



**CITY OF CEDARBURG
A MEETING OF THE PARKS, RECREATION & FORESTRY BOARD
WEDNESDAY, JUNE 3, 2026 – 5:30 PM**

A meeting of the Parks, Recreation, and Forestry Board, City of Cedarburg, Wisconsin, will be held on Wednesday, June 3, 2026 at 5:30 PM. This meeting will be held at City Hall, W63 N645 Washington Avenue, Cedarburg, WI lower level, room 2.

AGENDA

1. CALL TO ORDER
2. ROLL CALL
 - A. Council Member Mark Mueller, Glenn Herold, Terry Wagner, Becky Hughes, Brian Clement, Courtney Dandy, James Schara
3. STATEMENT OF PUBLIC NOTICE
4. COMMENTS AND SUGGESTIONS FROM CITIZENS
5. APPROVAL OF MINUTES
 - A. Approval of April 1, 2026 minutes.
6. UNFINISHED BUSINESS
 - A. Discussion and possible action on revisions to the Noxious Weed Ordinance.
7. NEW BUSINESS
 - A. Discussion and possible action on reclassification of Harrison Woods Park.
 - B. Discussion and possible action on annual certification of the Ethics Code.
8. REPORTS
 - A. Director of Parks and Recreation - Update on Projects
 - B. Recreation Superintendent - Update on Recreation Projects
 - C. City Forester - Update on Projects
9. ADJOURNMENT

City of Cedarburg is an affirmative action and equal opportunity employer. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, disability, age, sexual orientation, gender identity, national origin, veteran status, or genetic information.

City of Cedarburg is committed to providing access, equal opportunity and reasonable accommodation for individuals with disabilities in employment, its services, programs, and activities. To request reasonable accommodation, contact the Clerk's Office, (262) 375-7606, email: cityhall@cityofcedarburg.wi.gov.

MEMBERS – PLEASE NOTIFY CITY CLERK'S OFFICE IF UNABLE TO ATTEND THIS MEETING.

conference, stump removal contractor, tree plantings, and the Arbor Day celebration.

ADJOURNMENT

Motion made by Council Member Mark Mueller, seconded by Courtney Dandy, to adjourn the meeting at 6:31 p.m. Motion carried without a negative vote with Becky Hughes, Terry Wagner, and James Schara excused.

Chandler Steffen
Recreation Coordinator

DRAFT

SEC. 8-1-5 DESTRUCTION OF NOXIOUS WEEDS.

- (a) Every person, firm or corporation shall destroy all noxious weeds on every parcel of land within the City which he/she owns, occupies or controls.
- (b) The City Clerk shall annually on or before May 15 and July 31 publish as require by state law a notice that every person is required by law to destroy all noxious weeds on lands in the City which he owns, occupies or controls. A joint notice with other towns or municipalities may be utilized.
- (c) If the owner or occupant shall neglect to destroy any weeds as required by such notice, then the Weed Commissioner of the City shall give five (5) days' written notice by mail to the owner or occupant of any lands upon which the weeds shall be growing to the effect that the said Weed Commissioner after the expiration of the five (5) day period will proceed to destroy or cause to be destroyed all such weeds growing upon said lands and that the cost thereof will be assessed as a tax upon the lands upon which such weeds are located under the provisions of Sec. 66.96 of the Wisconsin Statutes. In case the owner or occupant shall further neglect to comply within such five (5) day notice, then the Weed Commissioner shall destroy such weeds or cause them to be destroyed in the manner deemed to be the most economical method and the expense the actual cost thereof, together with an administrative fee of 10% of the actual cost ~~including the cost of billing and other necessary administrative expenses,~~ shall be charged against such lots and be collected as a special tax thereon.
- (d) As provided for in Sec. 66.96(2), Wis. Stats., the City shall require that all noxious weeds shall be destroyed prior to the time in which such plants would mature to the bloom or flower state. The growth of noxious weeds in excess of eight (8) inches in height from the ground surface shall be prohibited within the City corporate limits.
- (e) Noxious weeds shall include any weed, grass or similar plant growth which, if allowed to pollinate, would cause or produce hayfever in human beings; ~~or~~ would cause a skin rash through contact with the skin or are otherwise harmful to human health. Noxious weeds, as defined in this Section, ~~and in Section 8-1-7,~~ shall include but not be limited to the following weeds and those designated as ~~noxious weeds in the Wisconsin Statutes~~ Prohibited in the Wisconsin DNR NR40 Regulated Species list:

Cirsium Arvense (Canada Thistle)
Common Ragweed (Ambrosia artemisiifolia)
Creeping Jenny/Field Bind Weed (Convolvulus arvensis)
Foxtail Grass (Setaria sp.)
Garlic Mustard (Alliaria petiolate) (Ord. 98-20)
Giant Hogweed (Heracleum mantegazzianum)
Great Ragweed (Ambrosia trifida)
Johnson Grass (Sorghum halepense)
Leafy Spurge (Euphorbia esula)
Fragopogon dubius (Goat's Beard)
Poison Ivy (Rhus radicans)
Timothy Grass (Phleum pratensis)
Cirsium vulgaries (Bull Thistle)
Wild Parsnip (Pastinaca sativa)

~~Arctium minus (Burdock)
Xanthium strumarium (Cocklebur)
Amaranthus retroflexus (Pigweed)
Chenopodium album (Common Lambsquarter)
Rumex Crispus (Curled Dock)
Cannabis sativa (Hemp)
Plantago lanceolata (English Plantain)
Noxious grasses, as defined in this Section and in Section 8-1-7, shall include but not be limited to the following:~~

~~Agrostia alba (Redtop)
Dactylis glomerata (Orchard)
Poa pratensis (Kentucky Blue)~~

~~Noxious weeds are also the following plants and other rank growth:~~

~~Ragweed
Thistles
Smartweed
Dandelions (over 10 inches in height)~~

State Law Reference: Sec. 66.96, Wis. Stats.

SEC. 8-1-6 REGULATION OF NATURAL LAWNS.

- (a) **Natural Lawns Defined.** Natural lawn as used in this Section shall include common species of grass and wild flowers native to North America which are designed and purposely cultivated to exceed eight (8) inches in height from the ground. Specifically excluded in natural lawns are the noxious grasses and weeds identified in Section 8-1-5 of this Chapter. The growth of a natural lawn in excess of eight (8) inches in height from the ground surface shall be prohibited within the City corporate limits unless a Natural Lawn Management Plan is approved and a Permit is issued by the City as set forth in this Section. Natural lawns shall not contain litter or debris and shall not harbor undesirable wildlife
- (b) **Natural Lawn Management Plan Defined.**
- (1) Natural Lawn Management Plan as used in this Section shall mean a written plan relating to the management and maintenance of a lawn which contains a legal description of lawn upon which the planted grass will exceed eight (8) inches in length, a statement of intent and purpose for the lawn, a detailed description of the vegetational types, plants and plant succession involved, and the specific management and maintenance techniques to be employed.
 - (2) Property owners who wish to plant and cultivate a natural lawn must submit their written plan and related information on the form provided by the City. "Property Owner" shall be defined to include the legal title holder and/or the beneficial owner of any such lot according to most current City records. Natural Lawn

Management Plans shall only indicate the planting and cultivating of natural lawns on property legally owned by the property owner. Applicants are strictly prohibited from developing a natural lawn on any City-owned property including street rights-of-way. This shall include at a minimum property located between the sidewalk and the street or a strip not less than ten (10) feet adjacent to the street where there is no sidewalk whether the area is under public or private ownership. In addition, natural lawns shall not be permitted within ten (10) feet of the abutting property owner's property unless waived in writing by the abutting property owner on the side so affected. Such waiver is to be affixed to the Lawn Management Plan.

