a certificate of appropriateness involving a landmark, building upon a lot which includes a landmark, historic site, contributing structure, building upon a lot which includes a contributing structure within a historic district, or a lot located within a historic district. In such cases, the commission shall approve the application unless:

(1) In the case of a landmark, building upon a lot which includes a landmark or building upon a historic site, the proposed construction, alteration or removal would detrimentally change, destroy, or adversely affect any exterior architectural feature of the building which the proposed work involves; or

(2) In the case of any building or lot located in a historic district, the proposed construction, alteration or removal would detrimentally change, destroy or adversely affect any exterior architectural feature of the building which the proposed work involves, or would adversely affect or not harmonize with the external appearance of other buildings within such district; or

(3) In the case of the construction of a new building upon a historic site, the exterior of such building would adversely affect or not harmonize with the external appearance of other buildings or improvements on such site.

(f) Standards for Review—Noncontributing Structure. The standards set forth in this subsection shall be applied by the commission in reviewing any application for a certificate of appropriateness involving a noncontributing structure or building upon a lot which includes a noncontributing building within a historic district. In such cases, the commission shall approve the application unless:

(1) In the case of proposed construction or alteration involving a noncontributing structure:

(A) If the proposed work is not done, there is a substantial likelihood that, due to the passage of time, the building will meet the criteria for and become a contributing structure within five years of the application for the certificate of appropriateness; and

(B) The proposed work would so substantially change the architectural features of the building as to prevent or impair the building from otherwise meeting the criteria for and becoming a contributing structure.

(2) In the case of proposed construction or alteration involving a building upon a lot which includes a noncontributing structure:

(A) If the proposed work is not done, there is a substantial likelihood that, due to the passage of time, the noncontributing structure upon the lot will meet the criteria for and become a contributing structure within five years of the application for the certificate of appropriateness; and

(B) The proposed work would result in a building which so adversely affects the appearance of or fails to harmonize with the appearance of the noncontributing structure upon the lot as to prevent or impair the noncontributing structure from otherwise meeting the criteria for and becoming a contributing structure.

(3) In the case of the proposed removal of a noncontributing structure or building upon a lot which includes a noncontributing structure, there is a substantial likelihood that, due to the passage of time, the noncontributing structure will meet the criteria for and become a contributing structure within five years of the application for the certificate of appropriateness.

(g) Standards for Review—Economic Hardship. In the case of any alteration or construction for which a certificate of appropriateness is required, the commission may deviate from the standards for review which may otherwise be applicable and issue the certificate of appropriateness if the failure to do so will result in an economic hardship to the property owner, based upon the following criteria:

- (1) Rehabilitation of an architectural feature will result in a conflict with other municipal codes or state or federal laws; or
- (2) Materials for rehabilitation are no longer available; or
- (3) The cost of rehabilitation is prohibitive.

(h) Appeal. An appeal from the decision of the commission to deny a certificate of appropriateness under this chapter may be taken to the administrative review board by the applicant. Such appeal shall be initiated by filing a petition to appeal, specifying the grounds therefor, with the city clerk within thirty days of the date of the commission's written notice denying the application. The administrative review board may reverse the decision of the commission and require the commission to issue a certificate of appropriateness by a favorable vote of a majority of its members. (Ord. 61-5506 §1(part), 2012; Ord. 61-5103 §2, 1998; Ord. 61-4961 §3, 1996; Ord. 61-4897 §1, 1995; Ord. 61-4808 §1(part), 1993.)

2.82.080 Demolition. (a) Certificate of Appropriateness Required. A certificate of appropriateness shall be required before any permit to demolish any of the following may be issued:

- (1) A landmark;
- (2) A building upon a lot which includes a landmark;
- (3) A building within a Class I historic district;
- (4) A building upon a historic site.

Every application for a demolition permit for which a certificate of appropriateness is required shall be forwarded by the building inspection department to the commission within seven days following receipt of the application by the building inspection department. The building inspection department shall not issue the demolition permit until a certificate of appropriateness has been issued by the commission.

