



## 2005 ASSEMBLY BILL 257

March 18, 2005 – Introduced by Representatives GOTTLIEB, AINSWORTH, BERCEAU, BIES, GIELOW, HAHN, HINES, JESKEWITZ, KERKMAN, LEMAHIEU, MUSSER, NISCHKE, OTT, OWENS, PETTIS, SEIDEL, VAN ROY, VOS, KESTELL, GUNDERSON, STRACHOTA, MURSAU, PRIDEMORE, KREIBICH, MOLEPSKE, STASKUNAS and STONE, cosponsored by Senators ROESSLER, REYNOLDS, BROWN, GROTHMAN, KANAVAS, A. LASEE and LASSA. Referred to Committee on Urban and Local Affairs.

1     **AN ACT** *to amend* 61.50 (1), 61.50 (1m) and 62.11 (4) (a); and *to create* 61.50 (3)  
2             and 62.11 (4) (c) of the statutes; **relating to:** changing the requirements for the  
3             publication of city and village ordinances.

---

### *Analysis by the Legislative Reference Bureau*

Generally under current law, the complete text of an ordinance that is enacted by a city or village must be published in the official city newspaper or in a newspaper that is published in the village. If no newspaper exists in a village, however, the ordinance may be posted in at least three public places in the village.

Under this bill, a city or village may continue to publish the complete text of an enacted ordinance or the city or village may publish a notice of the ordinance in the official city newspaper or in a newspaper that is published in the village. The notice must contain at least all of the following information:

1. The number and title of the ordinance.
2. The enactment date of the ordinance.
3. A summary of the ordinance.
4. Information about where the full text of the ordinance may be obtained.

The bill makes no change to current law regarding the posting of ordinances in villages in which there is no newspaper.

**ASSEMBLY BILL 257**

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 61.50 (1) of the statutes is amended to read:

2           61.50 (1) PUBLICATION OF NOTICE OF ORDINANCES. Every contract, conveyance,  
3           commission, license or other written instrument shall be executed on the part of the  
4           village by the president and clerk, sealed with corporate seal, and in pursuance only  
5           of authority therefor from the village board. All ordinances and bylaws shall be  
6           signed by the president and countersigned by the clerk; and, if any penalty or  
7           forfeiture is thereby imposed, the ordinance or bylaw shall be published either in its  
8           entirety, as a class 1 notice, under ch. 985, or as a notice, as described under sub. (3),  
9           and shall take effect on the day after its the publication or a later date if expressly  
10          prescribed. If there is no newspaper published in the village, the village board may  
11          in lieu of newspaper publication have copies of said the ordinances and bylaws posted  
12          in at least 3 public places in said village, and proof thereof filed and recorded by the  
13          village clerk, and the same shall take effect the day after the proof of posting has been  
14          filed and recorded, or at a later date if expressly provided in the ordinance or bylaw.

15          **SECTION 2.** 61.50 (1m) of the statutes is amended to read:

16          61.50 (1m) INDETERMINATE PUBLICATION. When any village ordinance is  
17          required by law to be published without express designation therein as to class of  
18          notice, it the ordinance shall be published either in its entirety, as a class 1 notice  
19          under ch. 985, or as a notice, as described under sub. (3).

20          **SECTION 3.** 61.50 (3) of the statutes is created to read:

**ASSEMBLY BILL 257**

1           61.50 (3) REQUIREMENTS FOR NOTICE. A notice of an ordinance that may be  
2 published under this section shall be published as a class 1 notice under ch. 985 and  
3 shall contain at least all of the following:

- 4           (a) The number and title of the ordinance.  
5           (b) The date of enactment.  
6           (c) A summary of the subject matter of the ordinance.  
7           (d) Information as to where the full text of the ordinance may be obtained.

8           **SECTION 4.** 62.11 (4) (a) of the statutes is amended to read:

9           62.11 (4) (a) Proceedings of the council shall be published in the newspaper  
10 designated under s. 985.06 as a class 1 notice, under ch. 985. The proceedings for the  
11 purpose of publication shall include the substance of every official action taken by  
12 the governing body. Except as provided in this subsection ~~all ordinances~~ every  
13 ordinance shall be published either in its entirety, as a class 1 notice, under ch. 985,  
14 or as a notice, as described under par. (c), within 15 days of passage, and shall take  
15 effect on the day after its the publication or at a later date if expressly prescribed.

16           **SECTION 5.** 62.11 (4) (c) of the statutes is created to read:

17           62.11 (4) (c) A notice of an ordinance that may be published under this  
18 subsection shall be published as a class 1 notice under ch. 985 and shall contain at  
19 least all of the following:

- 20           1. The number and title of the ordinance.  
21           2. The date of enactment.  
22           3. A summary of the subject matter of the ordinance.  
23           4. Information as to where the full text of the ordinance may be obtained.

24

(END)