- (3) Any subsequent property owner who abuts an approved natural lawn may revoke the waiver thereby requiring the owner of the natural lawn to remove the natural lawn that is located in the ten (10) foot section abutting the neighboring property owner. Such revocation shall be put in writing and presented to the City Clerk by the subsequent abutting property owner. Upon receiving the written request to revoke the original waiver, the Common Council shall contact the owner of the approved natural lawn and direct the owner to remove the natural lawn located in the ten (10) foot section abutting the neighboring property owner. The Common Council shall revise the approved Natural Lawn Management Permit accordingly. The owner of the approved natural lawn shall be required to remove the ten (10) foot section abutting the neighboring property owner within twenty (20) days of receipt of the written notification from the City provided the notification is received sometime between May 1 and November 1. Property owners who receive notification from the City between November 1 and April 30 shall be required to remove the ten (10) foot section abutting the neighboring property owner no later than May 20 following receipt of the notification.

(c) **Application Process.**

- (1) Property owners interested in applying for permission to establish a natural lawn shall obtain and complete an application form available from the City Clerk. The completed application shall include a Natural Lawn Management Plan. Upon submitting a completed application, a Twenty-five Dollar (\$25.00) non-refundable filing fee will be assessed by the City. Upon receiving payment, copies of the completed application shall be mailed by the City to each of the owners of record, as listed in the Office of the City Assessor, who are owners of the property situated wholly or in part within three hundred (300) feet of the boundaries of the properties for which the application is made. If within fifteen (15) calendar days of mailing the copies of the complete application to the neighboring property owners the City receives written objections from fifty-one percent (51%) or more of the neighboring property owners, the City Clerk shall immediately deny the application. Neighboring property owners shall be defined as all those property owners who are located within three hundred (300) feet of the proposed natural lawn site.
- (2) If the property owner's application is in full compliance with the Natural Lawn Management Plan requirements and less than fifty-one percent (51%) of the neighboring property owners provide written objections, the City Clerk shall issue permission to install a natural lawn.

- (d) **Application For Appeal.** The property owner may appeal the Clerk's decision to deny the natural lawn permit request to the Common Council at an open meeting. All applications for appeal shall be submitted within fifteen (15) calendar days of the notice of denial of the Natural Lawn Management Plan. The decision rendered by the Common Council shall be final and binding.
- (e) **Safety Precautions For Natural Grass Areas.**
- (1) When, in the opinion of the Fire Chief, the presence of a natural lawn may constitute a fire or safety hazard due to weather and/or other conditions, the Fire Chief may order the cutting of natural lawns to a safe condition. As a condition of receiving approval of the natural lawn permit, the property owner shall be required to cut the natural lawn within the three (3) days upon receiving written direction from the Fire Chief.
 - (2) Natural lawns shall not be removed through the process of burning unless stated and approved as one of the management and maintenance techniques in the Lawn Management Plan. The Fire Chief shall review all requests to burn natural lawns and shall determine if circumstances are correct and all applicable requirements have been fulfilled to insure public safety. Burning of natural lawns shall be strictly prohibited unless a written permit to burn is issued by the Fire Chief. The Fire Chief shall establish a written list of requirements for considering each request to burn natural lawns, thereby insuring the public safety. In addition, the property owner requesting permission to burn the natural lawn shall produce evidence of property damage and liability insurance identifying the City as a party insured. The minimum amount of acceptable insurance shall be as prescribed by the City's Schedule of Insurance Requirements.
- (f) **Revocation Of An Approved Natural Lawn Management Plan Permit.** The Common Council, upon the recommendation of the Weed Commissioner, shall have the authority to revoke an approved Natural Lawn Management Plan Permit if the owner fails to maintain the natural lawn or comply with the provisions set forth in this Section. Notice of intent to revoke an approved Natural Lawn Management Plan Permit shall be appealable to the Common Council. All applications for appeal shall be submitted within fifteen (15) calendar days of receipt of the written Notice of Intent to revoke the approved Natural Lawn Management Plan. Failure to file an application for appeal within the fifteen (15) calendar days shall result in the revoking of the Natural Lawn Management Plan Permit. The Common Council in an open meeting shall review all written applications for appeal filed within the fifteen (15) calendar day requirement. The decision rendered by the Common Council shall be final and binding.
- (g) **Public Nuisance Defined - Abatement After Notice.**
- (1) The growth of a natural lawn as defined in this Section shall be considered a public nuisance unless a Natural Lawn Management Plan has been filed and approved and a permit is issued by the City as set forth in this Section. Violators shall be served with a notice of public nuisance by certified mail to the last-known mailing address of the property owner.
 - (2) If the person so served with a notice of public nuisance violation does not abate the nuisance within ten (10) days, the Common Council may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be charged to and paid by such property owner. Notice of the bill

