



POLICY & PROCEDURE COMMITTEE

October 3, 2023 - 5:00 p.m.

City Municipal Building

- I. Call to Order**
- II. Roll Call**
- III. Approval or Correction of the Minutes for the Meeting Held September 14, 2023**
- IV. Petitions and Communications**
 1. Discussion of Any Topic Brought Before the Committee During Petitions and Communications
- V. Agenda Items**
 1. Discussion/Recommendation Relating to Burt Morris Bequeath Policy
 2. Discussion/Recommendation Relating to Investment Policy
 3. Discussion/Recommendation Relating to Donation Policy
 4. Discussion/Recommendation Relating to Snowmobiles & All-Terrain Vehicles and Off-Road Motor Vehicle Operation Ordinances
- VI. Adjourn**

Notice is hereby given that a majority of the City of Adams Common Council *may* be present at the above noticed meeting of the Committee to gather information about a subject over which they have decision-making responsibility. This constitutes a meeting of the City of Adams Common Council pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis.2d 553, 494 N.W.2d 408 (1993), and must be noticed as such, although the City of Adams Common Council will not take any formal action at this meeting.

(Persons requiring additional services to participate in any public meeting should contact the Clerk/Treasurer's Office for assistance prior to the meeting.)

101 North Main Street, P.O. Box 1009, Adams, WI 53910

adamsct@cityofadams-wi.gov

Telephone 608-339-6516, Fax 608-339-8170

ADAMS CITY COUNCIL COMMITTEE REPORT

The Policy & Procedure Committee was called to order on September 14, 2023 at 5:30 p.m.

On roll call were members: Murphy and Buchanan

Others attending: Mayor Jungenberg-Klumb and Clerk McLarnan

Motion by Buchanan, second by Murphy to approve the minutes of September 5, 2023. All voted aye.

Petitions & Communications: None.

Agenda Items

1. *Discussion/Recommendation Relating to Burt Morris Bequeath Policy –*

Clerk McLarnan relayed answers from the City Attorney to Committee questions from last meeting. Committee continued working through the Bequeath Policy sections through the end of policy. Clerk McLarnan will make the updates from tonight and bring this Policy back to the next meeting.

Motion by Buchanan, second by Murphy to adjourn. All voted aye.

Max Murphy/bem
Committee Chairperson

Next Meeting: October 3, 2023 – Burt Morris Bequeath Policy, Investment Policy, Donation Policy and Snowmobile/ATV/UTV ordinance

Agenda Item #1

Burt Morris Bequeath Policy

Approved: May 1, 2017, first reviewed 09/05/2023, 2nd review 09-14-2023

PURPOSE

The purpose of this Policy is to provide safeguards for financial stability, equality and sustainability of ~~to use the Burt Morris Bequeath.s~~ It is the intent of this Policy that any/all future projects/improvements at Burt Morris Park are collaboratively funded (including but not limited to grants, donations, fundraising proceeds, donated time, involvement of other organizations who use the Burt Morris Park). Maintenance and Capital being separately budgeted items. The City of Adams is resolved to ensuring a Burt Morris legacy. ~~to fund future projects/improvements, maintenance and capital for Burt Morris Park within~~ maintaining a procurement system of quality and integrity for the fair and equitable treatment of all persons involved in public purchasing, ordering, contracting and marketing to provide guidance and procedures to be followed for the procurement of goods and services of all Burt Morris' Bequeaths to the City of Adams, ~~ensuring a Burt Morris legacy.~~

ORGANIZATIONS EFFECTED

Including but not limited to: the City of Adams, Public Works, Public Works Committee, Finance Committee, City of Adams Common Council and other organizations who use the Burt Morris Park. This policy applies to all procurements of supplies, services, and construction, entered into by the City of Adams Common Council after the effective date of this Policy. It shall apply to all expenditures of funds by the Committee(s) for purchasing regardless of the source of funds. When the procurement involves the expenditure of federal assistance or contract funds, the procurement shall be conducted in accordance with any mandatory applicable federal law and regulations. Nothing in this Policy shall prevent any Committee Member from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with law.

POLICY

THE PROVISIONS OF WIS. STATUTE 62.15 TAKE PRECEDENCE OVER ANY PORTION OF THIS POLICY THAT MAY CONFLICT. PUBLIC CONSTRUCTION OVER \$25,000 SHALL BE PUBLICLY BID.

OBJECTIVES

The objectives of the Burt Morris Bequeath Purchasing Policy are:

1. Fund improvements at Burt Morris Park, depending on the community needs.
 2. Fund maintenance and capital needs at Burt Morris Park.
 3. Fund future improvements for Kenwood Subdivision adjacent to the Burt Morris Park.
-
1. ~~To ensure that materials, equipment, and services are purchased in a fair and equitable manner, consistent with quality and performance;~~
 2. ~~To provide adequate controls over expenditures and financial commitments with proper documentation;~~

3. ~~To provide public confidence in the procedures used in public purchasing;~~
4. ~~To determine the levels of approval necessary before purchasing contractual services (except professional services), material, and equipment for Burt Morris Parks and Kenwood Subdivision~~
5. ~~To provide a standardized system of purchasing for use by all.~~

PURCHASING AGENT

~~The Common Council is hereby designated the Purchasing Agent, hereinafter named "Agent," for the City. The Agent may delegate authority to any designee for the preparation of specifications, the obtaining of quotations as may be required, and the purchase of items as specified in this policy.~~

1. ~~The terms of this policy are applicable to the purchase of all budgeted goods and non-professional services.~~
2. ~~All Committee Members shall adhere to this purchasing policy.~~
3. ~~The Agent is hereby granted the authority to make all budgeted purchases in accordance with the provisions of this policy for all items~~
4. ~~For items requiring City Council approval, the Committee(s) is authorized to solicit bids or quotes for City Council approval.~~

RESPONSIBILITY OF THE PUBLIC WORKS COMMITTEE moved ahead of Finance

1. ~~Supervise and regulate Burt Morris' Bequeaths of his Will to the City~~
2. ~~Ensure funds are available for purchases pursuant to the budget.~~
3. ~~1. Adhere to the budgets approved by Finance Committee and the Common Council for each the three separate accounts.~~
4. ~~2. Create and maintain A Master Plan for Burt Morris Parks Development and Kenwood Subdivision Development Master Plans, shall be created and maintained by the committee,. Such Each plan shall, for all projects (existing and future), be a projection and anticipation of for major maintenance needs, provide for capital improvement plans, cost projections (not to include man hours) and contract requirements. which shall be subject to approval by the Finance Committee and Common Council; annually, in conjunction with budget process. development of existing and future plans.~~
5. ~~Provide capital improvement plans, cost projections, and contract requirements for all projects to the Finance Committee.~~
6. ~~3. The committee shall not contract any liability in excess of the budget appropriated unless specifically authorized by the Finance Committee and Common Council.~~
7. ~~Monitor expenditures~~
8. ~~4. Committee Responsibilities, for expenditures over \$500.00 that exceed the budget (in conjunction with provisions of WI Statute 62.15), include research,~~

review and making recommendations, from Department Head or Public Works, to the Finance Committee.

