



City of Antigo

Finance, Personnel & Legislative Committee Meeting

**Council Chambers
City Hall, 700 Edison Street**

**Wednesday, November 19, 2025
6:00 PM**

Amended to Include Item Number 5

Call to Order

Approval of Minutes

1. Approve Minutes from the October 15, 2025 Meeting (Contingent Upon Completion)

Discussion and Action May Occur on Any of the Following Agenda Items

2. Use CIP Funds to Purchase a New Stryker Power Load and Power Pro 2 Cot for the New Ambulance
3. City Employee Manual Updates
4. Approval for Process to Begin Search for City Administrator, Job Description, Area of Emphasis, and Salary Range
5. Update Floodplain Ordinance

Any Other Matters Authorized by Law to be Considered

Adjournment

Upon reasonable notice, efforts will be made to accommodate disabled individuals through appropriate aids and services. For additional information, contact the Clerk-Treasurer's office, 700 Edison Street, Antigo, Wisconsin 54409. (715) 623-3633 extension 100. Members of and possibly a quorum of members of other governmental bodies may be in attendance to gather information. Any governmental body other than that specifically referred to above will take no action.

Date Mailed: November 14, 2025

Thomas C. Bauknecht



Fire Department
City of Antigo
700 Edison St.
Antigo, WI 54409

Date: November 19, 2025

To: Finance, Personnel & Legislative Committee

From: Corey Smith, Fire Chief

Subject: Use CIP Funds to Purchase a New Stryker Power Load and Power Pro 2 Cot for the New Ambulance

With the imminent delivery of our new ambulance, I would like to waive the bidding process and purchase a new Stryker Power Load and Power Pro Cot to be installed. Cost for the power load is \$28,646.08 after a \$5000 trade-in allowance, and the cost for the cot is \$32,408.35 after a \$5000 trade-in allowance. The new items would replace items that are over ten years old and nearing their expected end of life. We would be purchasing the items directly from Stryker, which is the manufacturer we currently have in our ambulances. The direct purchase also allows for the trade-in, which lowers costs compared to bid contracts such as Sourcewell.

I am proposing the purchase be made with budgeted CIP funds.

If you have any questions, feel free to contact me.

Fiscal Impact: \$61054.43

Recommendation: I recommend waiving the bidding process and purchasing a Power Load and Power Pro 2 Cot directly from Stryker at a total cost of \$61504.43, from budgeted CIP funds.

Attachments:

1. Antigo_PowerLOAD no floor plate
2. Antigo_PP2 cot w.accessories



PowerLOAD

Quote Number:

11206666

Version:

1

Prepared For:

ANTIGO FIRE DEPT

Attn:

Quote Date:

10/31/2025

Expiration Date:

01/29/2026

Remit to:

Stryker Sales, LLC
21343 NETWORK PLACE
CHICAGO IL 60673-1213
USA

Rep:

Ryan Kusilek

Email:

ryan.kusilek@stryker.com

Phone Number:

Delivery Address		Sold To - Shipping		Bill To Account	
Name:	ANTIGO FIRE DEPT	Name:	ANTIGO FIRE DEPT	Name:	ANTIGO FIRE DEPT
Account #:	20114288	Account #:	20114288	Account #:	20114288
Address:	700 EDISON ST	Address:	700 EDISON ST	Address:	
	ANTIGO		ANTIGO		
	Wisconsin 54409-1955		Wisconsin 54409-1955		

Equipment Products:

#	Product	Description	Qty	Sell Price	Total
1.0	639005550003	MTS PWLD EXCLUDES FLOOR PLATE	1	\$33,230.70	\$33,230.70
Equipment Total:					\$33,230.70

Trade In Credit:

Product	Description	Qty	Credit Ea.	Total Credit
TR-SPL-PL	TRADE-IN-STRYKER POWER LOAD TOWARDS PURCHASE OF POWERLOAD	1	-\$5,000.00	-\$5,000.00

Price Totals:

Estimated Sales Tax (0.000%):	\$0.00
Shipping and Handling:	\$415.38
Grand Total:	\$28,646.08

Prices: In effect for 30 days

Terms: Net 30 Days



PowerLOAD

Quote Number:	11206666	Remit to:	Stryker Sales, LLC 21343 NETWORK PLACE CHICAGO IL 60673-1213 USA
Version:	1	Rep:	Ryan Kusilek
Prepared For:	ANTIGO FIRE DEPT	Email:	ryan.kusilek@stryker.com
Attn:		Phone Number:	
Quote Date:	10/31/2025		
Expiration Date:	01/29/2026		

Shipping & Handling Includes:
Standard freight, special packaging, semi rigging cranes, labor & delivery of equipment to final location, removal of all packaging, pre-delivery site check, education/training

Terms and Conditions:
Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule. Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency. A copy of Stryker Medical's terms and conditions can be found at https://techweb.stryker.com/Terms_Conditions/index.html.



PP2

Quote Number:

11206727

Version:

1

Prepared For:

ANTIGO FIRE DEPT

Attn:

Quote Date:

10/31/2025

Expiration Date:

01/29/2026

Remit to:

Stryker Sales, LLC
21343 NETWORK PLACE
CHICAGO IL 60673-1213
USA

Rep:

Ryan Kusilek

Email:

ryan.kusilek@stryker.com

Phone Number:

Delivery Address		Sold To - Shipping		Bill To Account	
Name:	ANTIGO FIRE DEPT	Name:	ANTIGO FIRE DEPT	Name:	ANTIGO FIRE DEPT
Account #:	20114288	Account #:	20114288	Account #:	20114288
Address:	700 EDISON ST	Address:	700 EDISON ST	Address:	
	ANTIGO		ANTIGO		
	Wisconsin 54409-1955		Wisconsin 54409-1955		

Equipment Products:

#	Product	Description	Qty	Sell Price	Total
1.0	650705550001	6507 POWER PRO 2, HIGH CONFIG	1	\$35,382.60	\$35,382.60
2.0	650707000002	KIT, ALVARIUM BATTERY, SERVICE	1	\$798.99	\$798.99
3.0	650700450301	ASSEMBLY, BATTERY CHARGER	1	\$696.34	\$696.34
4.0	650700450102	ASSEMBLY, POWER CORD, NORTH AM	1	\$27.24	\$27.24
Equipment Total:					\$36,905.17

Price Totals:

Estimated Sales Tax (0.000%):	\$0.00
Shipping and Handling:	\$503.18
Grand Total:	\$32,408.35

Prices: In effect for 30 days

Terms: Net 30 Days



PP2

Quote Number:	11206727	Remit to:	Stryker Sales, LLC 21343 NETWORK PLACE CHICAGO IL 60673-1213 USA
Version:	1	Rep:	Ryan Kusilek
Prepared For:	ANTIGO FIRE DEPT	Email:	ryan.kusilek@stryker.com
Attn:		Phone Number:	
Quote Date:	10/31/2025		
Expiration Date:	01/29/2026		

Shipping & Handling Includes:
Standard freight, special packaging, semi rigging cranes, labor & delivery of equipment to final location, removal of all packaging, pre-delivery site check, education/training

Terms and Conditions:
Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule. Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency. A copy of Stryker Medical's terms and conditions can be found at https://techweb.stryker.com/Terms_Conditions/index.html.



Clerk-Treasurer
City of Antigo
700 Edison St.
Antigo, WI 54409

Date: November 19, 2025
To: Finance, Personnel & Legislative Committee
From: Kaye Matucheski, Clerk-Treasurer/Finance Director
Subject: City Employee Manual Updates

Included in this packet is a copy of the employee manual with suggested changes noted. The employee manual has not been updated for all changes made for about ten years. Staff have been reviewing the manual for several months to make changes that were previously approved - either in the past or at the recent Council meeting. Many of the changes are corrections to titles or information that is no longer current.

One change I would like to bring up in particular is the holiday pay as new employees must wait six months before they are paid for holidays. This can be a strain on new employees' personal budgets so we are requesting this provision be removed from the manual so employees are eligible for holiday pay upon hire. This provision we would like to be approved immediately due to the Thanksgiving holiday.

If the manual is approved, it will need to be forwarded to the Council.

Fiscal Impact: Varies depending on employee

Recommendation: Approve

Attachments:

1. Employee Manual updated

CITY OF ANTIGO

EMPLOYEE MANUAL



Approved by Common Council: 08/14/13

Updates approved by Common Council: 12/10/14

Updates approved by Common Council: 12/09/15

Updates approved by Common Council: 12/10/25

INTRODUCTION

This Employee Manual sets forth employment policy guidelines, rules of conduct and guidance regarding general expectations of professional behavior and conduct which employees are expected to follow. This manual informs employees about what the employer may generally expect from the employees so as to guide employees in their professional duties and in fulfilling their responsibilities as public servants. It is the employee's responsibility to read, know, understand and follow this manual and all other manuals, policies, and rules within the City of Antigo. Questions can always be directed to an employee's department head along with ~~the~~ Human Resources ~~Specialist~~ or the ~~Director of Administrative Services~~ City Administrator. None of the statements or policies outlined in this manual are meant to create any contract of employment, nor do they imply that the employer is guaranteeing employment for any person or changing the at-will employment relationship in any manner. This manual is not, nor is it intended, to be construed as an employment contract or to guarantee any rights to employees.

To the extent this manual conflicts with specific language in applicable collective bargaining agreements or individual employment agreements covering certain personnel, the specific language of the collective bargaining agreement or individual employment agreement shall have control over the language of this manual when required. Additionally, any wages, hours and working conditions referenced in this manual that are subject to the mandatory duty to bargain are not binding on those parties unless required by the collective bargaining agreement, although the employees are expected to follow the rules and expectations of conduct found in this manual.

The Chiefs and subordinates of the Police and Fire Departments are also subject to the policies, rules and regulations promulgated by and within the jurisdiction of those Departments and the Police and Fire Commission. If there is a conflict between rules or policies spelled out in this manual, and those required by and within the jurisdiction of the Police and Fire Commission, then the Police and Fire Commission rules and regulations shall control to the extent of that specific conflict only, and provided that the rule or regulation does not change an employee's status as an at-will employee of the City or convey any other employment benefit to those employees.

This manual applies to all City of Antigo (City) employees, including those employees of the Antigo Public Library*. Employees of the Library are also subject to the policies, rules and regulations of the Library Board. Where any provision herein conflicts with Library Board's rules and regulations, the Library Board rules and regulations shall control to the extent of that specific conflict only.

Final interpretation and implementation of any of the policies or rules in this manual are vested solely with the City of Antigo Common Council through the ~~Director of Administrative Services~~ City Administrator. The policies are subject to change at any time by the City and will be reviewed and revised periodically.

The contents of this manual are not to be used as a substitute for any controlling ordinance, resolution, regulation, state or federal statute, code or regulation, common law or other legally binding authority which are updated from time to time and are controlling.

*The Antigo Public Library operates as an autonomous Board. Whenever policies or manuals of the City reference a department head, then this would mean the Library Director to the library

staff. All library employees are expected to follow the chain of command (as directed in this manual). For library employees, the next step in the chain of command would be the Library Director and then the Library Board President and to the Board. Library employees may report acts of discrimination, harassment or retaliation to the appropriate contact person according to the Anti-Harassment and Retaliation Policy or directly to the Chief of Police if the matter is criminal in nature. Final interpretation and implementation of any of the policies or rules in this manual as to Library employees are vested solely with the Library Board through the Library Director.

TABLE OF CONTENTS

NEW HIRE SECTION -----	1
WELCOME TO THE CITY OF ANTIGO -----	1
COMMUNITY INFORMATION -----	2
VISION STATEMENT -----	3
MISSION STATEMENT -----	3
EQUAL EMPLOYMENT OPPORTUNITY STATEMENT -----	4
AN OVERVIEW OF THE CITY OF ANTIGO -----	5
DEPARTMENT CONTACTS -----	5
ORIENTATION SUMMARY -----	6
CHECKLIST OF DOCUMENTS PROVIDED TO FULL-TIME NEW EMPLOYEES -----	6
COMPENSATION AND BENEFITS SECTION -----	7
COMPENSATION PLAN(S) -----	7
EMPLOYMENT CLASSIFICATION -----	7
NON-EXEMPT AND EXEMPT EMPLOYEES -----	8
BENEFITS ELIGIBILITY CRITERIA -----	8
DEDUCTIONS FROM PAYCHECK (MANDATORY) -----	8
DEDUCTIONS (OTHER) -----	9
COMPENSATION -----	9
ADDITIONAL WORK AND OVERTIME FOR NON-EXEMPT EMPLOYEES -----	9
COMPENSATORY TIME FOR NON-EXEMPT EMPLOYEES -----	10
FLEXIBLE TIME FOR EXEMPT EMPLOYEES -----	10
LONGEVITY -----	11
CALL-IN PAY -----	11
STAND BY DUTY PAY -----	11
WORK PERFORMED ON CITY RECOGNIZED HOLIDAYS -----	12
INSURANCE COVERAGE -----	12
HEALTH INSURANCE -----	12
DENTAL INSURANCE -----	12
LIFE INSURANCE -----	13
PROCEDURE FOR CONTINUATION OF GROUP INSURANCE -----	13
PROCEDURE FOR CONTINUATION OF GROUP HEALTH AND/OR DENTAL INSURANCE UPON RETIREMENT -----	14
LONG TERM DISABILITY INSURANCE -----	14
AFLAC -----	14
UNEMPLOYMENT INSURANCE -----	14
WORKERS COMPENSATION INSURANCE -----	14
RETIREMENT AND PENSION BENEFITS -----	15
DEFERRED COMPENSATION -----	15
POST EMPLOYMENT HEALTH PLAN -----	15
SOCIAL SECURITY -----	15
WISCONSIN RETIREMENT SYSTEM -----	15
UNPAID LEAVE OF ABSENCE -----	15
ELECTION DAY -----	16
FAMILY MEDICAL LEAVE ACT (FMLA)/WISCONSIN FAMILY MEDICAL LEAVE ACT (WFMLA) -----	16
MILITARY LEAVE OF ABSENCE -----	16
PERSONAL LEAVE OF ABSENCE -----	17
INSURANCE PREMIUM PAYMENT DURING LEAVES OF ABSENCE -----	17
PAID LEAVE OF ABSENCE -----	17
ACTIVE MILITARY DUTY -----	17
FUNERAL (BEREAVEMENT) LEAVE -----	18
HOLIDAY -----	18
JURY DUTY -----	19

SICK LEAVE	19
PERSONAL DAYS	20
VACATION	20
OTHER BENEFITS	22
COMMERCIAL DRIVER'S LICENSE (CDL) LICENSING FEE	22
EMPLOYEE ASSISTANCE PROGRAM	22
EDUCATIONAL ASSISTANCE	23
FLEXIBLE SPENDING PLAN	23
UNIFORM ALLOWANCE	23
POLICY SECTION	25
EMPLOYMENT INFORMATION	25
ANNIVERSARY DATE	25
BACKGROUND CHECKS	25
BONDING REQUIREMENTS	25
CITY/COMMUNITY MEETINGS	25
DOMESTIC PARTNERSHIP	26
DRESS CODE/PERSONAL APPEARANCE	26
DRIVER LICENSE AND RECORD	26
DRUG AND ALCOHOL TESTING	26
PRE-EMPLOYMENT SCREENING	27
ON THE JOB USE, POSSESSION or SALE of DRUGS or ALCOHOL	27
SEARCHES	28
EMPLOYEE DRUG AND ALCOHOL TESTING	28
REPORTING REQUIREMENTS	28
EMPLOYEE COUNSELING	28
LEAVES AND REHABILITATION	28
NON-DISCRIMINATION	29
DRUG-FREE WORKPLACE	29
HEALTH EXAMS AND DRUG TESTING	29
HIRING, PROMOTIONS, TRANSFERS AND ASSIGNMENTS	30
INTRODUCTORY PERIOD	30
LAYOFFS AND FURLOUGHS	30
MAINTAINING A VALID COMMERCIAL DRIVER'S LICENSE (CDL)	31
NEPOTISM POLICY	31
PERFORMANCE REVIEWS	32
PERSONNEL FILE ACCESS	32
RESIDENCY	33
SECONDARY EMPLOYMENT	33
SMOKING/TOBACCO PRODUCTS, E-CIGARETTE/VAPES	34
UNION/ASSOCIATION ACTIVITY	34
USAGE OF LEAVE	34
WORK POLICIES	34
AIDS POLICY	34
BULLETIN BOARDS	35
CHAIN OF COMMAND	35
COMMUNICATIONS	36
CONFIDENTIALITY	36
CONFLICTS OF INTEREST	37
EMPLOYEE SEPARATION	38
RESIGNATION WITH NOTICE	38
RESIGNATION WITHOUT NOTICE	38
TERMINATION	38
TERMINATION FOR A POLICY OR RULE VIOLATION	39
EMPLOYER PROPERTY AND EMPLOYEE PERSONAL PROPERTY	39
GRIEVANCE	39
NO SOLICITATION/NO DISTRIBUTION	40

PROHIBITED HARASSMENT	40
TERMINATION	41
WORKPLACE SAFETY AND REPORTING INJURIES OR ILLNESSES	41
WORKPLACE VIOLENCE AND WEAPONS	42
GENERAL WORK INFORMATION	43
ATTENDANCE	43
BREAK/REST PERIOD	44
BUSINESS HOURS	44
ERROR IN PAY FOR NON-EXEMPT EMPLOYEE	44
FLSA SAFE HARBOR POLICY	45
FLEXIBLE WORK SCHEDULE PROCEDURES	46
LUNCH PERIOD	46
RECORDING WORK TIME	47
WORK SCHEDULES	47
TECHNOLOGY	48
TRAVEL AND TRAINING	48
BUSINESS EXPENSES	48
TRAINING	49
USE OF CITY VEHICLE	49
RULES OF CONDUCT SECTION	50
COMPLIANCE WITH POLICIES, RULES AND EXPECTATIONS OF CONDUCT	50
DISCIPLINARY ACTION	50
RULES OF CONDUCT	50
OVERVIEW	50
RULES OF CONDUCT	51
CORRECTIVE ACTION	53
INVESTIGATION AND ADMINISTRATIVE LEAVE	53

NEW HIRE SECTION

WELCOME TO THE CITY OF ANTIGO

We are very happy to welcome you to the City of Antigo (City). We want you to feel that your association with the City will be beneficial and productive. You have joined an organization that has a reputation for high quality in the delivery of our municipal services. Credit for our success is extended to every one of our employees. We hope you will find satisfaction and take pride in your work here.

This New Hire Section, along with other parts of this manual, and other policies you will receive, has been assembled to provide you with an introduction to working for the City. In addition to clarifying responsibilities, we hope this manual will also give you an indication of the City's interest in the welfare of all who are employed here. You are responsible for reading and understanding this manual along with the various other policies you will be given.

From time to time and in the Council's discretion, the information included in this manual may change as a result of City Common Council action. The information in this manual may also be superseded by the result of collective bargaining negotiations and an agreement ratified by the Common Council. You may be informed of Council adopted changes through your department head, bulletin boards, and/or notices sent directly to you. If you are part of a collective bargaining unit, your union representatives may keep you informed of any changes made to the collective bargaining agreement.

No employee manual can answer every question, so we encourage thoughtful communication to resolve routine matters. Conversations provide us an opportunity to know each other better so please do not hesitate to ask questions. Your department head will answer questions or seek out the answer for you. We believe you will enjoy your work and your fellow employees and ultimately discover that the City of Antigo is a great place to work.

We ask that you read this entire manual carefully and refer to it as needed. We also suggest that your family become familiar with all that the City of Antigo has to offer.

We extend to you our personal best wishes for your success and happiness in your employment with the City of Antigo.

COMMUNITY INFORMATION

The City of Antigo is a community of just over 8,0200 residents. We are filled with tremendous civic pride, a diverse business environment and friendly people. We have a host of volunteer opportunities both at the City and within the community. There are many civic organizations to join including the Optimist Club, Antigo Rotary Club, Langlade County Historical Society, Kiwanis, Lions Club, Benevolent and Protective Order of Elks, Knights of Columbus, Junior Women's Club, Antigo Football and Gridiron Club, Antigo Youth & Antigo High School Blue Line Club (hockey) along with school Parent/Teacher Organizations at each school to name a few. The Langlade Hospital built new facilities in 2012/2013 and is committed to providing local access to high quality health care; raising the level of local care and strengthening our access to specialty care. They also offer a wide variety of volunteer opportunities. Our small town atmosphere makes Antigo a great place to live and work.

The City of Antigo offers countless opportunities for recreational enjoyment. The Antigo Parks & Rec Department manages over 250 acres of parks, playgrounds, playing fields, trails, and open spaces. With 21 parks, approximately 5.5 miles of trails, and 8 ball fields featuring various amenities and facilities, we take pride in offering recreational opportunities for our community. Activities such as walking, biking, running, disc golfing, and dog walking flourish on our trail system. Our trails include paved paths, boardwalks, woodchip trails, sidewalks, and off-road sections. We are home to twenty parks and over 83 acres of recreational space including a community built playground. The variety of activities available through the City of Antigo Park and Recreation Department include ice skating, cross country skiing, snow shoeing, and sledding in the winter. In the summer we offer tennis, soccer, t-ball, baseball, a free wading pool and an inline rink. Many of the parks have shelters that may be rented for family events. Disc golf, fishing, walking and biking trails can be enjoyed throughout the year. A new 16-acre dog park opened in 2013. When in season, we have a weekly Farm Market filled with an array of goods for purchase. Outside the City limits, Langlade County has hundreds of miles of snowmobile, ATV, hiking, and biking trails, as well as numerous glacial lakes, rivers, and streams. Nestled amidst breathtaking northern hardwood forests, the area provides unlimited camping, hiking, biking, swimming, boating, rafting, fishing, and hunting. There is an annual Wolfman Triathlon and various ice fishing tournaments.

The Unified School District of Antigo has ~~seven (7)~~ elementary schools, a middle school and a high school. In addition, there are two (2) local parochial schools. The school district is a member of the Great Northern Athletic Conference and hosts a wide variety of athletic and club activities in addition to an active High School Band and music department. Located on the high school campus is the Clara R. McKenna Aquatic Center that is open to the public. For more information on the school or the Aquatic Center, please visit their website at <https://www.antigo.k12.wi.us/> or <https://www.woodsonymca.com/antigo/>. They host a swim club, swimming lessons, water aerobics/Ai-Chi, along with locker rooms and a conference room that can be rented for parties. The Aquatic Center includes the Remington competition pool with a diving board along with the Vavruska activity pool that has a water slide and a zero entry point for smaller children. The high school campus also includes a walking/fitness trail, disc golf course and the outdoor Elleson Tennis Courts. These facilities are open to the public and located across the street from the school building along 10th Avenue.

The Antigo Public Library serves all of Langlade County by having a home library within the City and branch libraries in ~~Elcho, and White Lake, and Elton~~. They have an online catalog that has access to more than one million items from other libraries within the Wisconsin Valley Library V-

Cat Consortium along with the ability to download audio and ebooks. Numerous other electronic resources are available as well. ~~For more information, visit The Antigo Public Library has a very active Youth Services Librarian who hosts activities and programs throughout the year at the library itself, within the public/parochial schools, and in several day care centers. The Antigo Library also provides services to the homebound and those in institutions. The library hosts various teen and adult book clubs, and provides selected computer use training. In addition, the Antigo Library has a large meeting room that can be reserved for public events and a smaller quiet workroom that can be reserved for use by patrons. The library's web site is~~ www.antigopl.org.

VISION STATEMENT

Be a collaborative and innovative organization that is future focused and committed to excellence.

MISSION STATEMENT

Provide exceptional customer service, uphold the public trust and advance the community vision in a fiscally responsible manner for those residing, doing business and visiting the City of Antigo.

EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

The City is an equal ~~employment~~ opportunity employer. Employment decisions are based on merit and business needs. The City carefully selects employees. The City employs people who are concerned with the success of the City of Antigo; people who care first about the highest quality public service and the interests of the public, people who can carry out their work with skill and ability, and people who can work well with our team.