for abatement of the public nuisance shall be mailed to the owner of the premises and shall be payable within ten (10) calendar days from receipt thereof. Within sixty (60) days after such costs and expenses are incurred and remain unpaid, the City Clerk shall enter those charges onto the tax roll as a special tax as provided by State statute.

- (3) The failure of the City Clerk to record such claim or to mail such notice or the failure of the owner to receive such notice shall not affect the right to place the City expense on the tax rolls for unpaid bills for abating the public nuisance as provided for in this Section.

(h) **Penalty.**

- (1) Any person, firm or corporation which does not abate the nuisance within the required time period or who otherwise violates the provisions of this Section shall be subject to the general penalty found in Section 1-1-7.
- (2) In addition to any penalties herein provided, the City may issue stop work orders upon owners of lots where work is unfinished under a previously issued building permit for any violation of this Section.

SEC. 8-1-7 REGULATION OF LENGTH OF LAWN, AND GRASSES, AND RANK GROWTH.

(a) **Purpose.** This Section is adopted due to the unique nature of the problems associated with lawns, grasses and ~~noxious weeds~~ **other rank growth** being allowed to grow to excessive length in the City of Cedarburg.

(b) **Rank Growth.** Rank growth is defined as untended or unmanaged growth of herbaceous vegetation that is not maintained through labor and care on any property within the City. Rank growth shall not include herbaceous vegetation located in natural areas including woodlands, riverbanks, wetland areas, designated floodplains or agricultural areas. Examples of plants falling within this category shall include but not be limited to the following:

Dandelions (Taraxacum sp., over 10 inches in height)

Reed Canary Grass (Phalaris arundinacea)

Teasel (Dipsacus fullonum)

Thistles (Cirsium sp.)

(c) **Public Nuisance Declared.** The Common Council finds that lawns, grasses and ~~noxious weeds~~ **other rank growth** on lots or parcels of land which exceed eight (8) inches in length adversely affect the public health and safety of the public in that they tend to emit pollen and other discomforting bits of plants, constitute a fire hazard and a safety hazard in that debris can be hidden in the grass, interferes with the public convenience and adversely affects property values of other land within the City. For that reason, any lawn, grass or weed **rank growth** on a lot or other parcel of land which exceeds eight (8) inches in length is hereby declared to be a public nuisance, except for property located ~~in a designated floodplain area, drainage way and/or wetland area~~ or where the lawn, grass or weed **herbaceous vegetation** is part of a natural lawn approved pursuant to Section 8-1-6 above.

(d) **Nuisances Prohibited.** No person, firm or corporation shall permit any public nuisance as defined in Subsection (b) above to remain on any premises owned or controlled by him/her within the City.

(e) **Inspection.** The Weed Commissioner or his designee shall inspect or cause to be inspected all premises and places within the City to determine whether any public nuisance as defined in Subsection (b) above exists.

(f) **Abatement of Nuisance.**

(1) If the Weed Commissioner shall determine with reasonable certainty that any public nuisance as defined in Subsection (b) above exists, he shall immediately cause written notice to be served that the City proposes to have the lot grass or lawn cut so as to conform with this Section and Section 8-1-5.

