

CHARTER ORDINANCE NO. 37  
Of the  
Village of Plain, Wisconsin

The Village board of the Village of Plain do ordain as follows:

Section 1. Pursuant to §§61.195, 61.197 and 66.01 of the Wisconsin Statutes, the Village of Plain elects not to be governed by those portions of §§61.19 and 61.23 relating to the selection and tenure of constable and marshal and hereby abolished the offices of constable and marshal.

Section 2. There is hereby created the office of Village Chief of Police who shall be appointed by a vote of majority of the members elect of the Village Board.

Section 3. The term of said Chief of Police shall be for two (2) years and until a successor shall be selected and qualify.

Section 4. Such Chief of Police shall have the powers, privileges and duties of village marshals and village constables under §§61.28 and 61.29, Wis. Stats., and shall perform such other duties as may be required from time to time by the Village Board.

Section 5. This ordinance shall not in any way affect the right of any person whose term of office has begun but has not expired on the effective date of this ordinance to complete his term of office.

Section 6. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within 60 days a referendum petition shall be filed as provided by §66.01 of the Wisconsin Statutes, in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

Dated this 13<sup>th</sup> day of May, 1958.

Alfred H. Kraemer  
Village President

Correct Attest:

Florence C Kraemer  
Village Clerk

CHARTER ORDINANCE NO. 39

The Village Board of the Village of Plain, Sauk County, Wisconsin do ordain as follows:

That the office of Treasurer for the Village of Plain shall hereafter be appointive, rather than elective, and that said appointment shall be for a two year term, commencing on May 1<sup>st</sup> of (the odd number) of years, such appointment shall be made by the Village Board at the last regular meeting in the month of April of (the odd number) years, at such salary as the Village Board shall determine at that time.

This ordinance specifically repeals that part of the village charter which provides that the office of Treasurer shall be elective.

This ordinance shall take effect sixty days after its passage and publication.

Dated: August 14, 1962

James Straka  
President

ATTEST:

Florence C. Kraemer  
Clerk

CHARTER ORDINANCE NO. 40

The Village Board of the Village of Plain, Sauk County, Wisconsin, do ordain as follows:

That the office of Assessor for the Village of Plain shall hereafter be appointive, rather than elective, and that said appointment shall be for a two year term, commencing on May 1<sup>st</sup> of (the odd number) years. Such appointment shall be made by the Village Board at the last regular meeting in the month of April of (the odd number) years, at such salary as the Village Board shall determine at that time.

This ordinance specifically repeals that part of the village charter which provides that the office of Assessor shall be elective.

This ordinance shall take effect sixty days after its passage and publication.

Dated: August 14, 1962

James Straka  
President

ATTEST:

Florence C. Kraemer  
Clerk

As amended by Ordinance No. 150-04, adopted June 9, 2004:

That the office of Assessor for the Village of Plain shall hereafter be appointive, rather than elective, and that said appointment shall be for a two year term, commencing on **June 15th** of (the odd number) years. Such appointment shall be made by the Village Board at the last regular meeting in the month of May of (the odd number) years, at such salary as the Village Board shall determine at that time.

William Gruber  
President

David Warnke  
Clerk/Treasurer

CHARTER ORDINANCE NO. 41

The Village Board of the Village of Plain, Sauk County, Wisconsin, do ordain as follow:

That the office of Clerk for the Village of Plain shall hereafter be appointive, rather than elective, and that said appointment shall be for a two year term, commencing on May 1<sup>st</sup> of (the odd number) years. Such appointment shall be made by the Village Board at the last regular meeting in the month of April of (the odd number) years, at such salary as the Village Board shall determine at that time.

This ordinance specifically repeals that part of the village charter which provides that the office of clerk shall be elective.

This ordinance shall take effect sixty days after its passage and publication.

Dated: August 14, 1962

James Straka  
President

ATTEST:

Florence C. Kraemer  
Clerk

CHARTER ORDINANCE NO. 50

AN ORDINANCE COMBINING THE OFFICES OF VILLAGE CLERK AND VILLAGE  
TREASURER

WHEREAS, Charter Ordinance No. 39 provided for the appointment of a Village Treasurer and for a specific term, and Charter Ordinance no. 41 provided for the appointment of a Village Clerk for a specific term in the Village of Plain, and

WHEREAS, the Village Board of the Village of Plain now deems it in the best interests of the Village to combine the offices of Clerk and Treasurer into one appointive office:

NOW THEN, BE IT ORDAINED AND ENACTED by the Village Board of the Village of Plain, County of Sauk, State of Wisconsin:

1. That Charter Ordinance No. 39 and 41 are hereby repealed;
2. That the officer of Village Clerk and Treasurer are hereby combined into one appointive office at a salary to be fixed by the Village Board;
3. That the term of office shall be for a period of two years and shall commence on May 1 in the odd numbered years except as to the person first appointed under the terms of this ordinance, he or she shall hold office from the date of appointment and qualification until May 1, 1971; that thereafter such appointment shall be made by the Village Board at the last meeting in April prior to the commencement of the new term;
4. That said ordinance shall take effect upon passage and publication as provided by law.