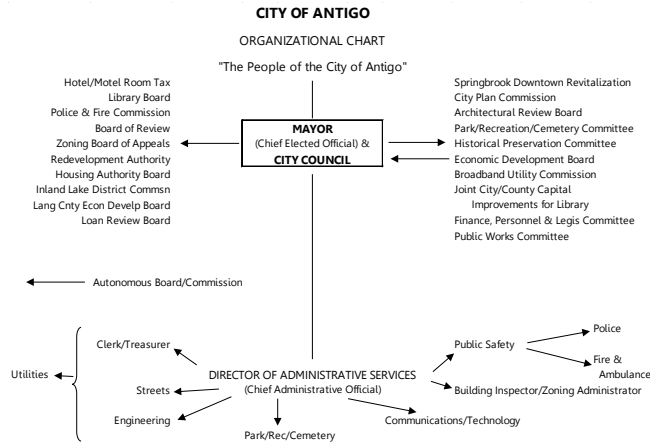
It is the City's policy to seek and employ the best quality and qualified personnel in all positions, to provide equal opportunity for advancement to all employees, including upgrading, promotion and training, and to administer these activities in a manner which will not discriminate against or give preference to any person because of race, color, religion, age, sex, national origin, handicap, genetic information, ancestry, sexual orientation, marital status, arrest or conviction record, or any other basis protected by state or federal law. All employees are required to provide proof of identity and authorization to work in the United States. It is the policy of the City to comply with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA) Amendments Act of 2008 and other laws. The City will make a reasonable accommodation wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that any accommodations made do not impose an undue hardship on the City.

The City of Antigo is further committed to providing a work environment in which employees are treated with courtesy, respect and dignity. As part of this commitment, the City will not tolerate any form of harassment, verbal or physical, with regard to an individual's race, sex, national origin or any other protected characteristics. Therefore, all employees are encouraged to bring any concern or complaints in this regard to the attention of management through the chain of command or through the reporting procedures in the Anti-Harassment and Retaliation Policy. All complaints of sexual harassment, or harassment of any kind, will be investigated promptly and, where necessary, immediate and appropriate action will be taken to stop and remedy any such conduct.

All employees share in the responsibility for assuring that the policies are effective and apply uniformly to everyone. Any employees, including those in management positions, involved in discriminatory practices will be subject to corrective actions up to and including termination.

Equal employment opportunity notices are posted near employee gathering places as required by law. These notices summarize the rights of employees to equal opportunity in employment and list the names and addresses of the various government agencies that may be contacted in the event that any person believes he or she has been discriminated against.

AN OVERVIEW OF THE CITY OF ANTIGO



Department Contacts

Job Title	Contact Number
Mayor	(715) 623-3633 x152
City Administrator Director of Administrative Services	(715) 623-3633 x155
City Administrator	(715) 623-3633 x155
Police Chief	715-627-6411
Police Captain	715-627-64
Fire Chief	(715) 623-3633 x142
Assistant Fire Chief	715-623-3633 x 144
Street Commissioner	
Parks/Recreation/Cemetery Director	
Street Commissioner	(715) 623-4754
Land Surveyor/Project Manager	
Parks/Recreation/Cemetery Supervisor	(715) 623-3633 x131
Land Surveyor/Project Manager	(715) 623-3633 x132
Clerk/Treasurer	
Deputy Clerk/Treasurer	(715) 623-3633 x102
Clerk/Treasurer	(715) 623-3633 x108
Human Resources Specialist	(715) 623-3633 x113
Deputy Clerk/Treasurer	(715) 623-3633 x122
Human Resources Specialist	(715) 623-3633 x108
Building Inspector/Zoning Administrator	715-623-3633 x134
Communication/Technology Supervisor	(715) 623-3633 x122
Asst Building Inspector/Zoning Administrator	(715) 623-3633 x120
Building Inspector/Zoning Administrator	(715) 623-3633 x134
Library Director	(715) 623-3724
Asst Building Inspector/Zoning Administrator	(715) 623-3633 x120

ORIENTATION SUMMARY

This orientation meeting is provided for new employees to ask any questions he or she may have regarding employment with the City of Antigo. After reviewing the documents that are presented during the orientation process, new employees should feel free to speak with the head of his or her department or ~~the~~ Human Resources ~~_Specialist~~ regarding any issue that may arise or clarifications needed about these documents.

CHECKLIST OF DOCUMENTS PROVIDED TO FULL-TIME NEW EMPLOYEES **(as necessary)**

- New Employee General Information
- W-4
- WT-4
- I-9 – documents needed to establish identity and eligibility to work in the U.S.
- Direct Deposit Authorization

- Drug Free Workplace Acknowledgment
- Electronic Communication Policy
- WRS information
- Health/Dental (if applicable) Application and information
- Life Insurance Application and information
- Beneficiary Designation Form
- NorthwWestern Mutual LTD (if applicable)
- Aflac information
- Official Oath (Police Officer only)
- Form SSA-1945 (Fire Dept Employee only)
- Post-offer physical/Respirator fit test
- Hepatitis B vaccination – make appointment or declination statement
- Other policies
- Wellness incentive~~Welfit~~ information

COMPENSATION AND BENEFITS SECTION

COMPENSATION PLAN(S)

For information regarding wages for represented personnel, please refer to the collective bargaining agreement.

All newly hired full-time non-exempt employees may be paid \$1.00/hour less than the stated wage. The newly hired employee will receive \$0.50 hourly increases every six months, as approved by the Department Manager, until the employee's wage rate reaches the current stated wage.

Department of Public Works (DPW) general laborer employees completing three (3) years of successful service may be granted a class increase from class 4 to class 3.

EMPLOYMENT CLASSIFICATION

As all employees are hired conditionally on the basis of continuing need, the employment status categories stated below or anything contained in these policies or procedures do not guarantee employment for any specified length of time. Rather, employment is at the mutual consent of the employee and the City, and can be terminated at will by the employee or the City. Based on the needs of the employer, employees are classified within the following categories:

- Regular full-time employees
- Regular part-time employees
- Seasonal or Temporary employees
- Contractors

A regular full-time employee is an employee designated by the City as a full-time employee and who is assigned to work a regular schedule and is expected to normally work forty (40) or more hours per workweek or an average of eighty (80) hours or more biweekly. Exempt employees are generally classified as regular full-time employees. A regular full-time employee may be exempt or non-exempt.

A regular part-time employee is an employee designated by the City as a part-time employee and who works a regular schedule and is expected to normally work at least twenty (20) but less than thirty (30) hours per workweek. A regular part-time employee may be exempt or non-exempt and may work more than thirty-five hours per week from time to time. A regular part-time employee does not receive benefits of the City unless specifically designated by the City and identified in the City's policies, or only as required by law, through an employment agreement, or as authorized by Common Council action.

A seasonal or temporary employee is hired for a specified project or time frame and may work an irregular schedule or a regular schedule. A seasonal or temporary employee may be exempt or non-exempt. Seasonal or temporary employees do not receive any additional compensation or benefits provided by the employer unless required by law or approved by Council Resolution. Temporary and seasonal employees will be subject to all rules and regulations governing other City employees, unless otherwise excluded by specific action of the Common Council.

A contractor is retained on a per project basis with a defined scope at the project outset. A contractor may perform services on a regular or an irregular schedule. Contractors are not employees. Contractors do not receive any additional compensation or benefits provided by the employer.

NON-EXEMPT ~~AND EXEMPT~~ EMPLOYEES

All employees are classified as either non-exempt or exempt. This is necessary because, by law, employees in certain types of jobs are entitled to overtime pay for hours worked in excess of forty (40) hours per workweek. These employees are referred to as "non-exempt" in this manual. This means that they are not exempt from, and therefore should receive, overtime pay. Non-exempt employees normally work forty (40) hours per workweek or an average of **eighty (80) hours biweekly**. Some non-exempt employees are regularly scheduled to work thirty-five (35) hours per workweek.

EXEMPT EMPLOYEES

Exempt employees, as classified in accordance with the Fair Labor Standards Act (FLSA), will typically work forty (40) or more hours per workweek. Exempt employees will be advised of their classification as exempt at the time of hire, transfer, promotion or if employment status is changed from hourly to exempt. Employees normally work forty (40) hours per workweek or an **average of eighty (80) hours biweekly**.

BENEFITS ELIGIBILITY CRITERIA

Only regular full-time employees as designated by the City may be eligible to receive benefits outlined in this manual from the City unless specifically identified in the City's policies, by employment agreement, through Common Council action or as required by law. ~~The only regular part-time employees who may be eligible to receive prorated benefits are regular part-time general laborers within the Department of Public Works. The Department of Public Works (DPW) when mentioned throughout this manual consists of both the Street/Water/Sewer/Transportation division and the Parks/Recreation/Cemetery division.~~ Those part-time ~~DPW~~ employees ~~who are~~ **may only be** eligible to receive the benefits specifically designated to those positions in this manual, which may include pro-rated vacation accrual, sick leave accrual, personal time accrual, holiday pay or jury duty. Those positions shall not be eligible for any other benefits unless specifically designated or as required by law. Library benefits are at the discretion of the Library Board.

DEDUCTIONS FROM PAYCHECK (MANDATORY)

The City is required by law to make certain deductions from employee's paychecks. Among these are federal and state income taxes and contributions to Social Security. The amount of the deductions may depend on the earnings and on the information furnished on the employee's W-4 and WT-4 forms regarding the number of exemptions claimed. The W-2 form received each year indicates precisely how much of the earnings are deducted for these purposes. Each employee should review his or her paycheck regularly to make sure that the deductions taken for tax purposes are appropriate for his or her situation.

Any other mandatory deductions to be made from an employee's paycheck, such as court-ordered attachments, will be deducted whenever the City is ordered to make such deductions.

DEDUCTIONS (OTHER)

The City may make additional deductions from an employee's paycheck, such as for health insurance premiums, life insurance premiums, section 125 plan contributions, or deferred compensation plan contributions. Contact ~~the Human Resources~~Human Resources Specialist for details and the necessary authorization forms.

COMPENSATION

ADDITIONAL WORK AND OVERTIME FOR NON-EXEMPT EMPLOYEES

From time to time, it may be necessary for an employee to perform additional work time or overtime work in order to complete a job on time. All additional work time outside the scheduled work and overtime must be approved in advance by the employee's department head or his or her designee. When it is necessary to work overtime, employees are expected to cooperate as a condition of employment. There are two types of overtime work:

1. **Scheduled Additional Work Time or Overtime:** Scheduled additional work time or overtime work is announced in advance and may involve an entire department or operation. This type of work time becomes part of the required workweek. If an employee needs to be excused from performing this scheduled work time, then the employee must seek permission from the department head. The department head will consider the situation and the requirements of the department or operation in deciding whether the employee may be excused from performing the scheduled work time.
2. **Incidental Additional Work Time or Overtime:** Incidental additional work time or overtime is not scheduled. It becomes necessary in response to extenuating circumstances. Incidental work time may become necessary when an illness or emergency keeps co-workers from being at work as anticipated. The opportunity to perform incidental work time will be determined by the department head, or his or her designee, who will offer the time to a suitably qualified person who is available to efficiently perform the work.

When a non-exempt employee performs overtime work, he or she is paid one and one-half (1½) times the regular hourly wage for any time worked over forty (40) hours per week. If, during that week, the employee was away from the job and used paid holiday, jury duty, paid vacation time, paid personal time, or paid sick time, then those paid but unworked hours will be counted as hours worked for the purpose of computing eligibility for overtime pay.

If an employee is away from the job during the workweek utilizing compensatory time, also called time back, then compensatory time will not count or be used for the purpose of computing eligibility for overtime pay.

When the clerical positions of the Police Department, currently named Police Clerical/Resource Assistant and Police Administrative Assistant, are specifically assigned to fill vacant hours to cover

the absence of a Police Clerical/Resource Assistant during those additional assigned hours, then that employee shall be paid one and one-half (1½) times the regular hourly wage for any hours worked over his or her normal weekly schedule.

An employee assigned to take official minutes at a City Committee meeting may be paid a minimum of 2 hours or the actual hours worked whichever is greater if the meeting is scheduled so that the employee must return to work after leaving for the day. If the meeting is scheduled before the start of an employee's shift or continues beyond the end of the employee's work day, then the time worked will be added to the employee's weekly hours and the employee shall not be eligible to receive the minimum of two (2) hours pay.

COMPENSATORY TIME FOR NON-EXEMPT EMPLOYEES

All full-time non-exempt employees are eligible.

When a non-exempt employee performs overtime work in excess of working forty (40) physical hours in a week, the department head may allow the employee to accrue compensatory time rather than be paid overtime in the current pay period. Compensatory time accrual is not allowed in weeks where any compensatory time is being utilized. If compensatory time is allowed to be accrued, it may be accumulated to a maximum of forty (40) hours. Compensatory time off may be regenerated if used up to the maximum of forty (40) hours. It will not be considered compensatory time accrual if any portion of the time is accrued and used in the same week – i.e. working two (2) hours extra on Tuesday and leaving two (2) hours early on Friday. This must be approved in advance and will be considered a flexible work schedule of the employee's hours for that week. Compensatory time off must have prior approval of the department head or his or her designee.

FLEXIBLE TIME FOR EXEMPT EMPLOYEES

Exempt employees are paid for the accomplishment of his or her whole job and are expected to devote the amount of time necessary to accomplish the work. Exempt employees are expected to be in his or her office or at job sites to manage the work load and supervise employees for the entire workweek unless taking paid leave or attending work related meetings or training. Working from home during normal business hours, ~~is an exception in place of being in his or her office or at a job site, is not an option except~~ in very unique and limited circumstances and only when previously approved by the employees' ~~Department Head~~ direct supervisor. When an exempt employee's work load is extraordinary, it is up to that employee to speak with his or her ~~Department Head~~ direct supervisor to discuss how the situation could be improved. If an exempt employee has an unusually busy period, he or she may be authorized by their ~~Department Head~~ direct supervisor to flex his or her schedule to account for the additional work load.

LONGEVITY

Eligible employees include the ~~Parks/Recreation/Cemetery Director, Land Surveyor/Project Manager, and Clerk/Treasurer Finance Director, Library Director, Catalog Library Assistant, Outreach & Network Coordinator (Library), Maintenance Manager (Library), Director of~~

~~Administrative Services, Street Commissioner, Land Surveyor/Project Manager, Parks/Recreation/Cemetery Supervisor, Police Chief, Fire Chief, Police Captain, Communications & Technology Supervisor, Clerk/Treasurer, Deputy Clerk/Treasurer, and the Human Resources Specialist.~~

The above-named regular full-time employees shall be granted longevity pay based on his or her continuous length of service.

After five (5) years of service in the qualifying position	\$15.00 per month
After ten (10) years of service in the qualifying position	\$20.00 per month
After fifteen (15) years of service in the qualifying position	\$25.00 per month
After twenty (20) years of service in the qualifying position	\$30.00 per month

Any employee who fills one of the aforementioned positions after December 31, 2013 shall not be eligible for this longevity benefit.

CALL-IN PAY

Occasionally, a non-exempt employee will be asked to return to work after his or her regularly scheduled shift is completed for the day, called to begin work early, or called in on a scheduled day off. If this occurs and the employee reports for work at the worksite, then the employee may be eligible to receive pay for a minimum of two (2) hours at the employee's straight time rate as call-in time in addition to the actual time worked. Call-in pay is not hours worked. Call-in pay is not applicable to situations in which work hours have been changed or scheduled with prior notice or when an employee works beyond his or her normal quitting time.

Employees are subject to call in at any time, day or night, in case of emergency. The Street Commissioner or his or her designee, the Mayor or his or her designee, or the ~~City Administrator~~ ~~Director of Administrative Services~~ City Administrator or his or her designee has the right to classify an emergency.

The City's decision as to whether an employee should receive the two-hour call-in pay shall be final. Employees are required to perform any call-in responsibilities in the most-efficient manner possible in the interests of the City. Employees are required to keep accurate records of time worked for purposes of determining call-in compensation, as required by law. Employees must respond to calls from the City or as required by the City in a timely manner.

STANDBY DUTY PAY

All DPW employees including the Street Commissioner and the Land Surveyor/Project Manager will be placed in a rotational schedule for after-hours standby duty which may include weekends, holidays, and weekly night shifts. This is effective for all employees in the role of Working Foreman/Working Supervisor, Leadmen/Lead Worker, and any employee accepting a new full-time position within the DPW divisions beginning in December 2014. Any other regular full-time employee of either DPW division who wishes to be included in the rotation will notify the Street Commissioner by April 1st of each year. The City shall provide training on a team basis for up to one year for individuals new to this duty. Once trained for this duty, the employee will be expected to remain on the schedule unless released by the Street Commissioner. The schedule shall be developed by the Street Commissioner with input from the employees as needed. Non-exempt employees may receive \$2.50 per hour for all hours worked on a stand-by basis. In

addition, non-exempt employees may receive time and one-half their normal wages for all hours worked during a call-in, provided they have at least forty (40) hours of eligible paid hours of time during that workweek exclusive of call-in pay, if any. Employees on standby duty will not receive additional call-in pay.

While on standby duty, an employee must be physically and mentally able to perform safe work and must be able to respond to a call within twenty (20) minutes of notification. The employee must be free of alcohol or any substances that may impede the employee's ability to safely perform work. If while on standby duty an employee does not respond within the allotted time frame or has used alcohol or other substances that may impede the employee's ability to safely perform work, then the employee may be subject to disciplinary action.

WORK PERFORMED ON CITY RECOGNIZED HOLIDAYS

Regular full-time non-exempt employees and seasonal employees who work on recognized City holidays shall be paid one and one-half (1½) times their regular hourly wage for any hours worked in addition to the holiday pay for the given day unless other arrangements are made between the employee and the department head and written notification to the Human Resource ~~Department Specialist~~ agreed to by both the department head and employee in writing. The Fair Labor Standards Act (FLSA) will be followed at all times.

INSURANCE COVERAGE

HEALTH INSURANCE

A comprehensive health insurance plan is available for eligible regular full-time employees and their dependents. The City is a self-insured group plan, managed by a third-party administrator. If enrolled, employees will be provided a booklet describing the benefits. Health insurance benefits are provided to employees available in single, limited family and family plans. Limited family is defined as employee plus spouse or employee plus child(ren).

Employees are eligible for participation from their regular full-time employment start date. The City pays ninety percent (90%) of the cost of the monthly premium and stop loss and admin fees for eligible regular full-time employees. ~~that include the Library Director, Catalog Library Assistant, Outreach & Network Coordinator (Library), Maintenance Manager (Library), Youth Services Librarian, Director of Administrative Services City Administrator, Street Commissioner, Land Surveyor/Project Manager, Parks/Recreation/Cemetery Supervisor, Police Chief, Fire Chief, Police Captain, Building Inspector/Zoning Administrator, Communications & Technology Supervisor, Clerk/Treasurer, Deputy Clerk/Treasurer, and the Human Resources Specialist. All other regular full-time employees must wait ninety (90) days before they are eligible for the employer-provided premium contribution.~~

DENTAL INSURANCE

A dental insurance plan is available for non-represented regular full-time employees and their dependents. ~~as listed below.~~—The City is a self-insured group plan, managed by a third-party administrator. If enrolled, employees will be provided a booklet describing the benefits. Dental insurance benefits are provided to employees available in single, employee plus spouse, employee plus child(ren) and family plans.

Employees are eligible for participation from their regular full-time employment start date. The City pays one hundred percent (100%) of the cost of the monthly premium and admin fee for eligible regular full-time employees, ~~that include the Library Director, Catalog Library Assistant, Outreach & Network Coordinator (Library), Maintenance Manager (Library), Youth Services Librarian, Director of Administrative Services, Street Commissioner, Land Surveyor/Project Manager, Parks/Recreation/Cemetery Supervisor, Police Chief, Fire Chief, Assistant Fire Chief, Police Captain, Building Inspector/Zoning Administrator, Communications & Technology Supervisor, Clerk/Treasurer, Deputy Clerk/Treasurer, and Human Resources Specialist. The Police Clerical/Resource Assistant(s), Police Administrative Assistant, Administration/Clerical Assistant, Street Secretary, Clerical Utility Assistant, Fire Secretary & Billing Clerk, Utility Clerk, and Accounting Assistant must wait ninety (90) days before they are eligible for the employer-provided premium contribution.~~

LIFE INSURANCE

The City will offer to eligible employees, as determined by the Department of Employee Trust Funds, a group term life insurance plan they offer through Minnesota Mutual. This plan does not have a cash or loan value, but provides a death benefit. The plan offers coverage based on an employees' annual earnings reported to the Wisconsin Retirement System (WRS) along with the age of the participant, accidental death and dismemberment coverage, waiver of premiums during periods of disability, and insurance with further contributions for certain eligible employees (active employees pay premiums to age 70). Refer to literature provided by ETF for details on the life insurance coverage.

Optional units of coverage may be available to employees which provide basic, supplemental and one, two or three units of additional coverage for eligible employees. Each unit of coverage is equal to one times an employee's prior years WRS earnings. Employees who have basic coverage may also elect the additional and supplemental units of life insurance. Employees who do not enroll in insurance during the open enrollment period but decide to enroll at a later date will be required to provide evidence of insurability.

In addition, coverage is available for an employee's spouse and dependents. An employee can choose one or two units of coverage. Each unit is worth \$10,000 on the employee's spouse and \$5,000 on each dependent.

The employee pays 100% of the premium for any chosen coverage. The City pays the administration fees associated with enrollment in the life insurance coverage.

PROCEDURE FOR CONTINUATION OF GROUP INSURANCE

Employees and their qualified beneficiaries may have the opportunity to continue health and/or dental insurance coverage under the City's health and/or dental plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements. When a qualifying event occurs, then the employee or beneficiary pays the full cost of coverage at the City's group rates plus a possible administration fee. Eligible employees should request a written notice describing rights granted under the law when the employee becomes eligible for coverage under the City's health insurance plan. The

notice contains important information about the employee's rights and obligations. The employee or beneficiary can request forms from ~~the Human Resources~~Human Resources Specialist which will be sent from the City's current COBRA provider

PROCEDURE FOR CONTINUATION OF GROUP HEALTH AND/OR DENTAL INSURANCE UPON RETIREMENT

Employees who retire from the City with fifteen (15) or more years of service as a regular full-time employee and who begin collecting their pension at least at the minimum retirement age as designated by the Wisconsin Retirement System as a qualified retirement (not disability retirement) may be eligible to remain on the City's health and/or dental insurance plans by paying 100% of the premium and 10% of the stop loss and admin fees and any additional administrative fees until age 65 or eligible for Medicare for coverage which the employee had in force at the time of the retirement.

LONG TERM DISABILITY INSURANCE

The City may offer a ~~Long Term~~Long-Term Disability Insurance program, and the employee shall be responsible for paying the full premium to participate in the plan.

AFLAC

Aflac coverage may be available to any regular full-time employee who meets the Aflac requirements and pays 100% of the coverage.

UNEMPLOYMENT INSURANCE

If an employee becomes unemployed, then he or she may be eligible for unemployment compensation, under certain conditions, for a limited time as provided by law.

WORKERS COMPENSATION INSURANCE

Employees of the City may be eligible for coverage for medical expenses and loss of income resulting from a work-related injury or illness, in accordance with the Wisconsin Workers' Compensation Law.

The City's insurance carrier determines what, if any, benefits the employee will receive. The determination of benefits is subject to the requirements and limits of applicable Wisconsin Workers' Compensation Law.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. If any medical treatment is needed, the employee must obtain treatment. In the event emergency treatment is needed, the employee or someone in that area should contact emergency service 911 to request emergency assistance.

Employees returning to work after being absent due to a work-related injury must report to their supervisor prior to beginning work, and must bring the City's Return to Work form completed by the appropriate physician allowing him or her to return to full duty.