9. Adopt such policies and regulations as deemed advisable for the protection and enjoyment of the parks and recommend enactment of such ordinance to the Common Council. Follow up – are we asking jk to create policies, we want him to abide by them, not create
- ~~10.~~ 6. Review and recommend all purchase orders, bids, proposals and offers for accuracy and completeness, Ensuring the goods or services were duly authorized by the designated responsible party, before presentation to the Finance Committee and Common Council.
- ~~11.~~ Coordinate with other committees/commissions on all matters of mutual concern
- ~~12.~~ Review and recommend all purchase orders, bids, proposals and offers for accuracy and completeness before presentation to the Finance Committee.

Quarterly meetings, to include the Mayor, Chair of Finance Committee, St. Superintendent and Clerk/Treasurer, to review Fund revenues and expenditures.

RESPONSIBILITY OF THE FINANCE COMMITTEE

- ~~1.~~ Supervise and regulate Burt Morris' Bequeaths of his Will to the City
2. 1. Ensure funds are available, for recommended purchases, pursuant to the budget.
3. 2. Finance Chair to provide a monthly report of all expenditures to Common Council. The Finance Committee will ensure the accounts is are accurate in amount and a properly charged against the Fund(s), ensure the goods or services were duly authorized by the designated responsible party and review all purchase orders, bids, proposals and offers for accuracy and completeness before recommending to Common Council.
- ~~4.~~ Ensure the goods or services were duly authorized by the designated responsible party.
- ~~5.~~ Provide a report monthly of all expenditures to the City Council.
- ~~6.~~ Review all purchase orders, bids, proposals and offers for accuracy and completeness before presentation to the City Council.
- ~~7.~~ Recommend budgets to be approved by the Common Council for the three separate accounts
8. 3. Adhere to the budgets approved by Finance Committee and the Common Council for each the three separate accounts.
- ~~9.~~ Monitor expenditures

- 10.4. Coordinate with other committees/commissions on all **budgetary matters per City's Purchasing Policy and budgetary controls of non-budgeted items.** of mutual concern

Quarterly meetings, to include the Mayor, Chair of Finance Committee, St. Superintendent and Clerk/Treasurer, to review Fund revenues and expenditures.

PURCHASING PROCEDURE

THE PROVISIONS OF WIS. STATUTE 62.15 TAKE PRECEDENCE OVER ANY PORTION OF THIS POLICY THAT MAY CONFLICT. PUBLIC CONSTRUCTION OVER \$25,000 SHALL BE PUBLICLY BID.

Purchases made by the Committee(s) are grouped under the following categories:

- Purchases up to \$500.00
 - Purchases over \$500.00 to \$5,000.00
 - Purchases of \$5,000 or more not covered by section 62.15 or Wis. Statutes.
 - Public Construction over \$25,000.00
 - Change orders in Public Construction Contracts
 - **Use of Vendor/Trade Discounts and Local Merchants, in whole or part, when available**
1. Purchases up to \$500.00 – Prior authorization, as long as budgeted, has already been given. If the estimated price of an item is \$500.00 or less and is budgeted, the appropriate Committee is authorized to purchase said item. An invoice must be turned into the Finance Committee. The Finance Committee will review the invoice for proper account coding and authorization before payment is made.
 2. Purchases over \$500.00 but less than \$5,000.00 – In conjunction with City Purchasing Policy, any Burt Morris project purchases will be recommended from Public Works Committee to Finance Committee to Common Council for final approval. For the purchase of a budgeted item involving an estimated expenditure of more than \$500 and less than \$5,000, the appropriate Committee must make every effort to solicit at least three quotes. If the lowest quote is not recommended by the Committee, a report must be submitted to the Finance Committee stating the reasons for the recommendation. The quotes shall be presented to the Common Council for approval prior to ordering the item.
 3. Purchases of \$5,000.00 or more not covered by section 62.15 or Wis. Statutes - In conjunction with City Purchasing Policy, any Burt Morris project purchases will be recommended from Public Works Committee to Finance Committee to Common Council for final approval. Every effort must be made to receive a minimum of three quotes and/or bids in order that the proper recommendation can be made to the Finance Committee. Bids and quotations shall be opened and examined and a report shall be made to the Council concerning the bids or quotations received. The report shall contain a recommendation concerning the bid to be accepted or rejected. If a bid other than the lowest bid or quotation is recommended, the report shall state the reasons for such a recommendation,

~~which shall be forwarded to the Finance Committee and Council. Any project receiving only one bid shall be rebid unless it is approved by a three-fourths (3/4) vote of the Council. The City has the right to reject any and all quotes and/or bids.~~

4. Public Construction over \$25,000.00 - In conjunction with City Purchasing Policy, any Burt Morris project purchases will be recommended from Public Works Committee to Finance Committee to Common Council for final approval. All public construction in which the estimated cost exceeds \$25,000 shall be let by contract to the lowest responsible bidders. The bidding process shall incorporate the requirements in Section 62.15 and 66.0901 Wisconsin Statutes. Any project receiving only one bid shall be rebid unless it is approved by a three-fourths vote of the Council. The City has the right to reject any and all quotes and/or bids.
5. Change orders on Public Construction Contracts - In conjunction with City Purchasing Policy, any Burt Morris project purchases will be recommended from Public Works Committee to Finance Committee to Common Council for final approval. Whenever it is reasonably possible, a proposed increase in the cost of a public construction contract resulting from a change in the scope of the project shall be presented to the City Council for approval provided that it will not result in a costly delay to the construction project. If the cost of delaying the project is prohibitive, the appropriate Committee(s) and the Council shall approve change orders that are a result of a change in the scope of the project. The City Council prior to final payment on the contract must approve all change orders.