(2) The notice shall be served at least seven (7) days prior to the date of the City's date of action to have the grass or lawn cut and shall be mailed or served on the owner of the lot or parcel of land or, if he is not known and there is a tenant occupying the property, then to the tenant, of the time and place at which the hearing will be held.

(3) Interference with City staff, agents or contractors during the course of nuisance abatement is strictly prohibited. If the owner or occupant interferes with City staff, agents or contractors during the course of their work an additional special charge of \$150 per violation plus additional charges for mowing will be assessed to the property.

- (g) **Due Process Hearing.** If the owner believes that his lawn, grasses or weeds rank growth are not a nuisance, he may request a hearing before the Common Council. The request for said hearing must be made in writing to the City Clerk's office within the seven (7) days set forth in the Weed Commissioner's notice. Upon application for the hearing, the property owner must deposit a \$25.00 bond. If a decision is rendered in the property owner's favor, the \$25.00 will be returned to the property owner. If the property owner fails to appear for the hearing or if the decision is rendered against the property owner, the deposit shall be forfeited and applied to the cost of City personnel abating the nuisance, if necessary. When the owner of the property requests a hearing, a hearing by the Common Council shall be held within seven (7) days from the date of the owner's request. The City will not mow the property in question until such time as the Council holds the hearing. At the hearing, the owner may appear in person or by his attorney, may present witnesses in his own behalf and may cross-examine witnesses presented by the City as well as subpoena witnesses for his own case. At the close of the hearing, the Common Council shall make its determination in writing specifying its findings, facts, and conclusions. If the Common Council determines that a public nuisance did exist, the Council shall order the Weed Commissioner to mow the property in question unless the property has been mowed by the owner within forty-eight (48) hours of the Common Council's decision. If the owner does not abate the nuisance within the described forty-eight (48) hours, the Weed Commissioner shall cause the same nuisance to be abated and cost in excess of the forfeited fee assessed accordingly.
- (h) **City's Option To Abate Nuisance.** In any case where the owner, occupant or person in charge of the property shall fail to cut his lawn, grass or weeds rank growth as set forth above, then, and in that event, the City may elect to cut said lawn, grass or weeds as follows:
- (1) The written notice required in Subsection (e) shall inform said person that in the event of his failure to abate the nuisance within the prescribed time, the City shall abate the same and the cost thereof shall be assessed to the property owner as a special charge.
- (i) The City shall cut or cause to be cut all grass and weeds rank growth from the subject's property and shall charge ~~the expenses of so doing~~ the actual cost thereof, together with an administrative fee of 10% of the actual cost ~~including the cost of billing and other necessary administrative expenses, shall be charged~~ against such lots and be collected as a special tax thereon. ~~at a rate as established by resolution by the Common Council.~~ The charges shall be set forth in a statement to the City Clerk who, in turn, shall mail the same to the owner, occupant or person in charge of the subject premises. If said statement is not paid in full within thirty (30) days thereafter, the City Clerk shall enter the charges in the tax roll as a special tax against said lot or parcel of land, and the same shall be collected in all respects like other taxes upon real estate, or as provided under Sec.

66.615(3)(f), Wisconsin Statutes.

(j) **Habitual Nuisance Property.** Properties that are cited and abated more than two times within a calendar year; or two calendar years in a row, will be designated as “Habitual Nuisance Properties”. Any additional violations during the same calendar year shall be assessed a special charge of \$150 per violation plus additional charges for mowing. Any additional violations in subsequent years shall be assessed a special charge of \$300 per violation plus additional charges for mowing.

(1) The City reserves the right to immediately abate public nuisances on designated Habitual Nuisance Properties without written notice to the person, firm or corporation permitting said nuisance. All special charges and mowing fees shall apply.

CHAPTER 5 ETHICS CODE

Sec. 2-5-1 Declaration of policy.

