2015-1

Ordinance to Establish Procedures and Criteria for Allowing Alternative Forms of Sworn Testimony at Board of Review (BOR) Hearings

Whereas, sec. 70.47(8), Wis. Stat. authorizes the board of review to consider requests from a property owner or the property owner's representative to appear before the board under oath by telephone or to submit written statements under oath to the board of review;

Now Therefore the Town Board of Clinton, Barron County does ordain as follows:

1. PROCEDURE:

In order for a property owner or property owner's representative to submit a request to testify by phone or submit a sworn written statement, he or she must first comply with the following procedures: a) the legal requirement to provide notice of intent to appear at BOR must be satisfied; and b) an Objection Form for Real Property Assessment (PA-115A) must be completed and submitted to the BOR as required by law.

After the two requirements outlined above have been met, a Request to Testify by Telephone or Submit a Sworn Written Statement at Board of Review (Form PA-814) may be submitted to the town clerk. Such requests must be submitted in time to be considered by the board at the first meeting of the BOR.

2. CRITERIA TO BE CONSIDERED

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

a. The requester's stated reason(s) for the request as indicated on the PA-814

b. Fairness to the parties

c. Ability of the requester to procure in person oral testimony and any due diligence exhibited by the requester in procuring such testimony

d. Ability to cross examine the person providing the testimony

e. The BOR's technical capacity to honor the request

f. Any other factors that the board deems pertinent to deciding the request

3. EFFECTIVE DATE.

This ordinance shall be effective upon posting as provided by law.

Passed on the 12th day of May, 2015

By the Town/Village Board of the Town of Clinton.

/s/ Jim Gores
Jim Gores, Town Chairperson

/s/ Bob Heil
Bob Heil, Supervisor 1

Attested by

/s/ Melanie Miller
Town/Village Clerk

/s/ Larry Peterson
Larry Peterson, Supervisor 2