Contracted Expenditures:

- Professional contracted service such as legal, architectural, engineering, auditing and maintenance contracts. These expenditures are contracted and must have prior Finance Committee and Common Council approval.
- On-going Utility expenditures (Rome and Friendship properties) such as electricity, water utility, propane gas and insurance premiums. The Deputy Treasurer will charge the appropriate budget accounts.
- Payroll and related expenses such as employee insurance payments, pension payments and mandatory state and federal employee withholding (When any employee works in the Parks or Kenwood Subdivision). The Deputy Treasurer will automatically charge the appropriate budget accounts.
- Routine expenditures, such as bond payments, which received prior Council approval and authorization. The Finance Committee will automatically charge the appropriate department budget account.

VENDOR DISCOUNTS this section was combined with Local Merchants and moved to the new bullet under the Purchasing Procedure header

It is the policy of the City to take advantage of available vendor/trade discounts and government pricing when the available discount provides the lowest cost for the same quality. Discounts can be found at: PP doesn't list vendor discounts, believe this is just to show where some options are to Finance Committee

Wisconsin Surplus Action @ wisconsinsurplus.com,
Coop Solutions @ <http://www.uscommunities.org/solutions/mro-solutions/?q=p-gvusc>—
Home Depot, HD Supply Facilities Maintenance, Applied Industrial Technologies, and
SupplyWorks, A Home Depot Company. (U.S. Communities is the leading national government
purchasing cooperative, providing world class government procurement resources and solutions
to local and state government agencies, school districts (K-12), higher education institutions,
and nonprofits looking for the best overall supplier government pricing)

State Surplus Stores located on six campuses: UW: Eau Claire, Green Bay, La Crosse,
Stevens Point, Stout and Madison (SWAP) offers online auction.

Federal surplus property is made available to state agencies and campuses,
municipalities, and other eligible organizations, go to www.wifederal.com.

LOCAL MERCHANTS

Taking price, quality, performance and service into account, the City will give reasonable
consideration to local merchants.

COMMITTEE AND COUNCIL MEMBERS CONFLICT OF INTEREST

Please refer to the City of Adams Code of Ordinances Section 2-5-7 Conflict of
Interest.

It shall be unethical for any Committee or Council Member to participate directly or
indirectly in procurement contract if the Committee or Council Member knows that:

1. The Committee or Council Member or any member's immediate family has a
financial interest pertaining to the procurement contract; or
2. Any other person, business, or organization with whom the Committee or Council
Member or any member's immediate family is negotiating or has an arrangement
concerning prospective employment is involved in the procurement contract.

This section to stricken completely

BUDGETARY CONTROLS shifting controls from the Mayor to the Committee for the
specific funds/project/accounts

Except in cases of emergency:

1. No money shall be drawn from the treasury of the Burt Morris Bequeath nor shall
any obligation for any expenditure be made except those that are authorized by
the annual budget and changes made subsequently by the City Council, unless
directly expressed elsewhere in this policy.
2. The Committee Member(s) shall not authorize purchase and/or payment unless
there are sufficient unencumbered funds to pay for the purchase. Expenditures in
total may not exceed the budgeted amount without Council approval at the
following budget category levels:
 - a. Burt Morris Park Fund Improvements/Infrastructure
 - b. Burt Morris Park Fund Maintenance
 - c. Kenwood Subdivision Improvements

3. ~~At the close of each fiscal year, any unencumbered balance of the three fund's appropriation shall revert to the appropriate fund and shall be subject to re-appropriation.~~
4. ~~Appropriations made by the Council to be paid out of the budget of the current year for capital outlay items or capital projects that have not been purchased or completed within the current fiscal year shall continue in force until the purpose for which it was made shall have been accomplished or abandoned.~~

~~This section to stricken completely~~

~~NON-BUDGETED ITEMS~~

~~All requested expenditures should be provided for in the current budget. However, purchases over \$500.00 that have not been provided for in the current budget will require City Council approval. When applicable, the Committee should notify the Finance Committee, and then upon approval, the Committee Chairperson of their reporting committee and provide written documentation regarding the expenditure. The Committee will then make a recommendation and provide the information to the Council at their next meeting to review the request and make any necessary transfers.~~

~~This section to stricken completely~~

~~EMERGENCY PURCHASES OF NON-BUDGETED ITEMS~~

~~Emergency purchases shall only be made to:~~

- ~~1. Prevent delays in construction or delivery of essential services, and;~~
- ~~2. To stay an immediate threat to the health or safety of the public or;~~
- ~~3. Address the immediate needs of an officially declared emergency.~~

~~Under emergency conditions, unlimited purchases may be made by the Committee provided a report of such purchase is made to the City Council at its next regularly scheduled meeting.~~

~~After comparing the two side by side, it would be my assumption that the BM Bequeath Policy was mirrored off the Purchasing Policy with the twist of changing specific Mayor/Department Heads, etc. references to Finance Committee/Council. Also specifically tailoring this policy for purchases directly related to Burt Morris projects and expenditures using Burt Morris money to fund.~~

Agenda Item #2

City of Adams Investment Policy

Sample from
Ehlers

PURPOSE

This policy applies to all funds under the authority of the City of Adams, Wisconsin (the "City") not immediately needed to meet operating expenses of the City. These funds shall, where permissible, be pooled together to achieve the best rate of return. The following fund types are covered by this investment policy: general, debt service, recreation, fire, capital project, sewer utility, water utility. This policy will include any new funds created, unless specifically exempted.

I. GENERAL OBJECTIVES

1. SAFETY

Safety of principal is the foremost objective of the investment program. Investments of the portfolio shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.

2. LIQUIDITY

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. Investment portfolios will be structured so that securities mature concurrently with cash needs to meet anticipated demands. Alternatively, a portion of any portfolio may be placed in money market mutual funds or local government investment pools authorized and permissible under Wisconsin statutes which offer same-day liquidity for short term funds.

3. YIELD

Investment portfolios shall be designed with the objective of attempting to attain a market rate of return throughout budgetary and economic cycles, factoring investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above.

Securities shall generally be held until maturity with the following exceptions:

- A security with declining credit quality may be sold prior to maturity to minimize loss of principal.
- Liquidity needs of the City require that a security or securities are sold prior to maturity.
- A security swap would improve the safety and yield of the overall portfolio.

II. STANDARDS OF CARE

1. Prudence

Investments shall be made with judgment and care giving first consideration to the safety of the investment, then liquidity, and finally yield. "Notwithstanding any other provisions of law, a treasurer who deposits public moneys in any public depository, in compliance with s. 34.05, is thereby relieved of liability for any loss of public moneys which results from failure of any public depository to repay to the public depositor the full amount of its deposits thus causing a loss as defined in s. 34.01 (2)." (Section 34.06 of the Wisconsin Statutes) This policy should not be construed as to imply that an

investor should engage in speculative or risky investments. Nor does this policy condone aggressive leveraging for investment purposes.

2. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Officers and employees shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City.

3. Delegation of Authority

Management and administrative responsibility for the investment program of the City is entrusted to the City Treasurer and Administrator under the direction of the City Council. Individuals authorized to engage in investment transactions on behalf of the City are the listed in *Appendix A*.

4. Permissible Investments

Permissible investments include any investment stipulated in Wisconsin statute 66.0603 (1m). *See full list in Appendix B.*

- Debt service reserve fund investments specifically for use toward General Obligation debt shall be further restricted to those permissible as per Wisconsin statute 67.11.

5. Risks

The deposits and investments of state and local governments are exposed to risks that have the potential to result in losses. The City will seek to mitigate common investment risks: credit risk, concentration risk, interest rate risk, and foreign currency risk.

- The investments of the City shall be held in the name of the City and held in custodial safekeeping. All custodial agreements shall comply with the laws of the State of Wisconsin.

III. INTERNAL CONTROLS

The City Treasurer, Administrator, and Auditor shall establish a system of internal controls designed to prevent losses of City funds arising from fraud, misrepresentation by third parties, unanticipated changes in financial markets, employee error, or imprudent actions by employees.

Internal controls shall address:

- Separation of transaction authority from accounting and record keeping.
- Clear delegation of authority to subordinate staff members.
- Confirmation of transactions for investments and wire transfers.
- Development of a wire transfer agreement with the lead bank and third-party custodian.
- Investment and interest earnings will be recorded in the City's accounting records based on generally accepted government accounting principles.

- A periodic summary of all investment transactions will be prepared by the City Treasurer for review by the City Council.
- Each year, as part of the annual audit by an external auditing firm, there will be an independent review. This review will provide internal control by assuring compliance with this policy.

IV. COLLATERALIZATION

Certificates of Deposit that exceed FDIC insurance limits and/or coverage limits specified in Wisconsin statutes 34.08(1)(2) shall require collateral valued at 102% of the principal and accrued interest. Conditions of the collateral arrangement will be detailed in a "Security Agreement" between the depository financial institution and the City. Collateral pledged to the City for this purpose will be held by a third-party custodian, in the City's name, and evidenced by a "Tri-Party" agreement between the depository financial institution, the City, and the custodian. Evidence of ownership must be detailed in a safekeeping receipt supplied to the City Treasurer. Collateral substitution(s) must be authorized by the City.

The City may also request collateral, under the same conditions as stated above, for any deposits at any financial institution that exceed FDIC insurance limits.

V. INVESTMENT PARAMETERS

Diversification

Investments shall be diversified by:

- Limiting investments to avoid over concentration in securities from a specific issuer, industry, or business sector, excluding U.S. Treasury obligations.
- Investing in securities with varying maturities.
- Continuously investing a portion of the investment portfolio in readily available funds such as local government investment pools, money market accounts, or money market mutual funds permissible under state statute.

VI. REPORTING

The City Treasurer shall present a periodic report on the investment program and investment activity to the City Council. The management summary shall be prepared in a manner that will allow the City Council to determine if investment activities during the reporting period conform to this Investment Policy.

VII. POOLING OF CASH

Except where otherwise provided by the City Council, the City Treasurer is authorized to pool the cash of the funds identified in this policy to maximize investment earnings where it is advantageous and prudent to do so. Investment income will be allocated to the various funds based on the pro rata portion of each fund.

VII. ADOPTION AND APPROVAL

By resolution, the Investment Policy shall be formally approved and adopted by the City Council and reviewed as needed but at least every three years.

LIST OF ATTACHMENTS

The following documents, as applicable, are attached to this policy;

- Relevant Wisconsin statutes and local ordinances
- List of authorized personnel
- List of authorized public depositories, financial institutions, and broker/dealers

RESOLUTION # 22-XX

Establishing an Investment Policy and Designating Public Depositories

Investment Policy Adoption

The City of Adams investment policy shall be adopted by resolution by the City Council. The policy shall be reviewed periodically by City Treasurer and any modifications shall be presented to the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED That:

Delegation of Authority

The City Council delegates the authority to invest public funds to the City Treasurer or designee. This delegation authorizes the City Treasurer or designee to purchase investments for the City. Responsibility is delegated to the City Treasurer or designee to establish procedures to be used for safekeeping, wire transfers, and other banking agreements, consistent with this policy and a system of controls.

BE IT FURTHER RESOLVED that:

Authorized Financial Institutions

The City Council designates the following institutions as public depositories for the funds of the City of Adams as stated in 93-94 Sections 34.01(5) and 34.05(1) of the Wisconsin Statutes.

See Appendix C

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to each of the above-named depositories and said depositories may rely on this resolution until changed by lawful resolution and certified copy of such resolution has been given to the cashier of the respective above-named depositories.

MISCELLANEOUS

Definitions of words and phrases shall, insofar as applicable, have the meanings set forth in Section 34.01 of the Wisconsin Statutes.

This policy is enacted in accordance with the provisions of Chapter 34 and Sections 66.0603, of the Wisconsin Statutes. In case of conflict, the state laws shall prevail.

This policy shall be reviewed periodically, but at least every 3 years, and shall continue in force until appealed or amended by further resolution of the City Council.

Adopted: [date]

Appendix A

List of authorized personnel

City Administrator

City Treasurer

Appendix B

66.0603 Investments.

(1g) DEFINITION. In this section, "governing board" has the meaning given under s. [34.01 \(1\)](#) but does not include a local exposition district board created under subch. [II of ch. 229](#) or a local cultural arts district board created under subch. [V of ch. 229](#).

(1m) INVESTMENTS.

(a) A county, city, village, town, school district, drainage district, technical college district or other governing board, other than a local professional football stadium district board created under subch. [IV of ch. 229](#), may invest any of its funds not immediately needed in any of the following:

1. Time deposits in any credit union, bank, savings bank, trust company, or savings and loan association which is authorized to transact business in this state.

