

**CITY OF VERONA ORDINANCE NO. 07-735  
TOWN OF VERONA ORDINANCE NO. 07-4**

**AN ORDINANCE PROVIDING FOR THE CONSOLIDATION OF  
THE CITY OF VERONA AND THE TOWN OF VERONA**

**WHEREAS**, the Wisconsin Statutes provide for the consolidation of two municipal governments into a single incorporated entity and establishes a procedure to accomplish such a consolidation; and

**WHEREAS**, the **Verona Common Council (“Council”)** and the **Town of Verona Board of Supervisors (“Board”)** have determined that the consolidation of the City of Verona and the Town of Verona will promote harmony and efficiency for the benefit of the constituents of the two communities and will remove sources of conflict which have historically interfered with the efficient operation of each municipality as separate entities; and

**WHEREAS**, the **Council and Board** have engaged in extensive discussions, have appointed members to a consolidation “working group,” have appointed members to a number of committees charged with making recommendations for various aspects of the structure and operation of a proposed consolidated community, and have achieved an agreement on all necessary aspects of a consolidation proposal; and

**WHEREAS**, the statutory process for consolidation requires that an ordinance be enacted by both entities desiring to consolidate, and the **Council and Board** intend that this ordinance constitute such an ordinance;

**NOW, THEREFORE**, the Common Council of the City of Verona and the Town Board of Verona do ordain as follows:

**SECTION 1.           CONSOLIDATION.**

On and after the effective date of this ordinance, the City of Verona shall be consolidated with the Town of Verona as a single governmental subdivision of the State of Wisconsin.

**SECTION 2.           NAME.** The consolidated City shall be known as the “City of Verona.”

**SECTION 3.           SEAT OF GOVERNMENT**

The general offices of the consolidated city shall be located at 111 Lincoln Street, Verona, Wisconsin 53593. The ownership of all assets of the Town of Verona and the City of Verona shall, immediately on the effective date hereof, be transferred to the consolidated entity.

**SECTION 4.           FORM OF GOVERNMENT.**

The consolidated municipal corporation shall be organized as a city of the 3<sup>rd</sup> Class and, except as otherwise provided in this Ordinance, shall be governed by Chapters 62 and 66 of the Wisconsin Statutes, laws amending those chapters, other acts of the State Legislature and the Constitution of the State of Wisconsin, to the extent these provisions govern cities. Until

modified by subsequent elections or charter ordinances, the government shall be organized as follows:

(a) **Governing Body.**

(1) **Composition and Selection:**

- A. **Initial Membership.** The initial membership of the Common Council on the effective date of this Ordinance shall consist of all elected and qualified members of the City of Verona Common Council and the Town of Verona Board of Supervisors holding office immediately prior to the effective date of this Ordinance. All alders shall be considered as having been elected at large. The term of office for the initial members shall expire at midnight on April 19, 2011.
- B. **Aldermanic Districts.** The initial Common Council shall prepare and adopt a district plan to establish four (4) aldermanic districts as soon as practicable after the effective date of this Ordinance. Each district shall include both urban and rural areas and the number of voters in each district residing in rural areas shall be similar.
- C. **Transition Council.** Beginning with the April, 2011 election the Common Council shall be comprised of twelve (12) alders. If the initial district plan required by subpar. B has been adopted on or before December 1, 2010, two (2) of the alders shall be elected by electors residing in each aldermanic district and shall be residents of the district in which they are elected not later than the date of the election. Four (4) alders shall be elected at large. If no district plan has been adopted by such date, or if implementation of the plan has been enjoined by a court of competent jurisdiction, all alders shall be elected at large for the ensuing term.
- D. **Permanent Council.** Commencing with the April, 2013 election, the Council shall be comprised of two (2) alders elected by the electors residing in each of four (4) aldermanic districts. If an initial district plan has not been finally approved, all alders shall be elected at large until a district plan has been approved on or before December 1 in the year preceding that election.

- (2) **Term.** The initial members shall hold office until midnight on April 18, 2011. Alders elected for terms commencing on April 19, 2011 shall serve for a term of two (2) years. The alderperson receiving the greatest number of votes in each electoral district in the 2013 election shall serve for a term of two (2) years. The alderperson receiving the lower number of electoral votes in each district shall serve a term of one (1) year. All alders elected for terms commencing in 2014 or thereafter shall serve for terms of two (2) years.

- (3) **Compensation.** The compensation paid to the initial Council members, shall be at the same rate paid to members of the City Council on the effective date of this Ordinance, prorated for the duration of their initial term. Compensation for

Council members after the initial term may be modified by the Council in accordance with applicable law.

- (b) **MAYOR**. The initial Mayor on the effective date of this Ordinance shall be the Mayor holding that office on the day immediately prior to the effective date of this Ordinance. Compensation shall be paid to the Mayor at the rate most recently established prior to the effective date of this Ordinance.
- (1) Election and Term. The Mayor shall be elected at large at the annual Spring election for a term of two (2) years beginning with the April, 2010 election.
  - (2) Powers and Duties. The Mayor shall have all of the powers and duties as provided in §§62.09(8) and 62.11, Wis. Stats. and all provisions of said statutes relating to the right of the Mayor to vote as a member of the Common Council, or to veto acts of the Council shall apply.
  - (3) Appointments.
    - A. Notice to Common Council. Whenever the Mayor is required or authorized to appoint citizen members to committees, commissions and/or boards, the Mayor shall give written notice of the proposed appointment to the Common Council at least five (5) days prior to the Council meeting at which such appointment shall be made. In the event the Common Council rejects a Mayor's appointment, the same name may not be submitted for the same position for a period of twelve (12) months after the rejection of such appointment.
    - B. Failure to Timely Fill Vacancies. In the event a vacancy occurs in any committee, board or commission requiring the appointment of a citizen member and the Mayor does not nominate a successor thereto for a period of sixty (60) days after the vacancy occurs, the Common Council may then make the appointment to such position by a vote of 2/3 of the entire membership.
    - C. Confirmation Procedures. In the event the Council defers action on an appointment by the Mayor at any meeting, the Council shall confirm or reject the appointment at its next regular meeting without further delay.
    - D. Vacancies on Common Council. The City elects not to be governed by the provisions of §17.23(1)(a), Wis. Stats. to the extent they provide for appointment to fill a vacancy in the office of alderperson. The Mayor shall have the power to appoint a person to fill a vacancy in the office of alderperson, subject to confirmation by the Council as provided in this paragraph 3.
  - (4) Transitional Appointments. The Mayor shall, as soon as practicable upon assuming office:

- A. Appoint a Chairperson from among the members of the Plan Commission created by this ordinance. The appointment so made shall be subject to confirmation by the Common Council.
  - B. Make necessary appointments to City boards and commissions created by Section (4)(f) and Common Council Standing Committees created by Section [4\(g\)](#) hereof and submit the appointments to the Common Council for confirmation.
  - C. Make appointments of City officers as provided in this Ordinance or by applicable statute and submit such appointments to the Common Council for confirmation where necessary.
- (c) **Initial Common Council Meeting.** The initial meeting of the Common Council shall be held at the call of the Mayor not later than January 14, 2009.
- (d) **City Officers and Departments.**
- (1) **City Administrator.**
    - A. **Appointment and Term.** The City Administrator shall be appointed by the Mayor, subject to confirmation by a majority vote of the Common Council. The City Administrator shall serve for a term, and under conditions as provided by the Common Council. The initial City Administrator shall be selected by the initial Common Council.
    - B. **Duties and Responsibilities.** The City Administrator shall serve as the Chief Administrative Officer of the City of Verona responsible to and under the general direction of the Mayor and Common Council and shall be responsible to the Mayor for proper administration of all activities of the City. To that end, the City Administrator shall have the following powers and duties:
      - 1. Carry out all actions and directives of the Common Council which require administrative implementation or where the Mayor and/or Common Council have so directed. Direct, coordinate and expedite the activities of all City departments, except where such authority is vested by Wisconsin Statute or City ordinance in boards, commissions or other City officers.
      - 2. Develop budgeting procedures, prepare and administer the annual operating and capital budgets in accordance with such guidelines as may be provided by the Common Council and in coordination with all department heads, the Finance Committee and the Mayor.
      - 3. Supervise the purchase of all materials, supplies and equipment for which funds are provided in the budget; receive bids or proposals for purchases or contracts for presentation to the Common Council for approval unless the taking of bids or

solicitation of proposals is waived by the Council consistent with applicable law.

4. Report regularly to the Mayor and Common Council on the current financial condition and future needs of the City; research the availability of alternative sources of funding for local programs and advise the Council of methods of procuring such funds.
  5. Act as public relations officer and government affairs officer.
  6. Prepare reports and recommendations for the Mayor, the Common Council and advisory boards and commissions on operational or policy matters before them and on any other actions necessary to improve the overall health, safety and welfare of the City.
  7. Submit, as deemed necessary, recommendations or suggestions for improving the health, safety or welfare of the City and institute and operate a system whereby City departments, as well as persons having business with the Mayor and/or Council or any City department, may properly and efficiently conduct such business.
  8. Recommend candidates to the Personnel Committee and the Common Council for appointment to City offices and employment as department heads.
  9. Supervise, discipline and discharge all department heads and other employees, subject to the right of any person adversely affected by such action to appeal to the Common Council in accordance with procedures adopted by the Council.
  10. Establish and maintain procedures to facilitate communication between citizens and City government to assure that complaints, grievances, recommendations and other matters receive prompt attention and to assure that all such matters are expeditiously resolved.
  11. Promote the economic well-being and growth of the City through public and private sector cooperation.
- (2) City Clerk. The City elects not to be governed by the provisions of §62.09(3)(b), Wis. Stats. providing for the methods of appointment of a clerk. The City Clerk shall be appointed by the City Administrator, subject to the approval of the Personnel Committee and confirmation by the Common Council.
- A. The City Clerk shall hold office for an indefinite term, subject to removal as provided by law.

- B. The City Clerk shall have all the powers and duties set forth in §62.09(11) of the Wisconsin Statutes, and such further duties as shall be assigned by the Common Council or City Administrator from time to time.
  - C. The initial City Clerk shall be selected by the initial City Administrator.
  - D. The City Administrator may appoint a Deputy Clerk, subject to approval of the Personnel Committee and confirmation by the Common Council. A Deputy Clerk so appointed shall act under the direction of the Clerk and, during the temporary absence or disability of the Clerk, shall perform the duties of the Clerk.
- (3) City Finance Director/Treasurer. The City elects not to be governed by the provisions of 62.09(3)(b), Wis. Stats. providing for the methods of appointment of a treasurer. The City Finance Director/Treasurer shall be appointed by the City Administrator, subject to the approval of the Personnel Committee and confirmation by the Common Council.
- A. The City Finance Director/Treasurer shall hold office for an indefinite term, subject to removal as provided by law.
  - B. The City Finance Director/Treasurer shall have all the powers and duties set forth for city treasurers in §62.09(9) of the Wisconsin Statutes, and such further duties as shall be assigned by the Common Council or the City Administrator from time to time.
  - C. Annual audits shall be made of the records and accounts of the City Finance Director/Treasurer by a certified public accountant designated by the Common Council.
  - D. The initial City Finance Director/Treasurer shall be selected by the initial City Administrator.
  - E. The City Administrator may appoint a Deputy Treasurer, subject to approval of the Personnel Committee and confirmation by the Common Council. A Deputy Treasurer so appointed shall act under the direction of the Treasurer and, during the temporary absence or disability of the Finance Director/Treasurer, shall perform the duties of the Finance Director/Treasurer.
- (4) City Attorney. The City Attorney shall be one or more attorneys licensed to practice law in the State of Wisconsin appointed by a majority of all of the members of the Common Council for an indefinite term. The Common Council may contract with any such attorney or law firm to serve in the capacity of City Attorney, and may designate special counsel where necessary due to the disqualification of the designated City Attorney or for any reason determined appropriate by the Common Council. Any person or firm appointed to the office of City Attorney shall serve at the pleasure of the Common Council. The Common Council may appoint one or more attorneys not affiliated with the City

Attorney's firm, if any, as general counsel for any city board or commission, or authorize such boards and commissions to make such appointments, in any case where the City Attorney is precluded from representing the board or commission due to a conflict of interest or otherwise. Any attorney appointed specifically to represent any such board or commission shall serve at the pleasure of the board or commission and shall not be subject to removal by the Common Council or Mayor.

- (5) City Assessor. The City Assessor shall be appointed by a majority vote of all of the members of the Common Council for an indefinite term. The City Assessor shall be qualified as provided in §62.09(1)(c)&(d), Wis. Stats., and have all of the statutory duties of a city assessor as provided by statute from time to time. Pursuant to §62.09(1)(c), Wis. Stats., the City Council may appoint any qualified person or corporation to the office of City Assessor, and the appointee shall serve at the pleasure of the Council.
- (6) Weed Commissioner. The City Weed Commissioner shall have the powers and duties specified in §66.0517, Wis. Stats. The City Weed Commissioner shall be appointed in April of each year by the Mayor, subject to confirmation by the Common Council, for a term of one year commencing on May 15 following the appointment.