RETIREMENT AND PENSION BENEFITS

DEFERRED COMPENSATION

The City currently offers employees the option of participation in deferred compensation plans with North Shore Bank and Nationwide Retirement Solutions.

POST EMPLOYMENT HEALTH PLAN

Eligible retirees may have 75% of his or her accumulated, unused sick leave remaining in his or her account placed into an approved Post Employment Health Plan (PEHP) for the purpose of paying for qualified medical premiums or other valid uses as identified by the plan. The payment shall be based upon the employee's normal daily rate in effect at the time of retirement and shall not be subject to payment in any other form. If an employee is eligible for the PEHP, they may not elect to receive the money as a cash payout per IRS rulings.

SOCIAL SECURITY

In addition, all employees, except for Fire Department Local 1000 bargaining unit members and command staff in the Fire Department, ~~excluding the Director of Public Safety,~~ and the City are required by law to contribute a matching amount calculated from the employee's biweekly wages to the Social Security Trust Fund to cover the cost of the employee's future Social Security benefits.

WISCONSIN RETIREMENT SYSTEM

The City participates in the Wisconsin Retirement System (WRS) within the Employee Trust Fund (ETF) which provides eligible employees with a pension benefit upon retirement. The Plan includes provisions for normal retirement, early retirement, or disability retirement for employees meeting certain qualifications. The legal provisions, including details regarding contributions, vesting, administration, investments, etc. and any other information governing the benefits are contained in the Wisconsin Statutes, collective bargaining agreements, and the Wisconsin Administrative Code. Upon enrollment in the Wisconsin Retirement System, employees will receive an explanation booklet or may contact ~~the Human Resources~~Human Resources Specialist with any questions.

UNPAID LEAVE OF ABSENCE

Occasionally, for medical, personal, or other reasons, employees may need to be temporarily released from the duties of his or her job, but may not wish to submit a resignation. Under certain circumstances, employees may be eligible for an unpaid leave of absence. There are several types of unpaid leaves for which employees may be eligible:

ELECTION DAY

We encourage all employees to exercise his or her voting privileges in local, state, and national elections. However, since the polls are open for long periods, employees are encouraged to vote before or after regular working hours. If an employee has working hours that prohibit the chance

to vote, each employee has the option to vote absentee or take unpaid time off to exercise this privilege except salaried exempt employees who may take reasonable time off with pay to vote. If an employee will be taking unpaid time off of work to vote, it is imperative that his or her department head be notified with enough advance notice to maintain coverage.

FAMILY MEDICAL LEAVE ACT (FMLA)/WISCONSIN FAMILY MEDICAL LEAVE ACT (WFMLA)

Family Medical Leave is an unpaid leave of absence. It may be possible to utilize accrued paid leave during this absence. Please read and refer to the City of Antigo Family & Medical Leave Act (FMLA) Policy for complete information regarding this topic. Questions regarding this policy should be directed to the employee's department head or to ~~the Human Resources Specialist~~. Employees may get paperwork to apply for Family Medical Leave from the head of each department or the Human Resources Specialist.

MILITARY LEAVE OF ABSENCE

Employees who serve in the U.S. military organizations or the state national guard may take necessary time off to fulfill this obligation. Employees will be granted all military leave rights available under the Uniformed Services Employment and Reemployment Rights Act (USERRA) and applicable state law.

At the time this manual was drafted, USERRA and State law rights included the right of any individual who is absent from employment because of a uniformed service obligation (in the Armed Forces, Military Reserves, or National Guard) to reemployment and all concomitant benefits, as long as the following prerequisites are met:

- If the individual was discharged, the discharge was honorable.
- The individual provided without delay advance notice for the leave, except when advance notice is not possible due to military necessity.
- The leave did not exceed the maximum total absence of five years from the City.
- The individual has timely applied for reemployment. What is timely depends on the length of the service, as follows:
 - Service less than 31 days: The individual must notify the City of his or her return at the start of the next regularly scheduled work period, after having been home eight hours.
 - Service 31 to 180 days: The individual must submit an application for reemployment not later than 14 days after completion of the uniformed service.
 - Service more than 180 days: The individual must submit an application for reemployment not later than 90 days after completion of the uniformed service.

If an employee receives notice that he or she will be taking military leave, then the employee must contact the employee's department head as soon as possible to discuss that leave. If the employee's department head is not available, then the employee may contact ~~the Human Resources Specialist~~ or the ~~Director of Administrative Services~~ City Administrator.

PERSONAL LEAVE OF ABSENCE

In limited circumstances, the City may grant a leave of absence for a personal reason, including for continuing education purposes that may benefit the City's interest but never for taking employment elsewhere or establishing a personal business. Employees should request an unpaid personal leave of absence from his or her department head. A personal leave of absence must not interfere with the operations of the employee's department. The department head will submit the request to the ~~Director of Administrative Services~~City Administrator for approval. The City Administrator shall defer action to the Finance, Personnel & Legislative Committee for all requests exceeding fourteen (14) calendar days.

If the personal leave of absence is for more than thirty (30) calendar days, then vacation and other benefits will no longer continue to accrue except as permitted in these policies for approved military leave. An employee's failure to return from a leave at the time established by the City will be interpreted as a resignation of employment without notice.

INSURANCE PREMIUM PAYMENT DURING LEAVES OF ABSENCE

The City may continue to pay the employer share of insurance premiums, if allowed by policy, for employee and dependent coverage for a maximum of six (6) months if an employee is on a recognized disability leave of absence authorized by the ~~Director of Administrative Services~~City Administrator. While on any other type of unpaid leave of absence from the City, unless otherwise required by law or approved by the Council, the employee will be responsible for paying the total premiums for his or her own coverage and that of any dependents. Failure to do so may result in loss of coverage and possible refusal by the insurance provider to allow the coverage to be reinstated.

PAID LEAVE OF ABSENCE

Time off for any reason during a working day will count against any allotted compensatory time, vacation, sick days, or personal days, as determined by the City unless previously approved by the employee's department head.

ACTIVE MILITARY DUTY

Regular full-time employees who are activated to military duty shall be paid his or her city salary while on military duty, minus any military pay and housing allowances received, unless the military pay and housing allowances equal or exceed the employee's city salary during the work time missed by the employee. An activated employee may also accumulate sick leave and paid annual leave as though no interruption in city service occurred. Such employees shall be eligible to accrue paid time off benefits while off work on military duty. An employee may receive the differential pay and benefits beginning on the date of activation, for a period of not more than 179 days. The City Council may extend that period up to two years from the date of activation, for an individual employee or a group of employees. An employee may use up to 160 hours of accumulated paid leave within 30 days after completion of duty before resuming employment with the city, and carry over to the next year any remaining paid leave accumulated while on duty.

To qualify for the payment offsets and these benefits, an employee must: (1) on or after January 1, 2003, be activated to serve or be serving on military duty in the U.S. armed forces other than

for training or reserve purposes; (2) on the date of activation, be a member of either the Wisconsin National Guard or a member of a reserve component of the U.S. armed forces, or recalled to active duty from inactive reserve status; and (3) be on an authorized military leave of absence.

The differential pay and benefits also apply to city employees who are activated to serve in the U.S. public health service and detailed to duty with the U.S. armed forces.

FUNERAL (BEREAVEMENT) LEAVE

Employees may be allowed to use up to three (3) days of accrued sick leave, as necessary, to make funeral arrangements or attend the funeral of a member of his or her immediate family. For funeral leave purposes, immediate family is defined as spouse or domestic partner, parent, parent of spouse or domestic partner, child, child of spouse or domestic partner, brother or sister, brother or sister of spouse or domestic partner, brother-in-law or sister-in-law, brother-in-law or sister-in-law of spouse or domestic partner, grandparents, grandparents of spouse or domestic partner, grandchild, grandchild of spouse or domestic partner.

HOLIDAY

Regular full-time employees may be eligible for holiday pay. Regular part-time employees may ~~also receive pro-rated holiday pay. The only regular part-time employees who may be eligible for holiday pay are the regular part-time general laborers within the Department of Public Works.~~ Regular part-time ~~Those~~ employees are eligible to receive prorated holiday pay. No other employees are eligible to receive holiday pay. To qualify for holiday pay, the employee must work the scheduled workday immediately before and after the holiday; except, where an approved paid leave of absence has been authorized. Only excused absences will be considered exceptions to this policy. Employees normally scheduled for forty (40) hours per week are allowed eight (8) hours of straight rate pay per holiday. ~~Employees who are normally scheduled for thirty-five (35) hours or more per week are allowed seven (7) hours of straight rate pay per holiday.~~ The Police Clerical/Resource Assistants are allowed ten (10) hours of straight rate pay per holiday.

~~Non-exempt employees do not qualify for holiday pay during the first six (6) months of the introductory period unless approved through Common Council action.~~

Employees may take time off to observe personal religious holidays. If available, personal leave or vacation accrual may be used for this purpose, otherwise the time off is without pay. The department head must be notified at least five (5) business days in advance.

Employees working a rotating workweek who are scheduled to work on the designated holiday will coordinate with their department head to choose a different day within the same pay period to take off of work as their paid holiday. The following holidays are recognized by the City as paid holidays:

New Year's Day	Memorial Day
Independence Day	Labor Day
Thanksgiving Day	Friday following Thanksgiving Day
Christmas Eve	Christmas Day
New Year's Eve (1/2 day)	

All holidays will be celebrated on the day designated by the City. Typically, if the holiday lands on a Saturday, then the Friday before will be considered the holiday, and if the holiday lands on a Sunday, then the Monday following is considered the holiday.

JURY DUTY

The City recognizes the responsibility of each individual to perform civic duties as requested. Employees asked to serve on a jury or appear as a witness in a criminal or civil prosecution will be granted the necessary time off for the period of service. Employees are required to provide the department head with a copy of the jury summons, court order or subpoena within forty-eight (48) hours of receipt.

If the commitment to serve does not encompass an entire day, then the employee is required to be at work to begin and complete his or her regularly scheduled hours. For each day of jury duty service, the regular full-time employee may receive his or her regular straight time compensation for work time lost, less any amount received for service by the court. ~~The only Regular part-time employees who may be eligible for this benefit, are regular part-time general laborers within the Department of Public Works.~~ All compensation received for jury duty by the above mentioned employees is to be turned over to the City. To receive jury duty pay for work time lost, the employee must present a statement issued by the court of jury service and pay to his or her department head.

SICK LEAVE

Employees are ~~not~~ eligible to utilize sick leave during the first six (6) months of the introductory period. ~~The only regular part-time employees who may be eligible to receive sick leave accrual are regular part-time general laborers within the DPW who may receive sick leave accrual on a pro-rated basis and are subject to the same utilization rules (including the six (6) months' worked waiting period)~~ as provided for regular full-time employees, but such employees are not eligible for the Post Employment Health Plan retirement payout or conversion.

Regular full-time employees may accrue one (1) day of sick leave per month or twelve (12) days per year to a maximum of 96 hours per year. The rate of accrual shall be determined by a 2080 ~~or 1820~~ hours/year schedule; ~~4 hours per pay period for 2 periods per month, i.e. eight (8) hours per month or seven (7) hours per month rate of accrual.~~ Employees may utilize accumulated sick leave in no less than one-quarter ($\frac{1}{4}$) of an hour increments. Sick days may accumulate from year to year to a maximum of 960 hours.

Sick leave may only be used with approval when an employee is too sick or injured to perform the employee's job responsibilities, when the employee must seek medical attention or for the purpose of visiting doctors, dentists or other recognized medical practitioners when those appointments and procedures cannot be scheduled outside the normal work day, when the employee's attendance is necessary for an immediate family member who is suffering from an illness or injury, or when required by law. For the purposes of sick leave, an immediate family member is a spouse, domestic partner, child, parent, grandparent or sibling. If another family member can attend to the needs of the immediate family member, then the employee is expected to report for duty and fulfill his or her responsibilities. Employees must follow the reporting guidelines explained in this manual under General Work Information – Attendance.

It is required for employees to utilize the reporting procedure within each individual department to notify the department head, or his or her designee, in advance that the employee will be absent from work due to illness or injury so that the department head can plan his or her work accordingly, except in cases of emergency where the employee is unable to notify the department.

In the event of the death of an employee while still in service of the City, 100% of the employees' unused accumulated sick leave remaining in his or her account will be converted to cash at the base rate then in effect and paid to the employee's estate.

PERSONAL DAYS

A regular full-time employee and regular part-time ~~employee general laborers within the DPW~~ may be eligible to receive three (3) personal days each calendar year. Personal days must be scheduled in the same manner as vacation and may not be carried over or paid out if unused in that calendar year. Employees may use personal days at a minimum of a one-half (½) hour increment or more.

~~Employees do not qualify for personal days during the first six (6) months of the introductory period unless approved through Common Council action.~~

VACATION

Vacation time is earned on an employee's anniversary date and must be used before the next anniversary date. Vacation is a time for employees to rest, relax, and pursue special interests. ~~Only Regular full-time and regular part-time~~ employees are eligible for paid vacation. ~~Employees are not eligible for paid vacation during their introductory period.~~

Vacation time must be requested by the employee with notice to the department head, and the department head will schedule vacation time when such time can be offered in the interests of the City. The number of employees on vacation at any one time shall be at the department head's discretion. Vacation may be taken at a minimum of a one-half (½) hour increment or more; however, the City encourages vacation use in full week increments. If a City paid holiday falls during an employee's scheduled vacation period, then eligible employees will receive holiday pay.

Vacation time may not be carried over and accumulated in subsequent calendar years. Exceptions to this policy may be made in unusual circumstances, each will be considered separately by the Finance, Personnel & Legislative Committee.

The purpose of a vacation is to provide employees with a time to rest and relax; therefore, no additional wages or salary will be paid in lieu of vacation not used, unless eligible under resolution 102-19 or 109-20. ~~Unused vacation will not be paid out.~~

An employee terminating his or her employment with the City may receive all unused earned vacation pay for the previous year and all earned vacation for the current year, except in the case of an employee who quits or retires and fails to give the minimum required notice as indicated previously. Upon resignation, retirement, termination or any circumstance earning an employee vacation for a portion of a year, the following formula will be used for computing vacation and prorating the portion earned:

Example: -Employee leaves employment on Sept 3 with an anniversary date of July 5

July 5 through September 3 = 61 days
 61 days /365 days = 0.1671 of year worked
 0.1671 X 80 hrs (10 days of vacation earned that year) = 13.368 or 13.5 hours of vacation earned

Vacation Schedule for Non-Exempt Employees

<u>Year of Employment</u>	<u>Weeks Earned</u>	<u>1820 hours/year</u>	<u>2080 hours/year</u>
01 <u>1</u> years	1 week	35 hours	40 hours
2 years	2 weeks	70 hours	80 hours
7 years	3 weeks	105 hours	120 hours
14 years	4 weeks	140 hours	160 hours
20 years	5 weeks	175 hours	200 hours

~~The only regular part-time employees who may be eligible to receive vacation accrual are regular part-time general laborers within the Department of Public Works who may receive vacation accrual in the above-referenced weekly amounts on a pro-rated basis.~~

Vacation Schedule for Exempt Employees

~~—Upon hire~~ After 1 year but less than 5 years = 2 weeks
 At least 5 years but less than 10 years = 3 weeks
 At least 10 years but less than 20 years = 4 weeks
 At least 20 years but less than 22 years = 5 weeks
 At least 22 years = 6 weeks

OTHER BENEFITS

COMMERCIAL DRIVER'S LICENSE (CDL) LICENSING FEES

If an employee is required by the City of Antigo to maintain a CDL for their job, the City will pay the difference between the standard license cost (Class D) and the cost of the employee's CDL to include Class A, B, & C along with air brake restriction and Tanker (N) endorsement minus any late fees, suspended license fees, or endorsements not required by the City. Paperwork will need to be provided to the department head and sent to City Clerk's Office for reimbursement.

EMPLOYEE ASSISTANCE PROGRAM

The City provides an Employee Assistance Program (EAP) which is designed to provide a confidential service for our employees. This service is available to all City employees and their immediate families or any person living in their household. An individual may call the EAP for discussion of any personal issues. An EAP representative may offer basic counseling or refer the individual for further assistance. Problem areas include:

Alcoholism	*	Domestic violence
Drug dependency	*	Eating disorders
Emotional illness	*	Family problems
Financial problems	*	Legal problems
Marital conflict	*	Etc.

The City assumes the base costs for the Employee Assistance Program assessment and referral. Other costs, like treatment, may be covered in part or in full by the group insurance plan.

There may be times when the employee will be solely liable for the expenses and, in such cases; an attempt by the provider will be made to inform him or her before they occur. The Employee Assistance Program ~~is through the Employee Resource Center and~~ may be reached at 1-800-222-8590. ~~or to reach the Wausau offices of EAP directly call 715-845-9400.~~ For further information, go to www.assisterc.com.

EDUCATIONAL ASSISTANCE

An individual who possesses a desire to continue their education, in addition to performing their full-time job, shows a commitment to improving themselves and their position within the City. Funding for this educational assistance will vary. The department head and ~~Director of Administrative Services~~ [City Administrator](#) must approve requests for Educational Assistance.

All or a portion of expenses for educational courses taken at a post-secondary facility may be paid for by the City, in its discretion, depending on the nature of the course. In order to request Education Assistance, the employee must:

1. Advise the employee's supervisor that the employee intends to take a particular course prior to enrollment. The department head will advise the employee regarding whether the course is of a nature that the City will approve assistance.
2. The course must be job-oriented and offered by an approved educational institution.

- 3.—The City may elect to contribute or reimburse the following toward the cost of registration and books based on the final grade or in the City's sole discretion, in amounts up to the following: A = up to 100% B = up to 90% C = up to 75% < C = no reimbursement will be provided.

3.

4. If an employee's employment with the City terminates, for any reason, within one year after completing a course(s), then the employee must repay the City for the full cost of the educational assistance for that course. If the last date of employment is after one year and within two years of completing a course(s), then the employee owes the City two-thirds of the educational assistance for that course(s). If the last date of employment is after two years and within three years of completing a course(s), then the employee owes the employer one-third of the educational assistance for that course(s).

Department heads, with approval of the ~~Director of Administrative Services~~ City Administrator, may authorize use of normal business hours for completion/progression of course requirements.

FLEXIBLE SPENDING PLAN

Regular full-time employees may participate in a Flexible Spending Plan under Internal Revenue Code Section 125. Under this benefit plan, employees may establish a flexible spending account to pay for qualified health care or dependent care expenses on a pre-tax basis. There is an open enrollment period each fall for the next calendar year. Employees are not eligible until the calendar year after they begin employment. ~~The Human Resources Specialist~~ may be contacted with any questions.

UNIFORM ALLOWANCE

The Police Chief, Fire Chief, Assistant Fire Chief, Police Captain, Street Commissioner, Park/Recreation/Cemetery Supervisor, Building Inspector, Assistant Building Inspector and the Land Surveyor/Project Manager may be eligible to receive a clothing allowance equal to that received by the individual personnel in their respective departments.

Crossing Guards with prior approval of the Chief may be reimbursed for authorized uniform purchases in the amount not to exceed that for sworn personnel.

Seasonal DPW general laborers may be eligible for reimbursement of up to ~~\$125~~ \$75 towards the purchase of safety boots that are A.N.S.I. C30/130 approved. Safety boots must be worn while working.

DPW full-time employees except clerical and seasonal general laborers may be eligible to receive up to a \$250 annual clothing allowance reimbursement. Employees may carry over unused clothing allowance to a maximum of \$500. Authorized clothing and equipment are general work related type clothing, rain gear, steel toed safety boots that are A.N.S.I. C30/130 approved, coveralls, work shirts and pants, and prescription safety glasses. Employees must wear safety boots while working. The City will continue to supply hard hats, ear protection, nonprescription safety glasses, rubber gloves, respirators, and waders subject to fair wear and tear.

The Fire Secretary ~~/ & Billing Clerk~~, ~~the Police Clerical/Resource Assistant(s), and the Police Administrative Assistant~~ may be eligible for up to a \$400 uniform allowance upon employment,

and on a calendar year basis each year thereafter. These employees shall not be eligible for uniform allowance in their final year of employment. Any portion of the uniform allowance not spent within the calendar year shall be retained by the City. Uniforms torn or damaged in the line of duty shall be replaced or repaired by the City. The City will supply all department patches and flags to employees as needed.

Regular full-time employees except for those noted above may be eligible for reimbursement of up to \$1~~5000~~ ~~for approved logo wear~~ annually.

Reimbursements may be made upon presentation of an invoice or receipt for the purchase of authorized work related clothing, personal equipment, or cleaning, when applicable, to the employee's department head.

POLICY SECTION

EMPLOYMENT INFORMATION

ANNIVERSARY DATE

The first day of reporting for work is an employee's "official" date of hire. The anniversary date will change only with a change in classification from part-time to full-time. The first day of employment as a regular full-time employee will then be the employee's anniversary date. The City does not adjust the anniversary date for part-time employment or prior service. The date of hire (whether part-time or the new full-time date) is used to compute benefits eligibility.

BACKGROUND CHECKS

Depending upon the nature of a position, the City may conduct varying levels of background screening to determine whether candidates for employment, promotion, assignment or transfer are suitable for the position they desire to obtain. Information that may be obtained or requested includes information relating to references, past employment, work habits, education, judgments, liens, criminal background and offenses, character, general reputation, social media usage, and driving records. The City may also obtain information from a consumer reporting agency. Before denying an extension, assignment, promotion, or other benefit of employment, based in whole or in part, on information obtained in the credit report, the City will provide a copy of the report and a description in writing of the applicant's rights under the Fair Credit Reporting Act.

Employees or applicants seeking employment, transfer, promotion, or assignment will be required to sign a document that constitutes the employee's full waiver, release and indemnification of any liability related to the background investigation. Employees or applicants who refuse to sign the waiver, release, and indemnification form will not be considered for employment, transfer, promotion, or assignment.

BONDING REQUIREMENTS

Under certain circumstances, the City may require that employees be bonded. It is each employee's responsibility to assure that he or she is bondable. The City will pay the cost of bonding. Should the employee fail to maintain these qualifications, he or she will be subject to transfer to another position, if available, or dismissal.

CITY/COMMUNITY MEETINGS

The ~~Director of Administrative Services~~City Administrator and those department heads, subordinate supervisors, and employees directed by the ~~Director of Administrative Services~~City Administrator or their department head shall attend all relevant meetings, when feasible. Staff role at meetings shall be to provide professional guidance and recommendations where appropriate—as distinct from deliberation, debate, and voting of Common Council members unless the employee is a voting member of the specific Committee.

DOMESTIC PARTNERSHIP

~~Domestic partnerships must be pre-registered with the City in order to qualify for use under any provisions within City policies. Please see the Human Resources Specialist for paperwork.~~

DRESS CODE/PERSONAL APPEARANCE

Employees are expected to dress in a professional manner befitting their jobs with due consideration to the needs of the City, the perceptions of the public, vendors, and fellow employees and leaders. All employees must be well groomed. Unkempt appearance can offset many other fine qualities and can negatively reflect the City's image. ~~Employees, except for those in the Police or Fire Department, unless permitted by the Chief of that Department, may have visible tattoos or wear earrings in good taste. However, other body piercing must not be exposed. Department heads may establish specific dress code requirements for each department, with input from the Director of Administrative Services, that are designed to reflect the professionalism of the workplace.~~

All safety and protective clothing must be worn during required activities.

Clothing with messages, other than messages authorized by the City, and any other clothing that may disrupt or be considered inappropriate for the workplace is unacceptable.

Employees who fail to dress in a manner which is approved for their department will be expected to immediately change their appearance, which may include returning home to change clothing or groom and which shall be without compensation.

DRIVER LICENSE AND RECORD

Employees whose work requires operation of a motor vehicle must present and maintain a valid driver license and a driving record acceptable to the City's insurer. Any changes in an employee's driving record must be reported to the appropriate department head and ~~the Human Resources~~ Human Resources Specialist immediately.