(b) Determination by Commission. Upon receipt of an application for a demolition permit from the building inspection department, the commission may defer determination to issue a certificate of appropriateness for the proposed demolition for a period of up to twelve months from the time such application was filed, during which time the commission and the applicant may undertake discussions for the purpose of finding a method to save the subject building. At the end of this twelve-month period, if no method of saving the subject building has been agreed to by the applicant and the commission, the commission shall decide whether or not to issue the permit to demolish the subject building under the standards set forth in subsection (d) of this section. Written notice of the approval or denial of a certificate of appropriateness for demolition shall be provided to the applicant and building inspection department within seven days following the commission's decision and shall be accompanied by a certificate of appropriateness in the case of an approval, which shall be valid for one year from the date of issuance.

(c) Hazardous Structures or Conditions. In the event that a landmark or building for which an application for a demolition permit has been received by the commission poses a threat to the public health, safety or welfare, as determined by the building inspector, the building inspector shall issue a permit for demolition within a reasonable period of time in light of the hazard to the public, but in no event longer than three months from the receipt of the application.

(d) Standards for Review. In determining whether to issue a certificate of appropriateness for any demolition, the commission shall consider any or all of the following:

- (1) Whether the building is of such architectural or historic significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of the city and the state;
- (2) Whether the building, although not itself a designated landmark, contributes to the distinctive architectural or historic character of the historic district as a whole and therefore should be preserved for the benefit of the people of the city and the state;
- (3) Whether the building is of such old and unusual or uncommon design, texture and/or material that it could not be reproduced or be reproduced only with great difficulty and/or expense;
- (4) Whether retention of the building would promote the general welfare of the people of the city and the state by encouraging study of American history, architecture and design or by developing an understanding of American culture and heritage;
- (5) Whether the building is in such a deteriorated condition that it is not structurally or economically feasible to preserve or restore it, provided that any hardship or difficulty claimed by the owner which is self-created or which is the result of any failure to maintain the building in good repair cannot qualify as a basis for the issuance of a certificate of appropriateness;

(6) Whether any new building proposed to be constructed or change in use proposed to be made is compatible with the buildings and environment of the district in which the subject building is located.

(e) The owner of a building within a Class II historic district shall make application to the Inspection and Zoning Division of the Department of Engineering for an advisory certificate of appropriateness prior to the demolition of the building. The decision of the commission, or an ad hoc subcommittee of the commission created pursuant to 2.82.070(c)2, is advisory only and demolition may proceed after final decision by the commission. Demolition may proceed in a Class II district if the commission or ad hoc committee fails to act within 14 days of the application being submitted to the Inspection and Zoning Division of the Department of Engineering.

(f) Appeal. An appeal from the decision of the commission to deny a certificate of appropriateness for demolition may be taken to the administrative review board by the applicant. Such appeal shall be initiated by filing a petition to appeal, specifying the grounds therefor, with the city clerk within thirty days of the date of the commission's written notice denying the certificate of appropriateness. The city clerk shall file the petition to appeal with the administrative review board. The administrative review board may reverse the decision of the commission and require the commission to issue a certificate of appropriateness for demolition by a favorable vote of a majority of its members. (Ord. 61-5506 §2(part), 2012; Ord. 61-4961 §4, 1996; Ord. 61-4808 §1(part), 1993.)

2.82.090 Circuit court appeal. (a) As used in this chapter, "interested person" means the owner of any landmark, historic site, property located within a Class I historic district or any applicant for a certificate of appropriateness for construction, alteration, removal or demolition.

(b) Any interested person may appeal a final decision of the administrative review board made under this chapter to the circuit court. Such appeal shall be in the nature of certiorari and shall be commenced within thirty days after the administrative review board action is final. (Ord. 61-4961 §5, 1996; Ord. 61-4808 §1(part), 1993.)