The Common Council may elect to have the functions of the City Weed Commissioner carried out through contracted services of any qualified person, firm or corporation. In the event such services are provided by contract, the term of office shall be as provided in the contract.

- (7) Chief of Police.
- A. Police protection shall be provided by a City Police Department which is hereby established as provided in §62.13, Stats.
- B. The office of Chief of Police is hereby created. The Chief of Police shall have charge of the police department and shall have all of the powers and duties set forth in §62.09(13), Wis. Stats. and such other duties as prescribed by law for the enforcement of laws and ordinances and preservation of the public peace.
- C. The Chief of Police shall be appointed by the Police and Fire Commission and shall hold office during good behavior, subject to suspension or removal pursuant to law. Notwithstanding the foregoing, the Chief of the City of Verona Police Department on the effective date of this Ordinance is hereby appointed as the Chief of Police of the City.
- D. The compensation to be paid the Chief of Police for his/her services, the hours of active duty, rest days, vacation periods and other involvement of his/her employment shall be as determined by the Common Council from time to time.

- (8) City Engineer. The City Engineer shall be one or more professional engineers licensed by the State of Wisconsin appointed by the Common Council for an indefinite term. The Common Council may contract with any such engineer or engineering firm to serve in the capacity of City Engineer, and may designate special engineering consultants where necessary due to any conflict of interest of the City Engineer or for any reason determined appropriate by the Common Council.
  - (9) Other Statutory Officers. Pursuant to §62.09(1)(b), Wis. Stats., the City elects to dispense with the offices of City Constable, Comptroller and Street Commissioner. The duties of a city constable shall be assumed by the Chief of Police. The duties of a city comptroller shall be assumed by the Finance Director/Treasurer. The duties of a city street commissioner shall be assumed by the Public Works Committee.
  - (10) The Common Council may modify the term of office, method of appointment, method of removal or other provisions concerning the appointment or term of any of the appointed officers described in this subsection in any manner consistent with the Wisconsin Statutes.
- (e) **Municipal Court.** There is hereby created the Municipal Court for the City of Verona. The current municipal court for the City shall continue unaffected by the consolidation accomplished by this Ordinance.
- (1) The municipal judge holding office immediately prior to the effective date of this Ordinance shall continue to hold office for the remainder of his or her unexpired term. The municipal judge's compensation shall be the rate most recently established prior to the effective date of this Ordinance. The Municipal Judge shall be elected at the regular Spring election in even-numbered years for a term of two years commencing on May 1 next following the election.
  - (2) The municipal court clerk shall continue to hold that position notwithstanding the consolidation effected by this ordinance.
  - (3) The jurisdiction of the municipal court shall extend to all conduct within the City boundaries.
  - (4) All existing ordinances and resolutions of the City of Verona affecting the operation of the municipal court shall remain in effect except to the extent expressly modified by this ordinance, until modified by general ordinance enacted by the Common Council.
- (f) **Boards And Commissions.**
- (1) General Provisions.
    - A. Membership. Except as otherwise provided in this subsection (f), or as required by law, no appointment shall be made to any City board or commission which would result in more than two (2) elected officials, nor more than one (1) appointed official or employee, of the City being members

thereof. Unless otherwise specified herein, or to the extent otherwise provided by law, the Mayor shall, in making appointments, make all reasonable efforts to assure that the membership of a board or commission provides appropriate representation of both urban and rural areas of the City. Except where otherwise provided in this paragraph, beginning with the first appointments made after the effective date of this Ordinance and continuing until not earlier than 2021, at least one member of the Zoning Board of Appeals, Board of Review and Ethics Board and at least 2 members of the Park and Open Space Commission and Plan Commission shall be residents of the City residing outside of the established urban service area at the time of appointment.

B. Amendment Authority. Except as provided in this subparagraph or in par. (11) any provision of this Ordinance relating to City boards and commissions may be amended by the Common Council at any time by ordinance except that a charter ordinance shall be required to modify any provisions which alter the provisions of the Wisconsin Statutes where a different procedure is not expressly provided herein. The method of scheduling, conducting and reporting of meetings of boards and commissions, to the extent not specified by statute, may be determined by the Common Council by ordinance, or may be delegated to the various boards or commissions. The Common Council shall not have the authority to amend any of the following provisions of this subsection except by enactment of a charter ordinance in accordance with §66.0101, Wis. Stats.:

1. The provisions of sub. (f)(1)(A);
2. The provisions of this subsection providing for the initial membership of any board or commission and the initial term of office of such members.
3. The membership or authority of the Rural Affairs Commission, except as provided in Section 8.
4. Any other provision specifying a minimum time period during which appointments shall include a specified number of appointees from outside of the Urban Service Area.

(2) Plan Commission. The Plan Commission as required by §62.23(1), Stats. shall initially consist of all of the members of the City of Verona Plan Commission and four (4) members of the Town of Verona Plan Commission holding that office on the effective date hereof. The members from the Town Plan Commission shall be selected by the Chairperson of the Town holding that office immediately prior to the effective date of this Ordinance. In addition to the foregoing, the chairperson of the Rural Affairs Commission shall be an *ex officio* member of the Plan Commission with the power to vote on all matters before the Commission. Notwithstanding the provisions of sub. (f)(1)A, the Mayor, who shall chair the Commission, the Rural Affairs Commission chairperson and up to 1 additional

member of the Common Council shall be eligible for appointment to the initial Plan Commission.

- A. Commission Organization. The Plan Commission shall hold an organizational meeting as soon as practicable on the call of the Mayor and shall adopt within a reasonable time thereafter rules of internal operating procedure in compliance with all applicable statutes and provisions of the Zoning Code as defined herein.
  - B. Term of Office. Four (4) of the initial members of the Commission shall be appointed for terms of one (1) year, 2 and 3 years, respectively as determined by the Mayor by certification to the Common Council. Of the members appointed to initial 2 and 3 year terms, at least one each shall be former members of the Town of Verona Plan Commission and at least two each shall be former members of the City of Verona Plan Commission. The term of office of each member shall terminate on May 1, provided, however, that the terms of initial members shall be calculated as if their terms commenced on May 1, 2010 notwithstanding the date of their appointment hereunder. All members of the Commission shall be eligible for reappointment upon expiration of their respective terms, subject to the limitations contained in par. D hereof. All members shall continue to serve until their successors are duly appointed and qualified.
  - C. Appointments. Except as otherwise provided in par. D, the Mayor shall appoint a replacement for each commissioner whose term expires on the following May 1 and submit the appointments to the Common Council for confirmation. The procedure for appointments provided in this paragraph shall be subject to modification by an ordinance enacted by the Common Council at any time, provided that no such ordinance shall affect the term of any member then holding office.
  - D. Membership. The permanent membership of the Plan Commission shall consist of 7 members, including the Mayor, who shall chair the Commission, the chairperson of the Rural Affairs Commission, one citizen member of the Parks & Open Space Commission, one alderperson and three additional citizen members. Upon the expiration of terms of office of initial members, the Mayor shall not appoint replacement members which would result in the membership exceeding 7 commissioners. All members of the Commission appointed after the expiration of an initial term shall serve for a term of 3 years. Notwithstanding any other provision of this Ordinance, until 2021, at least 2 of the members of the Plan Commission shall, at the time of their appointment, be residents of the City residing outside of the established urban service area. The chairperson of the Rural Affairs Commission shall be an *ex officio* member with full rights of membership in addition to the 6 members appointed by the Mayor.
- (3) Zoning Board of Appeals. The Board of Appeals shall consist of five (5) citizens of the City, none of whom may be an elected or appointed officer of the City.