All DPW full-time ~~and year-round part-time~~ employees require a Commercial Driver's License – Class A, B, & C with air brakes restriction and tanker (N) endorsement or the ability to obtain one before the first one (1) year of work. The ~~Civil Technician/Assistant Building Inspector~~, clerical employees, and department heads are exempt from this provision.

DRUG AND ALCOHOL TESTING

The City recognizes the use or abuse of illegal drugs or alcohol can have a significant impact on the workplace in terms of safety, worker's compensation claims, personal day benefits, absenteeism and productivity. The City is concerned about employees who use or abuse illegal drugs or alcohol. Therefore, the City has established a drug and alcohol testing policy.

All employees are responsible for maintaining safe, healthy, and productive working conditions. Being under the influence of a drug or alcohol on the job poses serious safety health risks not only to the user, but also to all those who work with the user, and creates unacceptable risks for safe and efficient operations. Accordingly, it is the right, obligation and intent of the City to maintain a safe and efficient working environment for all employees and to protect City property, equipment and operations. With these objectives in mind, the City has established the following

policy with regard to the use, possession or distribution of alcohol, controlled substances and over the counter medications.

All employees may be subject to reasonable suspicion drug or alcohol testing. All employees who hold a Commercial Driver's License as a condition of their employment will participate in a random drug and alcohol testing program.

Pre-employment Screening

The City may require candidates for employment to take a screening test designed to prevent the hiring of individuals who presently use illegal drugs or who are under the influence of alcohol or drugs. Applicants for employment who are to be tested for the presence of alcohol or illegal drugs will be informed and will be requested to sign a form of consent authorizing the test. If a candidate refuses to provide consent for the test or tests positive for illegal drugs or alcohol, then the candidate will no longer be considered for employment.

On the Job Use, Possession or Sale of Drugs or Alcohol

Being under the influence of a drug or alcohol while performing City business or while in a City facility or using City property is strictly prohibited. "Under the influence" means, for the purposes of this policy, that the employee is affected by a drug or alcohol or the combination of a drug and alcohol in any detectable manner. The symptoms of influence are not confined to those consistent with misconduct, or to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance. A determination of influence can be established by professional opinion, a scientifically valid test, and, in many cases, by a layperson's opinion.

The use or being under the influence of any prescribed, over-the-counter, or otherwise legally obtained drug while performing City business, or while at a City facility or using City property is prohibited if such use or influence may affect the safety of the employees, co-workers, members of the public, or the safe or efficient operation of the City. An employee must report such use of a legally-obtained drug to his or her supervisor. If the employee's supervisor determines that the employee does not pose a threat to his or her own safety or the safety of co-workers, and that the employee's job performance is not significantly affected by the drug, then the employee may continue to work. The City will take all steps necessary and reasonable to accommodate employees whose disabilities require them to take legal drugs. The use, sale, purchase, transfer or possession of any alcohol, illegal drug, or prescribed drug or narcotic not prescribed to that employee while at a City facility or while performing City business is prohibited.

Employees will be subject to disciplinary action, up to and including termination, for violations of this policy. Violations include, but are not limited to, possessing illegal drugs and narcotics or alcohol at work; being under the influence of those substances while working; using them while working; or dispensing, distributing, or illegally manufacturing or selling them on City premises and work sites. Employees should note that a violation of this policy can result in disciplinary action, up to and including termination, even for the first offense.

Searches

Employees, their possessions, and City-issued equipment and containers under their control are subject to search and surveillance at all times while at City premises or work sites or while

conducting City business to the extent permitted by law. Employees have no reasonable expectation of privacy in these items or areas. Searches of employees and their property may be conducted when there is reasonable suspicion to believe that the employee or employees are in violation of City policy. Employees are expected to cooperate in the conducting of such searches. An employee's consent to a search is expected. The employee's refusal to consent may result in disciplinary action, including termination, even for a first refusal.

Employee Drug and Alcohol Testing

Employees may be asked to take a test at any time to determine the presence of drugs, narcotics, or alcohol when the City has reasonable suspicion to believe an employee is under the influence of drugs or alcohol. Employees that agree to take the test must sign a consent form, authorizing the test and the City's use of the test results for purposes of administering this policy. It is a violation of this policy to refuse consent for these purposes or to test positive for alcohol or illegal drugs. Policy violations will result in discipline and may result in termination. The initial test is paid for by and is the property of the City. Records of specific examinations, if required by law and regulation, will be made available to the employee, persons designated and authorized by the employee, public agencies, relevant insurance companies, the employee's doctor, or other persons designated by the City.

Reporting Requirements

Supervisors should report immediately to the ~~Director of Administrative Services~~City Administrator or his or her designee any action by an employee who demonstrates an unusual pattern of behavior, including any traffic stop, complaint or accident by an employee during work or while using a City-owned vehicle or equipment. The ~~Director of Administrative Services~~City Administrator or his or her designee will determine whether the employee should be examined by a physician or clinic or tested for drugs and alcohol. Employees believed to be under the influence of drugs, narcotics or alcohol will be required to leave the premises. The ~~Director of Administrative Services~~City Administrator should be notified to arrange safe transit.

Employee Counseling

Employees who are experiencing work-related or personal problems resulting from drug, narcotic, or alcohol abuse or dependency may request to seek counseling help. Participation and counseling, including City sponsored or required counseling, will not have any influence on performance appraisals. Job performance and the conduct of the employee, not the fact that an employee seeks counseling, are to be the basis of all performance appraisals.

Leaves and Rehabilitation

An employee who is abusing drugs or alcohol may request a leave of absence to undertake rehabilitation treatment. The employee will not be permitted to return to work until certification is presented to the employee's supervisor that the employee is capable of performing his or her job. Failure to cooperate with the agreed upon treatment plan may result in discipline up to and including termination. Participation in a treatment program or a request for leave, even if approved, does not insulate an employee from the imposition of discipline for the employee's conduct or violations of this policy or other policies and rules.

Non-Discrimination

The City maintains that it will provide a drug free and alcohol free environment for all employees. However, in doing so, it will not discriminate against any employee or applicant for employment as prohibited under Federal, State, or local laws. The City will not discriminate against any employee or applicant for employment because of their condition as an alcoholic, because of their use of lawful products off duty and off the premises or because the individual was arrested or convicted of a crime that is not substantially related to their job duties at the City.

DRUG-FREE WORKPLACE

It is the policy of the City of Antigo to create a drug-free workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988. The use of controlled substances is inconsistent with the behavior expected of employees, subjects all employees and visitors to our facilities to unacceptable safety risks, and undermines the City's ability to operate effectively and efficiently. In this connection, the unlawful manufacture, distribution, dispensation, possession, sale, or use of a controlled substance, including alcohol, in the workplace or while engaged in City business off City premises is strictly prohibited. Such conduct is also prohibited during nonworking time to the extent that in the opinion of the City, it impairs an employee's ability to perform on the job or threatens the reputation and/or integrity of the City.

Periodically, employees may be required to attend training sessions at which the dangers of drug abuse, the City's policy regarding drugs, the availability of counseling, and the City's employee assistance program will be discussed. Employees convicted of controlled substance-related violations in the workplace, including pleas of nolo contendere (i.e., no contest), must inform the City within five (5) days of such conviction or plea. Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. The City may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program as a condition of continued employment.

The City reserves the right to require employees to undergo appropriate tests designed to detect the presence of alcohol, illegal drugs, or other controlled substances where it has reason to believe that an employee may be under the influence of any of these substances. Refusal to consent to such a test may result in disciplinary action up to and including dismissal.

HEALTH EXAMS AND DRUG TESTING

All applicants and employees may be required to submit to a post job offer health exam and hearing test to determine the employee's fitness to perform the essential functions of the position with or without accommodations. Seasonal employees in the DPW will only be required to complete drug testing and a hearing test. Other testing may be required by various departments throughout the City during the hiring and employment process. All post job offer health exams shall be paid for by the City. The department head or ~~Human Resources~~ Human resources Specialist will schedule this appointment for each employee and provide any necessary paperwork. An applicant shall be required to undergo drug testing prior to a conditional offer of employment being extended. Applicants who refuse to undergo a drug test or medical exam will no longer be considered for employment.

HIRING, PROMOTIONS, TRANSFERS AND ASSIGNMENTS

The City seeks to hire the best-quality and qualified candidates who fit the needs and culture of the City. The City may use hiring, interview and screening processes designed to fulfill this objective. Further, it is the policy of the City to recruit, select, evaluate, promote, compensate, and retain employees on the basis of their ability to perform the duties and responsibilities of the position without regard to age, race, creed or religion, color, disability, sex, sexual orientation, national origin, ancestry, political affiliation or any classification protected by law.

When in the interests of the City, the City may attempt to fill a job vacancy by promotion from within the organization. The City may consider both internal and external applicants for all open positions.

From time to time and in the interests of the City, the City may transfer employees from assignment to assignment, position to position or department to department. Employees may request to be transferred from one position or department to another. Such a request may be given consideration when a suitable opportunity exists and such request can be fulfilled in the interests of the City. Requests for transfer by an employee must be in writing, must include a resume of qualifications from the employee and the reasons for the transfer, and must be directed to the person in charge of the department to which they wish to transfer, with notice to their current department head of the request. ~~Once~~ NEOGOV is the established conduit for applying for positions within the City of Antigo, all transfer and promotions may be completed using this program.

Appointment of personnel by the department head to a higher classification on a temporary basis in order to fill a vacancy is considered an "acting appointment." An employee holding an acting appointment may receive a temporary pay increase if authorized.

INTRODUCTORY PERIOD

Employment begins with an introductory period of one (1) year worked. A former employee who has been rehired after a separation from the City of Antigo must complete a new introductory period upon rehire. This introductory period is a try-out time for the employee. The only benefits available to employees during the introductory period are those required by law unless otherwise specified in the policies or ordinances of the City. The introductory period only applies to benefit eligibility and serves no other purpose.

Completion of the introductory period does not guarantee continued employment for any specified period, nor does it modify or change the employee's at-will status or require an employee be discharged only for "cause."

LAYOFFS AND FURLOUGHES

Reductions in the workforce may occur through layoffs or furloughs, in addition to attrition or position elimination or modification. The City will determine the departments, number of positions and persons impacted by the reduction in workforce.

In the event of a reduction in workforce through layoff or furlough, affected employees will be laid off or furloughed based on performance, knowledge, skills, abilities, efficiency, reliability, attendance, overall record, qualifications, and the interests and needs of the employer. If two qualified employees subject to layoff are equal in the above listed categories and the needs of the employer do not necessitate retaining one employee rather than another, then length of

regular full-time service with the City will be the determining factor in the layoff decision. The City may choose to solicit volunteers for the reduction in workforce.

MAINTAINING A VALID COMMERCIAL DRIVER'S LICENSE (CDL)

Employees holding a valid Commercial Driver's License for their position with the City must understand the critical importance of maintaining the license in order to serve as an effective employee of the City. The failure to maintain a valid CDL may constitute grounds for termination of employment. The employee may also be subject to investigation and disciplinary action based on the conduct that leads to the failure to maintain a valid CDL. If an employee has his or her Commercial Driver's License disqualified/suspended or no longer holds an otherwise valid CDL, then the City, on a case-by-case basis, may consider the following employment structure for the affected employee:

1. In the event the employee is retained, then the employee may be placed on an unpaid leave of absence for a period not to exceed thirteen (13) months (from the date the Wisconsin Department of Transportation notifies the affected employee their CDL has been disqualified) until such time the employee can apply and reinstate their CDL. Employees will be subject to recall at any time during their leave of absence for available work. Employees who are offered work by the City during their CDL suspension cannot refuse to work when called upon unless prior arrangements have been made with the department head. Any employee who refuses a recall or available work will be considered to have resigned his or her employment. In the event the City does not desire to recall the employee, then the City will notify the employee of his or her termination.
2. The City may attempt to provide non-CDL related work for the employee that had his or her CDL disqualified or suspended. The employee will be considered last in line for such work in the event the City is providing a light-duty assignment or accommodated work to another employee due to that employee's injury, illness or disability.
3. Employees who are called back to work performing non-CDL work shall receive the lowest department wage rate offered to employees based on their years of employment for the performance of such work.
4. The employee will likely be the last to be called in for overtime and will only be called in if he or she is qualified to operate necessary machinery required to work said overtime.

NEPOTISM POLICY

Employees may not work in the same department as members of their immediate family, except for seasonal and temporary employees or if otherwise approved by the City Council. If members of an immediate family are employed by the City, one may not supervise the other. If the related employees are unable to develop a workable solution, the [Director of Administrative Services](#) [City Administrator](#) will decide which employee may be transferred or terminated. For purposes of this section, immediate family includes an employee's spouse or domestic partner and both the employee and the employee's spouse's (or employee's domestic partner's) children, siblings, parents, grandchildren and grandparents.

PERFORMANCE REVIEWS

The public expects high quality service from our employees that is delivered in a manner in the best interest of the City, the public and the efficient and effective use of resources. The City expects all employees to perform their job duties at a high quality level that maintains the trust of our citizens. As the City has limited resources available, it must only employ individuals who are committed to and capable of providing high quality services. Therefore, apathy, an inability to work as a member of a team, attitudinal issues, and marginal or unacceptable work performance are inconsistent with the interests and expectations of the City and the public.

Periodic evaluations are an important part of ensuring the City is employing the right people to work for our citizens. Periodic evaluations are an opportunity to let each employee know how he or she is performing, how performance may be improved and to receive input from the employee concerning training, supervision or any job difficulties that may be occurring. The ~~Director of Administrative Services~~City Administrator, Council/Board members, department heads, and/or supervisory staff will evaluate employee performance. Some of the job factors that may be reviewed include but are not limited to: accuracy, quality of work, quantity of work, dependability, adaptability, job knowledge, organization, judgment, initiative, cooperation, ability to get along with others, public service mindset, attitude and attendance.

It is the employee's responsibility to make sure they understand what is required of them to improve his or her performance to a satisfactory level. The employee should ask questions about any job factors that he or she does not understand so that he or she has the best chance to make any necessary improvements. The City wants employees to succeed in their employment with the City. The practices for departments or positions for the evaluation process may vary.

PERSONNEL FILE ACCESS

Each employee has a personnel file. Information retained in the personnel file includes personal information such as forms for federal and state taxes, enrollment forms for benefits, address changes, and specific work-related information such as application for employment, resume, performance evaluations, job changes, and other designated records. An employee may request an opportunity to review the records in his or her personnel file that the employee has a lawful right to review by submitting a written request to ~~the~~ Human Resources Specialist. Requests for inspection will be scheduled at a mutually convenient time and within the timeframes required by law. Employee files contain records maintained by the City's Custodian of Records. Personnel files may not be taken outside of the custody of the Custodian or his or her designee.

The City will use employee medical information only in a manner that is lawful, job-related, and consistent with business necessity. Employee medical information will be maintained in separate medical files, and will be treated confidentially to the extent required by law. Normally, medical information may be disclosed to someone other than the employee in the following circumstances:

- Supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations;
- First aid and safety personnel may be informed, when appropriate, if the employee's medical condition might require emergency treatment; and
- Certain government officials may be provided the information.

Employees should refer all requests for personnel information concerning applicants, employees, and past employees to ~~the~~ Human Resources ~~Specialist~~. Employees are not permitted to provide references on behalf of the City. Pursuant to requests for references, the City may choose to release only limited general information such as the position held and dates of employment. The City may require the individual involved to provide a written consent, release and indemnity agreement before the City will release additional information unless there are circumstances warranting otherwise.

It is important that each employee's personal information and decisions regarding benefit selection be accurate at all times. It is each employee's responsibility to notify the City promptly of any changes to the employee's personnel file, personal contact information, or family information used for insurance and tax purposes. In order to avoid issues of benefit eligibility, having W-2s returned or any other issue, employees must promptly notify, in writing, ~~to the~~ Human Resources ~~Specialist~~ of any change in personal information including name, address, telephone number, marital status (for benefits and withholding purposes), names, addresses and phone numbers of the employee's spouse and dependents (for benefits purposes), beneficiary designations, and emergency contact information.

RESIDENCY

All Department of Public Works employees must reside within ~~a 1530 odometer miles radius of the jurisdictional boundaries of the City of Antigo~~ City Hall, except for the Civil Technician/Assistant Building Inspector.

SECONDARY EMPLOYMENT

Employment with the City of Antigo by regular part-time and regular full-time employees should be considered the employee's primary employment. Secondary employment with other entities must not conflict, whether real or implied, with the duties of the employee. The City has priority upon the services of all employees regardless of any conflict with secondary employment. An employee who engages in secondary employment must clearly define himself or herself as an employee of the secondary employer and not act or treat himself or herself as an employee or agent of the City. Employees must still comply with all policies, rules and general expectations of conduct when engaging in off-duty behavior regardless of such secondary employment. The City may terminate the employment of an employee whose secondary employment may interfere with the performance of his or her work, where a conflict, whether real or implied exists, where the interests of the City are impacted as a result of the secondary employment, or where such employment or conduct negatively affects the image of the City or employees. An employee will not be permitted to work for another employer while on a leave of absence, on Family Medical Leave, or while absent for illness from the City.

SMOKING/TOBACCO PRODUCTS

Employees are prohibited to use tobacco products, including smokeless and E-Cigarettes/Vapes, in City facilities, vehicles, or equipment. Smoking, including smokeless material and E-Cigarettes/Vapes, is not permitted at any time in the City's buildings, equipment or in vehicles while on duty. While working, smoking, including the use of smokeless material and E-

Cigarettes/Vapes, is only permitted during an authorized break outside of City buildings. Violations of this policy may result in disciplinary action.

UNION/ASSOCIATION ACTIVITY

No employee covered under this handbook will be discriminated against because of membership in or activity in connection with any union. No union activities, other than collective bargaining with authorized City representatives may ordinarily be permitted on City time. All other union business shall be transacted outside of working hours, unless pre-approved, in writing, by an employee's department head or the ~~Director of Administrative Services~~City Administrator. No City equipment will be utilized (computers, e-mail, photocopy machines, etc.) for union activities without the employee or union paying the same costs for use and expenses as paid for by other employees using the equipment for non-work related purposes, such as copying or fax charges. Unions shall provide written notification to the ~~Director of Administrative Services~~City Administrator, Mayor, Clerk/Treasurer and Human Resources Specialist within ten (10) business days following the election or selection of union officers or representatives.

USAGE OF LEAVE

~~Unless otherwise stated, paid leave is not available to employees in their first six (6) months or full year of employment (depending upon the type of leave). Please refer to the Compensation and Benefits Section of this manual for further information.~~

WORK POLICIES

AIDS POLICY

~~The City of Antigo will deal with acquired immune deficiency syndrome (AIDS) in a humanitarian and nondiscriminatory fashion, while assuring the safety and health of all employees.~~

~~The City is committed to a responsible policy of nondiscrimination regarding AIDS. An employee afflicted with AIDS will be treated the same as any other employee suffering from a long-term disability. The confidentiality of all employees afflicted with AIDS will be respected.~~

~~According to the best medical evidence available to date, casual workplace contact with employees who have AIDS, or who have been exposed to the AIDS virus, will not result in the transmission of AIDS to others. The City will employ applicants or employees who have AIDS or are suspected of having AIDS, so long as these persons remain qualified to perform their jobs. Some exceptions or deviations to this policy may be necessary for certain positions, but AIDS patients will be employed, while at the same time preserving the safety and morale of all our employees.~~

~~The City will remain current regarding the latest medical knowledge pertaining to this disease. Should it subsequently appear that this policy's implementation may present a danger to employees, the City will make appropriate policy revisions.~~

BULLETIN BOARDS

Bulletin boards are provided to inform employees of important developments from the City that may affect the employee or his or her job. Bulletin boards are used by the City to communicate information to employees and post notices required by law. Department heads must provide prior authorization before employees are allowed to post any notices on bulletin boards by initialing and dating the posting. Because work-related notices of interest and importance regarding City business will be posted on the bulletin boards, the City requests all employees to check the bulletin board at regular intervals.

CHAIN OF COMMAND

Operation of any government agency depends on an effective chain of command. The ultimate decision concerning policy in the City of Antigo resides by law with the Common Council under the leadership of the ~~Director of Administrative Services~~City Administrator and the Mayor. The ~~Director of Administrative Services~~City Administrator is the primary professional advisor to the City and head of the management team. The department heads of the City are part of the management team, and the department heads report to the ~~Director of Administrative Services~~City Administrator or to the Police and Fire Commission or Library Board. Supervisors subordinate to the department head are also members of the management team. This management team concept is the process by which a recommendation for City action is developed and the decision implemented. This system represents a means of establishing orderly lines within the organization of communication as management personnel unite with the City to promote effective services for the community.

The ~~Director of Administrative Services~~City Administrator is responsible for the development, supervision, and operation of the City of Antigo and all facilities and personnel. Employees have the obligation to further the professional advancement of the City through the chain of command. The ~~Director of Administrative Services~~City Administrator is given the latitude to determine the best method of implementing the policy decisions of the Common Council.

All staff members and supervisors shall be responsible to the City and the Mayor through the ~~Director of Administrative Services~~City Administrator. Each non-protective service employee shall refer matters requiring administrative attention to his or her department head, who shall refer such matters to the next higher authority, when necessary, and through the ~~Director of Administrative Services~~City Administrator to the Common Council or Mayor. Protective service employees shall follow their department's designated chain of command. Each employee is to keep the person that the employee reports to informed of the employee's activities by whatever means the supervisor deems appropriate. If an employee has any questions, opinions or suggestions about the information contained in this manual, any other City manual, City policies, or about any other aspect of his or her job, then those questions, opinions or suggestions must be directed through the chain of command. If, after discussion with an employee's department head or immediate supervisor, a question or problem is not resolved, the employee may proceed up the chain of command with their supervisor to the ~~Director of Administrative Services~~City Administrator.

Any employees who receive directives or requests from any individual citizen, business representative or elected or appointed official are to immediately report such directive or request to the employee's department head. No specific directives or requests from such persons are to be fulfilled unless permission to do so is given by the employee's department head. Nothing in this paragraph shall be intended to prevent the Common Council and other appointed and

elected officials from reasonable access to staff pertinent to their position to fulfill the duties of their position as elected or appointed officials.

Generally, if an employee has a problem with an individual, then the employee is encouraged to approach that person first and attempt to resolve the conflict. If that does not resolve the problem or if the employee is unable to approach the individual in an attempt to resolve the conflict, then the employee should address the problem through the employee's immediate supervisor and onward through the chain of command. In some cases, the employee's supervisor may decide to refer the problem through the chain of command where it can be addressed by another supervisor, the ~~Director of Administrative Services~~City Administrator, the Library Board, or the Police & Fire Commission. If an employee feels harassed by another person based on one's protected status, then the employee is directed to follow the Anti-Harassment and Retaliation Policy.

COMMUNICATIONS

Successful working conditions and relationships depend upon successful communication. There may be areas in the City's operation that can be improved. These could be in service, production methods, equipment, communications, safety, and ways to reduce costs, losses, and/or waste, or other improvements. Employee contributions, as well as those of others, could expand the City's efficiency and public relations. Each employee needs to communicate his or her ideas, suggestions, personal goals or problems as they affect the employee's work. Employees should use the established methods of communication, including this Employee Manual, discussions with the department head, staff meetings, training sessions, etc.

CONFIDENTIALITY

Communication is a joint responsibility shared by the City of Antigo and all employees. No information concerning official City business, including but not limited to the release of records of the City, may occur except through, and with the permission of, the ~~Director of Administrative Services~~City Administrator or individual department head as designated by the ~~Director of Administrative Services~~City Administrator. If requests for information are received by employees, whether on or off duty, from any person, then the employee is required to politely decline to provide such information and to direct that individual to the ~~Director of Administrative Services~~City Administrator or department head for a response to that inquiry.