Passed and approved by the Village Board of the Village of Plain on the 12<sup>th</sup> day of May, 1969.

Edmund A. Hetzel  
Village President

ATTEST:

Florence C. Kraemer  
Village Clerk

ORDINANCE NO. 51

AN ORDINANCE TO CODIFY THE GENERAL ORDINANCES  
OF THE VILLAGE OF PLAIN, WISCONSIN

WHEREAS, it is deemed expedient and necessary that the general ordinances of the Village of Plain be revised, codified and arranged in appropriate chapters, sections and subsections; that omissions be supplied, defects be amended and new ordinances be enacted; and that the same be published in book form to make the whole thereof plain, concise, intelligible and convenient; and

WHEREAS, on April 11, 1978, the Village Board authorized the preparation of a code of general ordinances for the Village; and

WHEREAS, a copy of such code has been on file and open for public inspection in the office of the Village Clerk and in the Plain Public Library for not less than 2 weeks, as required by §66.035, Wis. Stats., and notice thereof was given by publication August 22, 1979 and August 29, 1979, in "The Home News",

NOW, THEREFORE, THE VILLAGE BOARD OF THE VILLAGE OF PLAIN DO ORDAIN  
AS FOLLOWS:

Section 1. That the code of ordinances in book form entitled "Municipal Code of the Village of Plain, Wisconsin," a copy of which is on file in the office of the Village Clerk and in the Plain Public Library for public inspection, and as amended at the public hearing held on September 11, 1979, shall be and is hereby adopted as the general ordinances in and for the Village of Plain, Wisconsin.

Section 2. This ordinance shall take effect the day after passage and publication as provided by law.

/s/ Ralph Soeldner  
Village President

Adopted: September 11, 1979  
Approved: September 11, 1979  
Published: September 19, 1979

Attest: /s/ Mercille Floerke  
Village Clerk

ORDINANCE NO. 52

ANNEXATION ORDINANCE

In accordance with Section 66.021 of the Wisconsin Statutes, and the Petition for Direct Annexation heretofore filed with the Village Clerk, signed by all of the owners of all of the real property located in the territory, there being no electors residing in said area, the following described territory in the Town of Franklin, Sauk County, Wisconsin, is annexed to the Village of Plain, Wisconsin:

A parcel of land located in the Southwest Quarter of the Southeast Quarter of Section 5, T9N, R4E in the Town of Franklin, Sauk County, Wisconsin, described as follows:

Commencing at the Southwest corner of the Southeast Quarter of Section 5; thence South 88°07' East 1308 feet; thence North 0°00' 774.6 feet to an iron pipe and the point of beginning; thence North 0°00' 520.0 feet to an iron pipe, thence North 88°35' West 300.0 feet to an iron pipe; thence South 0°00' 418.9 feet to an iron pipe; thence South 77°30' East 76.2 feet to an iron pipe; thence South 66°28' East 244.2 feet to an iron pipe and the point of beginning.

Said parcel containing 3.44 acres more or less.

A parcel of land located in the Southeast Quarter of the Southeast Quarter of Section 5, T9N, R4E, in the Town of Franklin, Sauk County, Wisconsin, described as follows:

Commencing at the Southwest corner of the Southeast Quarter of Section 5, thence South 88°07' east 1308; thence North 0°00' 1294.6 feet to an iron pipe; thence South 88°35' East 638.6 feet to an iron pipe and the point of beginning; thence South 88°35' East 200 feet to an iron pipe; thence South 0°05' West 872.8 feet to an iron pipe; thence North 65°05' West 219.3 feet to an iron pipe; thence North 0°05' East 785.2 feet to an iron pipe and the point of beginning.

Said parcel containing 3.80 acres more or less.

Commencing at the Northwest corner of the Northeast Quarter (NE ¼) of Section (8), T9N, R4E, Sauk County, Wisconsin; thence S 88°07' E 1956.10 feet to the point of beginning; thence N 0°05' E 514.30 feet; thence S 65°05' E 110.19 feet; thence S 0°05' W 732.52 feet; thence N 56°04'42" W 120.39 feet; thence N 0°05' E 197.46 feet to the point of beginning. The above described parcel being located partly in the Northeast Quarter (NE ¼) of Section Eight (8), and partly in the Southeast Quarter (SE 1/4) of Section Five (5), all in Town Nine (9) North, Range Four (4) East, Sauk County, Wisconsin, and containing 1.66 acres and being subject to conveyances for roadway purposes and all conveyances of record. This does not create a new parcel or lot under the provisions of the Sauk County Shoreline Protection Ordinance or Chapter 22 of the Sauk County Code of Ordinances.