- A. In addition to the regular members, there shall be two (2) alternate citizen members, designated as the first and second alternate at the time of appointment, who shall act with full power only when a member of the Board is absent or refuses to vote because of a conflict of interest as provided in §62.23(7)(e), Stats.
  - B. Members and alternates shall be appointed by the Mayor for three (3) year terms, subject to confirmation by the Common Council. The Board of Appeals shall have the powers and duties described in sec. 13-1-375 of the Zoning Code incorporated in Section 7(a) of this Ordinance. The initial members of the Board of Appeals shall be the current members of the City of Verona Board of Appeals. The expiration date for the terms of the initial members of the Board of Appeals shall be the expiration dates of the members under the prior City of Verona Board of Appeals. Upon expiration of the term of any initial member of the Board of Appeals, appointments thereafter shall be made such that at least one member of the board is, at the time of appointment, a resident of the City residing outside of the established urban service area.
- (4) Community Development Authority. The Community Development Authority organized and operating under the authority of the City of Verona on the effective date of this Ordinance shall continue as the authority for the consolidated city. Nothing in this ordinance shall be deemed to expand the jurisdiction of the Authority beyond that granted by the City or the Wisconsin Statutes, nor to amend the previously approved Project Plans in effect on the day prior to the effective date of this ordinance. The Community Development Authority shall have the powers and duties as specified in §66.1335, Wis. Stats. Nothing in this ordinance shall be construed to affect the current term of any member of the Community Development Authority.
  - (5) Board of Police and Fire Commissioners. The City of Verona Police and Fire Commission shall continue to serve as the Police and Fire Commission for the City following consolidation and the terms of all members shall expire at the time of expiration of their initial appointments. Appointments to the Board shall be made by the Mayor between the last Monday in April and the first Monday in May. No appointment shall be made which would result in more than 3 members belonging to the same political party. The Board shall have the powers and duties specified in §§ 62.13(3)-(5m), Stats.
  - (6) Board of Review. The Board of Review shall consist of eight (8) members appointed annually by the Mayor subject to confirmation by the Common Council. Any number of Council members shall be eligible for appointment at any time. The proceedings of the Board of Review shall be governed by all applicable provisions of Chap. 70, Wis. Stats.
  - (7) Library Board. The members of the Verona Library Board on the effective date hereof shall continue to hold office for the remainder of their unexpired terms. Upon the expiration of the term of office of any member, the Mayor shall appoint a replacement, subject to confirmation by the Common Council. The Library Board shall have the powers and duties set forth in §43.58, Wis. Stats.

- (8) Ethics Board. The City Ethics Board shall be comprised of six (6) members appointed by the Mayor, subject to confirmation by the Common Council, who shall serve without compensation or compensatory time off.
- A. Membership. The membership of the Ethics Board shall consist of three (3) citizen members who are not elected or appointed officials or employees of the City; one (1) designee of the Mayor; one (1) member of the Common Council; and one (1) City employee. The Ethics Board shall elect its own chairperson, vice-chairperson and secretary. The City Clerk shall provide needed staff assistance and the City Attorney shall provide needed legal advice and assistance to the Board.
  - B. Terms of Office. Terms of office for members of the Ethics Board shall be three (3) years, provided, however, that such term shall expire prior to the stated term as follows: the term of a Board member appointed as the designee of the Mayor shall expire with the expiration of the Mayor's term in office; the term of a Board member representing the Common Council shall expire with the expiration of the member's term as a member of the Common Council; the term of a Board member who is a City employee shall expire with the member's termination of employment as a City employee.
  - C. Initial Membership. The initial membership of the Ethics Board shall consist of those members holding office on the City of Verona Ethics Board on the effective date of this Ordinance and appointees by the Mayor to fill existing vacancies in accordance with this Ordinance as soon as practicable following such effective date.
  - D. Powers and Duties. The Ethics Board shall administer and enforce the provisions of the City Ethics Code, make declarations of economic interest filed with the Board available for public inspection and copying during normal City office hours and compile an index of all statements on file with the Board to facilitate public access. The Board shall issue advisory opinions regarding the propriety of any matter to which an individual subject to the Ethics Code is or may become a party and shall develop and make recommendations to the Common Council with respect to amendments to the City Ethics Code. The Ethics Board may issue subpoenas, administer oaths and investigate any violation of the Ethics Code on its own motion or upon complaint by any person.
- (9) Park and Open Space Commission. The Park and Open Space Commission shall consist of seven (7) members appointed by the Mayor for staggered three (3) year terms, subject to confirmation by the Common Council. Two of the seven members shall be members of the Common Council, who shall be eligible to serve only during their term of office as Council members.
- A. Duties. The Parks and Open Space Commission shall have the powers and responsibilities set forth in §27.08, Stats.

1. Under the direction of the Common Council, the Park and Open Space Commission shall administer the parks and recreation system of the City.
2. At the request of the City Administrator, the Park and Open Space Commission shall annually submit a proposed budget for its activities for the subsequent year for consideration by the Common Council.
3. The Park and Open Space Commission shall make recommendations to the Common Council on matters pertaining to parks, recreation, environmental protection and urban forestry issues and perform such other duties as requested by the Common Council.

B. Initial Membership. The initial members of the Park and Open Space Commission shall be appointed by the Mayor as soon as practicable following the effective date of this Ordinance. Of the initial appointments, at least 3 of the appointees shall be residents of the Town immediately prior to the effective date of this Ordinance.

C. Department Organization. The City's organizational structure relating to parks and recreation shall continue in effect upon the consolidation effected by this Ordinance until modified by the Common Council.