Because of an employee's responsibilities at the City, an employee may have access to confidential City, resident, personnel or other sensitive information. This may include, but is not limited to, information concerning a resident's financial status, the City's business practices including purchasing and negotiating strategies, and employee records. This sensitive information cannot be disclosed to any personnel who do not have a legitimate business need to know, or to such persons outside of the City unless appropriately released by the Custodian(s) of Records. Official City business is confidential unless the appropriate Custodian of Records determines otherwise. All employees are responsible for protecting the confidentiality of this information.

The City's Custodians of Records are responsible for the disclosure of records pursuant to requests for records under Wisconsin's Public Records Law. Unless directed by the appropriate City Custodian of Records, employees shall not act as the City's Custodian of Records or disseminate information.

The City acknowledges the right of all employees, as citizens in a democratic society, to speak out on issues of public concern. When those issues are related to the City, however, the employee's expression must be balanced against the interests of the City. In situations in which the employee is not engaged in the performance of professional duties, the employee should state clearly that his or her expression represents personal views and not necessarily those of the City of Antigo.

If the City's interest in maintaining discipline or harmony in the workplace is unreasonably disrupted by otherwise protected speech when balanced against the City's interests, then the employee may be subject to disciplinary action.

CONFLICTS OF INTEREST

The successful operation and reputation of the City and our employees and leaders is built upon the principles of fair dealing and ethical conduct of our employees. The City's reputation for integrity and excellence requires careful observation of the spirit and letter of all applicable laws and regulations, as well as scrupulous regard for the highest standards of conduct, trust and personal integrity.

The continued success of the City is dependent upon maintaining the public's trust and of those with whom each employee serves. Employees owe a duty to the City, the public and each other, to act in a way that furthers the interests of the public and the City and in a way that will merit the continued trust and confidence of each other and the public. Employees will conduct business in accordance with the letter, spirit, and intent of all relevant laws; and employees will refrain from any illegal, dishonest, or unethical conduct.

No employee shall use or permit the use of City property for personal convenience or profit, except when such services are available to the public generally or are provided as Policy for the use of such employee in conduct of official business, as authorized by the City.

No employee shall engage in any business transaction with the employer, or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties or will tend to impair his or her independence, judgment or action in the performance of his or her official duties. Any employee who has a financial interest, including employment, in any business entity entering into, proposing to enter into or bidding on any transaction with the employer, or as part of his or her official duties will be making an official decision or recommendation significantly affecting a business competitor, client or regular customer, shall disclose such interest to the ~~Director of Administrative Services~~City Administrator and the Mayor.

No employee, including persons or firms engaged to provide professional services to the City, shall represent, for compensation, private interests before the City without disclosure of the private business relationship and explicit consent of the City.

No employee shall disclose or use confidential information of the City to advance the financial or other private interest of the employee or others.

No employee shall accept anything of value whether in the form of a gift, service loan or promise from any person, who, to the employee's knowledge, has a direct financial interest in any transaction or official business with the City, which may tend to impair his or her independence of judgment or action in the performance of their official duties. Please refer to the City of Antigo

Code of Ethics Policy for further information regarding the City's policy. Employees with any questions regarding this policy should speak to their department head, the ~~Director of Administrative Services~~City Administrator, or ~~the~~ Human Resources ~~Specialist~~.

EMPLOYEE SEPARATION

There are many reasons an employee may be terminated or choose to terminate his or her employment with the City of Antigo. An employee who resigns or who is terminated will receive his or her final paycheck on his or her next regularly scheduled payday along with information regarding insurance continuation and other benefit plans. Information regarding health insurance continuation will be sent to the employee's address from the City's current COBRA provider.

Resignation with Notice

If an employee decides to resign from the City, then the employee is expected to advise his or her department head in writing at least two (2) weeks prior to his or her date of departure and if an employee decides to retire from the City, then the employee is expected to advise his or her department head in writing at least thirty (30) days prior to his or her departure so that an orderly transition can be made. Department heads are expected to give at least thirty (30) days' notice, in writing, to the ~~Director of Administrative Services~~City Administrator and the Mayor prior to their date of departure. The employee must return all City property and records and complete required forms. The employee will be paid all wages earned, subject to deduction, up to his or her final day of employment and any accrued but unused vacation. No other paid time off is paid out to an employee. An exit interview may be conducted by ~~the~~ Human Resources ~~Specialist~~. The City reserves the right to terminate the employee before the given date.

Resignation without Notice

If an employee decides to leave the City and the employee fails to provide written notice at least two (2) weeks for resignation and thirty (30) days for retirement prior to his or her date of departure, thirty (30) days for department heads, then the employee's resignation will not be treated as a Resignation with Notice. The City reserves the right to terminate the employee before the given date. The employee must return all City property and records and complete required forms. The employee will be paid all wages earned, subject to deduction, up to his or her final day of employment, but the employee will not be paid any accrued but unused vacation. The nonpayment of vacation shall not apply to an employee terminating employment following a period of extended illness during which time it has not been reasonably possible for the employee to give such advance notice. No other paid time off is paid out to an employee. An exit interview may be conducted by ~~the~~ Human Resources ~~Specialist~~.

Termination

If the City decides to terminate an employee for reasons other than for violating policies or rules, then the employee will be notified of the employer's decision. The employee must return all City property and records and complete required forms. The employee will be paid all proper compensation up to his or her final day of employment and any accrued but unused vacation. An exit interview may be conducted by ~~the~~ Human Resources ~~Specialist~~.

Termination for a Policy or Rule Violation

Should an employee be terminated for a violation of the policies and rules, then the employee will not be paid for any accrued but unused vacation benefits. The employee must return all City property and records and complete required forms.

EMPLOYER PROPERTY AND EMPLOYEE PERSONAL PROPERTY

It is the City's intent to provide employees, during the course of their employment, with access to and the use of various property for the purpose of conducting business for the City. Employees should have no reasonable expectation of privacy in the use of the City's and the public's property. The City may access this property with or without the prior consent or knowledge of the employee to the extent permitted by law. City property is to be used with care by employees at all times and only in the manner for which the City and public intends the property to be used.

Employees must maintain their work-spaces in a clean, orderly and professional manner. Employees must report any suspected misuse or abuse of the City's property.

Employees are encouraged to exercise care and attention in safeguarding personal property brought to the work-place. The City does not assume liability for the loss, theft or damage of personal property brought to the work-place.

The City reserves the right to access, replace or utilize any City property without prior permission of the employee to whom it was provided to the extent permitted by law. Circumstances warranting a need to access property in the employee's absence include, but are not limited to, the following:

- The City has a need to search for business items or information that is needed in a timely manner.
- The City is complying with applicable laws regarding review and disclosure of records and information.
- The City has reasonable suspicion to believe that the employee is engaging in illegal or improper activities, in conjunction with committing a violation of policy, rules or general expectations of conduct, or in a way that may jeopardize the health and well-being of others.
- For any other lawful reason.

Under these circumstances, employees may be required, upon the request of the City, to submit to a search of any personal property brought onto the City's premises to the extent permitted by law.

GRIEVANCE

The City expects an employee and management to exercise reasonable efforts to resolve any questions, problems or misunderstandings prior to utilizing the City of Antigo Grievance Procedure. An employee subject to a collective bargaining agreement grievance procedure shall follow the collective bargaining agreement grievance procedure to the extent those procedures address the matters covered by the Grievance Procedure. An employee subject to statutory dispute resolution procedures shall be subject to those procedures to the extent those procedures address the matters covered by the Grievance Procedure. Any other employee* shall utilize the City of Antigo Grievance Procedure for resolving disputes that fall within the scope of the Procedure.

*Employee means municipal personnel identified in Section 66.0509, Wis. Stats., and shall not include employees subject to a collective bargaining agreement addressing employee discipline, termination and workplace safety; statutorily appointed individuals identified specifically in statute as serving at the pleasure of an appointing authority; elected officials; seasonal and limited term individuals; individuals working within their introductory period; personnel subject to rights under Section 62.13, Wis. Stats., and independent contractors.

NO SOLICITATION/NO DISTRIBUTION

The solicitation of employees or distribution of materials to employees can often interfere with normal operations of the City, reduce employee efficiency, annoy employees and citizens, and pose a threat to security. For these reasons, the City limits solicitation and distribution on the premises. This includes soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services (except by representatives of vendors or potential vendors as authorized by the City), or any other similar activity. All visitors are strictly prohibited from entering non-public areas unless the department head grants permission.

Employees may engage in limited solicitation and distribution of materials to other employees, on the premises, subject to the following guidelines. Solicitation or distribution of materials is prohibited during the working time of either of the individuals making or receiving the solicitation or distribution. "Working time" does not include an employee's authorized lunch or rest period. Distribution of literature in a way that causes litter on City property is prohibited. Bulletin boards and other City-provided group communication systems are maintained solely for the City to communicate information to and from employees, post notices required by law, and for other work-related purposes. Posting of unauthorized notices, photographs, or other printed or written materials on those bulletin boards or other communication systems is prohibited.

The City may authorize a limited number of fund drives by employees on behalf of charitable organizations. Employee participation in such drives is completely voluntary. As a part of those charitable fund drives, the City may permit a representative from the charitable organization to make a presentation to employees. Employees seeking authorization for such a charitable fund drive should contact the ~~Director of Administrative Services~~City Administrator or his or her designee.

In addition, the City has the right to monitor any allowed solicitation and distribution, and to modify or add to this policy as becomes necessary to minimize interference with work.

PROHIBITED HARASSMENT

A fundamental policy of the City of Antigo is that the workplace is for performing high quality work and to serve the interests of the City and the public. Employees must provide a workplace free from tensions involving matters that do not relate to the City's business and where employees behave courteously and professionally at all times. In particular, an atmosphere of tension created by conduct not related to work—including animosity caused by ethnic, racial, sexual, or religious remarks, unwelcome sexual advances, requests for sexual favors, or similar discriminatory conduct—does not belong in the workplace.

Harassment, discrimination or retaliation of employees or applicants for employment based on one's protected status is prohibited. Please read the Anti-Harassment and Retaliation Policy for complete information regarding the City's policy. Employees with any questions regarding this

policy should speak to their department head, the ~~Director of Administrative Services~~City Administrator, or ~~the~~ Human Resources ~~Specialist~~.

If an individual involved in harassing or inappropriate conduct is not employed by the City, then the employee should inform their Department Head or Human Resources, and~~individual~~ will be informed of this policy and appropriate action will be taken.

In all cases, employees should report discrimination, harassment or retaliation through the reporting process identified in the Anti-Harassment and Retaliation Policy. The City will make follow-up inquiries to make sure the harassment, discrimination or retaliation has stopped. If the employee is not satisfied with the results of the investigation or follow-up action, or if further harassment, discrimination or retaliation, or other unacceptable conduct occurs, then the employee must contact ~~the~~ Human Resources ~~Specialist~~ or the ~~Director of Administrative Services~~City Administrator promptly.

The City will not tolerate retaliation against any employee who complains of sexual or other unlawful harassment, discrimination or retaliation or who provides information in connection with any such complaint of sexual or unlawful harassment, discrimination or retaliation. If an employee believes that he or she has been retaliated against for bringing a complaint or providing information related to a complaint, the City requires the employee to use the reporting procedure described in the Anti-Harassment and Retaliation Policy.

TERMINATION

~~The City expects department heads to provide a written thirty (30) day notice of resignation or retirement. The City expects all other employees to provide at least a written two (2) week notice of resignation and a thirty (30) day notice of retirement when intending to leave employ of the City. See Work Policies – Employee Separation for payout information.~~

WORKPLACE SAFETY AND REPORTING INJURIES OR ILLNESSES

Job safety is very important to each employee and the City of Antigo. Employees must conduct themselves carefully at all times. Many accidents can be caused by carelessness and horseplay. All employees must act in a safe manner and practice good safety procedures. Similarly, all work areas are to be kept clean and free from debris, and tools and equipment are to be kept clean and in good repair. Employees must know the location of fire extinguishers, emergency exits and first aid kits and make sure they are accessible at all times.

Any accident, hazards or potentially unsafe conditions of equipment are to be reported to an employee's supervisor immediately for action. If the unsafe condition can be corrected immediately as to avoid any additional hazard, then the employee should implement the corrective action.

Any employee who is injured or becomes ill while performing service related to his or her employment must contact his or her department head or another supervisor immediately and on the same day the injury or illness occurs to report the incident. If an employee has questions regarding this policy, they should contact his or her department head or ~~the~~ Human Resources ~~Specialist~~.

Worker's compensation is a form of accident and disability insurance to protect an employee in the event of a qualifying job-related injury or illness. Upon returning to work after a work-related injury, an employee may be required to provide certification from his or her treating physician verifying that the employee is able to safely and adequately perform his or her regular job functions.

Safety is everybody's business. Safety is to be given primary importance in every aspect of employment activities. Please read the [City of Antigo Safety Manual](#) for complete information regarding the City's safety policy. Employees with questions regarding this policy should contact their department head.

WORKPLACE VIOLENCE AND WEAPONS

The City prohibits workplace threats or violence. Acts or threats of physical violence, including intimidation, harassment, or coercion, which involve or affect personnel or property or which occur on the City's property will not be tolerated.

Acts or threats of violence include conduct, which is sufficiently severe, offensive, or intimidating to alter the employment conditions or to create a hostile, abusive, or intimidating work environment for one or several employees. Examples of workplace violence include, but are not limited to, the following:

- All threats or acts of violence occurring on City premises, regardless of the relationship between the City and the parties involved.
- All threats or acts of violence occurring off City premises involving someone who is acting in the capacity of a representative of the City.

Examples of conduct that may be considered threats or acts of violence in violation of this Policy include, but are not limited to, the following:

- Hitting, touching, or physically harming an individual.
- Threatening an individual or his or her family, friends, associates, or property with harm.
- Damaging or threatening to harm City property or the property of others.
- Making harassing or threatening communications.
- Harassing surveillance or stalking (following or watching someone).
- Unauthorized possession or inappropriate use of firearms or weapons.

Prohibition against threats and acts of violence applies to all persons. Every employee is required to report incidents of workplace threats or acts of physical violence or damage of property.

Please read and refer to the [City of Antigo Workplace Violence Prevention Policy](#) for complete information regarding this topic. Employees who have any questions regarding this policy should contact their department head or ~~the~~ Human Resources ~~Specialist~~.

GENERAL WORK INFORMATION

ATTENDANCE

The City places great emphasis on good attendance. Absence or tardiness places an extra burden on co-workers and undermines the efficient operation of the City. Regular attendance is expected of every employee. It is each employee's responsibility to be on the job, on time each day, and fully able and ready to work. Although there are justifiable reasons to take time off from work, each employee's employment assumes his or her availability for work. Employees are expected to be at his or her work-station and ready to work at the beginning of his or her assigned work hours, return from scheduled rest breaks and lunch breaks on time and to work his or her assigned hours. No work time, other than scheduled work time, shall be worked by a nonexempt employee without authorization of the department head or ~~Director of Administrative Services~~City Administrator. Non-exempt employees are not expected to and should not perform work off-the-clock.

An employee who anticipates being absent or tardy should follow the reporting procedures for his or her department and call in to report the absence or tardiness as soon as possible before his or her shift is to begin.

Use of sick leave is only for purposes outlined by this pPolicy and as permitted by law. The City treats the misuse of sick leave seriously and desires for all employees to prevent the misuse of sick leave. Misuse subjects the City to additional costs that harm the financial viability of the City and misuse is disruptive to coworkers and the services we provide to the public. Misuse of sick leave undermines the credibility of the employee and the confidence the public and coworkers must have in that employee and the City. The City may construe misuse of sick leave as theft and dishonesty, among other rule violations, which warrants serious discipline up to and including discharge.

When an employee may need to use sick leave, the employee must immediately notify his or her department head or his or her designee as soon as the need to be absent is known and in all cases prior to the start of the employee's work shift. The employee must ~~communicatespeak~~ with the department head, or his or her designee, and indicate the nature of his or her illness or injury or need for leave, the date the injury or illness commenced, the job responsibilities the employee is unable to perform, if applicable, and the expected duration of the absence and, if applicable, the need for the employee's attention to an immediate family member. In the event the employee is unable to speak with his or her department head, or his or her designee, then the employee must leave a message for his or her department head and also contact ~~the~~ Human Resources ~~Specialist~~. If the need for absence occurs during the work day, then the employee must follow this same procedure.

All of this information from the employee is necessary and important for the City to determine the employee's eligibility for sick leave and family or medical leave, whether a temporary or permanent replacement for the employee is needed, whether further medical information will be needed to evaluate whether the employee may create a risk to the health and safety of the employee or others in the City, whether reasonable accommodation may need to be considered, whether sick leave is the proper leave to use or whether other leave or no leave is appropriate, and whether the City may consider further inquiries into the use of leave for other business-related reasons including for investigatory purposes. The City may, with sole and absolute discretion, require a doctor's certificate verifying the necessity for absences and the specific illness, injury, or other disability to which the absence is attributed.

Depending upon the length of the absence, the employee may be required to provide written documentation (City's Return to Work Form) from a doctor that he or she is able to resume normal work duties before he or she is allowed to return to work. The days of absence need not be

consecutive work-days. Absenteeism or tardiness may lead to discipline, including discharge and may also be taken into consideration when the employer reviews each employee for wage changes or promotion. In general, two (2) or more unexcused tardiness incidents in a 30-day period constitute habitual tardiness or a pattern of tardiness and will be considered excessive. In general, five (5) or more occurrences of absence in a 90-day period, or a consistent pattern of absence, will be considered excessive, and the reasons for the absences may come under further question. Tardiness or leaving early is as detrimental to the City as an absence and will carry the same weight as an absence. Questions and discipline regarding tardiness or absences will be handled individually by each department head with direction from the City Administrator or Human resources.

Absence from work for three (3) consecutive days without notifying your supervisor or the ~~Director of Administrative Services~~City Administrator will be considered a voluntary resignation.

BREAK/REST PERIOD

Any break/rest periods will be coordinated by the department head to maintain adequate coverage within each department and job site. In the event of an emergency or unusual condition, the project supervisor/department head may ask employees to change or postpone breaks to finish a particular project.

BUSINESS HOURS

The City is always open for business, regardless of weather conditions, unless otherwise determined by the Mayor or his or her designee. Weather conditions may prevent employees from getting to work or cause them to arrive late. Employees are expected to make every reasonable effort to report to work during inclement weather. When severe weather conditions exist, it will be the responsibility of each employee to contact the employee's department head before the start of his or her shift if he or she is unable to report to work on time. Work time missed due to inclement weather is without regular pay for non-exempt employees. Employees may request to use vacation or personal leave time, but in the event of severe weather or other urgent circumstances, as determined by the department head and/or the ~~Director of Administrative Services~~City Administrator, the City's need for the employee's attendance to perform his or her duties will prevail.

ERROR IN PAY FOR NON-EXEMPT EMPLOYEE

Every effort is made to avoid errors in your paycheck. If you believe an error has been made, tell your department head immediately. He or she will take the necessary steps to research the problem and, if a correction needs to be made, will contact ~~the~~ Human Resources ~~Specialist~~ to assure that any necessary correction is made properly and promptly within the next two (2) weeks. It is of the utmost importance to the City that all employees' paychecks ~~are~~be accurate.

FLSA SAFE HARBOR POLICY

The City has created this Safe Harbor Policy for employees who are classified as exempt under the Fair Labor Standards Act (FLSA). This Policy's purpose is to:

- Announce our "good faith" commitment to comply with the regulations and our commitment to reimburse employees for any improper deductions.;

- Clearly state and inform our employees of the procedures and exceptions surrounding permissible salary deductions;
- Define “actual practice” in relation to improper salary deductions; ~~and~~
- Inform our employees of a complaint mechanism if the employee believes that their pay has been improperly deducted.

The City is committed to complying with the pay practices governed by the Fair Labor Standards Act. If an employee has questions about this Policy or the regulations defining this Policy, please see the ~~Director of Administrative Services~~City Administrator or ~~the~~ Human Resources ~~Specialist~~ they will help the employee understand how the regulations affect the given situation.

Being an exempt employee means an employee is not entitled to receive overtime pay regardless of how many hours worked each week. Exempt status also means the employee is guaranteed a salary of a “predetermined amount” and the amount cannot be reduced because of variations in the quality or quantity of work performed.

There are certain instances when the City is allowed to deduct wages from an exempt employee’s salary. These permissible deductions are as follows:

- When an employee is absent from work for one or more full days for personal reasons, other than sickness or disability and the employee has no vacation or personal time off remaining for the year;
- When an employee is absent from work for one or more full days due to sickness or disability if the deductions are made under a bona fide plan, policy, or practice of providing wage replacement benefits for these types of absences, such as Long-Term Disability, and the employee has no vacation or personal time off remaining for the year;
- Proportionate part of an employee’s full salary may be paid for time actually worked in the first and last weeks of employment;
- To offset any amounts received as payment for jury fees, witness fees, or military pay;
- Penalties imposed in good faith for violating safety rules of “major significance”;
- Unpaid disciplinary suspension of one or more full days imposed in good faith for violations of workplace conduct rules such as insubordination, sexual harassment, workplace violence, or any other violations as stated in this manual;
- Unpaid leave taken under the Family and Medical Leave Act; ~~and~~
- As otherwise permitted by law.

Isolated or inadvertent improper deductions will not result in the loss of an employee’s exempt status if the City reimburses the employee. However, an “actual practice” of making improper deductions from salary will result in the loss of the exemption:

- During the ~~paytime~~ period in which improper deductions were made
- For employees in the same job classifications
- Working for the same managers responsible for the actual improper deductions

Factors that may suggest an actual practice of improper salary deductions include:

- The number of improper deductions, particularly as compared to the number of employee infractions warranting discipline.;
- The time period during which the City made improper deductions.;
- The number and geographic location of both the employees whose salaries were improperly reduced and the managers responsible.;
- Whether the City has a clearly communicated policy permitting or prohibiting improper deductions.

Improper salary deductions are a serious violation of this Safe Harbor Policy. If an employee believes improper salary deductions have been made from his or her paycheck, then please contact the ~~Director of Administrative Services~~City Administrator immediately. Once notified, the ~~Director of Administrative Services~~City Administrator will work to resolve the issue and reimburse the employee if an improper deduction had in fact been made. If the employee believes the resolution offered by the ~~Director of Administrative Services~~City Administrator is unsatisfactory or unlawful, the employee may file a complaint with the U.S. Department of Labor, Wage and Hour Division either by mail or in person.

FLEXIBLE WORK SCHEDULE PROCEDURES

The department head with guidance from the ~~Director of Administrative Services~~City Administrator will determine any flexible work schedules within their own department.

All schedules will take into account the operating efficiencies required in each department and may be changed at any time depending upon the needs of the department as seen by the department head.

LUNCH PERIOD

Any employee who is scheduled to work longer than five and one-half (5½) hours, may be given a minimum thirty (30) minute unpaid lunch period. Depending upon the specific needs, the time when lunch periods are scheduled varies among departments.

Most of the time, lunch periods are unpaid. The department head may request that an employee remain on his or her job site or work-station for the given lunch period. If that request is made, it will become a paid lunch period.

RECORDING WORK TIME

Each employee is responsible for and required to accurately record his or her work-time and break time each work-day. Each employee will be held accountable for failing to completely and accurately record his or her time. Each employee should record his or her time-card only. No one should record hours worked on another person's time-card. Tampering with another person's time card is cause for disciplinary action, including possible dismissal, of both employees. Do not alter another person's record, or influence anyone else to alter your record for you. Each employee is responsible for accurately reporting his or her hours of work or use of paid time off. Each

employee will be required to verify that the hours on the employee's time-card record are complete and accurate by signing the time-card. Employees should never assume their department head, supervisor, departmental administrative staff, or payroll employee would notice or edit any time discrepancy, as this is the employee's responsibility. Only under special circumstances will the department head or ~~the~~ Human Resources ~~Specialist~~ make changes to your time-card after a discussion with the employee. If you know you will be off ~~of~~ work on vacation or on a swing shift, please complete your time-card before you leave and sign it so that it is available for the payroll staff. If you are required to punch a time clock, any hand-written entries must be signed/initialed by the employee and approved by your department head or his or her designee.