Commencing at the South Quarter (S ¼) corner of Section 5, T9N, R4E, Sauk County, Wisconsin, thence S 88°07' E, 450.53 feet and thence N 0°08'39" W 942.01 feet to an existing 1" iron rod and the point of beginning;

Thence N 0°08'39" W, 555.09 feet, thence S 88°46'45" E, 2172.41 feet to the East line of said Section 5; thence S 0°02'43" W, 200.00 feet along said East line to the South line of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of said Section 5; thence N 88°46'45" W, 1614.18 feet along said South line; thence S 0°11'07" E, 421.37 feet; thence N 77°30' W, 282.62 feet; thence N 86°33' W, 282.50 feet to the point of beginning.

The above described parcel of land being located partly in the Northeast Quarter (NE ¼), partly in the Northwest Quarter (NW ¼) and partly in the Southwest Quarter (SW ¼), all of the Southeast Quarter (SE ¼), Section 5, T9N, R4E, Sauk County, Wisconsin and containing 14.80 acres.

From and after the date of this ordinance, the territory described above shall be a part of the Village of Plain for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the Village of Plain.

Upon recommendation of the Plan Commission, the territory annexed to the Village of Plain by this ordinance is designated to be industrial district of the village for zoning purposes and subject to all ordinance provisions relating to such district classifications and to zoning in the Village of Plain.

ORDINANCE NO. 53

ANNEXATION ORDINANCE

In accordance with Section 66.021 of the Wisconsin Statutes, and the Petition for Direct Annexation heretofore filed with the Village Clerk, signed by all of the owners of all of the real property located in the territory, there being no electors residing in said area, the following described territory in the Town of Franklin, Sauk County, Wisconsin is annexed to the Village of Plain, Wisconsin.

Beginning at a  $\frac{3}{4}$ " iron rod that is 1013.35 feet South of the Northeast corner of Section 8, T9N, R4E, Sauk County, Wisconsin; thence South along the East line of said Section 8, 400.00 feet to a  $\frac{3}{4}$ " iron rod; thence N 71°22'16" W 350.00 feet to a 2" drill rod; hence s 89°55'40" W 327.43 feet to the East line of Westbrook subdivision and the East Corporate limits of the Village of Plain; thence N 0°04'20" W 400.00 feet along said East lines; thence n 89°55'40" E 327.93 feet to a 2" drill rod; thence s 71°22'16" E 350.00 feet to the point of beginning.

The above described parcel contains 6.05 acres, more or less.

From and after the date of this ordinance, the territory described above shall be a part of the Village of Plain for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the Village of Plain.

Upon recommendation of the Plan Commission, the territory annexed to the Village of Plain by this ordinance is designated to be in the following classifications for zoning purposes and shall be subject to all ordinance provisions relating to such district classifications and to zoning in the Village of Plain:

1. The West 327.93 feet of the above described lands shall be designated as industrial.
2. The residue of said above described property shall be designated as agricultural.

ORDINANCE # 42.84

ANNEXATION ORDINANCE

1. Ordinance #42.84 of the Village of Plain Ordinance is hereby created to read as follows:

(a) IN accordance with Section 66.021 of the Wisconsin Statutes, and the Petition for Direct Annexation heretofore filed with village clerk, signed by all of the owners of all of the real property located in the territory, there being no electors residing in said area, the following described territory on the Town of Franklin, Sauk County, Wisconsin, is annexed to the Village of Plain, Wisconsin.

A parcel of land located in the Southwest Quarter of the Southeast Quarter of Section 5, T9N,R4E in the Town of Franklin, Sauk County, Wisconsin, described as follows:

Commencing at the Southwest corner of the Southeast Quarter of Section 5; thence South 88°07' East 1308 feet, thence north 0°00' 774.6 feet to an iron pipe and the point of beginning; thence North 0°00' 520.0 feet to an iron pipe, thence North 88°35' West 300.0 feet to an iron pipe; thence South 0°00' 418.9 feet to an iron pipe; thence South 66°28' East 244.2 feet to an iron pipe and the point of beginning.

Said parcel containing 3.44 acres more or less.

A parcel of land located in the Southeast Quarter of the Southeast Quarter of Section 5, T9N, R4E, in the Town of Franklin, Sauk County, Wisconsin, described as follows:

Commencing at the Southwest corner of the Southeast Quarter of Section 5, thence South 88°07' East 1308 feet; thence North 0°00' 1294.6 feet to an iron pipe; thence South 88°35' East 648.6 feet to an iron pipe and the point of beginning; thence South 0°05' West 872.8 feet to an iron pipe; thence North 65°05' West 219.3 feet to an iron pipe; thence North 0°05' East 785.2 feet to an iron pipe and the point of beginning.

Said parcel containing 3.80 acres more or less.