The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that public office is not to be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is established in this chapter a code of ethics for all City of Cedarburg officials and employees whether elected or appointed, paid or unpaid, including members of council as well as boards, committees and commissions of the city (city agencies). The purpose of this ethics code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the City of Cedarburg and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the city.

(Ord. No. 2004-08)

Sec. 2-5-2 Responsibility of public office.

Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this State and carry out impartially the laws of the nation, state and municipality, to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their prime concern.

(Ord. No. 2004-08)

Sec. 2-5-3 Dedicated service.

- (a) Officials and employees should adhere to the rules of work, professionalism and performance established as the standard for their positions by the appropriate authority.
- (b) Officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.

(Ord. No. 2004-08)

Sec. 2-5-4 Fair and equal treatment.

- (a) *Use of public property.* No official or employee shall request or permit the unauthorized use of city-owned vehicles, equipment, materials or property for personal convenience or profit.
- (b) *Fundraising.* With the exception of fundraising for purposes of raising money for city departmental programming, equipment, or capital projects, which may occur subject to council approval and all provisions of this Code and the State Statutes, the following shall be prohibited:

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- (1) No official or employee shall request or permit the use of city resources, city time or city equipment for the purpose of fundraising.
 - (2) No official or employee shall use his or her position, authority or influence, whether possessed or anticipated, to represent themselves as a city official or employee for private or public fundraising.
- (b) *Obligations to citizens.* No official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

(Ord. No. 2004-08; Ord. No. 2015-13)

Sec. 2-5-5 Conflict of interest.

- (a) *Financial and personal interest prohibited.* No official or employee, whether paid or unpaid, shall engage in any business or transaction or shall act in regard to financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of official duties in the public interest contrary to the provisions of this chapter or which would tend to impair independence of or action in the performance of official duties.
- (b) *Definitions.*
- (1) *Financial interest.* Any interest which shall yield, directly or indirectly, a monetary or other material benefit to the officer or employee or to any person employing or retaining the services of the officer or employee.
 - (2) *Personal interest.* Any interest arising from blood or marriage relationships or from close business or political associations, whether or not any financial interest is involved.
 - (3) *Person.* Any individual or legal entity.
- (c) *Specific conflicts enumerated.*
- (1) *Incompatible employment.* No official or employee shall engage in or accept private employment or render service for private interest when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties, unless otherwise permitted by law.
 - (2) *Disclosure of confidential information.* No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the City, nor shall such information be used to advance the financial or other private interests of the official or employee or others.
 - (3) *Gifts and favors.*
 - a. No public official or employee may use his or her public office to "obtain financial gain" or "anything of value" for the private benefit of himself or herself, for his or her immediate family, or for an organization with which he or she is associated.
 - b. No person may directly or indirectly offer or give "anything of value" to a local public official or employee if it could reasonably be expected to affect that official's vote, official action or judgment, or if it could be construed as a reward for any official action or inaction on the part of the local public official or employee. No local public official or employee may accept "anything of value" tendered under such circumstances. "Anything of value" is defined as "money or property, favor, service, payment, advance, forbearance, loan or promise of future employment". Legal campaign contributions are exempt from the definitions. An official or employee is not to accept hospitality if, after consideration of the surrounding circumstances, it could reasonably be concluded that such hospitality would not be extended were it not for the fact that the guest, or

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a member of the guest's immediate family, was a City official or employee. This includes any discount on the price of admission, parking, or use of a box at a stadium that is tax exempt from general property taxes. Participation in celebrations, grand openings, open houses, informational meetings and similar events are excluded from this prohibition. This paragraph further shall not be construed to prevent candidates for elective office from accepting hospitality from citizens for the purpose of supporting the candidate's campaign.