The payroll workweek begins on Sunday at 12:01 a.m. and ends the following Saturday at midnight. A compilation of time-cards kept by each department should be submitted to ~~the~~ Human Resources ~~Specialist~~ no later than 10:00 a.m. on the morning of the first work-day following the end of the pay period.

Fiscal Pay Periods/Biweekly (26 pay periods per year): Payday is normally every other Friday for services performed for the two (2) week period ending the previous Saturday at midnight.

The alderpersons are paid monthly. They are paid the first pay period of each month.

All paychecks are direct deposited into the one account requested by the employee. Pay stubs are given to the department head or designated employee for distribution.

Each department is responsible for tracking employee use of vacation leave, sick leave, compensatory time/time back, personal time, and perfect attendance leave (PAL), as utilized by the specific department, and verifying these balances with the Administrative Assistant each payroll.

WORK SCHEDULES

Work schedules for employees vary throughout the organization. Scheduled hours of work are set by the department head with input from the ~~Director of Administrative Services~~ City Administrator. Any long-term changes in normal operating hours should be approved by the Common Council. For the Library, input and/or approval would be received from the Library Board. Department heads will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, days of the week worked, as well as variations in the total hours that may be scheduled each day and week.

TECHNOLOGY

The City of Antigo's computers, networks, programs, communication devices and tools, other technology, and internet (collectively "technology") are intended as tools for the employer to serve the public and the City, and are provided so employees may better perform their job-related responsibilities. Inappropriate use can adversely affect the City, interfere with the work of employees, increase costs, and even expose the City to damage, liability and security risks.

~~In order to protect the~~In the interests of the City, the City reserves the right to monitor all use by employees of technology. No employee should expect privacy or secrecy in the use of technology. Employee use constitutes acceptance of the City's monitoring and disclosure of the employee's use. Use of the City's property can be limited by the City at any time for any reason. The City may consent to the disclosure of information from the use of technology or any other property, and the City may consent or authorize a law enforcement agency to search or review the City's technology, and may use such information for the City's intentions and purposes.

The ~~passwording~~password of electronic communications systems is permitted, but all passwords are to be disclosed to IT Tech Support~~the Communications and Technology Supervisor~~.

The City does not condone the illegal duplication of software. If an employee has questions regarding copyrighted or copying material, he or she should consult ~~the Communications & Technology Supervisor~~IT Tech Support.

If an employee has a question about whether a particular use of electronic communication is appropriate, then he or she should consult his or her department head or ~~the IT Tech Support~~Communications & Technology Supervisor before making such communication.

Please read and refer to the Electronic Communication & Information Systems Policy for complete information regarding this topic. Employees who have questions regarding this policy should consult with his or her department head or ~~the IT Tech Support~~Communications & Technology Supervisor.

TRAVEL AND TRAINING

BUSINESS EXPENSES

The City will reimburse employees for reasonable, authorized business expenses incurred as part of the employee's job duties or while on assignment away from the workplace. In order to be eligible for reimbursement, all expenses and requests for reimbursement must be approved in advance by the department head. This requires that the employee receive approval before the expense is incurred.

Employees should contact his or her department head for guidance and assistance related to ordering items, travel arrangements, and other travel issues. In addition to the department head, employees may seek the advice of the Clerk/Treasurer for assistance related to expense reporting and reimbursement. Employees are expected to limit expenses to reasonable amounts, and the City will only reimburse employees for up to the actual amount of expenses incurred and to the extent such expense is reasonable and authorized. Meal expense limits are authorized by the Common Council, and each employee should be aware of those limits before making any purchases. Meals for a one (1) day training or seminar should never be paid for with a City credit card. There will be no reimbursement for alcohol purchased while on City business. Itemized receipts must accompany expense reports, be accurate and submitted to their department head within thirty (30) days of the date of the expense. Employees must not engage in abuse of this expense policy or falsify or materially omit information in expense reports.

TRAINING

The City encourages the professional development of employees that supports the employee and the employer and serves to enrich professional development. Prior approval of the department head must be obtained before any employee attends meetings, conferences, training sessions, institutions, workshops, seminars, or special classes. The employee should provide a list of expenses anticipated as a result of the opportunity, and a summary of compensability of work time and reimbursement of expenses. This summary shall be submitted to the department head. When a request is approved, then the employee's reasonable registration, tuition, related publications, transportation, and lodging costs may be covered by the City unless otherwise stated by the department head.

Employees are responsible for maintaining required and necessary certification statuses and seeking appropriate recertification when necessary. All requests for reimbursement for certification and recertification and any applicable trainings and courses must be presented to the department head for approval prior to signing up for the required program.

USE OF CITY VEHICLE

The City has vehicles available for employees to utilize for travel while conducting City business. If an employee wishes to use their personal vehicle to conduct City business, they should obtain permission from their department head prior to use. Proof of insurance, along with specified coverage limits*, must be given to the Clerk/Treasurer. An employee who uses his or her private vehicle for authorized City business travel purposes outside the City limits will be compensated for mileage ~~in accordance with the IRS annual rates for automobiles at a rate as adopted and authorized by the Common Council~~ only when the officially designated City vehicles for travel are not available for use. Use of the City's vehicles for unauthorized personal use is prohibited. Employees involved in an accident while on assignment must promptly report the incident to his or her immediate supervisor. Mileage within the City is not reimbursed.

***Specified Coverage limits the employee must have:**

**\$100,000 per person/\$300,000 per accident Bodily Injury and
\$100,000 per accident Property Damage**

OR

\$300,000 Combined Single Limit

RULES OF CONDUCT SECTION

COMPLIANCE WITH POLICIES, RULES AND EXPECTATIONS OF CONDUCT

The City of Antigo has established these policies and rules of conduct in furtherance of the effective operation of the City and to provide high quality service to all City of Antigo citizens, those persons interacting with the City, and visitors. The City expects all employees to demonstrate professional, competent and reasonable behavior, and to continually serve, both on-duty and off-duty, as positive examples of the high-quality personnel affiliated with this organization and consistent with the trust of the public.

Compliance with the policies, rules and general expectations of conduct is of paramount importance in order to fulfill these objectives and for the employee to have a successful career in the City of Antigo. It is the employee's responsibility to learn, know, understand and follow the City's policies, rules and general expectations of conduct. Failure to comply with these policies, rules and general expectations of conduct can undermine these objectives, and the trust and confidence that the public, businesses, employees and Common Council of the City of Antigo must have in that employee.

The City treats all violations of policy, rules and general expectations of conduct very seriously. Violations of these policies, rules, and general expectations of conduct can subject an employee to discipline, up to and including discharge.

DISCIPLINARY ACTION

Disciplinary action against employees may be taken for violations of rules of conduct, violations of policies and procedures, or for unsatisfactory work performance. The level of discipline imposed may take into consideration the seriousness of the infraction as well as the employee's performance record. When appropriate, discipline will be corrective in nature. At management's sole discretion, various types of employee discipline may be imposed which include, but are not limited to, the following: documented verbal warning, written warning, suspension, transfer, demotion, termination or other action. None of these disciplinary measures are required to be used before termination from employment, nor are the listed disciplinary actions required to be used in any specific order. Management may repeat disciplinary action. The ~~Director of Administrative Services~~[City Administrator](#) and the department head will make the final decision regarding termination with input from ~~the Human Resources Specialist~~ if needed, unless that responsibility lies with the Police and Fire Commission, Common Council, or the Library Board.

RULES OF CONDUCT

OVERVIEW

City of Antigo employees are expected to follow established department and City work rules, policies and procedures. In addition, they are expected to make reasonable decisions in performing their job duties in line with the work of their department and the City as a whole. High quality performance, honesty, respect, reliability, professionalism and good judgment are fundamentally required of each employee. Other rules of conduct exist in order to maintain an

orderly and efficient working environment and for preservation of the public's trust in our public servants. The rules of conduct apply to all employees. By accepting employment with the City, employees have a responsibility to the City and to their fellow employees to adhere to rules of behavior and conduct. The purpose of these rules is to be certain that employees understand the type of conduct that is expected and necessary. When each employee is aware that he or she can fully depend upon fellow workers to follow the rules of conduct, then our organization will be a better place to work for everyone.

RULES OF CONDUCT

The primary objectives for each employee are to protect and further the public's trust and confidence and to perform at a ~~high-quality~~high-quality level so that our citizens, businesses, representatives of other entities, coworkers, and visitors receive high quality services from each employee. Conduct that is inconsistent with those objectives or in violation of any City policy or general expectations of professional conduct is forbidden and will subject the offending employee to discipline, up to and including discharge. The City has established these rules of conduct and policies and expectations of conduct in furtherance of the effective operation of the City, to further these objectives and for the employee to have a successful career.

No list of rules or types of unacceptable conduct can substitute for sound and reasonable judgment, and mature and responsible behavior is expected of each employee. It is impossible to list every conceivable type of unacceptable conduct contrary to the interests of the City. If an employee has questions regarding any type of behavior, please seek guidance from the department head or ~~Director of Administrative Services~~City Administrator. While it is impossible to list all types of unacceptable conduct, the City believes certain acts of misconduct, standing alone, warrant discipline up to and including ~~discharge~~discharge, such as the following:

- Fraud in securing employment
- Dishonest, misleading, or deceptive conduct
- Undermining the authority of a supervisor
- Refusing or failing to follow an order, directive, or given work assignment
- Theft or misappropriation of City property or the property of others, including theft of work time, excessive time at break periods, misuse of sick leave or other designated leave, misrepresenting work time, or failing to accurately record work time
- Failing to completely and accurately document relevant information
- Falsification of City records
- Leaving the job without permission
- Causing or working unauthorized overtime
- Failing to cooperate with others
- Engaging in conduct that creates an unsafe work environment
- Fighting, threats, intimidation or harassment of others
- Damage or defacing of City or employee property
- Misuse or unauthorized use of City property

- Possession, use, or being under the influence of illegal drugs or being under the influence of alcohol while on duty or during normal business hours
- Engaging in illegal conduct
- Unauthorized possession of weapons or firearms during work time or on City premises or property
- Failing to punch the time clock (where available) or report to the appropriate work station prior to the start of shift
- Excessive absenteeism or tardiness
- Failing to promptly report absence or tardiness
- Working another job while absent
- Disclosing confidential information to unauthorized sources
- Loafing or sleeping on the job
- Conflict of interest
- Misuse of licenses, patents or copyrights while on work time or using work resources
- Unauthorized solicitations or distributions
- Failure to promptly report defective equipment or safety hazard
- Failure to report injury or accident immediately
- Horseplay or violation of safety rules
- Engaging in conduct or activities which serve to lengthen the healing period for a work-related injury
- Substandard quality or quantity of work, including deliberate reduction of output
- Failure to complete assignments promptly and accurately
- Unprofessional appearance
- Discourteous treatment of others
- Profane or disrespectful speech or conduct
- Failing to fully comply with all City policies
- Failing to comply with expectations of conduct communicated to an employee
- Failing to report a possible violation of the rules or policy through the chain of command

The City reserves the right to modify this list at any time or determine whether any other conduct is contrary to the interests of the City and warranting of disciplinary action up to and including discharge. All discipline will be documented with a copy provided to the employee and a copy placed in the employee's personnel file. The employee has the right to attach his or her comments to the documented discipline and may have a right to the appeal process as detailed in the City of Antigo Grievance Procedure for employee termination, discipline, and workplace safety or as detailed in a specific collective bargaining agreement or through State Statute.

CORRECTIVE ACTION

The City treats all violations of policy, rules of conduct, work rules specific to certain departments, and general expectations of professional conduct very seriously. Violations of these policies, the rules, and general expectations of conduct can subject an employee to discipline, up to and including discharge.

The City's corrective action program is designed to encourage individuals to be high quality employees and to remove employees from service who cannot or will not meet that high standard of performance. Some discipline is intended to be corrective in nature to allow the employee an opportunity to rehabilitate his or her conduct. Employee misconduct may call for severe forms of discipline such as suspension, transfer, demotion, termination or other action. In some cases, termination of an employee is appropriate because of the seriousness or continuation of unacceptable conduct. The appropriate level of discipline is determined by management on a case-by-case basis, and any pre-termination disciplinary measure may be passed over in favor of more severe discipline including termination of the employee. The City's use of any form of progressive discipline does not change any employee's status as an at-will employee or create any additional contractual rights.

INVESTIGATION AND ADMINISTRATIVE LEAVE

The City will determine the scope, duration, and strategy of internal investigations. The City reserves the right to place an employee on administrative leave, with or without pay. The determination of whether leave will be with pay or without pay is reserved to the ~~Director of Administrative Services~~[City Administrator](#) or his or her designee in his or her absence. The City may place an employee on administrative leave pending an internal investigation, pending disposition of a criminal matter, or for other reasons determined by the City.

EMPLOYEE ACKNOWLEDGMENT FORM

I, _____, acknowledge receipt of this Employee Manual. I have read and I understand the contents. I acknowledge that it is my responsibility to ask questions about anything I do not understand.

I understand that it is my responsibility to abide by all City policies, rules and expectations as set forth in this manual, or policies, rules and expectations that may otherwise be established at the sole discretion of the City. I further understand and acknowledge that this manual provides guidelines and information.

I understand that the manual does not, and is not intended to, constitute a contract of employment, express or implied, between the City or officers of the City or employees and myself, and that no oral statements by supervisors or management can alter this disclaimer or create a contract. I understand that any collective bargaining agreement, contract or employment agreement must be authorized by the City Council at a duly-noticed meeting, and such contract must be in writing, authorized by the Council, and signed by the Mayor to be valid.

I understand that my employment can be terminated at the option of either the City or me, at any time for any reason unless a collective bargaining agreement, employment agreement, or state statute takes precedence over this agreement or if final determination must be rendered by the Library Board or the Police and Fire Commission. I understand that this manual and Acknowledgment Form do not vary or modify the at-will employment relationship between the City and me.

I understand that the City reserves the right to modify, amend, or delete any provisions of this manual. I will normally receive copies of any such modifications, amendments, or deletions.

I understand that the manual supersedes all previous manuals, handbooks, and personnel policies that I have received or have been advised of by the City, officers of the City, or employees. I also understand that any subsequent revisions to the provisions of this manual after I commence my employment will supersede those contained herein. I understand any collective bargaining agreement or an individual employment contract shall have precedence over adopted policies, should a conflict be interpreted, except in cases of Federal or State law or judicial order.

Employee Signature

Date of Signature

I have witnessed that the aforementioned employee, _____, had received the Employee Manual referenced above on the _____ day of _____.

Witness Signature (Human Resources Specialist or Supervisor)

Date of Return

Witness Signature (Returning Acknowledgement)
(HR Specialist or Appropriate Substitute)



Clerk-Treasurer
City of Antigo
700 Edison St.
Antigo, WI 54409

Date: November 19, 2025

To: Finance, Personnel & Legislative Committee

From: Kaye Matucheski, Clerk-Treasurer/Finance Director

Subject: Approval for Process to Begin Search for City Administrator, Job Description, Area of Emphasis, and Salary Range

As the search begins for a City Administrator there are some decisions that Council needs to make.

- Determine if a search firm is going to be hired or will this be done in-house.
- Review and approve the job description which is included with the agenda.
- Determine what area of emphasis the Council would like the candidate to have.
- Determine a salary range for the Administrator which is a Pay Grade 15. Included is an attachment that shows the steps within that grade.
- Timeline for Interviews, Hiring, etc. allowing enough time to advertise with other sources.
- Determine where to publish the job opening (if not done by a search firm).

Fiscal Impact: City Administrator already budgeted

Recommendation: Moving forward with hiring process

Attachments:

1. City Administrator Job Description 7-19-23 Accepted Changes
2. Pay Grade 15 for 2026

POSITION DESCRIPTION

Class Title: City Administrator
Department: Administration
Location: City Hall
Date: 8/9/23

Pay Grade: 15
FLSA Status: Exempt
Position Status: Regular Full

GENERAL PURPOSE:

The City Administrator is responsible for carrying out the directives and policies of the Mayor and Common Council; subject to statutory and ordinance limits of which may apply. The City Administrator shall have clear authority to coordinate and administer the day-to-day operations and serves as the chief administrative officer of the City.

SUPERVISION RECEIVED:

Carry out the directives of the Mayor/Common Council requiring administrative implementation and the reporting of any difficulties encountered.

SUPERVISION EXERCISED:

Be responsible for the administrative direction and coordination of all employees of the City according to established organizational procedures. Recommend to the Common Council the appointment, promotion, and when necessary for the good of the City, the suspension or termination of Department Heads. Responsible for the appointment, promotion, suspension or termination of all other non-statutory employees, under the direct authority of the Common Council, in consultation with the appropriate Department Head.

ESSENTIAL DUTIES AND RESONSIBILITIES:

(A) General Duties

- Carry out directives of the Mayor and Common Council which require administrative implementation, reporting promptly to the mayor and common council of any difficulties encountered
- Be responsible for the administration of the day-to-day operations of City government, including the monitoring of all ordinances, resolutions, council meeting minutes and statutes
- Evaluate and properly codify all existing municipal policies and procedures
- Assist the Mayor and Common Council in establishing citywide goals and objectives
- Implement City-wide goals and objectives on a consistent basis through the administrative direction and coordination of all City departments under direct Council control and the coordination of departments operating under separate Commissions and Boards
- Establish, when necessary, administrative procedures to increase the effectiveness and efficiency of City government according to current practices in local government, consistent with subsections (e)(1)c and (e)(1)d of this section, or directives of the Mayor and Common Council
- Keep informed concerning current federal, state and county legislation and administrative rules affecting the City and submit appropriate reports and recommendations thereon to the

Common Council

(A) General Duties (Continued):

- Keep informed concerning the availability of federal, state and county funds for local programs; assist Department Heads and the Common Council in obtaining these funds under the direction of the Mayor and Common Council
- Represent the City in matters involving legislative and intergovernmental affairs as authorized and directed to that representation by the Mayor and Common Council
- Act as a public information officer for the City with the responsibility of ensuring that the news media are kept informed about the operations of the City and that all open meeting rules and regulations are followed
- Establish and maintain procedures to facilitate communications between citizens and City government to ensure complaints, grievances, recommendations and other matters receive prompt attention by the responsible official and ensure that matters are expeditiously resolved
- Attend all meetings of the Common Council and Committees, unless excused by the presiding officer, as the chief administrative official responsible for the oversight of all Department Heads

(B) Responsibilities to the City Council

- Attend all meeting of the Council, assisting the Mayor and the Council as required in the performance of their duties
- In coordination with the Mayor, the Council, and the Clerk Treasurer/Finance Director, ensure that appropriate agendas are prepared to all meetings of the Council, all Council Committees, and all other appropriate committees and commissions of the City, together with such supporting material as may be required; with nothing herein being construed as to give the City Administrator authority to limit or in any way prevent matters from being considered by the council, or any of its committees and commissions
- Assist in the preparation of ordinances and resolutions as requested by the Mayor or the Council and as needed
- Keep the Mayor and Council regularly informed about the activities of the City Administrator's office by oral or written report at regular and special meetings of the Council
- In the event that action normally requiring Council approval is necessary at a time when the Council Commission meet, the City Administrator shall receive directives from the Mayor

(C) Human Resource Duties

- Serve as personnel officer for the City with responsibilities to see that complete and current personnel records, including specific job descriptions, for all City employees are kept; evaluate in conjunction with Department Heads the performance of all employees on a regular basis; recommend salary and wage scales for city employees not covered by collective bargaining agreements; develop and enforce high standards of performance by City employees; assure that City employees have proper working conditions; work closely with Department Heads to promptly resolve personnel problems or grievances
- Assist in labor contract negotiations and collective bargaining issues
- Work closely with Department Heads to assure that employees receive adequate opportunities for training to maintain and improve their job-related knowledge and skills and act as the approving authority for requests by employees to attend conferences, meetings, training schools, etc., provided that funds have been budgeted for these activities

(D) Budgeting, Purchasing, and Risk Management

- Be responsible for the preparation of the annual City budget, in accordance with guidelines as may be provided by the City Council and in coordination with department heads, and pursuant to state statutes, for review and approval by the Mayor and the Council
- Administer the budget as adopted by the Council
- Report regularly to the Council on the current fiscal position of the City
- Supervise the accounting system of the City and insure that the system employs methods in accordance with current professional accounting practices
- Serve as the purchasing agent for the City, supervising all purchasing and contracting for supplies and services, subject to the purchasing procedures established by the
 - council and any limitation contained in the Wisconsin State Statutes

(E) Economic Development

- Promote the economic well-being and growth of the City through public and private sector cooperation, represent the City in economic development activities, assist in the development of an economic recruitment and retention strategy, maintain good communication with the commercial and industrial sectors of the City and work with County and State economic development personnel to foster growth
- Work with Federal, State & Local agencies in the application for, planning, development and final documentation of grant funded projects.

PERIPHERAL DUTIES:

- Work with various civic organizations and non-profits to advance common goals and interests
- Meet with County, Towns and other units of government as necessary to represent the City

- Performs other related duties as assigned

DESIRED MINIMUM QUALIFICATIONS:

Education and Experience:

- (A) Four (4) year Bachelor's Degree in a field related to Municipal Administration or in a closely related curriculum with a Master's Degree in Public Administration preferred.
- (B) Three (3) or more years' administrative experience including personnel supervision, budgeting, planning, human resource experience and community development with preference given to a candidates with progressive municipal administrative and constituent engagement experience.
- (C) An equivalent combination of education and experience

Mandatory Special Requirements:

- (A) Must Possess, or be able to obtain by the time of hire, a Valid Wisconsin Driver's License without record of suspension or revocation in any state

Necessary Knowledge, Skills and Abilities:

- (A) Knowledge of State Statutes related to the oversight and operations of a municipality
- (B) Clear understanding of the policy role of the Mayor and Common Council
- (C) Ability to utilize a variety of analytical data and information to assist Council reach informed decisions on a wide-variety of
- (D) Thorough knowledge of zoning, land use and subdivision platting identified within local ordinances; ability and skill to apply knowledge to situations as they arise
- (E) Ability to perform duties accurately; ability to effectively meet and deal with the public; ability to communicate effectively verbally and in writing; ability to handle stressful situations
- (F) Ability to calculate percentages, fractions, decimals, volumes, ratios, present values, and spatial relationships. Ability to interpret basic descriptive statistical reports
- (G) Ability to exercise the judgment, decisiveness and creativity required in situations involving the evaluation of information
- (H) Ability to perform basic functions of MS Office suite products and other software; Ability to utilize computer technology to access, retrieve, or input information
- (I) Ability to work safely, independently or as assigned to complete all necessary tasks
- (J) Ability to interpret engineering plans, specifications and as-built drawings
- (K) Ability to effectively interact with the public in a courteous manner utilizing diplomacy and tact with a commitment to citizen involvement and service
- (L) Ability to communicate effectively and function calmly with staff and the public
- (M) Ability to work with frequent interruptions.
- (N) Able to maintain accurate records and prepare detailed reports in a timely manner
- (O) Maintain strict confidentiality at all times
- (P) Considerable knowledge of local ordinances; and departmental rules and regulations
- (Q) Ability to organize and prioritize effectively and independently to complete tasks as assigned
- (R) Ability to be a self-starter by initiating and completing projects and programs
- (S) Ability to communicate effectively both verbally and in writing
- (T) Skill in operation of listed tools, equipment, and software

TOOLS AND EQUIPMENT USED:

Personal computer/tablet, smart-phone, scanner, copy machine, fax machine, calculator measuring devices and other job-related technological devices.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Work performed is in both an office and outdoor settings as needed. Hand-eye coordination is necessary to operate computers and various pieces of equipment.

While performing the duties of this job, the employee is occasionally required to stand, walk, sit, climb, balance, stoop, kneel, crouch, talk, hear, smell, use hands to finger, handle, feel or operate objects, tools or controls; and reach with hands and arms. The employee may be frequently required to walk over rough terrain and reach with hands and arms. The employee must occasionally lift and/or move/carry up to 25 pounds.