(10) Emergency Preparedness Commission.

A. Membership: The Emergency Preparedness Commission shall consist of the following members:

1. The Mayor
2. Chairperson of the Public Safety & Welfare Committee
3. Chief of Police
4. Fire Chief
5. Emergency Medical Services Director
6. One citizen member appointed by the Mayor

B. Citizen Member Appointment and Term. The citizen member shall be appointed by the Mayor and confirmed by the Common Council and shall serve a two year term commencing on June 1 of each even numbered year, except that the initial appointee shall serve a term expiring on June 1, 2011. The Mayor shall serve as chairperson of the Commission.

C. Duties. The Commission shall be an advisory and planning group and shall advise the Common Council and Mayor on all matters pertaining to emergency preparedness and shall provide for establishment of operating procedures which will ensure the purposes herein set forth. The Commission shall meet at least once in March and once in October of every calendar year and at such additional times upon the call of the

Chairperson. The Commission shall have such further powers and duties as designated by the Common Council by ordinance from time to time.

(11) Rural Affairs Commission.

- A. Membership. Except as provided in subpar. C, the Rural Affairs Commission shall consist of 7 residents of the City appointed by the Mayor, including one alderperson and the chairperson of the Plan Commission. At least 4 of the members shall, at the time of their appointment, be residents of, or real property owners in, areas designated as Rural Areas as provided in Section 8. No additional members of the Common Council, and no other member of the Plan Commission, shall be eligible for appointment to, or shall serve on, the Rural Affairs Commission.
- B. Appointment and Term. The term of office of each member, other than the initial members and the alderperson member, shall be three (3) years. The alderperson member shall serve for a term of one (1) year. Except as provided in par. C, the Mayor shall appoint all members to the commission, subject to confirmation by the Common Council.
- C. Initial Membership. The initial chairperson of the Rural Affairs Commission shall be the Chairperson of the Town of Verona on the day immediately prior to the effective date of this Ordinance. The term of the initial chairperson shall be three (3) years. Promptly following the effective date of this Ordinance, the Chairperson shall nominate 3 citizen members who were residents of the Town on the day prior to the date of consolidation for appointment to the Commission and shall designate terms of office for each. One (1) member shall be appointed for 3 years, one (1) member shall be appointed for 2 years, and one (1) member shall be appointed for 1 year. The nominees of the chairperson shall be deemed appointed to the Commission for the terms designated. Promptly following the effective date of this Ordinance, the Mayor shall appoint 3 additional members, who may or may not be residents of the Town of Verona immediately before the effective date of this Ordinance. The Mayor shall designate two (2) members for appointment to 2-year terms and one (1) member for a 1-year term.
- D. Powers and Duties. The Rural Affairs Commission shall make recommendations to the Common Council on matters affecting Rural Areas as defined in Section 8, including any matters affecting farmland preservation or any matters described in Section 8, and shall make recommendations to the Plan Commission with respect to planning and zoning matters affecting Rural Areas. All matters required by §62.23(5), *Wis. Stats.* to be referred to the Plan Commission shall also be referred to the Rural Affairs Commission if they affect Rural Areas. In all such matters, the provisions of §62.23(5) shall apply to the Rural Affairs Commission as if it were a plan commission. The Commission shall further have the powers and duties as set forth in this Ordinance, and

such other powers and duties as delegated by the Common Council from time to time.

**(g) Standing Committees.**

- (1) Creation and Duties. The following standing committees of the Common Council are created as of the effective date of this Ordinance:
  - A. Finance Committee. The Finance Committee shall make recommendations regarding claims of and against the City, purchasing insurance, and preparation of a preliminary City budget.
  - B. Public Works, Sewer, and Water. The Public Works, Sewer and Water Committee shall perform the duties of a board of public works as provided by §62.14, Wis. Stats. The Committee shall have the general management and supervision of the City sewer and water utilities and all matters connected therewith and shall have the general power and authority to make rules and regulations for the management of said departments as it shall from time to time find necessary for the safe, economical and efficient management and protection of the sewer and water systems. The organizational structure of the City with respect to public works shall continue in effect until modified by the Common Council.
  - C. Personnel. The Personnel Committee shall be responsible for:
    1. Establishing generally applicable policies and rules regarding employment, reprimands, promotion, demotion and dismissal of all department heads and other employees, subject to any limitations imposed by a collective bargaining agreement;
    2. Negotiations concerning wages, hours and conditions of employment with all employees or their bargaining agent;
    3. Acting as review board for any employee grievances; and
    4. Reviewing all personnel actions of department heads and the City Administrator.
  - D. Public Safety and Welfare. The Public Safety and Welfare Committee shall be responsible for making recommendations to the Council on matters involving police, traffic, relief, nuisances and weeds and business licenses.
  - E. Senior Citizens. The Senior Citizens Committee shall be responsible for matters involving the provision of services to senior citizens including the operations of the Verona Senior Center.
- (2) Membership and Term. Except as provided in subpar. (6), each committee shall be composed of 3 alderpersons appointed by the Mayor subject to confirmation

by the Common Council, who shall serve a term of one year commencing on the third Tuesday in April of each year. Upon expiration of a term, each committee member shall continue to serve until a successor is appointed and qualified.

- (3) Compensation. The Common Council may provide by ordinance for compensation of committee members on a salary or per diem basis as determined by the Council pursuant to §5 of this Ordinance.
- (4) Committee Meetings. The chairperson of each committee shall be appointed by the Mayor annually and each committee shall adopt its own rules of procedure and determine its own meeting times. Each committee shall have such duties and responsibilities as prescribed by the Mayor and City Ordinances, and shall make whatever recommendations to the Council as it may deem appropriate.
- (5) Powers and Duties. The Common Council may, by ordinance, create additional standing committees or modify the powers and duties of any committee from time to time.
- (6) Initial Committee Membership. The members of the City of Verona standing committees identified in subpar. (1) shall be members of the corresponding committees upon the effective date of this Ordinance. In addition to such membership, prior to the effective date of this Ordinance, the Chairperson of the Town of Verona shall designate 2 members of the Town Board to serve on each standing committee, bringing the total initial membership to five (5). Upon the effective date of this Ordinance, the Chairperson's designees shall be deemed appointed by the Mayor and confirmed by the Common Council. The term of the initial members shall expire on April 30, 2010. The committees shall continue to have five (5) members appointed as provided in subpar. (2) thereafter until the membership of the Common Council is reduced to eight (8) alders as provided in sec. 4(a)(1)A.
- (7) Amendment Authority. Except as provided in this paragraph, any provision of this Ordinance relating to City committees may be amended by the Common Council at any time after expiration of the term of the initial members by ordinance. Prior to 2021, the Common Council shall not have the authority to amend any provision specifying a minimum number of appointees from designated geographical areas of the City except by enactment of a charter ordinance in accordance with §66.0101, Wis. Stats.

