

## VILLAGE OF NEWBURG

### ORDINANCE NO. 05-2016

#### AN ORDINANCE TO REPEAL AND RECREATE SECTION 31.01(C) OF THE MUNICIPAL CODE OF NEWBURG REQUIRING PUBLIC NOTICE OF MEETINGS AND SECTION 31.05 IN REGARDS TO PUBLICATION OF THE NOTICE AND/OR ADOPTION OF ORDINANCES AND RESOLUTIONS

##### SECTION I. PURPOSE

WHEREAS, the Village Board having previously adopted Section 31.01(C) of the Municipal Code of Newburg requiring all meetings of the Village Board, Commissions and Committees be open to the public and that public notice be given as required by Wisconsin State Statutes , and

WHEREAS, the Village Board also previously adopted Section 31.05 of the Municipal Code of Newburg in regards to the consideration of Ordinances and Resolutions, and

WHEREAS, the Municipal Code of the Village of Newburg may in other sections require the posting or publication of notices in regards to certain legal notice governed by Chapter 985.02(2), Wisconsin State Statutes, and

WHEREAS, under previous law, a municipality must post notice in at least three public places likely to give notice to persons affected, and must post a notice that would be published before the act or event requiring notice no later than the time specified for the first newspaper publication, or if the notice would be published after the act or event requiring notice, must post the notice within one week after the act or event, and

WHEREAS, 2015 Wisconsin Act 79 created an additional method for publication of certain legal notices under Chapter 985.02(2), Wisconsin State Statutes, and

WHEREAS, a governing body of a municipality may now elect to post a notice in one physical public posting place likely to give notice to persons affected and on an Internet website maintained by the municipality,

NOW THEREFORE, the Village Board of the Village of Newburg, Wisconsin, does hereby repeal and recreate Section 31.01(C) and Section 31.05 of the Municipal Code to read:

##### SECTION II. REPEAL AND RECREATE

#### **31.01(C) Meetings to be public; public notice.**

Except as provided in Wisc. State Statutes 19.85, all meetings of the Village Board, and Committees and Commissions thereof, shall be open to the public and public notice given in the

manner provided in Wisc. State Statutes 19.84 and Wisc. State Statutes 985.02(2). The Village does hereby designate the Village website and the posting bulletin board outside the entrance to Village Hall as its official posting locations.

### **31.05 ORDINANCES AND RESOLUTIONS.**

No Ordinance or resolution shall be considered Village Board unless presented in writing. Unless requested by a Trustee before final vote is taken, no ordinance or resolution need be read in full. When required by law to provide public notice of the consideration and/or adoption of an ordinance or resolution, the Village does hereby designate the Village website and the posting bulletin board outside the entrance to Village Hall as its official posting location.

#### SECTION III. MISCELLANEOUS

SEVERABILITY. The several sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provision, sections or portions thereof of the Ordinance. The remainder of the Ordinance shall remain in full force and effect. Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

#### SECTION IV. EFFECTIVE DATE

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Passed and adopted by the Village Board of the Village of Newburg, Washington and Ozaukee Counties, Wisconsin, this 11<sup>th</sup> day of August, 2016.

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Mike Heili, Village President

ATTEST:

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Rick J Goeckner, MMC  
Village Administrator/Clerk