Commencing at the Northwest corner of the Northeast Quarter (NE ¼ ) of Section (8), T9N, R4E, Sauk County, Wisconsin; thence S 88°07' E 1956.10 feet to the point of beginning; thence N 0°05' E 514.30 feet; thence S 65°05' E 110.19 feet; thence S 0°05' W 732.52 feet; thence N 56°04'42" W 120.39 feet; thence N 0°05' E 197.46 feet to the point of beginning. The above described parcel being located partly in the Northeast Quarter (NE ¼ ) of Section Eight (8), and partly in the Southeast Quarter (SE ¼ ) of Section Five (5), all in Town Nine (9) North, Range Four (4) East, Sauk County, Wisconsin, and containing 1.66 acres and being subject to conveyances for roadway purposes and all conveyances of record. This does not create a new parcel or lot under the provisions of the Sauk County Shoreline Protection Ordinance or Chapter 22 of the Sauk County Code of Ordinances.

Commencing at the South Quarter (S ¼) corner of Section 5, T9N, R4E, Sauk County, Wisconsin, thence S 88°07' E, 450.53 feet and thence N 0°08' 46'45" E, 2172.41 feet to the East line of said Section 5; thence S 0°02'43" W, 200.00 feet along said East line to the South line of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of said Section 5; thence N 88°46'45" W, 1614.18 feet along said South line; thence S 0°1'07" E, 421.37 feet; thence N 77°30' W, 282.62 Feet; thence N 86°33' W, 282.50 feet to the point of beginning.

The above described parcel of land being located partly in the Northeast Quarter (NE ¼), partly in the Northwest Quarter (NW ¼) and partly in the Southwest Quarter (SW ¼), all of the Southeast Quarter (SE ¼), Section 5, T9N, R4E, Sauk County, Wisconsin and containing 14.80 acres.

(b) From and after the date of this ordinance, the territory described in subsection (a) above shall be a part of the Village of Plain for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the Village of Plain.

(c) Upon recommendation of the Plan Commission, the territory annexed to the Village of Plain by this ordinance is designated to be Industrial District of the Village for zoning purposes and subject to all ordinance provisions relating to such district classifications and to zoning in the Village of Plain.

2. This ordinance shall take effect upon passage and publication as provided by law.

Dated December 11, 1984

\_\_\_\_\_  
Ralph Soeldner  
Village President

ATTEST:

\_\_\_\_\_  
Mercille Floerke  
Village Clerk

I hereby certify that the foregoing ordinance was adopted at a regular village board meeting held on December 11, 1984 in the Village of Plain, Wisconsin with seven village board members present, with seven ayes and 0 nays.

\_\_\_\_\_  
Mercille Floerke  
Village Clerk

Date Adopted: December 11, 1984

Date Posted: December 14, 1984 in Municipal Building, Post office and Bank

ORDINANCE # 43-84

ANNEXATION ORDINANCE

1. Ordinance # 43-84 of the Village of Plain Ordinances is hereby created to read as follows:

(a) In accordance with Section 66.021 of the Wisconsin statutes, and the Petition for Direct Annexation heretofore filed with the Village Clerk, signed by all of the owners of all of the real property located in the territory, there being no electors residing in said area, the following described territory in the Town of Franklin, Sauk County, Wisconsin is annexed to the Village of Plain, Wisconsin:

Beginning at a  $\frac{3}{4}$ " iron rod that is 1013.35 feet South of the Northeast corner of Section 8, T9N, R4E, Sauk County, Wisconsin; thence South along the East line of said Section 8, 400.00 feet to a  $\frac{3}{4}$ " iron rod; thence N 71°22'16" W 350.00 feet to a 2" drill rod; thence S 89°55'40" W 327.43 feet to the East line of westbrook subdivision and the East Corporate limits of the Village of Plain; thence N 0°04'20" W 400.00 feet along said East lines; thence N 89°55'40" E 327.93 feet to a 2" drill rod; thence S 71°22'16" E 350.00 feet to the point of beginning.

The above described parcel contains 6.05 acres, more or less.

(b) From and after the date of this ordinance, the territory described in subsection (a) above shall be apart of the Villge of Plain for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinance, rules and regulations governing the Village of Plain.

(c) Upon recommendation of the Plan Commission, the territory annexed to the Village of Plain by this ordinance is designated to be in the following classifications for zoning purposes and shall be subject to all ordinance provisions relating to such district classifications and to zoning in the Village of Plain:

- (1) The West 327.93 feet of the above described lands shall be designated as Industrial.
- (2) The residue of said above described property shall be designated as Agricultural.

2. This ordnance shall take effect upon passage and publication as provided by law.

Dated: December 11, 1984

\_\_\_\_\_  
Ralph Soeldner  
Village President

ATTEST:

\_\_\_\_\_  
Mercille Floerke  
Village Clerk

I hereby certify that the foregoing ordinance was adopted at a regular village board meeting held on December 11, 1984 in the Village of Plain, Wisconsin with seven village board members present, with seven ayes and 0 nays.