The work may also require sitting and operating a keyboard. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception and the ability to adjust focus.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee may work indoors or outdoors and while outdoors is exposed to weather conditions which may become extreme. The employee occasionally works near construction equipment, moving parts and can be exposed to wet and/or humid conditions, and vibrations.

The noise level in the work environment may vary from quiet to loud.

SELECTION GUIDELINES:

Formal application, rating of education, experience, interview process, references and background check; a pre-employment occupational physical and drug testing may be required.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and/or the requirements of the job change.

2026 COMPENSATION TABLE - 3%

PAY GRADE	ENTRY WAGE	6 MO ANNIVERSARY	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7*	STEP 8*	STEP 9*	STEP 10
15	94,134.59	95,533.55	98,787.36	102,042.80	105,296.60	108,550.40	111,814.93	115,059.61	118,395.73	121,830.54	125,362.46	128,998.10



Clerk-Treasurer
City of Antigo
700 Edison St.
Antigo, WI 54409

Date: November 19, 2025
To: Finance, Personnel & Legislative Committee
From: Kaye Matucheski, Clerk-Treasurer/Finance Director
Subject: Update Floodplain Ordinance

The State of Wisconsin is requiring the City to update the floodplain ordinance so a copy of the draft ordinance is included with the agenda. The ordinance is waiting for final approval from the State and it will then be forwarded to the December 10th Council meeting. Should you have any questions, please contact Beth McCarthy, Building Inspector/Zoning Administrator, as she has been working with the State on this.

Fiscal Impact: None

Recommendation: Recommend Approval

Attachments:

1. 2025_CofAntigo_Floodplain_Ordinance_CompletedDRAFT 11-25 FPL

CITY OF ANTIGO
FLOODPLAIN ZONING ORDINANCE
Effective date: December 17th 2025

Adoption schedule tracking

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 - a. (Requires a Class 2 Hearing Notice of Publication or Posting)
- 2. Date of Adoption: December 10th 2025
- 3. Dates of Publication or Posting: November 19th 2025
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 - a. December 17th 2025

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TABLE OF CONTENTS

1.0 STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE, AND GENERAL PROVISIONS3

1.1 STATUTORY AUTHORIZATION.....3

1.2 FINDING OF FACT.....3

1.3 STATEMENT OF PURPOSE.....3

1.4 TITLE.....3

1.5 GENERAL PROVISIONS.....3

(1) AREAS TO BE REGULATED.....3

(2) OFFICIAL MAPS & REVISIONS3

(3) ESTABLISHMENT OF FLOODPLAIN ZONING DISTRICTS.....3

(4) LOCATING FLOODPLAIN BOUNDARIES.....3

(5) REMOVAL OF LANDS FROM FLOODPLAIN.....3

(6) COMPLIANCE4

(7) MUNICIPALITIES AND STATE AGENCIES REGULATED4

(8) ABROGATION AND GREATER RESTRICTIONS4

(9) INTERPRETATION.....4

(10) WARNING AND DISCLAIMER OF LIABILITY4

(11) SEVERABILITY.....4

(12) ANNEXED AREAS FOR CITIES AND VILLAGES.....4

2.0 GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN DISTRICTS4

2.1 HYDRAULIC AND HYDROLOGIC ANALYSES.....5

2.2 WATERCOURSE ALTERATIONS.....5

2.3 CHAPTER 30, 31, WIS. STATS., DEVELOPMENT.....5

2.4 PUBLIC OR PRIVATE CAMPGROUNDS.....5

3.0 FLOODWAY DISTRICT (FW)6

3.1 APPLICABILITY.....6

3.2 PERMITTED USES.....6

3.3 STANDARDS FOR DEVELOPMENT IN THE FLOODWAY6

3.4 PROHIBITED USES.....7

4.0 FLOODFRINGE DISTRICT (FF)7

4.1 APPLICABILITY7

4.2 PERMITTED USES.....7

4.3 STANDARDS FOR DEVELOPMENT IN THE FLOODFRINGE8

5.0 OTHER FLOODPLAIN DISTRICTS.....9

5.1 GENERAL FLOODPLAIN DISTRICT (GFP).....9

6.0 NONCONFORMING USES.....9

6.1 GENERAL.....9

6.2 FLOODWAY DISTRICT12

6.3 FLOODFRINGE DISTRICT.....12

7.0 ADMINISTRATION12

7.1 ZONING ADMINISTRATOR12

7.2 ZONING AGENCY15

7.3 BOARD OF APPEALS15

7.4 TO REVIEW APPEALS OF PERMIT DENIALS16

7.5 FLOODPROOFING STANDARDS.....16

7.6 PUBLIC INFORMATION.....17

8.0 AMENDMENTS17

8.1 GENERAL17

9.0 ENFORCEMENT AND PENALTIES.....18

10.0 DEFINITIONS18

1.0 STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE, AND GENERAL PROVISIONS

1.1 STATUTORY AUTHORIZATION

This ordinance is adopted pursuant to the authorization in s. 61.35 and 62.23, for villages and cities; and the requirements in s. 87.30, Stats.

1.2 FINDING OF FACT

Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare, and tax base.

1.3 STATEMENT OF PURPOSE

This ordinance is intended to regulate floodplain development to:

- (1) Protect life, health and property;
- (2) Minimize expenditures of public funds for flood control projects;
- (3) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
- (4) Minimize business interruptions and other economic disruptions;
- (5) Minimize damage to public facilities in the floodplain;
- (6) Minimize the occurrence of future flood blight areas in the floodplain;
- (7) Discourage the victimization of unwary land and homebuyers;
- (8) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
- (9) Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

1.4 TITLE

This ordinance shall be known as the Floodplain Zoning Ordinance for the City of Antigo, Wisconsin.

1.5 GENERAL PROVISIONS

(1) AREAS TO BE REGULATED

This ordinance regulates all areas of special flood hazard identified as zones A, AO, AH, A1-30, AE on the Flood Insurance Rate Map. Additional areas identified on maps approved by the Department of Natural Resources (DNR) and local community may also be regulated under the provisions of this ordinance, where applicable.

(2) OFFICIAL MAPS & REVISIONS

Special Flood Hazard Areas (SFHA) are designated as zones A, A1-30, AE, AH, AO on the Flood Insurance Rate Maps (FIRMs) based on flood hazard analyses summarized in the Flood Insurance Study (FIS) listed in subd. (a) below. Additional flood hazard areas subject to regulation under this ordinance are identified on maps based on studies approved by the DNR and listed in subd. (b) below. These maps and revisions are on file in the office of the Building Inspector/Zoning Administrator, Antigo City Hall, Antigo, WI.

(a) OFFICIAL MAPS: Based on the Flood Insurance Study (FIS):

1. Flood Insurance Rate Map (FIRM), panel numbers 55067C0416C, 55067C0417C, 55067C0418C, 55067C0419C, 55067C0581C, and 55067C0585C dated 03/17/2026.
2. Flood Insurance Study (FIS) for Langlade County, dated 08/17/2026

Approved by: The DNR and FEMA

(b) OFFICIAL MAPS: Based on other studies. Any maps referenced in this section must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development.

1. Skinner Dam Failure analysis completed by SEH and approved by the Department of Natural Resources on November 18, 1991, including:
 - i. Maps dated March 14, 1991 as amended March 27, 1991 and titled "Dam Failure Analysis – Skinner Dam – Spring Brook".
 - ii. Floodway data table dated March 14, 1991 and titled "Table 1 – City of Antigo Profiles".
 - iii. Flood profiles dated March 14, 1991 and titled "Dam Failure Analysis – Skinner Dam" from Fifth Avenue to North Avenue.

(3) ESTABLISHMENT OF FLOODPLAIN ZONING DISTRICTS

The flood hazard areas regulated by this ordinance are divided into districts as follows:

- a) The Floodway District (FW), is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters, within AE Zones as shown on the FIRM, or within A Zones shown on the FIRM when determined according to s. 5.1(5).
- b) The Floodfringe District (FF) is that portion of a riverine special flood hazard area outside the floodway within AE Zones on the FIRM, or, when floodway limits have been determined according to s. 5.1(5), within A Zones shown on the FIRM.
- c) The General Floodplain District (GFP) is those riverine areas that may be covered by floodwater during the regional flood in which a floodway boundary has not been delineated on the FIRM and also includes shallow flooding areas identified as AH and AO zones on the FIRM.

(4) LOCATING FLOODPLAIN BOUNDARIES

Discrepancies between the exterior boundaries of zones A1-30, AE, AH, or A on the official floodplain zoning map and actual field conditions may be resolved using the criteria in subd (a) or (b) below. If a significant difference exists, the map shall be amended according to s. 8.0 *Amendments*. The zoning administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The zoning administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined. Disputes between the zoning administrator and an applicant over the district boundary line shall be settled according to s. 7.3(3) and the criteria in (a) and (b) below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to s. 8.0 *Amendments*.

- a) If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
- b) Where flood profiles do not exist for projects, including any boundary of zone A, or AO the location of the boundary shall be determined by the map scale.

(5) REMOVAL OF LANDS FROM FLOODPLAIN

- a) Compliance with the provisions of this ordinance shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended

pursuant to s. 8.0 *Amendments*.

- b) The delineation of any of the Floodplain Districts may be revised by the community where natural or man-made changes have occurred and/or where more detailed studies have been conducted. However, prior to any such change, approval must be obtained from the Wisconsin Department of Natural Resources and Federal Emergency Management Agency. A completed Letter of Map Revision is a record of this approval. The floodplain administrator shall not sign a community acknowledgement form unless all criteria set forth in the following paragraphs are met:
 - 1. The land and/or land around the structure must be filled at least two feet above the regional or base flood elevation;
 - 2. The fill must be contiguous to land outside the floodplain; Applicant shall obtain floodplain development permit before applying for a LOMR or LOMR-F;
- c) Removal of lands from the floodplain may also occur by operation of §87.30(1)(e), Wis. Stat. if a property owner has obtained a letter of map amendment from the federal emergency management agency under 44 C.F.R. 70.

(6) COMPLIANCE

- a) No structure or use within areas regulated by this ordinance shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged, or altered without full compliance with the terms of these regulations and all other applicable regulations that apply to uses within the jurisdiction of these regulations.
- b) Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with s. 9.0.
- c) Floodplain development permits issued on the basis of plans and applications approved by the Floodplain Administrator authorize only the use, and arrangement, set forth in such approved plans and applications, or amendments thereto if approved by the Floodplain Administrator. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with s. 9.0.

(7) MUNICIPALITIES AND STATE AGENCIES REGULATED

Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if s. 13.48(13), Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when s. 30.2022, Stats., applies. Although exempt from a local zoning permit and permit fees, DOT must provide sufficient project documentation and analysis to ensure that the community is in compliance with Federal, State, and local floodplain standards. If a local transportation project is located within a Zone A floodplain and is not a WisDOT project under s. 30.2022, then the road project design documents (including appropriate detailed plans and profiles) may be sufficient to meet the requirements for issuance of a local floodplain permit if the following apply: The applicant provides documentation to the Floodplain Administrator that the proposed project is a culvert replacement or bridge replacement under 20' span at the same location, the project is exempt from a DNR permit under s. 30.123(6)(d), the capacity is not decreased, the top road grade is not raised, and no floodway data is available from a federal, state, or other source. If floodway data is available in the impacted area from a federal, state, or other source that existing data must be utilized by the applicant in the analysis of the project site.

(8) ABROGATION AND GREATER RESTRICTIONS

- a) This ordinance supersedes all the provisions of any municipal zoning ordinance enacted under s. 62.23 for cities; or s. 87.30, Stats., which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.
- b) This ordinance is not intended to repeal, abrogate, or impair any existing deed restrictions, covenants, or easements. If this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

(9) INTERPRETATION

In their interpretation and application, the provisions of this ordinance are the minimum requirements liberally construed in favor of the governing body and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this ordinance, required by ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

(10) WARNING AND DISCLAIMER OF LIABILITY

The flood protection standards in this ordinance are based on engineering experience and research. Larger floods may occur, or the flood height may be increased by man-made or natural causes. This ordinance does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This ordinance does not create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this ordinance.

(11) SEVERABILITY

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

(12) ANNEXED AREAS FOR CITIES AND VILLAGES

The Langlade County floodplain zoning provisions in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements of ch. NR 116, Wis. Adm. Code and 44 CFR 59-72, *National Flood Insurance Program* (NFIP). These annexed lands are described on the municipality's official zoning map. County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the office of the municipal zoning administrator. All plats or maps of annexation shall show the regional flood elevation and the floodway location.

2.0 GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN DISTRICTS

The community shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding and assure that all necessary permits have been received from those governmental agencies whose approval is required by federal or state law.

- 1) If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall:
 - a. be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
 - b. be constructed with flood-resistant materials;
 - c. be constructed by methods and practices that minimize flood damages; and
 - d. Mechanical and utility equipment must be elevated to or above the flood protection elevation.

- 2) If a subdivision or other proposed new development is in a flood-prone area, the community shall assure that:
- such proposed subdivision or other proposed new development is consistent with the need to minimize flood damage within the flood-prone area;
 - public utilities and facilities such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
 - adequate drainage is provided to reduce exposure to flood hazards.

All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this ordinance and all other requirements in s. 7.1(2).

2.1 HYDRAULIC AND HYDROLOGIC ANALYSES

- 1) No floodplain development shall:
- Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
 - Cause any increase in the regional flood height due to floodplain storage area lost.
- 2) The zoning administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of s. 8.0 *Amendments* are met.

2.2 WATERCOURSE ALTERATIONS

No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local official has notified in writing all adjacent municipalities, the Department and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of s. 2.1 must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.

As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to s. 8.0 *Amendments*, the community shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

2.3 CHAPTER 30, 31, WIS. STATS., DEVELOPMENT

Development which requires a permit from the Department, under chs. 30 and 31, Stats., such as docks, piers, wharves, bridges, culverts, dams, and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodplain zoning ordinance are made according to s. 8.0 *Amendments*.

2.4 PUBLIC OR PRIVATE CAMPGROUNDS

Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

- The campground is approved by the Department of Agriculture, Trade and Consumer Protection;
- A land use permit for the campground is issued by the zoning administrator;
- The character of the river system and the campground elevation are such that a 72-hour warning of an impending flood can be given to all campground occupants;
- There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the floodplain zoning agency or zoning administrator, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation;
- This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated - by the officials identified in sub. (4) - to remain in compliance with all applicable regulations, including those of the state Department of Agriculture, Trade and Consumer Protection and all other applicable regulations;
- All mobile recreational vehicles placed on site must meet one of the following:
 - Be fully licensed, if required, and ready for highway use; or
 - Not occupy any site in the campground for more than 180 consecutive days, at which time the recreational vehicle must be removed from the floodplain for a minimum of 24 hours; or
 - Meet the requirements in either s. 3.0, 4.0, or 5.1 for the floodplain district in which the structure is located;

A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.
- All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit consistent with 2.4(6) and shall ensure compliance with all the provisions of this section;
- The municipality shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section;
- The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued; and
- All service facilities, including but not limited to refuse collection, electrical service, gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation; and
- Standards for structures in a campground:
 - All structures must comply with section 2.4 or meet the applicable requirements in ss. 3.0, 4.0, or 5.1 for the floodplain district in which the structure is located;
 - Deck/landing-a portable landing may be allowed for a camping unit for each entry provided that the landing is not permanently

attached to the ground or camping unit, is no more than 200 square feet in size, shall be portable, contain no walls or roof, and can be removed from the campground by a truck and/or trailer. Sections of such portable landings may be placed together to form a single deck not greater than 200 square feet at one entry point. Provisions for the removal of these temporary landings during flood events must be addressed within the written agreement with the municipality compliant with section 2.4(4). Any such deck/landing structure may be constructed at elevations lower than the flood protection elevation but must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.

- c. Decks/patios that are constructed completely at grade may be allowed but must also comply with applicable shoreland zoning standards.
- d. Camping equipment and appurtenant equipment in the campground may be allowed provided that the equipment is not permanently attached to the ground or camping unit, is not used as a habitable structure, and must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood. Provisions for the removal of this equipment during flooding events shall be addressed within the written agreement with the municipality compliant with section 2.4(4).
- e. Once a flood warning in the written agreement has been issued for the campground, the campground owner or the designated operator shall ensure that all persons, camping units, decks, camping equipment and appurtenant equipment in the campground shall be evacuated within the timelines specified within the written agreement with the municipality compliant with section 2.4(4).

12) A land use permit shall be obtained as provided under 7.1(2) before any development; repair, modification, or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated.

3.0 FLOODWAY DISTRICT (FW)

3.1 APPLICABILITY

This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to s. 5.1(5).

3.2 PERMITTED USES

The following open space uses are allowed in the Floodway District and the floodway areas of the General Floodplain District, if:

- they are not prohibited by any other ordinance;
- they meet the standards in s. 3.3 and 3.4; and
- all permits or certificates have been issued according to s. 7.1.

- 1) Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture, and wild crop harvesting.
- 2) Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
- 3) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap, and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of s. 3.3(4).
- 4) Uses or structures accessory to open space uses or classified as historic structures that comply with s. 3.3 and 3.4.
- 5) Extraction of sand, gravel or other materials that comply with s. 3.3(4).
- 6) Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with chs. 30 and 31, Stats.
- 7) Public utilities, streets and bridges that comply with s. 3.3(3).
- 8) Portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and Ch. SPS 383, Wis. Adm. Code.
- 9) Public or private wells used to obtain potable water for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code.
- 10) Wastewater treatment ponds or facilities permitted under s. NR 110.15(3)(b), Wis. Adm. Code.
- 11) Sanitary sewer or water supply lines to service existing or proposed development located outside the floodway that complies with the regulations for the floodplain area occupied.

3.3 STANDARDS FOR DEVELOPMENT IN THE FLOODWAY

1) GENERAL

- a. Any development in the floodway shall comply with s. 2.0 and have a low flood damage potential.
- b. Applicants shall provide an analysis calculating the effects of this proposal on the regional flood height to determine the effects of the proposal according to s. 2.1 and 7.1(2)(c). The analysis must be completed by a registered professional engineer in the state of Wisconsin.
- c. Any encroachment in the regulatory floodway is prohibited unless the data submitted for subd. 3.3(1)(b) above demonstrates that the encroachment will cause no increase in flood elevations in flood events up to the base flood at any location or removes the encroached area from the regulatory floodway as provided in s. 1.5(5).

2) STRUCTURES

Structures accessory to permanent open space uses, including utility and sanitary facilities, or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

- a. Not designed for human habitation, does not have a high flood damage potential and is constructed to minimize flood damage;
- b. Shall either have the lowest floor elevated to or above the flood protection elevation or shall meet all the following standards:
 - 1. Have the lowest floor elevated to or above the regional flood elevation and be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and completely dry to the flood protection elevation without human intervention during flooding;
 - 2. Have structural components capable of meeting all provisions of Section 3.3(2)(g) and;

3. Be certified by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with Section 3.3(2)(g).
- c. Must be anchored to resist flotation, collapse, and lateral movement;
- d. Mechanical and utility equipment must be elevated to or above the flood protection elevation; and
- e. Must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.
- f. For a structure designed to allow the automatic entry of floodwaters below the Regional Flood Elevation, the applicant shall submit a plan that meets s. 3.3(2)(a) through 3.3(2)(e) and meets or exceeds the following standards:
 1. The lowest floor must be elevated to or above the regional flood elevation;
 2. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 3. the bottom of all openings shall be no higher than one foot above the lowest adjacent grade; openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters, otherwise must remain open.
 4. The use must be limited to parking, building access or limited storage.
- g. Certification: Whenever floodproofing measures are required, a registered professional engineer or architect shall certify that the following floodproofing measures will be utilized, where appropriate, and are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the regional flood:
 1. Reinforcement of floors and walls to resist rupture, collapse, or lateral movement caused by water pressures or debris buildup;
 2. Construction of wells, water supply systems and waste treatment systems so as to prevent the entrance of flood waters in such systems and must be in accordance with provisions in Sections 3.4(4) and 3.4(5);
 3. Subsurface drainage systems to relieve external pressures on foundation walls and basement floors;
 4. Cutoff valves on sewer lines or the elimination of gravity flow basement drains; and
 5. Placement of utilities to or above the flood protection elevation.
- 3) **PUBLIC UTILITIES, STREETS AND BRIDGES**
Public utilities, streets and bridges may be allowed by permit, if:
 - a. Adequate floodproofing measures are provided to the flood protection elevation; and
 - b. Construction meets the development standards of s. 2.1.
- 4) **FILLS OR DEPOSITION OF MATERIALS**
Fills or deposition of materials may be allowed by permit, if:
 - a. The requirements of s. 2.1 are met;
 - b. No material is deposited in navigable waters unless a permit is issued by the Department pursuant to ch. 30, Stats., and a permit pursuant to s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and all other requirements have been met;
 - c. The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
 - d. The fill is not classified as a solid or hazardous material.

3.4 PROHIBITED USES

All uses not listed as permitted uses in s. 3.2 are prohibited, including the following uses:

- 1) Habitable structures, structures with high flood damage potential, or those not associated with permanent open-space uses;
- 2) Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
- 3) Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- 4) Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and ch. SPS 383, Wis. Adm. Code;
- 5) Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code;
- 6) Any solid or hazardous waste disposal sites;
- 7) Any wastewater treatment ponds or facilities, except those permitted under s. NR 110.15(3)(b), Wis. Adm. Code; and
- 8) Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

4.0 FLOODFRINGE DISTRICT (FF)

4.1 APPLICABILITY

This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to s. 5.1(5).

4.2 PERMITTED USES

Any structure, land use, or development is allowed in the Floodfringe District if the standards in s. 4.3 are met, the use is not prohibited by this, or any other ordinance or regulation and all permits or certificates specified in s. 7.1 have been issued.

4.3 STANDARDS FOR DEVELOPMENT IN THE FLOODFRINGE

Section 2.0 shall apply in addition to the following requirements according to the use requested. Any existing structure in the floodfringe must meet the requirements of s. 6.0 *Nonconforming Uses*;

(1) RESIDENTIAL USES

Any structure, including a manufactured home, which is to be newly constructed or moved into the floodfringe, shall meet or exceed the following standards;

- a) All new construction, including placement of manufactured homes, and substantial improvement of residential structures, shall have the lowest floor elevated to or above the flood protection elevation on fill. The fill around the structure shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure. No area may be removed from the floodfringe district unless it can be shown to meet s. 1.5(5).
- b) Notwithstanding s. 4.3 (1)(a), a basement or crawlspace floor may be placed ~~at~~ the regional flood elevation if the basement or crawlspace is designed to make all portions of the structure below the flood protection elevation watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. No floor of any kind is allowed below the regional flood elevation;
- c) Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in subd. (d).
- d) In developments where existing street or sewer line elevations make compliance with subd. (c) impractical, the municipality may permit new development and substantial improvements where roads are below the regional flood elevation, if:
 - 1. The municipality has written assurance from police, fire and emergency services that rescue, and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
 - 2. The municipality has a DNR-approved emergency evacuation plan that follows acceptable hazard mitigation planning guidelines.

Commented [MV1]: CRS Requirement: replace with, "1 foot above", with the option to use 2 feet for more CRS points.

(2) ACCESSORY STRUCTURES OR USES

In addition to s. 2.0, new construction and substantial improvements of Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.

(3) COMMERCIAL USES

In addition to s. 2.0, any commercial structure which is erected, altered, or moved into the floodfringe shall meet the requirements of s. 4.3(1). Subject to the requirements of s. 4.3(5), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(4) MANUFACTURING AND INDUSTRIAL USES

In addition to s. 2.0, any manufacturing or industrial structure which is erected, altered, or moved into the floodfringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in s 7.5. Subject to the requirements of s. 4.3(5), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(5) STORAGE OF MATERIALS

Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish, or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with s. 7.5. Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.