2. Bonds or securities issued or guaranteed as to principal and interest by the federal government, or by a commission, board or other instrumentality of the federal government.
3. Bonds or securities of any county, Village, drainage district, technical college district, village, town or school district of this state.
- 3m. Bonds issued by a local exposition district under subch. [II of ch. 229](#).
- 3p. Bonds issued by a local professional baseball park district created under subch. [III of ch. 229](#).
- 3q. Bonds issued by a local professional football stadium district created under subch. [IV of ch. 229](#).
- 3s. Bonds issued by the University of Wisconsin Hospitals and Clinics Authority.
- 3t. Bonds issued by a local cultural arts district under subch. [V of ch. 229](#).
- 3u. Bonds issued by the Wisconsin Aerospace Authority.
4. Any security which matures or which may be tendered for purchase at the option of the holder within not more than 7 years of the date on which it is acquired, if that security has a rating which is the highest or 2nd highest rating category assigned by Standard & Poor's corporation, Moody's investors service or other similar nationally recognized rating agency or if that security is senior to, or on a parity with, a security of the same issuer which has such a rating.
5. Securities of an open-end management investment company or investment trust, if the investment company or investment trust does not charge a sales load, if the investment company or investment trust is registered under the investment company act of 1940, [15 USC 80a-1 to 80a-64](#), and if the portfolio of the investment company or investment trust is limited to the following:
 - a. Bonds and securities issued by the federal government or a commission, Council or other instrumentality of the federal government.
 - b. Bonds that are guaranteed as to principal and interest by the federal government or a commission, board or other instrumentality of the federal government.
 - c. Repurchase agreements that are fully collateralized by bonds or securities under subd. [5. a.](#) or [b.](#)

Appendix C

List of authorized public depositories, financial institutions, and broker/dealers

Westbury Bank,
State of Wisconsin Local Government Investment Pool (LGIP)
Ehlers Investment Partners LLC
Pershing Advisor Solutions LLC

Sample from:

COPY

VILLAGE OF PEWAUKEE
FINANCIAL POLICIES & PROCEDURES MANUAL

SUBJECT: INVESTMENT POLICY

General: The purpose of these investment guidelines is to formalize the framework for the Village's daily investment activities to include scope, objectives, authority, standards of prudence, authorized institutions, investment type, collateralization and diversification. The guidelines are intended to be broad enough to allow the investment officer to function properly within the parameters of responsibility and authority, yet specific enough to adequately safeguard the investment assets.

Scope: 1. This investment policy applies to all financial assets of the Village of Pewaukee. These funds are accounted for in the Village's annually audited financial statements. This policy is limited in its application to funds that are not immediately needed and are available for investment. Unless prohibited by law or contract, the Village may pool cash from several different funds for investment purposes should it meet the objectives of the investment program.

Objectives: 2. The primary objectives, in order of priority, of all investment activities involving the financial assets of the Village of Pewaukee shall be the following:

A. Safety: Safety and preservation of principal in the overall portfolio is the foremost investment objective.

Credit Risk

The Village of Pewaukee will minimize credit risk, which is the risk of loss due to the failure of the security issuer or backer, by:

- Limiting investments to the types of securities listed in Section 6 of this Investment Policy.
- Diversifying the investment portfolio so that the impact of potential losses from any one type of security or from any one individual issuer will be minimized.

Interest Rate Risk

The Village of Pewaukee will minimize interest rate risk, which is the risk that the market value of securities in the portfolio will fall due to changes in market interest rates, by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.
- Investing operating funds primarily in shorter-term securities, money market mutual funds, or similar investment pools and limiting the average maturity of the portfolio in accordance with this policy.

B. Liquidity: Maintain the necessary liquidity to match expected liabilities is the second investment objective.

**VILLAGE OF PEWAUKEE
FINANICIAL POLICIES & PROCEDURES MANUAL**

C O P Y

C. Return: Obtaining a reasonable return is the third investment objective.

- Authority: 3. Authority to manage the Village's investment program is derived from the State of Wisconsin Statutes and Village ordinances. The Village Treasurer or designee is the investment officer and is responsible for investment decisions and activities. The Village Treasurer shall be responsible for all transactions undertaken, and shall establish investment procedures consistent with this policy, and a system of controls to regulate the activities of subordinate officials and employees.
- Prudence: 4. Investment officers of the Village, when investing or depositing public funds, shall exercise the care, skill, prudence and diligence under the circumstances then prevailing that a person acting in a like capacity and familiar with such matters would use to attain the objectives listed above (the "prudent person" standard). This standard requires that when making investment decisions, the investment officer shall consider the role that the investment or deposit plays within the portfolio of assets of the Village of Pewaukee and the investment objectives listed above, and shall be applied in the context of managing the overall investment portfolio.
- Institutions: 5. The Village Treasurer shall select and maintain a list of financial institutions authorized to be public depositories and/or provide investment services.
- Investment Types: 6. The investment of Village funds shall be in accordance with Wisconsin statutes section 66.0603 (see excerpt attached as Exhibit A), further limited as follows:

A. Government Bonds & Securities

Village funds may be invested in United States government bonds or securities with maturities less than ten years from the date of investment. Such investments may also include securities of open-end management investment companies (as further defined in Wisconsin statutes), without limitation to maturity of the underlying investments in the investment portfolio.

The Village may also invest in bonds and securities issued by themselves or by other Wisconsin governmental units or in bonds and securities guaranteed as to principal and interest by the federal government, or a board commission or agency thereof.

B. Highly Rated Securities

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The Village may invest in a security which matures or which may be tendered for purchase at the option of the holder within not more than seven years from the date on which it is acquired provided that security has a rating which is the highest or second highest rating category by Standard & Poor Corporation, Moody's Investor Service or other similarly recognized rating agency.

C. Time Deposits

The Village funds may be invested in time deposits in any credit union, bank, savings bank or trust company which is authorized to transact business in the State of Wisconsin if the time deposit maturity is not greater than three years.

D. Repurchase Agreements

Village funds may be invested in repurchase agreements with financial institutions approved as public depositories, provided that the underlying collateral consist of obligations of the United States Government, its agencies and instrumentalities and the Village of Pewaukee takes delivery of the collateral either directly or through an authorized custodian. The Village shall be informed of the specific collateral and investments in repurchase agreements and shall be collateralized at 102% of the value of the Village's investment.

E. Prohibited Investments

In addition to the limitations on investment types according to Wisconsin statutes, Village funds will not be invested in derivative type investments such as collateralized mortgage obligations, strips, floaters, etc. Certain types of such investments may qualify under state statute but are not deemed appropriate for use by the Village of Pewaukee.

