

Delafield, Wisconsin, Code of Ordinances >> - MUNICIPAL CODE OF THE CITY OF DELAFIELD >> Chapter 1 - GENERAL GOVERNMENT >> GENERAL PROVISIONS AS TO OFFICIALS >>

GENERAL PROVISIONS AS TO OFFICIALS

[1.01 - Form of Government.](#)

[1.02 - Elected Officials.](#)

[1.03 - Appointed Officials. \(Am. Ch. Ord. #331; 509; 562\)](#)

[1.04 - Oaths and Bonds.](#)

[1.05 - Removals.](#)

[1.06 - Vacancies.](#)

[1.07 - Salaries.](#)

[1.08 - Receipt of Gifts and Gratuities.](#)

[1.09 - Defense of Officers. \(Cr. #315\)](#)

1.01 - Form of Government.

The City of Delafield shall be organized and governed under the provisions of Ch. 62, Wis. Stats., known as the Mayor-Alderman Plan.

1.02 - Elected Officials.

- (1) *Officials.* The elective officers of the City shall be a Mayor, Municipal Judge and one alderman from each aldermanic district.
- (2) *Eligibility.* No person shall be elected to a City office who is not, at the time of his election, 18 years of age, a citizen of the United States and of the State and an elector of the City, and, if an aldermanic district office, of the aldermanic district and actually residing therein.

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1.03 - Appointed Officials. (Am. Ch. Ord. #331; 509; 562)

- (1) The following shall be appointed officials:

Official	How Appointed	Term
Administrator	Mayor, subj. to conf. by the Council	Indefinite
Chief of Police	Police and Fire Comm.	Indefinite
City Assessor	Mayor, subj. to conf. by the Council	2 yrs., commencing May 1, even years.
City Attorney	Mayor, subj. to conf. by the Council	2 yrs.
City Engineer	Mayor, subj. to conf. by the Council	2 yrs., commencing May 1, even years.
City Clerk	Mayor, subj. to conf. by the Council	2 yrs., commencing May 1, even years.
Electrical Inspector	Mayor, subj. to conf. by the Council. If not a City employee, the Inspector shall enter into a contract with the City.	2 yrs.
Emergency Government Dir.	Mayor, subj. to conf. by the Council	2 yrs.
Fire Chief	Police and Fire Comm.	Indefinite

Plumbing/HVAC Inspector	Mayor, subj. to conf. by the Council. If not a City employee, the Inspector shall enter into a contract with the City.	2 yrs.
Treasurer	Mayor, subj. to conf. by the Council	2 yrs., commencing on May 1, even years.
Official Building Inspector	Mayor, subj. to conf. by the Council. If not a City employee, the Inspector shall enter into a contract with the City.	2 yrs.

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- (2) The Council may combine the offices of Building Inspector, Electrical Inspector and Plumbing/HVAC Inspector, provided the Inspector is certified to do all such inspections.

1.04 - Oaths and Bonds.

Elected and appointed officials shall take and file the official oath within 10 days after notice of their election or appointment as provided in § 62.09(4)(a), Wis. Stats., and shall execute and file the official bond as required by State Statutes and this Municipal Code.

1.05 - Removals.

- (1) *Elected officials.* Elected officials may be removed by the City Council as provided in §§ 17.12(1)(a) or 17.16, Wis. Stats.
- (2) *Appointed officials.* Appointed officials may be removed as provided in §§ 17.12(1)(c) and 17.16, Wis. Stats.

1.06 - Vacancies.

- (1) *How occurring.* Vacancies in elective and appointive positions are caused as provided in §§ 17.03 and 17.035, Wis. Stats.
- (2) *How filled.* Vacancies in elective and appointive offices shall be filled as provided in § 17.23, Wis. Stats.

1.07 - Salaries.

The salaries of all elected and appointed officials, including members of boards and commissions, shall be as determined by the City Council from time to time, provided the salary of the Mayor and members of the Council shall not be increased during their terms of office. (See § 66.196, Wis. Stats.)

1.08 - Receipt of Gifts and Gratuities.

- (1) *Restricted.* No City employee or official shall receive or offer to receive, either directly or indirectly, any gift, gratuity or other thing of value which he is not authorized by ordinance or State Statute to receive from any person who:
- Has or is seeking to obtain contractual or other business or financial relationships with the City or City Council; or
 - Conducts operations or activities which are regulated by the City or City Council; or
 - Has interests which may be substantially affected by the City or City Council.
- (2) *Penalty.* The receipt of any gift, gratuity or other thing of value as denoted above is contrary to the public policy of the City and is punishable as provided in § 946.12, Wis. Stats. Such conduct shall also be punishable under § 25.04 of this Municipal Code.

1.09 - Defense of Officers. (Cr. #315)

- (1) *By City Attorney.* The City Council may authorize the City Attorney to defend actions brought against any officer or employee of the City or of any board or commission of the City growing out of any acts done in the course of his employment or out of any alleged breach of his duty as such officer or employee. This section is discretionary. The provisions of § 62.115, Wis. Stats., are incorporated herein by reference.
- (2) *By private counsel.* The City Council may authorize special counsel privately retained by the officer or employee of the City or of any board or commission of the City to defend actions brought against the officer or employee growing out of any acts done in the course of his employment or out of any alleged breach of his duty as such officer or employee. The officer or employee is required to submit the name of the special counsel that the officer or employee wishes to retain and a written fee agreement. No fees or other costs of defense of any officer or

employee of the City or of any board or commission of the City shall be paid by the City, unless the name of the special counsel and the fee arrangement have been submitted to and approved by Council resolution.