## **SECTION 5. SALARIES AND PER DIEMS.**

All officers, employees and members of committees, commissions and boards of the City who held comparable positions with the City of Verona or the Town of Verona immediately prior to the effective date of this ordinance shall retain their employment status and continue to receive the same level of compensation, unless otherwise provided herein, until such compensation shall be changed by the Common Council. All officers, employees and members of committees, commissions and boards appointed after the effective date of this ordinance shall receive such compensation as shall be determined by the Common Council. Notwithstanding the foregoing, in the event that members of the same committee, commission or board would receive different

levels of compensation (exclusive of any additional compensation paid for service as the chairperson) under this section, the compensation shall be adjusted such that all similarly situated members are paid the highest compensation paid to any member of the same committee, commission or board.

## **SECTION 6.          LAND USE**

- (a) **City Boundaries.** The boundaries of the City shall include all of the lands within the City of Verona and the Town of Verona on the date of enactment of this ordinance by both the City and the Town.
  
- (b) **Land Use Plans.** The Combined Master Plan and map shall be prepared by the City Planning Department based on the recommendations of the Consolidation Land Use Committee and approved by the Town Board of Supervisors and the City Council not later than February 15, 2008. Upon its adoption by the Board and Council, the Master Plan and map shall be filed with the City Clerk and Town Clerk/Treasurer and shall be deemed incorporated into this Ordinance. The **City Administrator and Town Clerk** shall cause public notice of the availability of the Master Plan and map for review by interested parties to be given in a prompt and effective manner upon its adoption.

The Plan and map shall be deemed adopted as the Master Plan for the City on the effective date of this Ordinance. The Master Plan or map may be amended by procedures authorized by statute, except that for a period of five years after adoption of this ordinance, an amendment that affects lands that were in the Town just prior to the effective date of this Ordinance shall require a three-fourths vote of the Plan Commission. For a period of ten years thereafter, such an amendment shall require a two-thirds vote of the Plan Commission.

- (c) **Residential Growth Policies.** Residential growth rates shall be determined by the Common Council after consideration of the policies and goals expressed in the City Master Plan.
  
- (d) **Zoning Amendments for Town Lands.** Promptly following the effective date of this Ordinance, the Plan Commission, Rural Affairs Commission and City Council shall diligently pursue the preparation and enactment of amendments to the Zoning Code to incorporate districts and district regulations appropriate for agricultural operations and other rural land uses consistent with the land use plans with the goal of having such provisions incorporated and the City Zoning Code applied to all areas formerly within the Town of Verona.

## **SECTION 7.          GENERAL ORDINANCES.**

Subject to the provisions of Section 8 of this Ordinance, the following provisions of the general ordinances of the City of Verona shall remain in effect, and be enforceable by the City, within the boundaries of the City until such ordinances shall be amended by the Common Council:

- (a) **Zoning Code.** The Zoning Code of the City of Verona shall be deemed the Zoning Code of the City immediately on the effective date of this ordinance. The zoning district designations of all properties within the City immediately prior to the effective date of this

Ordinance shall remain unchanged, until amended by the Common Council pursuant to §62.23, Stats.

- (1) All properly issued conditional use permits, building permits, zoning certificates, variances and other approvals or permits granted by the City of Verona, the Town of Verona and/or County of Dane prior to the effective date of this Ordinance shall continue to be valid and binding on, and shall be enforceable by, the City.
  - (2) All properties not subject to the City of Verona Zoning Code immediately prior to the effective date of this Ordinance shall be subject to the same district regulations applicable to such property pursuant to the Dane County Code until such time as said properties are reclassified to a City zoning district designation by the Common Council pursuant to applicable law and this Ordinance.
- (b) **Governmental Organization.** The ordinances contained in Title 2 of the City of Verona Code of Ordinances which relate to the organization, operation and membership of any unit of government shall not apply to the extent such ordinances are inconsistent with the terms of this ordinance. To the extent they are not inconsistent with this Ordinance, such ordinances shall apply to the City until amended, repealed or otherwise altered by enactment of an appropriate general ordinance amendment or charter ordinance. This subsection shall not be construed to prohibit the Common Council from amending any provision of this Ordinance by general ordinance amendment where such amendment is expressly authorized hereby.
- (c) **Subdivision Regulations.** The subdivision regulations of the Town of Verona and City of Verona shall continue in effect on the effective date of this Ordinance and shall remain applicable within the geographical areas to which the respective regulations applied prior to the consolidation effectuated hereby. The subdivision regulations shall be subject to amendment by the Common Council by Ordinance in a manner consistent with the comprehensive plan adopted by this Ordinance or as such plan may be subsequently modified in accordance with this Ordinance.
- (d) **Ethics Code.** The provisions of the City of Verona Ethics Code contained in Title 2, Chapter 5 of the City of Verona Code of Ordinances shall be applicable to all officials of the City.
- (e) **Traffic Regulations.** All ordinances of the City regulating the operation of motor vehicles shall apply within the entire boundaries of the City on and after the effective date hereof. All traffic and parking regulations enacted by the Town Board and in effect immediately prior to the effective date of this Ordinance are hereby adopted as ordinances of the City. As used in this subsection, “motor vehicle” shall not include all terrain vehicles or snowmobiles.
- (f) **Public Safety Regulations.** All ordinances contained in Titles 5 and 11 of the City of Verona Code of Ordinances which regulate the conduct of individuals within the City shall apply within the entire boundaries of the City on and after the effective date hereof.
- (g) **Licensing and Regulation.** The City of Verona Licensing and Regulation ordinances (Title 7 of the City of Verona Code of Ordinances) to the extent they provide for

licensing, including all procedures for the issuance of license, license fees and penalties for violation of license requirements shall apply within the entire boundaries of the City on and after the effective date hereof. Any licenses issued by the City or Town of Verona prior to the effective date of this Ordinance shall continue to be valid in the City for the remaining term of such licenses following the effective date of the consolidation.

- (h) **Police Department.** The provisions of Title 5, Chapter 1 of the City of Verona Code of Ordinances shall apply within the City.
- (i) **Emergency Government.** The provisions of Chapter 6 of the City of Verona Code of Ordinances providing for emergency government services and regulation of conduct in the event of an emergency shall apply within the City.
- (j) **Administrative Review.** The provisions of Title 4 of the City of Verona Code of Ordinances providing for an administrative review procedure in accordance with Chapter 68, Wis. Stats. shall apply within the City.