- c. No local public official or employee may take any official action that affects a matter in which the public official or employee, a member of his or her immediate family, or an organization with which the official or employee is associated has a substantial financial interest.
 - d. No local public official or employee may use his or her office or position in any way that produces or assists in producing a substantial benefit, either directly or indirectly, for the official or employee, any members of his or her immediate family, or an organization with which the official or employee is associated.
- (4) *Representing private interests before city agencies or courts.* No officer or employee shall appear on behalf of any private person (other than him or herself, his or her spouse or minor children) before any city agency. However, members of the common council may appear before city agencies on behalf of constituents in the course of their duties as representatives of the electorate or in the performance of public or civic obligations.
- (d) *Contracts with the city.* No city officer or employee who, in his capacity as such officer or employee, participates in the making of a contract in which he has a private pecuniary interest, direct or indirect, or performs in regard to that contract with some function requiring the exercise of discretion on his part shall enter into any contract with the city unless it is within the confines of section 946.13.
- (e) *Disclosure of interest in legislation.*
- (1) Any member of the common council who has a financial interest or personal interest in any proposed legislation before the common council shall disclose on the records of the common council or the ethics board created by this chapter the nature and extent of such interest.
 - (2) Any other official or employee who has a financial interest or personal interest in any proposed legislative action of the common council or who serves on a board or committee, shall disclose the nature and extent of such interest.
 - (3) If there is a conflict of interest for any official or employee, he or she must refrain from participating in any way including discussion, deliberations or action on the item.

(Ord. No. 2004-08)

Sec. 2-5-6 Advisory opinion.

Any questions as to the interpretation of any provisions of this code of ethics chapter shall be referred to the personnel committee serving as the ethics board or the city attorney. The fact that a person seeks an advisory opinion and abides by the material facts as stated, is evidence of intent to comply with the ethics code.

(Ord. No. 2004-08)

Sec. 2-5-7 Jurisdiction and application.

- (a) The personnel committee shall have administrative jurisdiction over this code of ethics chapter and shall be deemed the ethics board pursuant to Wis. Stats. § 19.59(3)(d) for that purpose. An individual may request an

(Supp. No. 10)

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advisory opinion on the propriety of any matter to which he or she is or may become a party. However, the personnel committee has complete discretion as to whether to issue such an opinion. All requests and advisory opinions to the ethics board must be in writing.

- (b) The personnel committee may make recommendations with respect to amendments to this code of ethics chapter.
- (c) Upon the sworn complaint of any person alleging facts which, if true, would constitute improper conduct under the provisions of this chapter, the personnel committee shall conduct an investigation of the facts of the complaint; if the investigation indicates there may be a reasonable basis for the complaint justifying further investigation, the committee shall conduct a public hearing in accordance with the common law requirements of due process, including notice, an opportunity to be heard, an opportunity to cross-examine witnesses and to present testimony and other evidence in support of the accused's position and an opportunity to be represented by counsel or other representatives at the expense of the accused. The committee shall make written findings of fact and issue a written decision concerning the propriety of the conduct of the subject official or employee and shall refer the matter to the common council for final disposition.
- (d) In the event a member of the personnel committee is allegedly involved in an ethics code violation, the mayor, subject to the confirmation of the common council, shall appoint another council member to temporarily replace the member of the committee who is under investigation.

(Ord. No. 2004-08)

Sec. 2-5-8 Sanctions.

A determination that an official's or employee's actions constitute improper conduct under the provisions of this chapter may constitute a cause of suspension, removal from office or employment or other action permitted by law.

(Ord. No. 2004-08)

Sec. 2-5-9 Distribution of ethics code.

- (a) The city clerk shall cause a copy of this code of ethics to be distributed to every public official and employee of the City of Cedarburg within 30 days after enactment of this chapter. Each public official and employee elected, appointed or engaged thereafter shall be furnished a copy before entering upon his duties.
- (b) Each public official, the mayor, the chairman of each board, commission or committee and, through the city administrator, the head of each department shall, between May 1 and May 31 each year, review the provisions of this Code with his fellow council, board, commission, committee members or subordinates as the case may be and certify to the city clerk by June 15 that such annual review had been undertaken. A copy of this ethics code chapter shall be continuously posted on each department bulletin board wherever situated.

(Ord. No. 2004-08)