Collateralization
And Insurance:

7. The Federal Deposit Insurance Corporation (FDIC) protects deposits up to \$250,000. In addition, public deposits are protected against losses by Wisconsin general-purpose revenues under Statutes 20.144 (1) and 34.08 (2) up to \$400,000 for any one public depositor in any individual public depository. The Village will seek to collateralize certificates of deposit or any other time deposit in an amount equal to 100% of the investment less the amount (\$650,000) insured by the State of Wisconsin and the FDIC with appropriate collateral instruments and at levels per recommended practices of the Government Finance Officers Association. Where practicable, collateral shall be held by the Village or an independent third party custodian with whom the Village has a current custodial agreement.

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FINANCIAL POLICIES & PROCEDURES MANUAL**

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Where this is not practicable, verifiable evidence of specific pledged securities must be supplied to the Village.

The Village will seek to protect its interests in all other securities purchased by the Village via appropriate insurance coverage from broker/dealers or via the use of a third party custodian approved by the Village Treasurer and evidenced by safekeeping receipts.

Diversification:

8. It is the policy of the Village of Pewaukee to diversify its investment portfolio. Assets shall be diversified to eliminate the risk of loss and balance the effect of interest rate changes affecting different types of securities. Investments will be diversified by:
 - Limiting investments to avoid over-concentration in securities from a specific issuer or business sector;
 - Limiting investments in securities with higher credit risks;
 - Investing in securities with varying maturities; and
 - Continuously investing a portion of the portfolio in readily available funds such as the Local Government Investment Pool, money market funds, or overnight repurchase agreements to ensure that appropriate liquidity is maintained to meet ongoing obligations.

Maximum Maturities:

9. To the extent possible, the Village of Pewaukee will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the Village will not directly invest in securities maturing more than five (5) years from the date of purchase.

Performance Standards:

10. The investment portfolio will be designed to obtain a market average rate of return during a market/economic environment of stable interest rates, and taking into account the Village's investment risk constraints and cash flow needs. Given the passive nature of the Village's investment strategy, the basis used to determine whether market yields are being achieved shall be the average Federal Funds rate.

**Investment Policy
Considerations:**

11. Any investment currently held that would not meet the guidelines of this policy shall be exempt from the requirements of the policy. At maturity or liquidation, such monies shall be reinvested only as provided under this policy.

The investment policy will be reviewed at the discretion of the Village Administrator or Village Treasurer.

Agenda Item #3

Brooke McLarnan

From: rebecca bria <rebecca@rblo.law>
Sent: Thursday, September 7, 2023 10:09 AM
To: Brooke McLarnan
Subject: Re: Donation Policy

You can, but it is not required. That is really up to that committee

Rebecca M. Richards-Bria
Richards-Bria Law Office
225 E. State Street
Mauston, WI 53948
Phone: 608-847-1900
Fax: 608-847-1901

Please note: New email address rebecca@rblo.law please update your records.

Confidentiality Notice: The information contained in this electronic message and the documents accompanying it are privileged and confidential. This information is intended only for the use of the individual or entity named. If the reader is not the intended recipient, or the agent or employee of recipient, you are hereby notified that any distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to use at the above address.

On Thursday, September 7, 2023 at 09:42:32 AM CDT, Brooke McLarnan <bmclarnan@cityofadams-wi.gov> wrote:

Good Morning!

So Policy and Procedure decided, after last weeks meeting, that they would like the City to take a stand that we don't make donations. Would we need to create a Donation policy to state that we are choosing to not donate at this time, until a separate fund can be created and budgeted to?

Thanks!

Brooke McLarnan

Agenda Item #4

Chapter 3

Snowmobiles

- 10-3-1 State Snowmobile Laws Adopted
- 10-3-2 Applicability of Traffic Regulations to Snowmobiles
- 10-3-3 Speed
- 10-3-4 Unattended Vehicles
- 10-3-5 Operation on Sidewalks Prohibited
- 10-3-6 Snowmobile and Other Off-Highway Vehicle Operation Restricted
- 10-3-7 Restrictions on Operators
- 10-3-8 Snowmobile Routes and Trails Designated
- 10-3-9 Penalty
- 10-3-10 Enforcement

Sec. 10-3-1 State Snowmobile Laws Adopted

Except as otherwise specifically provided in this Chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the Wisconsin Statutes are hereby adopted by reference and made part of this Chapter as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this Chapter. Any future amendments, revisions or modifications of the Statutes incorporated herein by reference are intended to be made part of this Code.

- 350.01 Definitions
- 350.02 Operation of Snowmobiles on or in the Vicinity of Highways
- 350.03 Right-of-Way
- 350.04 Snowmobile Races, Derbies and Routes
- 350.045 Public Utility Exemption
- 350.047 Local Utility Exemption
- 350.05 Operation by Youthful Operators Restricted
- 350.55 Safety Certification Program Established
- 350.06 Firearms and Bows
- 350.07 Driving Animals
- 350.08 Owner Permitting Operation
- 350.09 Head Lamps, Tail Lamps and Brakes, Etc.
- 350.10 Miscellaneous Provisions for Snowmobile Operation
- 350.12 Registration of Snowmobiles
- 350.125 Completion of Application for Registration by Snowmobile Dealers
- 350.13 Uniform Trail Signs and Standards
- 350.15 Accidents and Accident Reports
- 350.17 Enforcement
- 350.18 Local Ordinances
- 350.19 Liability of Landowners
- 350.99 Parties to a Violation

Snowmobiles

10-3-2

Sec. 10-3-2 Applicability of Traffic Regulations to Snowmobiles

No person shall operate a snowmobile upon any street, highway or alley within the City of Adams in violation of the traffic regulation provisions of Sections 346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1) and 346.94(1), (6), (6m) and (9), Wis. Stats.

Sec. 10-3-3 Speed

No person shall operate a snowmobile upon any public highway within the City at a speed in excess of fifteen (15) miles per hour. No person shall operate a snowmobile on any trail designated in Section 10-3-8 of this Chapter at a speed in excess of the posted limit.

Sec. 10-3-4 Unattended Vehicles

No person shall leave or allow a snowmobile owned or operated by him to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.

Sec. 10-3-5 Operation on Sidewalks Prohibited

No person shall operate a snowmobile upon any sidewalk, pedestrian way or upon the area between the sidewalk and the curb line of any street in the City, except as specifically authorized by Section 10-3-8 or for the purpose of crossing to obtain immediate access to an authorized area of operation.