## **SECTION 8. RURAL AND AGRICULTURAL PRESERVATION.**

- (a) **Policy.** It shall be the policy of the City to maintain, to the extent practicable, and for such time as it is consistent with the best interest of the City, the rural character of certain areas formerly located in the Town of Verona. It shall further be the policy of the city to maintain for as long as possible, the agricultural economy and culture of the rural areas of the City. Certain policies and regulations which are necessary for the public health, safety and welfare in an urbanized area are neither necessary nor conducive to application in rural areas. The purpose of this Section is to identify those regulations which should not be applied in rural areas, and to make provisions to assure that the rural character of the area can be preserved.
- (b) **Rural Areas Defined.** For purposes of this Section, the term "Rural Areas" means those areas of the City comprised only of separate tax parcels, as currently or hereafter established, which meet all of the following criteria:
  - (1) Prior to the effective date of this Ordinance, the parcel was under the political jurisdiction of the Town of Verona;
  - (2) The parcel is not located within an approved sanitary sewer service area (commonly referred to as "Urban Service Area");
  - (3) The parcel is not part of a subdivision plat;
  - (4) The parcel is not within 1,000 feet of any development with a residential density of more than 1 dwelling unit per acre; and
  - (5) The parcel has not been rezoned at the request of the property owner to any classification other than agricultural, agricultural business, conservancy, recreational, or a rural residential district allowing for residential lots of not less than 2 acres.
- (c) **Administration of Rural Area Classification.**

- (1) **Map Designation.** A "Rural Area Designation Map" shall be prepared and approved by the Town Board of Supervisors and the City Council and incorporated into this Ordinance not later than February 15, 2008 and shall be filed with the City Clerk and Town Clerk/Treasurer showing the initial designation of all lands within the City which will be deemed "Rural Areas" on the effective date of this Ordinance. The **City Administrator and Town Clerk** shall cause public notice of the availability of the map for review by interested parties to be given in a prompt and effective manner upon its adoption.

Upon the effective date of this Ordinance, said map shall be conclusive as to the designation of individual parcels, subject to changes in the designation as provided in this subsection. The City Administrator shall assure that the map is maintained in a current and accurate form at all times. No person shall be subject to forfeiture or other penalty based on any action in violation of an ordinance or regulation that is inapplicable to Rural Areas, if the parcel on which the violation occurred is shown as a Rural Area on the map.

- (2) **Change in Designation.**

- A. **General.** As the City continues to develop, or as circumstances of individual properties otherwise change, parcels may be added to or removed from the Rural Area designation by the Plan Commission as provided in this paragraph.
- B. **Reclassification Petition.** Any City official or the owner of an affected parcel may petition the Plan Commission to reclassify any parcel as rural or urban. Upon receipt of a petition, the Plan Commission shall refer the matter to the Rural Affairs Commission for recommendation and a report. If the owner or occupant of the affected parcel is not the petitioner, the Rural Affairs Commission shall send a copy of the petition to such owner or occupant by regular or certified mail. The Rural Affairs Commission shall hold a public hearing on the petition with not less than ten (10) days prior notice to the petitioner and the property owner and occupant. Any person may present testimony or argument as to whether the parcel meets the criteria for designation as a "Rural Area," or should be reclassified despite its consistency with the criteria for reasons of public health, safety or welfare. The Rural Affairs Commission shall, by majority vote, determine whether to reclassify the parcel and forward its findings and determination to the Plan Commission within thirty (30) days of the date of the petition. The Plan Commission shall review the findings and determination of the Rural Affairs Commission before taking action on the petition. If the petition seeks a redesignation of the parcel from "Rural Area" to Urban, and if the petition was not filed or consented to by the property owner, the Plan Commission may grant the petition only if it has been approved by a majority vote of all members of the Rural Affairs Commission. The Plan Commission shall file its decision on the petition with the City Administrator who shall promptly update the Rural Designation Map if appropriate.

- C. **Administrative Reclassification.** Notwithstanding the provisions of subpar. A, properties may be reclassified administratively whenever both the Rural Affairs Commission and the Plan Commission make findings that the circumstances of a specific parcel have changed and that the continuation of activities allowed only in Rural Areas pose a significant threat to the public health, welfare and safety. The owner and occupant of any affected parcel shall be personally notified by mail of any meetings of either commission at which the issue will be addressed and shall be afforded an opportunity to be heard on the matter. An administrative reclassification under this subparagraph shall require a 2/3 vote of both the Rural Affairs and Plan Commissions.
- D. **Effect of Reclassification.** The reclassification of property from Rural to Urban under this section shall affect only the applicability of those general ordinances of the City enacted under its police power and shall not affect in any way the zoning classification of the affected parcel. All permitted land uses and approved conditional uses in the zoning district in which the parcel is located shall continue to apply, but shall be subject to those general ordinances applicable to Urban areas of the City.
- E. **Appeals of Classifications.** Any person whose property, or legally enforceable right to use property, is affected by a decision of the Rural Affairs Commission and/or the Plan Commission in connection with the classification of property as Rural or Urban may appeal the decision to the Zoning Board of Appeals as provided in §62.23(7)(e), Wis. Stats. within thirty (30) days of the date of the decision.

**(d) Ordinances Inapplicable in Rural Areas.**

- (1) **General.** Except as provided in par. (2), those provisions of the City of Verona Code of Ordinances in effect on the date hereof, and any future regulation, whether in the form of a general or special ordinance, resolution, administrative rule, general order, or otherwise, which prohibit any of the following activities shall not be applicable to Rural Areas:
  - A. The use of any lawful firearms, bows, arrows or other weapons for sport or recreation;
  - B. The hunting of wild animals in accordance with regulations promulgated by the Wisconsin Department of Natural Resources and/or the U.S. Fish & Wildlife Service within their respective jurisdictions.
  - C. The open burning of leaves, brush and other yard waste, the prescribed burning of croplands, prairies or other land for conservation or agricultural purposes or campfires. The City Council may regulate or prohibit the burning of trash, rubbish, household waste or other materials and impose reasonable regulations on the times and manner in which open burning may be conducted if reasonably necessary to minimize the risk of wildfire or similar danger and may require permits to implement such regulations, provided that no fee is charged for the issuance of the permit. Any such

regulations shall be referred to the Rural Affairs Commission for recommendation prior to enactment by the Council.