2.82.100 Maintenance of landmarks, historic sites and historic districts. (a) Every owner of a landmark, building upon a lot which includes a landmark, or a building within a historic district or upon a historic site shall keep in good repair all of the exterior portions of such building and all interior portions thereof which, if not so maintained, may cause or tend to cause the exterior portions of such building to fall into a state of disrepair. This provision shall be in addition to all other provisions of law requiring such building to be kept in good repair.

(b) Insofar as they are applicable to a landmark, building upon a lot which includes a landmark, or a building within a historic district or upon a historic site, designated under this chapter, any provisions of the plumbing code, the minimum housing and property maintenance code, building code, heating, ventilating and air conditioning code and regulations of the general ordinances may be varied or waived, on application by the appropriate board having such jurisdiction over such chapter or, in the absence of such board, by the building inspection department, provided such variance or waiver does not endanger public health or safety.

(c) The building inspection department shall enforce this chapter. (Ord. 61-4808 §1(part), 1993.)

2.82.110 Conditions dangerous to life, health or property. (a) Remedy of Emergency Conditions. Nothing contained in this chapter shall prohibit the necessary construction, reconstruction, alteration or demolition of any landmark, building upon a lot which includes a landmark, or a building within a historic district or upon a historic site pursuant to order of any governmental agency or pursuant to any court judgment, for the purpose of remedying emergency conditions determined to be dangerous to life, health or property. In such cases, no approval from the commission shall be required.

(b) Other Codes, Regulations and Ordinances. In acting on any certificate of appropriateness, the commission shall not have power to override housing, zoning or any other ordinances of the city. (Ord. 61-4808 §1(part), 1993.)

2.82.120 Penalties for violations. Any person violating any provision of this chapter shall be subject to a forfeiture of up to one hundred dollars for each separate violation. Each and every day during which a violation continues may be deemed to be a separate offense. (Ord. 61-4808 §1(part), 1993.)

Chapter 2.90

SMOKING ON GOVERNMENT PROPERTY

Sections:

- 2.90.010 Definitions.
- 2.90.020 Smoking prohibited.
- 2.90.030 Smoking prohibited in specified outdoor areas.
- 2.90.040 Penalty.

2.90.010 Definitions. When used in this chapter, the following words have the following meanings:

(a) “City-owned facility” means a city-owned structure and any and all stairways and approaches to that structure, and specifically includes all fully enclosed park shelters and restroom buildings located in city parks. Park shelters that are open to the out of doors on two or more sides are excluded.

(b) “City-owned vehicle” means any motor vehicle or commercial motor vehicle as those words are defined in Section 340.01 of the Wisconsin Statutes, which has on the title the city of Wausau as owner of that vehicle.

(c) “Electronic delivery device” means any product containing or delivering nicotine or other similar substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. Electronic delivery device includes any device manufactured, distributed, marketed or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or description, or any component part of such product whether or not sold separately. Electronic delivery device does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product and is being marketed and sold solely for such an approved purpose.

(d) “Smoke” or “smoking” means burning, holding, inhaling, exhaling or carrying any lighted or heated cigar, cigarette, pipe or heated tobacco or plant product intended for inhalation, whether natural, or synthetic, in any manner or form. Smoking includes the use of an electronic delivery device which creates an aerosol or vapor, in any manner or form, or the use of any oral smoking device.

(e) “Cigarette” means any roll of tobacco wrapped in paper or any substance other than tobacco.

(f) “Tobacco products” means cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco prepared in such manner as to be

suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking; but “tobacco products” does not include cigarettes, as defined under Section 139.30(1) of the Wisconsin Statutes.

(g) “Smokeless tobacco” means any tobacco which is used by means other than smoking. (Ord. 61-5781 §1-2(part), 2018; Ord. 61-5694 §1(part), 2016; Ord. 61-4828 §1(part), 1994; Ord. 61-4672 §1(part), 1989.)