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Mercille Floerke  
Village Clerk

Date Adopted: December 11, 1984

Date Published: December 14, 1984 in Municipal Building, Post office and Bank

VILLAGE ORDINANCE NO. 83.89  
(AS AMENDED)

VILLAGE OF PLAIN, SAUK COUNTY, WISCONSIN

An Ordinance annexing certain lands in the Town of Franklin, Sauk County, Wisconsin, to the Village of Plain, Sauk County, Wisconsin, under Section 66.025 of the Wisconsin Statutes.

WHEREAS, the lands hereinafter described are presently owned by the Village of Plain and lie contiguous to the present boundaries of the Village of Plain;

NOW, THEN, the Village Board of Trustees of the Village of Plain, Sauk County, Wisconsin, do hereby annex the following described lands to the Village of Plain, to be zoned as an Industrial Park, and to thereby detach said lands from the Town of Franklin:

Commencing at the South Quarter (S ¼) corner of Section 5, T9N,R4E, Sauk County, Wisconsin; thence N 0° 11' 39" W 989.80 feet along the north-south quarter line to the point of beginning; thence N 0° 11' 39" W 1045.06 feet along said quarter line; Thence S 87° 13' 20" E 279.30 feet; Thence S 36° 11' 52" E 190.20 feet; Thence S 25° 12' 41" E 184.16 feet; Thence N 78° 34' 12" E 237.81 feet; Thence N 40° 09' 31" E 380.24 feet; Thence N 12° 46' 39" W 547.57 feet to the north line of the SE ¼ of said Section 5; Thence S 88° 59' 56" E 1733.25 feet along said north line to the east line of said Section 5; Thence S 0° 02' 43" W 434.48 feet along said east line; Thence S 89° 34' 06" E 1309.09 feet to the east line of the NW ¼ of the SW ¼ of Section 4; Thence S 0° 15' 19" W 879.73 feet along said east line to the south line of said NW ¼ of the SW ¼; Thence N 89° 05' 41" W 1305.99 feet to the west line of said Section 4; Thence N 0° 02' 43" E 200.0 feet along said west line; Thence N 88° 46' 45" W 2172.41 feet; Thence N 88° 21' 57" W 451.13 feet to the point of beginning.

The above described parcel of land being located partly in the N ½ of the SE ¼; the SW ¼ of the SE ¼ of Section 5 and partly in the NW ¼ of the SW ¼ of Section 4 all in T9N, R4E, Sauk County, Wisconsin and containing 82.54 acres and being subject to conveyances for highway purposes.

This Ordinance shall take effect upon passage and publication as provided by law.

Dated this 12 day of September, 1989.

VILLAGE OF PLAIN

By: \_\_\_\_\_

Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

I hereby certify that the foregoing Ordinance was duly adopted by the Village Board of Trustees of the Village of Plain, Sauk County, Wisconsin on the 12 day of September, 1989.

\_\_\_\_\_  
Village Clerk

**ORDINANCE 147-03  
OF THE VILLAGE OF PLAIN  
SAUK COUNTY, WISCONSIN**

**AN ORDINANCE ANNEXING TERRITORY  
TO THE VILLAGE OF PLAIN, WISCONSIN**

The Village Board of the Village of Plain do ordain as follows:

SECTION 1. Territory Annexed. In accordance with Sec. 66-021 of the Wisconsin Statutes and the petition for direct annexation filed with the Village clerk on the 26th day of February, 2003; signed by the owners of all of the real property in the territory, the following described territory in the town of Franklin, Sauk County, Wisconsin, is annexed to the Village of Plain, Wisconsin:

Being a part of Lot 1, Certified Survey Map, No. 3543 located in part of the Southeast Quarter of the Northeast Quarter of Section 8, Town 9 North, Range 4 East, Town of Franklin, Sauk County, Wisconsin, described as follows: Commencing at the east quarter corner of said Section 8; thence North 89°02'58" West along the east-west quarter line of said Section 8, 16.50 feet to the point of beginning; thence continuing North 89°02'58" West along the east-west quarter line of said Section 8, 639.61 feet to the Southeast corner of Lot 153, Third Addition To Westbrook; thence North 00°19'02" West along the east line of Lot 153, Third Addition To Westbrook, 267.25 feet; thence North 77°58'16" East, 323.93 feet; thence South 89°02'58" East, 323.50 feet; thence South 00°07'22" East, 340.00 feet to the point of beginning. Containing 206,084 square feet, (4.73 acres), more or less.

SECTION 2. Effect of Annexation. From and after the date of this ordinance, the territory described in Section 1 shall be a part of the Village of Plain for any and all purposes provided by law, and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the Village of Plain.

SECTION 3. Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 4. Effective Date. This ordinance shall take effect upon passage and publication as provided by law.