Sec. 10-3-6 Snowmobile and Other Off-Highway Vehicle Operation Restricted

- (a) **Permitting Operation by Improper Persons Prohibited.** No owner or person having charge or control of a snowmobile shall authorize or permit any person to operate such snowmobile who is not permitted under state law to operate such snowmobile or who is under the influence of an intoxicant or a dangerous narcotic drug.
- (b) **Operation While Under Influence Prohibited.** Section 346.63, WIS. Stats., shall apply, to the operation of a snowmobile any place within the City.
- (c) **Operation In Parks.** No person shall drive a snowmobile in any park within the City except upon designated snowmobile trails as shall be designated by the Common Council.

Sec. 10-3-7 Restrictions on Operators

- (a) No person under the age of twelve (12) years may operate a snowmobile. No person over the age of twelve (12) years but under the age of sixteen (16) years may operate a snowmobile unless he holds a valid snowmobile safety certificate or is accompanied by a person over eighteen (18) years of age or by a person over fourteen (14) years of age having a snowmobile safety certificate issued by the Department of Natural Resources.
- (b) No person shall operate any snowmobile upon any Street, alley or other public right-of-way in the City unless such person shall have a valid motor vehicle operator's license or unless such operator is accompanied by a person who has a valid motor vehicle operator's license and who is occupying a seat on the vehicle.

Sec. 10-3-8 Snowmobile Routes and Trails Designated

- (a) Routes Designated. Except as provided in Sections 350.02 and 350.045 of the Wisconsin Statutes, or for snowmobile events authorized in accordance with Section 350.04, Wis. Stats., no person shall operate a snowmobile upon any public right-of-way, in any public park, or on any other public municipal property in the City except upon snowmobile routes and trails designated as follows:
- (1) *North Street* – from West City Limits east to 11th Avenue
 - (2) *Brevoort Street* – from Main Street east to Pierce Street
 - (3) *W. Park Street* – from Main Street west to Juneau Street
 - (4) *Liberty Street* – from Cedar Street east to Pierce Street
 - (5) *State Street* – from Cedar east to Pierce Street
 - (6) *Cedar Street* – from Park Street south to State Street
 - (7) *Pierce Street* – from North Street south to State Street
 - (8) *Juneau Street* – from North Street south to Park Street
 - (9) *Werner Street* – from May Street south to Ann Street
 - (10) *May Street* – from the most westerly point west of Main Street (State Highway 13) east to Werner Street
 - (11) *First Alley east of Main Street* – the Alley located one-half (1/2) block east and running parallel with Main Street, and bound on the north by East Liberty Street and on the south by East Railroad Street
 - (12) *First Alley west of Main Street* – from Liberty Street to Grove Street
 - (13) *Cross Over Points* on Main Street (State Highway 13) are at North Street, Brevoort Street and Park Street, Liberty Street, State Street, and May Street
 - (14) *West Sherman Street – Cross Over* - from the most northeasterly point of 181 W. Sherman Street to the south westerly point of 699 S. Main Street
 - (15) *Residential Access Allowed* – Snowmobiles may be operated on any street or alley within the City for purposes of providing residential access. "Purpose of Residential Access", as used herein, shall mean for the purpose of traveling for the shortest distance that is necessary for a person operating the snowmobile to go between a residence and snowmobile route or trail that is closest to that residence.
 - (16) *Lodging Access Allowed* – Snowmobiles may be operated on any street or alley within the City for purposes of providing access from lodging. "Purpose of Access from Lodging", as used herein shall mean for the purposes of traveling for the shortest distance that is necessary for a person operating the snowmobile to go between a lodging establishment and the snowmobile route or snowmobile trail that is closest to the lodging establishment."
- (b) Trail Markers. The Director of Public Works is directed and authorized to procure, erect and maintain appropriate snowmobile route, trail and limit signs and markers as approved by the State Department of Natural Resources under Sec. 350.13, Wis. Stats. The Chief of Police or Director of Public Works shall have the power to declare the stated snowmobile routes and trails either open or closed.
- (c) Markers to be Obeyed. No person shall fail to obey any route or trail sign, marker, or limit erected in accordance with this Section.

(Amendment of Subsections 10-3-8(a)(1) and 10-3-8(a)(15) adopted by Council on April 1, 1996 by Ordinance No. 2-96) (Amendment of Subsection 10-3-8(a)(16) created by Council on February 2, 1998, by Ordinance No. 01-98) (Amendment of Subsection 10-3-8(a) adopted by Council on November 4, 2002 by Ordinance No. 16-1002) (Rescind and Recreate Title 10 Chapter 3, Section 8(a) of the Code of Ordinances of the City of Adams, WI by Council on November 4, 2013 by Ord. 10-2013)

Cross Reference: Section 10-4-4.

Sec. 10-3-9 Penalty

Any person who shall violate any provision of this chapter shall, upon conviction thereof, forfeit not less than Twenty Dollars (\$20.00) and not more than Five Hundred Dollars (\$500.00), together with the costs of prosecution, and, in default of payment thereof, may be imprisoned in the county jail for not exceeding ten (10) days, provided no person shall forfeit an amount in excess of the maximum fine or forfeiture allowed in the Wisconsin Statutes for the same offense and further provided that the penalty and forfeiture for parking violations on highways shall be the amount applicable to such violations by owners or operators of motor vehicles under Title 10, Chapter 1, of this Code of Ordinances.

Sec. 10-3-10 Enforcement

- (a) Uniform Citation for Highway Violations. The uniform traffic citation promulgated under Sec. 345.11, Wis. Stats., shall be used for violations of this Chapter relating to highway use except as herein provided.
- (b) Parking Violations. The special traffic citation described and defined in Title 10, Chapter 1, of this Code of Ordinances shall be used for enforcement of violations of rules of the road relating to parking of vehicles adopted by reference in Section 10-3-1 of this Chapter.
- (c) Other Violations. All violations of this Chapter not described in Subsections (a) or (b) shall be enforced in accordance with Sections 66.12 and 66.114 of the Wisconsin Statutes. Stipulations of guilt or no contest may be made as provided in Sec. 66.12(1) (b), Wis. Stats., in substantially the form provided in the uniform traffic citation within five (5) days of the date of the citation for such violation. Bail deposits may also be made under Sec. 66.12, Wis. Stats. Such deposits shall include a Three Dollars (\$3.00) Clerk's fee and costs of prosecutions.
- (d) Police Department to Receive Stipulations and Penalties. Stipulations, forfeited penalties and deposits for obtaining release from arrest authorized under this Chapter may be accepted at the Police Dept. Offices.
- (e) Forfeited Penalties and Deposits. Except as other wise provided in Sec. 345.26, Wis. Stats, and the deposit schedule adopted by the State Board of Circuit Court Judges there under, required penalties and deposits or bail not including costs or fees for violation of this Chapter shall be as established by the schedule adopted by the Common Council.