2.90.020 Smoking prohibited. No person may smoke, use smokeless tobacco, or use tobacco products within any city-owned facility except for those areas that are specifically leased to private entities, and specifically excluding Athletic Park when it is being utilized for Wausau Woodchucks baseball games. No person may smoke, use smokeless tobacco, or use tobacco products within any city-owned vehicle. (Ord. 61-5694 §2(part), 2016; Ord. 61-4828 §1(part), 1994; Ord. 61-4770 §1, 1992; Ord. 61-4694 §1, 1989; Ord. 61-4672 §1(part), 1989.)

2.90.030 Smoking prohibited in specified outdoor areas. (a) No person may smoke in the following areas of a City park or outdoor areas of City property:

- (1) Playgrounds.
- (2) Sports fields and sports field seating areas.
- (3) Swimming pools and all inside fenced areas surrounding swimming pools.
- (4) Skateboarding facility at Oak Island Park.
- (5) Within an area up to fifty (50) feet of those areas in subsections (1) through (4) as designated by the Director of the Parks Department or his or her designee and posted pursuant to subsection (c).
- (6) Within the fenced areas of tennis courts.
- (7) Those park areas temporarily posted as no smoking by the Director of the Parks Department or his or her designee during Parks Department sponsored events.
- (8) Those park areas temporarily posted as no smoking by the Director of the Parks Department or his or her designee during an approved Class I or II Special Event held in such park area and which is open to the public with no admission charge and for which no smoking has been requested by the event organizer or sponsor.

(b) Exceptions. Upon the written request of an event organizer of an approved Class I or II Special Event, the prohibition of this section may be waived by the park and recreation committee and common council for specified designated areas for those events where admission is restricted by the event organizer through the sale of tickets. A request for a waiver shall be submitted at least 60 days in advance of the event.

(c) Signs. Signs prohibiting smoking in designated outdoor areas shall be of sufficient size and placed so that the general public has reasonable notice of the prohibition. (Ord. 61-5781 §2(part), 2018)

2.90.040 Penalty. The penalty for violation of any provision of this chapter shall be a forfeiture of not more than two hundred dollars for each separate incident, and the municipal bail bond forfeiture shall be twenty-five dollars plus all assessments and costs. (Ord. 61-5781 §3(part), 2018; Ord. 61-4828 §1(part), 1994; Ord. 61-4672 §1(part), 1989.)

Chapter 2.95

PROHIBITION OF SMOKING ON SCHOOL PROPERTY

Sections:

- 2.95.010 Definitions.
- 2.95.020 Policy statement.
- 2.95.030 Smoking prohibited.
- 2.95.040 Penalty.

2.95.010 Definitions. When used in this chapter, the following words shall have the following meanings:

- (a) “Electronic delivery device” shall have the meaning set forth in section 2.90.010(c) of this code.
- (b) “School property” means any property which is presently owned, rented by and/or titled in the Wausau School District or property which is under the direct control and authority of the Wausau School District.
- (c) “Smoke” or “smoking” shall have the meaning set forth in section 2.90.010(d) of this code.
- (d) “Smokeless tobacco” means any tobacco which is used by means other than smoking. (Ord. 61-5694 §3(part), 2016; Ord. 61-4725 §1(part), 1990; Ord. 61-4617 §1(part), 1987.)

2.95.020 Policy statement. All buildings, grounds, and other property owned or rented by the Wausau School District, are declared to be nonsmoking areas in which no smoking or use of smokeless tobacco or any other tobacco product, as defined in this chapter, shall be used. (Ord. 61-4725 §1(part), 1990; Ord. 61-4617 §1(part), 1987.)

2.95.030 Smoking prohibited. No person may smoke or use any other tobacco product on any property presently owned, rented by and/or titled in the Wausau School District or upon which the Wausau School District has direct control and authority over, except that the school board may allow the use of tobacco products on premises owned by the school district and rented to another for noneducational purposes. (Ord. 61-4725 §1(part), 1990; Ord. 61-4617 §1(part), 1987.)

2.95.040 Penalty. The penalty for violation of any provisions of this chapter shall be a forfeiture of not more than two hundred dollars. (Ord. 61-4725 §1(part), 1990; Ord. 61-4617 §1(part), 1987.)