\_\_\_\_\_  
William Gruber, Village President

Attest:

\_\_\_\_\_  
David Warnke, Village Clerk

Date Adopted: April 9, 2003  
Date Published: April 10, 2003  
Effective Date: April 10, 2003

**ORDINANCE 157-08  
OF THE VILLAGE OF PLAIN  
SAUK COUNTY, WISCONSIN**

**ANNEXING CERTAIN TERRITORY FROM THE TOWN OF FRANKLIN,  
SAUK COUNTY, TO THE VILLAGE OF PLAIN, WISCONSIN**

WHEREAS the owners of all the real property in the territory described below, located in the Town of Franklin, Sauk County, Wisconsin, filed a petition for direct annexation with the Village Clerk on November 19, 2007 and there are no electors residing within the territory within the definition of Wisconsin Statute § 66.0217(2); and

WHEREAS these lands are contiguous to the Village; and

WHEREAS the Division of Intergovernmental Relations and Municipal Boundary Review of the Department of Administration of the State of Wisconsin has reviewed the annexation and found it to be in the public interest; and

WHEREAS the annexation of the territory contained within this annexation is in the best interests of the Village:

NOW, THEREFORE, the Village Board of the Village of Plain do ordain as follows:

**SECTION 1.** Territory Annexed. In accordance with Sec. 66.0217 of the Wisconsin Statutes, the following described territory in the Town of Franklin, Sauk County, Wisconsin, is annexed to the Village of Plain, Wisconsin:

Part of Lot 12 of the Assessor's Plat of the Village of Plain, being located in the Southeast Quarter of the Southwest Quarter of Section 5, Town 9 North, Range 4 East, Town of Franklin, Sauk County, Wisconsin, being more particularly described as follows; Commencing at the South quarter corner of Section 5, T. 9 N., R. 4 E., thence N 00°18'45" W on the East line of the Southwest quarter, 685.48'; thence S 89°20'50" W, 65.66' to a ¾" diameter rebar on the westerly right-of-way limit of State Trunk Highway 23 and the point of beginning; thence S 89°20'50" W, 164.11' to a ¾" diameter rebar; thence S 75°29'41" W, 208.11' to a ¾" diameter rebar; thence S 89°21'43" W, 364.12' to ¾" diameter rebar; thence N 00°09'33" W to the thread of Honey Creek; thence easterly on the thread of Honey Creek to the westerly right-of-way limit of State Trunk Highway 23; thence S 00°20'13" E on said right-of way limit to a ¾" diameter rebar on a meander line of Honey Creek; thence continuing S 00°20'13" E, 118.70' to the point of beginning. Said parcel contains 1.5 acres, more or less, and is subject to any and all easements and rights-of-way of record and/or usage.

**SECTION 2.** Effect of Annexation. From and after the date of this ordinance, the territory described in Section 1 shall be a part of the Village of Plain for any and all purposes provided by law, and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the Village of Plain.

**SECTION 3.** Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional,

such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

**SECTION 4.** Effective Date. This ordinance shall take effect upon passage and publication as provided by law.

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Raymond J. Ellenbolt, Village President

Attest:

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Sheila Tafs, Village Clerk

Date Adopted: February 13, 2008  
Date Published: February 20, 2008  
Effective Date: February 20, 2008

**ORDINANCE 158-08  
OF THE VILLAGE OF PLAIN  
SAUK COUNTY, WISCONSIN**

**ANNEXING CERTAIN TERRITORY FROM THE TOWN OF FRANKLIN,  
SAUK COUNTY, TO THE VILLAGE OF PLAIN, WISCONSIN**

WHEREAS the owners of all the real property in the territory described below, located in the Town of Franklin, Sauk County, Wisconsin, filed a petition for direct annexation with the Village Clerk on April 10, 2008 and there are no electors residing within the territory within the definition of Wisconsin Statute § 66.0217(2); and

WHEREAS these lands are contiguous to the Village; and

WHEREAS the Division of Intergovernmental Relations and Municipal Boundary Review of the Department of Administration of the State of Wisconsin has reviewed the annexation and found it to be in the public interest; and

WHEREAS the annexation of the territory contained within this annexation is in the best interests of the Village:

NOW, THEREFORE, the Village Board of the Village of Plain do ordain as follows:

**SECTION 1. Territory Annexed.** In accordance with Sec. 66.0217 of the Wisconsin Statutes, the following described territory in the Town of Franklin, Sauk County, Wisconsin, is annexed to the Village of Plain, Wisconsin:

Located in part of Lot 12, of the Assessor's Plat of the Village of Plain, SE $\frac{1}{4}$ -SW $\frac{1}{4}$  and the NE $\frac{1}{4}$  -SW $\frac{1}{4}$ , Section 5, T9N, R4E, Town of Franklin, Sauk County, Wisconsin, bounded by the following described line:  
Commencing 140 feet North of a point where the north line of Cedar Street intersects with the west line of St. Luke's Avenue in the Village of Plain; thence West to the west line of said SE $\frac{1}{4}$ -SW $\frac{1}{4}$ ; thence North along the west line of said SE $\frac{1}{4}$ -SW $\frac{1}{4}$  and NE $\frac{1}{4}$  -SW $\frac{1}{4}$  to northwest corner of said NE $\frac{1}{4}$  -SW $\frac{1}{4}$ ; thence East along the north line of said NE $\frac{1}{4}$  -SW $\frac{1}{4}$  to the northeast corner of said NE $\frac{1}{4}$  -SW $\frac{1}{4}$ ; thence South along the east line of said NE $\frac{1}{4}$  -SW $\frac{1}{4}$  and SE $\frac{1}{4}$  -SW $\frac{1}{4}$  to a point being 685.48 feet north of the S $\frac{1}{4}$  corner of said Section 5; thence S89°20'50"W, 65.66 feet to the west line of S.T.H. 23; thence North along west line of S.T.H. 23 and east line of Lot 1, CSM No. 5629 to the thread of Honey Creek and northeast corner of said Lot 1, CSM No. 5629; thence Westerly along thread of Honey Creek and north line of said Lot 1 to northwest corner of said Lot 1; thence South along the west line of said Lot 1 to point of beginning.

**SECTION 2. Effect of Annexation.** From and after the date of this ordinance, the territory described in Section 1 shall be a part of the Village of Plain for any and all purposes provided by law, and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the Village of Plain.

**SECTION 3. Severability.** If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

**SECTION 4. Effective Date.** This ordinance shall take effect upon passage and publication as provided by law.

\_\_\_\_\_  
Raymond J. Ellenbolt, Village President

Attest:

\_\_\_\_\_  
Sheila Tafs, Village Clerk

Date Adopted: June 11, 2008  
Date Published: June 18, 2008  
Effective Date: June 18, 2008

## CHARTER ORDINANCE NO. 54

### A CHARTER ORDINANCE AMENDMENT AUTHORIZING THE EMPLOYMENT OF AN OFFICER-IN-CHARGE IN LIEU OF A CHIEF OF POLICE

The Village Board of the Village of Plain, Sauk County, Wisconsin does ordain and amend Charter Ordinance No. 37 as follows as reflected by overstrike showing deletions from and underline showing additions to Charter Ordinance No. 37:

Section 1. Pursuant to §§61.195, 61.197 and 66.01 of the Wisconsin Statutes, the Village of Plain elects not to be governed by those portions of §§61.19 and 61.23 relating to the selection and tenure of constable and marshal and hereby abolished the offices of constable and marshal.

Section 2. There is hereby created the office of Village Chief of Police who shall be appointed by a vote of majority of the members elect of the Village Board. In lieu of appointing a Chief of Police, the Village Board may employ an Officer-in-Charge by means of an employment agreement specifying the terms and conditions of employment, including length of service and terms for discharge.

Section 3. The term of said Chief of Police shall be pursuant to any written agreement between the Village and Chief and/or applicable state law. ~~for two (2) years and until a successor shall be selected and qualify.~~

Section 4. Such Chief of Police shall have the powers, privileges and duties of village marshals and village constables under §§61.28 and 61.29, Wis. Stats., and shall perform such other duties as may be required from time-to-time by the Village Board. Where the title of "Chief of Police" is used throughout the Code of Ordinances and no Chief of Police is appointed by the Village Board, the Officer-in-Charge is authorized and designated as the employee who shall have the powers and obligations enumerated under those Ordinances.

Section 5. This ordinance shall not in any way affect the right of any person whose term of office has begun but has not expired on the effective date of this ordinance to complete his term of office.

Section 6. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within 60 days a referendum petition shall be filed as provided by §66.01 of the Wisconsin Statutes, in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

The Village Board of the Village of Plain, Sauk County, Wisconsin further ordains and amends Chapter 4 of the Code of Ordinances as follows as reflected by overstrike showing deletions from and underline showing additions to Chapter 4:

#### 4.01 POLICE DEPARTMENT PERSONNEL.

- (1) ENUMERATED. The Police Department shall consist of the Chief of Police and such police officers as the Village Board may prescribe by ordinance or resolution. In lieu of a Chief of Police, the Village Board may employ an Officer-in-Charge.

- (2) SALARY; COLLECTION OF FEES. The Chief of the police officers shall receive a salary and such other benefits as shall be fixed by the Village Board and shall not be entitled to any other compensation. All fees, bail deposits and other special remuneration or funds collected or received by the Department or any officers thereof shall be deposited with the Clerk/Treasurer not less than monthly.
- (3) TENURE OF CHIEF AND POLICE OFFICERS. The term of the Chief of Police and other members of the Police Department shall be pursuant to any written agreement between the Village and those employees and/or applicable state law. ~~for two years and until a successor shall be selected. The Chief of Police may be removed at any time for cause by a majority vote of the members of the Village Board. Other members of the Police Department shall hold office subject to the power of the President to suspend or remove any officers at his pleasure, subject to appeal to the Village Board.~~