Chapter 4

All-Terrain Vehicles and Off-Road Motor Vehicle Operation

10-4-1 State All-Terrain Vehicle Laws Adopted

10-4-2 Unauthorized Operation of Motor Vehicles on Public or Private Property

Sec. 10-4-1 State All-Terrain and Utility Terrain Vehicle Laws Adopted

The intent of this chapter is to establish routes and provide for the safe operations of all-terrain vehicles (ATV's) and utility terrain vehicles (UTV's) upon all roadways, within the City of Adams. The provisions describing and defining regulations with respect to all-terrain/UTV vehicles ~~ATVs and UTVs~~ in Secs. 23.33 and 346.02 (1), Wis. Stats. and any future amendments or revisions, are hereby adopted by reference and made part of this Section as if fully set forth herein.

(a) Purpose.

(1) ~~Designation Of All-Terrain and Utility Terrain Vehicle Routes.~~ To establish all-terrain and utility terrain vehicle ~~ATV and UTV~~ routes and provide safe enjoyable all-terrain/utv vehicle ~~ATV/UTV~~ recreation consistent with public rights and interest.

(2) ~~Authority.~~ This ordinance is adopted pursuant to the authority given under 23.33(4)(d), 23.33(8)(b) and 23.33(11) Wis. Stats.

(3) ~~Operation:~~ Pursuant to s. 23.33(4)(d)4. Wis Stats., except as otherwise provided in s. 23.33(4) Wis. Stats., no person may operate an all-terrain ~~ATV/UTV~~ vehicle on the roadway portion of any highway in the City except on roadways that are designated as all-terrain vehicles and utility terrain vehicle ~~ATV/UTV~~ routes by ordinance.

(4) ~~Routes.~~ All roadways under the jurisdiction of the City of Adams are designated all-terrain ~~ATV/UTV~~ vehicles and utility terrain vehicle routes. This designation excludes state and federal highways and all private roads, unless otherwise posted.

~~to include operation on a.~~ The following State and Federal highway within the City are designated routes:

Hwy 13/Main Street from Capella Street north to Railroad Street;

b. The following State and Federal highway are not designated as all-terrain vehicles and utility terrain vehicle ~~ATV/UTV~~ routes: Hwy 13/Main Street from Railroad Street north to North Street

(5) ~~Signing:~~ Pursuant to 23.33(8)e Wis. Stats., a sign shall be erected on each highway that crosses the City's territorial boundary alerting motorists that all highways under the jurisdiction of the City have been designated as all-terrain vehicle and utility terrain vehicle ~~ATV/UTV~~ routes unless otherwise indicated. Any highway under the jurisdiction of the City which is not designated as an all-terrain vehicle and utility terrain vehicle ~~ATV/UTV~~ route shall have signs erected at such locations as appropriate to indicate the highway is not designated as an all-terrain vehicle and utility terrain vehicle ~~ATV/UTV~~ route.

(6) ~~Enforcement.~~ This section and ordinance shall be enforced by any municipal peace officer of the City of Adams, Adams County, Wisconsin, and enacted in accordance with this section.

(7) ~~Penalties.~~ Wisconsin State All-Terrain Vehicle ~~ATV/UTV~~ penalties as found in s. 23.33(13)(a) Wis. Stats. are adopted by reference.

(8) ~~Severability.~~ The provisions of this ordinance shall be deemed severable, and it is expressly

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declared that the City would have passed the other provisions of this chapter irrespective of whether one or more provisions may be declared invalid. If any provision of this chapter or the application to any person or circumstances is held invalid, the remainder of the chapter and the application of such provisions to other person's circumstances shall not be deemed affected."

All-Terrain Vehicles and Off-Road Motor Vehicle Operation

10-4-2

Sec. 10-4-2 Unauthorized Operation of Motor Vehicles on Public or Private Property

(a) Purpose.

- (1) The unauthorized off-road operation of motor vehicles and all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) has resulted in serious damage to public and private lands including damage or destruction of vegetation, animal life and improvement to the lands; and
- (2) The unauthorized off-road operation of motor vehicles and ATVs/UTVs has resulted in the permanent scarring of land and an increase in both erosion and air pollution; and
- (3) The unauthorized off-road operation of motor vehicles and ATVs/UTVs has resulted in collisions and near collisions threatening the life and safety of the operators of such vehicles as well as of other persons; and
- (4) The unauthorized off-road operation of motor vehicles and ATVs/UTVs has resulted in a loss of the privacy, quietude and serenity to which the owners and users of land are rightfully entitled.

(b) Definitions. For purposes of this Section, the terms below shall be defined as follows:

- (1) **Unauthorized.** Without the express prior consent of the owner, lessee, manager or other person authorized to give consent by the owner or lessee of land. Authorization shall not be implied from a failure to post private or public land.
- (2) **Off-Road.** Any location which:
 - a. Is not a paved or maintained public street or alley; or
 - b. Is not used or maintained by the owner or lessee of land as a driveway, parking lot or other way for motor vehicles; or
 - c. Is a private trail for use only by the owner or his permittees for recreational or other vehicular use. Off-road shall not include any creekbed, riverbed or lake provided, however, that this Subsection shall not apply to snowmobiles or other vehicles being operated on the ice covering such creekbed, riverbed or lake.
- (3) **Operation.** The physical manipulation or activation of any of the controls of a motor vehicle necessary to put in motion.

(c) Unauthorized Off-road Operation Prohibited.

- (1) Except for authorized maintenance vehicles, ~~and snowmobiles, or vehicles, or~~ ATVs/UTVs operating in areas authorized by the Common Council, it shall be unlawful to operate any minibike, go-kart, or any other motor-driven craft or vehicle principally manufactured for off-highway use on the City streets, alleys, parks, sidewalks, bikeways, parking lots or on any public lands or private lands or parking lots held open to the public. The operator shall at all times have the written consent of the owner before operation of such craft or vehicle on private lands.

(Amend Title 10 Chapter 4, Section 1 and Section 2) of the Code of Ordinances of the City of Adams, WI by Council on September 20, 2021 by Ord. 03-2021) (Amend Title 10 Chapter 4, Section 1 and Rescinding Title 10, Chapter 4 Section 2(4) and Title 10, Chapter 4, Section 2(c)(1) of the Code of Ordinances of the City of Adams, WI by Council on June 15, 2009 by Ord. 19-2009) (Rescind and Recreate Title 10, Chapter 4, Section 1 of the Code of