

## POWERS AND DUTIES OF THE TOWN BOARD

A town has only those powers that are conferred by statute, or may be necessarily implied from the statute.

1. *Charge of town affairs.* Has charge of all affairs of the town not committed by law to another body or officer or to a town employee.
2. *Hiring/firing.* Authority to hire and fire employees, except for a deputy clerk or deputy treasurer. Fixes pay for all employees, excluding elected officials.
3. *Charge of actions.* Has charge of any action or legal proceeding to which the town is a party.
4. *Village powers.* By majority vote of the town meeting, the town is authorized to exercise powers relating to villages and conferred on village boards under Wis. Stats. ch.61, except those powers which conflict with statutes relating to towns and town boards. (Res. 2002-08, 11-19-02) The board may enact ordinances to regulate for public health, safety and welfare.
5. *Jurisdiction of constable.* Shall determine the jurisdiction and duties of the town constable. The town board may also require the town constable to complete training under Wis. Stats. § 165.85 (4m).
6. *Pursue certain claims of town.* Shall demand payment of penalties and forfeitures recoverable by the town and damages incurred by the town due to breach of official bond, injury to property or other injury. If, following demand, payment is not made, the board shall pursue appropriate legal action to recover the penalty, forfeiture or damages.
7. *Joint participation.* Cooperate with the state, counties and other units of government under s. 66.0301, including cooperative arrangements involving the acquisition, development, remodeling, construction, equipping, operation and maintenance of land, buildings and facilities for regional projects, whether or not located in the town.
8. *Utility districts.* Establish utility districts. (Wis. Stats., §66.0827)
9. *Appropriations for civic and other functions.* If authorized by the town meeting, appropriate reasonable amounts of money for gifts or donations to be used to:
  - a) Further civic functions and agricultural societies.
  - b) Advertise the attractions, advantages and natural resources of the town.
  - c) Attract industry.
  - d) Establish industrial complexes.
  - e) Establish, maintain and repair ecological areas.
  - f) Provide for the organization, equipment and maintenance of a town museum or a municipal band, or for the employment of other bands to give concerts and municipal entertainment in the town.
  - g) Construct or otherwise acquire, equip, furnish, operate and maintain, with the county in which the town is located, a county–town auditorium.
10. *Cooperation in county planning.* Cooperate with the county in rural planning. (Wis. Stats., §§ 27.019, 59.54 (4) and (4m) and 59.69)
11. *Conservation of natural resources.* If authorized by the town meeting, appropriate money for the conservation of natural resources or for payment to a bona fide nonprofit organization for the conservation of natural resources within the town or beneficial to the town.

12. *Emergency pest and disease control.* Appropriate money for the control of insects, weeds or plant or animal diseases.
13. *Bowling centers, dance halls, roadhouses, places of amusement, pool tables and amusement devices.* Regulate, including the licensing of, bowling centers, dance halls, roadhouses, other places of amusement, billiard and pool tables and amusement devices maintained in commercial facilities.
14. *Transportation of students in hazardous areas.* Reimburse a school district for costs incurred by the district under Wis. Stats., § 121.54 (9) in transporting pupils who reside in the town.
15. *Exchange tax credit for county land.* Authorize the town treasurer to exchange any credit the town has with the county, arising from delinquent real estate taxes, for county– owned land.
16. *Associations of towns.* Appropriate money to purchase membership in any association of town boards for the protection of town interests and improvement of town government.
17. *Cemeteries.* Provide for cemeteries. (Wis. Stats., subch. II of ch. 157)
18. *Change street names.* Name, or change the name of, any street in the town. (Wis. Stats, § 82.03 (7))
19. *Neighborhood watch program and signs.* Authorize a neighborhood watch program and place signs as provided by law.
20. *Disposition of dead animals.* Dispose of any dead animal within the town or contract for the removal and disposition with any private disposal facility or a governmental unit.
21. *Alcohol beverage licensing and regulation.* Responsible for licensing the sale and serving of alcohol beverages.
22. *Town budget.* Responsible for preparing the proposed budget and adopting the final budget and any amendments thereto. Conducts the budget hearing. §60.40
23. *Miscellaneous provisions in statutes:*
  - a) Regulation of drug paraphernalia
  - b) Regular of certain criminal conduct
  - c) Regulation of CATV
  - d) Self-insure health care benefits
  - e) Town housing and redevelopment activities
  - f) Regulate billboards
  - g) Regulate riding horses or dogs running at large
  - h) Create TIF district
  - i) Discontinuance of streets and alleys
  - j) Declaration of an emergency within the town and power to bar, restrict or remove all unnecessary traffic from local highways
  - k) Operate municipal parking lot or facility