

STATE OF WISCONSIN
TOWN OF WASHINGTON, VILAS COUNTY
CODE OF ORDINANCES

CHAPTER 18: SWORN TELEPHONE, ELECTRONIC, OR SWORN WRITTEN TESTIMONY REQUESTS; NEW ORDINANCE AS OF FEBRUARY 8, 2023

18.01 Title and Purpose

The title of this ordinance is Town of Washington Sworn Telephone, Electronic, or Sworn Written Testimony Requests. The purpose of this ordinance is to authorize the Board of Review under Section 70.47(8) Wisconsin Statutes, to consider requests from a property owner or the property owner's representative to testify under oath by telephone or other electronic medium that may be available to the Town of Washington and the property owner, or to submit sworn written statements for Board of Review purposes.

18.02 Authority

The Town of Washington has the authority to enact this ordinance under its village powers under Section 279(K) of 1997 Wisconsin Act 237, 70.47 (7) (af) Wisconsin Statutes.

18.03 Procedure

Before the Board of Review (BOR) can consider a request from a property owner or the property owner's representative to testify by telephone or other electronic medium or submit a sworn written statement, the property owner must complete and file the following documents with the BOR Clerk:

1. A timely Notice of Intent to appear at the BOR, and
2. A timely Objection Form for Real Property Assessment (PA-115A), and
3. A fully completed Request to Testify by Telephone or Other Electronic Medium or Submit a Sworn Written Statement at Board of Review (Form PA-814).

Requests must be filed with the BOR Clerk within the first two (2) hours of the BOR's first full meeting. If the property owner fails to file the document as required, the BOR will not consider the request. All forms can be found on the State of Wisconsin Department of Revenue website.

18.04 Criteria

The BOR may consider any or all of the following factors when deciding whether to grant or deny the request:

1. The property owner's stated reason(s) for the request as indicated on the PA-814
2. Fairness to the parties

3. The property owners' ability to procure in-person oral testimony and any due diligence exhibited by the property owner in procuring such testimony
4. Ability to cross examine the person(s) providing the testimony
5. The BOR's technical capacity to honor the request
6. Any other factors that the BOR deems pertinent to deciding the request.

18.05 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 provisions, 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.

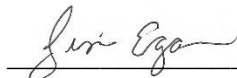
18.06 Adoption of Ordinance

This ordinance, adopted by a majority of the Town Board with a quorum present and voting and proper notice having been given, formally adopts the Town of Washington Ordinance for Sworn Telephone, Electronic, or Sworn Written Testimony Request. This ordinance repeals and replaces all ordinances pertaining to sworn telephone, electronic, or sworn written testimony requests previously adopted by the Town of Washington.

18.07 Effective Date

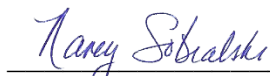
This ordinance is effective upon adoption and publication or posting. The Town Clerk shall properly post or publish this ordinance as required under 60.80 Wisconsin Statutes.

Adopted this 8th day of February 2023.



Jim Egan, Town Chairman

Attest:



Nancy Sobraliski, Town Clerk

Effective Date: February 9, 2023
Publication Date: February 9, 2023, 2023

Town of Washington Ordinance Amendment Record

CHAPTER 18: SWORN TELEPHONE OR SWORN WRITTENT TESTIMONY
REQUESTS

Date	Article	Section	Amendment Summary
02/09/2023			New Ordinance