#### 4.02 CHIEF OF POLICE: DUTIES AND POWERS.

- (1) The Chief of Police shall possess the powers, enjoy the privileges and be subject to the liabilities conferred and imposed by law upon marshals and constables. Where the title of "Chief of Police" is used throughout the Code of Ordinances and no Chief of Police is appointed by the Village Board, the Officer-in-Charge is authorized and designated as the employee who shall have the powers and obligations enumerated under those Ordinances, including those set forth below.
- (2) He shall obey all lawful written orders of the President of Board.
- (3) He shall cause the public peace to be preserved and see that all laws and ordinances of the Village and State are enforced; and whenever any violation thereof comes to his knowledge, he shall cause the requisite complaint to be made and see that the evidence is procured for the successful prosecution of the offender.
- (4) He shall exercise supervisory control over all Department personnel and may adopt, subject to the approval of the Board, rules and regulations for the government, discipline, equipment and uniforms of police officers.
- (5) He shall be solely responsible for the care and condition of the equipment used by his Department.
- (6) He shall keep an accurate and complete record of all complaints, arrests, traffic violations, convictions and dispositions of the Department.

#### 4.03 POLICE OFFICERS: DUTIES AND POWERS.

Each officer of the Department shall possess the powers conferred on marshals and constables by law and shall preserve the public peace and enforce the laws and ordinances of the State and Village subject to the orders, rules and regulations of the Chief, the President and the Board.

4.04 POWER OF ARREST.

The Chief of Police and any police officer shall arrest any person in the Village found in the act of violating any law or ordinance of the Village or State or aiding or abetting in such violation; and they shall arrest without warrant any person whom they have reasonable grounds to believe has violated any law or ordinance and who will not be apprehended unless immediately arrested, shall take any arrested person in charge and confine him and shall within a reasonable time bring such person before the court having jurisdiction thereof to be dealt with according to law.

4.05 PRESIDENT'S AND TRUSTEE'S POLICE POWERS.

The President and the trustees shall have and exercise the powers of peace officers and may summarily suppress any riotous or disorderly conduct in the streets or public places of the Village.

4.10 PENALTY.

Any person who shall violate any provision of this chapter or any regulation, rule or order made hereunder shall be subject to a penalty. See fine schedule.

APPROVED:

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Raymond J. Ellenbolt, Village President

ATTEST:

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Sheila Tafs, Village Clerk

I hereby certify that the foregoing Charter Ordinance was duly passed by the Village Board of the Village of Plain on the 29<sup>th</sup> day of April, 2009, and approved by the Village President on that date.

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Sheila Tafs, Village Clerk

Date Adopted: April 29, 2009  
Effective Date: June 28, 2009

**ORDINANCE 169-10  
OF THE VILLAGE OF PLAIN  
SAUK COUNTY, WISCONSIN**

**ANNEXING CERTAIN TERRITORY FROM THE TOWN OF FRANKLIN,  
SAUK COUNTY, TO THE VILLAGE OF PLAIN, WISCONSIN**

WHEREAS the owners of all the real property in the territory described below, located in the Town of Franklin, Sauk County, Wisconsin, filed a petition for direct annexation with the Village Clerk on May 18, 2010 and there are no electors residing within the territory within the definition of Wisconsin Statute § 66.0217(2); and

WHEREAS these lands are contiguous to the Village; and

WHEREAS the Division of Intergovernmental Relations and Municipal Boundary Review of the Department of Administration of the State of Wisconsin has reviewed the annexation and found it to be against the public interest; and

WHEREAS the annexation of the territory contained within this annexation is in the best interests of the Village:

NOW, THEREFORE, the Village Board of the Village of Plain do ordain as follows:

**SECTION 1. Territory Annexed.** In accordance with Sec. 66.0217 of the Wisconsin Statutes, the following described territory in the Town of Franklin, Sauk County, Wisconsin, is annexed to the Village of Plain, Wisconsin:

Lot 1 of CSM 1164, as recorded in Volume 4, Page 1164 as document number 445300, being a part of the NW1/4 of the NW1/4 of Section 9, T9N, R4E, Town of Franklin, Sauk County, Wisconsin.

**SECTION 2. Effect of Annexation.** From and after the date of this ordinance, the territory described in Section 1 shall be a part of the Village of Plain for any and all purposes provided by law, and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the Village of Plain.

**SECTION 3. Severability.** If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

**SECTION 4. Property Taxes.** Pursuant to Wisconsin Statute § 66.0217(14)(a)1, the Village of Plain agrees to pay annually to the Town of Franklin, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the tax roll under s. 70.65, in the year in which the annexation is final.

**SECTION 5. Effective Date.** This ordinance shall take effect upon passage and publication as provided by law.

\_\_\_\_\_  
Raymond J. Ellenbolt, Village President

Attest:

\_\_\_\_\_  
Sheila Tafs, Village Clerk

Date Adopted: August 11, 2010  
Date Published: August 18, 2010  
Effective Date: August 18, 2010