- D. The keeping, breeding, raising, harboring, housing, selling or handling of any animals or species of animals, unless the regulation is not more restrictive than the Dane County Code of Ordinances applicable to agricultural operations from time to time.
- E. The production or emission of noise or odors which are commonly caused by a legally permitted agricultural operation;
- F. The use of outdoor furnaces from September 1 through May 30, if the furnace is located not less than 200 feet from any residence not occupied by the owner or serviced by the furnace. The City Council may impose reasonable regulations on the installation and manner of operating such furnaces to reduce the risk of the spread of fire to buildings or property, provided that such regulations shall be first referred to the Rural Affairs Commission for recommendation.
- G. The practice of sustainable forestry, including the planting, growing, tending, harvesting and selling of trees for the periodic production of forest products.

(2) **Amendment.** The provisions of par. (1) may be modified only as provided in this paragraph. Any such amendment shall first be approved upon a 2/3 vote of the Rural Affairs Commission before it may be enacted by the City Council.

(3) **Nonconforming Uses.** Notwithstanding the reclassification of any parcel from Rural Area to Urban, no ordinance of the City regulating noise or odors, or limiting the number or species of domestic animals, which is not generally applicable in the Rural Areas as provided in this section, shall apply to any agricultural operation established prior to the redesignation for such time as the agricultural operation actively continues on such property. Such noise, odors and keeping of animals shall be considered legal nonconforming uses subject to the limitations and other provisions of §62.23(7)(h), *Wis. Stats.* For purposes of this subparagraph, a change in crop variety or cultivation methods shall not be considered an expansion or change in the authorized use.

## **SECTION 9. FISCAL AND BUDGET.**

(a) **Debts.** The City shall assume all debts and obligations under any contract, bond or indenture held by any third party with either the Town of Verona or City of Verona upon the effective date hereof. Nothing in this subsection shall be construed to affect in any way any defense, counterclaim, setoff or other right that the City may otherwise have with respect to any such obligation or alleged obligation.

(b) **Consolidation of Assets.** All depository accounts of the City and Town shall be consolidated into combined accounts. All other assets of the City and Town shall be deemed assets of the City immediately upon the effective date of this ordinance.

- (c) **Budget.** The combined budget on file with the City Clerk shall be deemed the adopted budget of the City for fiscal year 2009 for purposes of §65.90, Wis. Stats.
- (d) **Capital Project Financing Policies.** The policies of the City of Verona in effect for the 2008 budget year limiting capital expenditures to a percentage of the overall budget shall continue in effect and shall be binding on the City for not less than the first 5 annual budgets adopted by the Common Council following the effective date of the consolidation. During said years, no budget provision inconsistent with such policies shall be effective unless approved by a  $\frac{3}{4}$  vote of all of the members of the Common Council.

#### **SECTION 10.** MISCELLANEOUS PROVISIONS.

- (a) **Designated City Depository.** The State Bank of Cross Plains is hereby designated as the initial depository for the funds of the City. The Finance Director shall request proposals for banking services from financial institutions located within the City for review by the Common Council at least once every five (5) years. The designated depository may be changed at any time by resolution of the Common Council.
- (b) **Official Newspaper.** The *Verona Press* shall be the initial official newspaper of the City upon the effective date of this Ordinance. The designation of the City's official newspaper may be changed from time to time by resolution of the Common Council in accordance with applicable statutes.

#### **SECTION 11.** PUBLIC UTILITIES.

- (a) **Ownership of Water and Sewer Utilities.** The ownership of all assets of the City of Verona Water and Sewer Utilities and Town of Verona Sanitary District No. 1 shall, immediately on the effective date hereof, be transferred to the City. Until such time as the facilities of Verona Sanitary District No. 1 are interconnected to the facilities of the other City utilities, the City shall, if allowed by law, establish the Sanitary District as a separate public utility subject to separate regulation by the Public Service Commission of Wisconsin.
- (b) **Sanitary District Funds.** To the extent allowed by law, the existing Town sanitary district shall be operated as a separate sanitary sewer utility district of the City. All funds contained in the sanitary district fund shall be applied to offset any approved expenses attributable to the operations of that utility district.
- (c) **Utility Rates and Service.** The City Administrator shall review the operations of the various water and sanitary sewer systems owned by the City and shall make a recommendation to the Common Council as to the means by which appropriate levels of service may be maintained and/or improved for all utility customers and the rates to be charged for such service along with any necessary governmental approvals for a consolidated rate structure.
- (d) **Public Fire Protection Charges.** To the extent permitted by law, the City shall not collect any costs for water for fire protection through its general property tax levy. Such costs may be recovered only through water utility customer charges or other method

which allocates such costs to the properties specially benefited therefrom. This provision may be amended by enactment of a charter ordinance in the manner provided by law.

**SECTION 12. SEVERABILITY.**

The various provisions of this Ordinance are intended to be severable. In the event any term or provision of this Ordinance is determined to be void or unlawful, such void or unlawful provision shall be promptly amended by the Common Council to comply with applicable legal requirements. Such invalidity shall not affect the remainder of this Ordinance.

**SECTION 13. NO WAIVER OF RIGHTS OR CLAIMS.**

Nothing in this Ordinance shall be construed as a waiver of any right the City may have by way of derivation from the rights of the City of Verona or Town of Verona against any third party. The repeal of any general ordinance of either component municipality by this Ordinance shall not affect the liability of any third party for any violation of such general ordinance occurring prior to the effective date hereof. In the event that any action is pending on the effective date hereof on behalf of the Town of Verona or the City of Verona against any third party, the prosecution of such action is hereby ratified by the City, unless and until discontinued by resolution of the Common Council.

**SECTION 14. EFFECTIVE DATE.**

This Ordinance shall become effective on the January 1 next following the certification of the results of separate referenda conducted in the City of Verona and the Town of Verona showing approval of the consolidation effectuated hereby in both such municipalities, unless a different effective date is ordered by a court of competent jurisdiction pursuant to applicable law. Those provisions of secs. 6(b) and 8(c)(1) requiring further action relating to the preparation, adoption, dissemination and maintenance of a Master Plan and map and the initial Rural Area Designation Map shall be effective immediately upon enactment of this Ordinance by both the Common Council and Town Board. Notwithstanding the foregoing, this Ordinance shall be void if the referenda votes are not conducted on or before April 1, 2008, or if the required Master Plan and map and Rural Area Designation Map are not approved by the dates specified in secs. 6(b) and 8(c)(1).

Enacted at a special meeting of the City of Verona Common Council and regular meeting of the Town of Verona Board of Supervisors this 4th day of December, 2007.

**CITY OF VERONA**

\_\_\_\_\_  
Jon Hochkammer, Mayor

ATTEST:

\_\_\_\_\_  
JoAnn Wainwright, City Clerk

Published: December 13, 2007

**TOWN OF VERONA**

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David K. Combs, Chairman

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Rose M. Johnson, Town Clerk