(6) PUBLIC UTILITIES, STREETS AND BRIDGES

All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and

- a) When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are designed to comply with s. 7.5.
- b) Minor roads or non-essential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.

(7) SEWAGE SYSTEMS

All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to s. 7.5(3), to the flood protection elevation and meet the provisions of all local ordinances and ch. SPS 383, Wis. Adm. Code.

(8) WELLS

All wells shall be designed to minimize or eliminate infiltration of flood waters into the system, pursuant to s. 7.5(3), to the flood protection elevation and shall meet the provisions of chs. NR 811 and NR 812, Wis. Adm. Code.

(9) SOLID WASTE DISPOSAL SITES

Disposal of solid or hazardous waste is prohibited in floodfringe areas.

(10) DEPOSITION OF MATERIALS

Any deposited material must meet all the provisions of this ordinance.

(11) MANUFACTURED HOMES

- a) Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval, and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.
- b) In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:

1. have the lowest floor elevated to the flood protection elevation; and
 2. be anchored so they do not float, collapse, or move laterally during a flood;
- c) Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in s. 4.3(1).

(12)MOBILE RECREATIONAL VEHICLES

All mobile recreational vehicles must be on site for less than 180 consecutive days and be either:

- a) fully licensed and ready for highway use; or
- b) shall meet the elevation and anchoring requirements in s. 4.3 (11)(b) and (c).

A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

5.0 OTHER FLOODPLAIN DISTRICTS

5.1 GENERAL FLOODPLAIN DISTRICT (GFP)

1) APPLICABILITY

The provisions for the General Floodplain District shall apply to development in all floodplains mapped as A, AO, AH, and in AE zones within which a floodway is not delineated on the Flood Insurance Rate Maps identified in s. 1.5(2)(a).

2) FLOODWAY BOUNDARIES

For proposed development in zone A, or in zone AE within which a floodway is not delineated on the Flood Insurance Rate Map identified in s. 1.5(2)(a), the boundaries of the regulatory floodway shall be determined pursuant to s. 5.1(5). If the development is proposed to encroach upon the regulatory floodway, the development is subject to the standards of s 3.0. If the development is located entirely within the floodfringe, the development is subject to the standards of s. 4.0.

3) PERMITTED USES

Pursuant to s. 5.1(5) it shall be determined whether the proposed use is located within the floodway or floodfringe. Those uses permitted in the Floodway (s. 3.2) and Floodfringe (s. 4.2) Districts are allowed within the General Floodplain District, according to the standards of s. 5.1(4) provided that all permits or certificates required under s. 7.1 have been issued.

4) STANDARDS FOR DEVELOPMENT IN THE GENERAL FLOODPLAIN DISTRICT

Section 3.0 applies to floodway areas, determined to pursuant to 5.1(5); Section 4.0 applies to floodfringe areas, determined to pursuant to 5.1(5).

- a) New construction and substantial improvement of structures in zone AO shall have the lowest floor, including basement, elevated:

1. To or above the depth, in feet, as shown on the FIRM above the highest adjacent natural grade; or
2. If the depth is not specified on the FIRM, two feet (2) above the highest adjacent natural grade or higher.

- b) New Construction and substantial improvement of structures in zone AH shall have the lowest floor, including basement, elevated to or above the flood protection elevation.

- c) In AO/AH zones, provide adequate drainage paths to guide floodwaters around structures.

- d) All development in zones AO and zone AH shall meet the requirements of s. 4.0 applicable to flood fringe areas.

5) DETERMINING FLOODWAY AND FLOODFRINGE LIMITS

Upon receiving an application for development within zone A, or within zone AE where a floodway has not been delineated on the Flood Insurance Rate Maps, the zoning administrator shall:

- a) Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures and the flood zone as shown on the FIRM.
- b) Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries.
 1. A Hydrologic and Hydraulic Study as specified in s. 7.1(2)(c).
 2. Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location, and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information.
 3. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

Commented [MV2]: Add: "plus 1 (one) additional foot of freeboard;" with the option to use 2 (two) feet for additional CRS points.

The CRS prerequisite applies to AO zones as well as AE zones. All zones where a specific elevation is required by NFIP minimum standards.

Commented [VHMAD(3): Change to " 3 (three) feet above" with the option to use 4 (four) feet for additional CRS points.

The CRS prerequisite applies to AO zones as well as AE zones. All zones where a specific elevation is required by NFIP minimum standards.

6.0 NONCONFORMING USES

6.1 GENERAL

1) Applicability

- a) The standards in this section shall apply to all uses and buildings that do not conform to the provisions contained within a floodplain zoning ordinance or with s. 87.30, Stats. and §§ NR 116.12-14, Wis. Adm. Code and 44 CFR 59-72., these standards shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this ordinance or any amendment thereto. A party asserting existence of a lawfully established nonconforming use or structure has the burden of proving that the use or structure was compliant with the floodplain zoning ordinance in effect at the time the use or structure was created.

- b) As permit applications are received for additions, modifications, or substantial improvements to nonconforming buildings in the floodplain, municipalities shall develop a list of those nonconforming buildings, their present equalized assessed value, and a list of the costs of those activities associated with changes to those buildings.
- 2) The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this ordinance may continue subject to the following conditions:
- a) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this ordinance. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.
- The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification, or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.
- b) If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this ordinance;
- c) The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent;
- d) No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;
- e) No maintenance on a per event basis to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1). Maintenance to any nonconforming structure, which does not exceed 50% of its present equalized assessed value on a per event basis, does not count against the cumulative calculations over the life of the structure for substantial improvement calculations.
- f) If on a per event basis the total value of the work being done under (d) and (e) equals or exceeds 50% of the present equalized assessed value, the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1).
- g) Except as provided in subd. (h), if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed, or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50% of the structure's present equalized assessed value.
- h) For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the following minimum requirements are met, and all required permits have been granted prior to the start of construction:

1. Residential Structures

- a. Shall have the lowest floor, including basement, elevated to **or** above the base flood elevation using fill, pilings, columns, posts, or perimeter walls. Perimeter walls must meet the requirements of s. 7.5(2).
- b. Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, and shall be constructed with methods and materials resistant to flood damage.
- c. Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or **elevated** so as to prevent water from entering or accumulating within the components during conditions of flooding.
- d. In A Zones, obtain, review, and utilize any flood data available from a federal, state or other source.
- e. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 5.1(4).
- f. in AO Zones, shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

2. Nonresidential Structures

- a. Shall meet the requirements of s. 6.1(2)(h)1a-f.
- b. Shall either have the lowest floor, including basement, elevated to **or** above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in s. 7.5 (1) or (2).
- c. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 5.1(4).
- 3) A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with s. 3.3 (1), flood resistant materials are used, and construction practices and floodproofing methods that comply with s. 7.5 are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of s. 6.1 (2)(h)1 if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.
- 4) **Notwithstanding** anything in this chapter to the contrary, modifications, additions, maintenance, and repairs to a nonconforming building shall not be prohibited based on cost and the building's nonconforming use shall be permitted to continue if:

Commented [MV4]: CRS Requirement: replace with, "1 (one) foot above", with the option to use 2 (two) feet for more CRS points.

Commented [MV5]: CRS Requirement: replace with "elevated to 1 (one) foot above the base flood elevation", with the option to use 2 (two) feet for more CRS points.

Commented [MV6]: CRS Requirement: Change to, " 1 (one) foot" (optional to raise to 2 (two) feet for more CRS points)

Commented [VHMAD(7)]: OPTIONAL - Reserve for Communities who want to implement Act 175. This section is optional. If the Community is removing this language, please update the Table of Contents page references.

See guidance language

- a) Any living quarters in the nonconforming building are elevated to be at or above the flood protection elevation;
- b) The lowest floor of the nonconforming building, including the basement, is elevated to or above the regional flood elevation;
- c) The nonconforming building is permanently changed to conform to the applicable requirements of 2.0;
- d) If the nonconforming building is in the floodway, the building is permanently changed to conform to the applicable requirements of 3.3(1), 3.3(2)(b) through (e), 3.3(3), 3.3(4), and 6.2. Any development that adds additional fill or creates an encroachment in the floodplain from beyond the original nonconforming structure's 3-D building envelope must determine the floodway in accordance with section 5.1(5). If the encroachment is in the floodway, it must meet the standards in section 3.3(4);
- e) If the nonconforming building is in the floodfringe, the building is permanently changed to conform to the applicable requirements of 4.3 and 6.3;
- f) Repair or reconstruction of nonconforming structures and substantial improvements of residential buildings in zones A1-30, AE, and AH must have the lowest floor (including basement) elevated to or above the base flood elevation;
- g) Repair or reconstruction of nonconforming structures and substantial improvements of non-residential buildings in zones A1-30, AE, and AH must have the lowest floor (including basement) elevated to or above the base flood elevation, or (together with attendant utility and sanitary facilities) be designed so that below the base flood elevation the building is watertight with walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy:
- i. Where a non-residential structure is intended to be made watertight below the base flood elevation, a registered professional engineer or architect must develop and/or review structural design, specifications, and plans for the construction, and must certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of s. 6.1(4)(g) above.
 - ii. The community must maintain a record of such certification including the specific elevation to which each such structure is floodproofed;
- h) Fully enclosed areas below the lowest floor of repair or reconstruction of nonconforming structures and substantial improvements in zones A1-30, AE, and AH that are usable solely for parking of vehicles, building access, or storage, must be designed to adequately equalize hydrostatic forces on exterior walls by allowing for the entry and exit of floodwaters. Subsequent improvements to repaired or reconstructed nonconforming structures must not increase the degree of their nonconformity. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet the following criteria:
- i. A minimum of two openings into each enclosed area must be located below the base flood elevation and provide a total net area of not less than one square inch for every square foot of enclosed area.
 - ii. The bottom of all openings must be no higher than one foot above the adjacent grade.
 - iii. Openings may be equipped with screens, louvers, valves, or other coverings if they permit the automatic entry and exit of floodwaters;
- i) Manufactured homes that are placed or substantially improved within zones A1-30, AE, and AH outside of a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a result of flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement;
- j) Manufactured homes that are placed or substantially improved within zones A1-30, AE, and AH on existing sites in an existing manufactured home park that is not undergoing expansion and on which a manufactured home has not incurred substantial damage as a result of flood must be elevated so that either the lowest floor of the manufactured home is at or above the base flood elevation, or the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement;
- k) Recreational vehicles placed on sites within zones A1-30, AH, and AE must either:
- i. Be on site for fewer than 180 consecutive days; or
 - ii. Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or
 - iii. Meet the elevation and anchoring requirements for manufactured homes in s. 6.1(4)(i) above;
- l) In a regulatory floodway that has been delineated on the FIRM in zone A1-30 or AE, encroachments, including repair or reconstruction of nonconforming structures, substantial improvement, or other development (including fill) must be prohibited unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels within the community during the occurrence of the base flood discharge. Subsequent improvements to repaired or reconstructed nonconforming structures must not increase the degree of their nonconformity;
- m) In zone A, the community must obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source as criteria for requiring repair or reconstruction of nonconforming structures, substantial improvement, and other development to meet ss. 6.1(4)(f) through (l) (inclusive) above. Any development that adds additional fill or creates an encroachment in the floodplain from beyond the original nonconforming structure's 3-D building envelope must determine the floodway in accordance with section 5.1(5). If the encroachment is in the floodway, it must meet the standards in section 3.3(4). Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity;
- n) In zones A1-30 or AE where a regulatory floodway has not been delineated on the FIRM, repair or reconstruction of nonconforming structures, substantial improvement, or any development that adds additional fill or creates an encroachment in the floodplain from beyond the original nonconforming structure's 3-D building envelope must determine the floodway in accordance with section 5.1(5). If the encroachment is in the floodway, it must meet the standards in section 3.3(4). Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity;
- o) In zone AO, repair or reconstruction of nonconforming structures and substantial improvements of residential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on

Commented [MV8]: CRS Requirement: Change to, " 1 (one) foot" (optional to raise to 2 (two) feet for more CRS points)

Commented [MV9]: CRS Requirement: Change to, " 1 (one) foot" (optional to raise to 2 (two) feet for more CRS points)

Commented [MV10]: CRS Requirement: Change to, " 1 (one) foot" (optional to raise to 2 (two) feet for more CRS points)

Commented [MV11]: CRS Requirement: Change to, " 1 (one) foot above" (optional to raise to 2 (two) feet for more CRS points)

Commented [MV12]: CRS Requirement: Change to, " 1 (one) foot" (optional to raise to 2 (two) feet for more CRS points)

Commented [MV13]: CRS Requirement: Change to, " 1 (one) foot" (optional to raise to 2 (two) feet for more CRS points)

Commented [MV14]: CRS requirement: remove this language.

the FIRM (at least two feet if no depth number is specified). Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity; or

- p) In zone AO, repair or reconstruction of nonconforming structures and substantial improvements of nonresidential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified), or (together with attendant utility and sanitary facilities) be structurally dry-floodproofed to that level according to the standard specified in s. 6.1(4)(g) above. Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity.

Commented [MV15]: CRS Requirement: Change to "...1 (one) foot more than the depth number specified in feet on the FIRM (at least 3 (three) feet if no depth number is specified)." with the option to receive more CRS points by changing it to: "...2 (two) feet more than the depth number specified in feet on the FIRM (at least 4 (four) feet if no depth number is specified)."

6.2 FLOODWAY DISTRICT

- 1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the Floodway District, unless such modification or addition:
- a) Has been granted a permit or variance which meets all ordinance requirements;
 - b) Meets the requirements of s. 6.1;
 - c) Shall not increase the obstruction to flood flows or regional flood height;
 - d) Any addition to the existing structure shall be floodproofed, pursuant to s. 7.5, by means other than the use of fill, to the flood protection elevation; and,
 - e) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
 - 1.The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
 - 2.The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
 - 3.Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
 - 4.The use must be limited to parking, building access or limited storage.
- 2) No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances, s. 7.5(3) and Ch. SPS 383, Wis. Adm. Code.
- 3) No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair, or maintenance of an existing well in the Floodway District shall meet the applicable requirements of all municipal ordinances, s. 7.5(3) and chs. NR 811 and NR 812, Wis. Adm. Code.

6.3 FLOODFRINGE DISTRICT

- 1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality and meets the requirements of s. 4.3 except where s. 6.3(2) is applicable.
- 2) Where compliance with the provisions of subd. (1) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Appeals, using the procedures established in s. 7.3, may grant a variance from those provisions of subd. (1) for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:
- a) No floor is allowed below the regional flood elevation for residential or commercial structures;
 - b) Human lives are not endangered;
 - c) Public facilities, such as water or sewer, shall not be installed;
 - d) Flood depths shall not exceed two feet;
 - e) Flood velocities shall not exceed two feet per second; and
 - f) The structure shall not be used for storage of materials as described in s. 4.3(5).
- 3) All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances, s. 7.5 (3) and ch. SPS 383, Wis. Adm. Code.
- 4) All new wells, or addition to, replacement, repair, or maintenance of a well shall meet the applicable provisions of this ordinance, s. 7.5 (3) and ch. NR 811 and NR 812, Wis. Adm. Code.

Commented [MV16]: OPTION 1 CRS: Replace all the text in a) with, "Lowest floor, including basement or crawlspace, shall be 1 foot above the RFE for residential or commercial structures; "

Commented [MV17R16]: OPTION 2 CRS: Replace ali the text in a) with, "Lowest floor, including basement or crawlspace shall be at the flood protection elevation for commercial and residential structures;"

7.0 ADMINISTRATION

Where a zoning administrator, planning agency or a board of appeals has already been appointed to administer a zoning ordinance adopted under ss. 59.69, 59.692 or 62.23(7), Stats., these officials shall also administer this ordinance.

7.1 ZONING ADMINISTRATOR

- 1) DUTIES AND POWERS
- The zoning administrator is authorized to administer this ordinance and shall have the following duties and powers:
- a) Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.
 - b) Issue permits and inspect properties for compliance with provisions of this ordinance and issue certificates of compliance where appropriate
 - c) Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.

- d) Keep records of all official actions such as:
 - 1. All permits issued, inspections made, and work approved;
 - 2. Documentation of certified lowest floor and regional flood elevations;
 - 3. Floodproofing certificates.
 - 4. Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
 - 5. All substantial damage assessment reports for floodplain structures.
 - 6. List of nonconforming structures and uses.
- e) Submit copies of the following items to the Department Regional office:
 - 1. Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments;
 - 2. Copies of case-by-case analyses and other required information.
 - 3. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.
- f) Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.
- g) Submit copies of amendments to the FEMA Regional office.

2) **LAND USE PERMIT**

A land use permit shall be obtained before any development; repair, modification, or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the zoning administrator shall include:

a) **GENERAL INFORMATION**

- 1. Name and address of the applicant, property owner and contractor;
- 2. Legal description, proposed use, and whether it is new construction or a modification;

b) **SITE DEVELOPMENT PLAN**

A site plan drawn to scale shall be submitted with the permit application form and shall contain:

- 1. Location, dimensions, area and elevation of the lot;
- 2. Location of the ordinary highwater mark of any abutting navigable waterways;
- 3. Location of any structures with distances measured from the lot lines and street center lines;
- 4. Location of any existing or proposed on-site sewage systems or private water supply systems;
- 5. Location and elevation of existing or future access roads;
- 6. Location of floodplain and floodway limits as determined from the official floodplain zoning maps;
- 7. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study – either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
- 8. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of s. 3.0 or 4.0 are met; and
- 9. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to s. 2.1. This may include any of the information noted in s. 3.3(1).

c) **HYDRAULIC AND HYDROLOGIC STUDIES TO ANALYZE DEVELOPMENT**

All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Department.

1. Zone A floodplains and in AE zones within which a floodway is not delineated:

a. Hydrology

- i. The appropriate method shall be based on the standards in ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.

b. Hydraulic modeling

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

- i. determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.
- ii. channel sections must be surveyed.
- iii. minimum four-foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
- iv. a maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.
- v. the most current version of HEC-RAS shall be used.
- vi. a survey of bridge and culvert openings and the top of road is required at each structure.
- vii. additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.

- viii. standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high-water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.
 - ix. the model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.
- c. Mapping
- A work map of the reach studied shall be provided, showing all cross-section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.
- i. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
 - ii. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

2. Zone AE Floodplains

a. Hydrology

If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.

b. Hydraulic model

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

- i. Duplicate Effective Model
The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.
- ii. Corrected Effective Model.
The Corrected Effective Model shall not include any man-made physical changes since the effective model date but shall import the model into the most current version of HEC-RAS for Department review.
- iii. Existing (Pre-Project Conditions) Model.
The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.
- iv. Revised (Post-Project Conditions) Model.
The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.
- v. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.
- vi. Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and top widths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.

c. Mapping

Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:

- i. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, bridge plans.
- ii. Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.
- iii. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.
- iv. If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used, then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane Coordinate System in accordance with FEMA mapping specifications.
- v. The revised floodplain boundaries shall tie into the effective floodplain boundaries.
- vi. All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.
- vii. Both the current and proposed floodways shall be shown on the map.
- viii. The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.

d) EXPIRATION

All permits issued under the authority of this ordinance shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause. If the permitted work has not started within 180 days of the permit date, the development must comply with any regulation, including any revision to the FIRM or FIS, that took effect after the permit date.

3) CERTIFICATE OF COMPLIANCE

No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt, or replaced shall be occupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:

- a) The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this ordinance;
- b) Application for such certificate shall be concurrent with the application for a permit;
- c) If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
- d) The applicant shall submit a certification signed by a registered professional engineer, architect, or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that the requirements of s. 7.5 are met.
- e) Where applicable pursuant to s. 5.1(4), the applicant must submit a certification by a registered professional engineer or surveyor of the elevation of the bottom of the lowest horizontal structural member supporting the lowest floor (excluding pilings or columns), and an indication of whether the structure contains a basement.
- f) Where applicable pursuant to s. 5.1(4), the applicant must submit certifications by a registered professional engineer or architect that the structural design and methods of construction meet accepted standards of practice as required by s. 5.1(4).

4) **OTHER PERMITS**

Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

7.2 **ZONING AGENCY**

1) The ~~(zoning agency or planning committee not the board of appeals/adjustment)~~ The City Plan Commission shall:

- a) oversee the functions of the office of the zoning administrator; and
- b) review and advise the governing body on all proposed amendments to this ordinance, maps, and text.
- c) publish adequate notice pursuant to Ch. 985, Stats., specifying the date, time, place, and subject of the public hearing.

2) The ~~(zoning agency or planning committee, not the board of appeals or adjustment)~~ The City Plan Commission shall not:

- a) grant variances to the terms of the ordinance in place of action by the Board of Appeals; or
- b) amend the text or zoning maps in place of official action by the governing body.

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7.3 **BOARD OF APPEALS**

The Board of Appeals, created under s. 62.23(7)(e), Stats., for cities or villages, is hereby authorized or shall be appointed to act for the purposes of this ordinance. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The zoning administrator shall not be the secretary of the Board.

1) **POWERS AND DUTIES**

The Board of Appeals shall:

- a) Appeals - Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this ordinance;
- b) Boundary Disputes - Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map; and
- c) Variances - Hear and decide, upon appeal, variances from the ordinance standards.

2) **APPEALS TO THE BOARD**

- a) Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the board all records regarding the matter appealed.

b) **NOTICE AND HEARING FOR APPEALS INCLUDING VARIANCES**

1. Notice - The board shall:

- a. Fix a reasonable time for the hearing;
- b. Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place, and subject of the hearing; and
- c. Assure that notice shall be mailed to the parties in interest and the Department Regional office at least 10 days in advance of the hearing.

2. Hearing - Any party may appear in person or by agent. The board shall:

- a. Resolve boundary disputes according to s. 7.3(3);
- b. Decide variance applications according to s. 7.3(4); and
- c. Decide appeals of permit denials according to s. 7.4.

c) **DECISION:** The final decision regarding the appeal or variance application shall:

- 1. Be made within a reasonable time;
- 2. Be sent to the Department Regional office within 10 days of the decision;
- 3. Be a written determination signed by the chairman or secretary of the Board;
- 4. State the specific facts which are the basis for the Board's decision;
- 5. Either affirm, reverse, vary or modify the order, requirement, decision, or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and
- 6. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings.

3) **BOUNDARY DISPUTES**

The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

- a) If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary.
- b) The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and
- c) If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to s. 8.0 *Amendments*.

4) **VARIANCE**

- a) The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:

1. Literal enforcement of the ordinance will cause unnecessary hardship;

2. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended;

3. The variance is not contrary to the public interest; and

4. The variance is consistent with the purpose of this ordinance in s. 1.3.

- b) In addition to the criteria in subd. (a), to qualify for a variance under FEMA regulations, the Board must find that the following criteria have been met:

1. The variance shall not cause any increase in the regional flood elevation;

2. The applicant has shown good and sufficient cause for issuance of the variance;

3. Failure to grant the variance would result in exceptional hardship;

4. Granting the variance will not result in additional threats to public safety, extraordinary expense, create a nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;

5. The variance granted is the minimum necessary, considering the flood hazard, to afford relief.

- c) A variance shall not:

1. Grant, extend or increase any use prohibited in the zoning district;

2. Be granted for a hardship based solely on an economic gain or loss;

3. Be granted for a hardship which is self-created.

4. Damage the rights or property values of other persons in the area;

5. Allow actions without the amendments to this ordinance or map(s) required in s. 8.0 *Amendments*; and

6. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.

- d) When a floodplain variance is granted, the Board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy shall be maintained with the variance record.

7.4 TO REVIEW APPEALS OF PERMIT DENIALS

- (1) The Zoning Agency (s. 7.2) or Board shall review all data related to the appeal. This may include:

a. Permit application data listed in s. 7.1(2);

b. Floodway/floodfringe determination data in s. 5.1(5);

c. Data listed in s. 3.3(1)(b) where the applicant has not submitted this information to the zoning administrator; and

d. Other data submitted with the application or submitted to the Board with the appeal.

- (2) For appeals of all denied permits the Board shall:

a. Follow the procedures of s. 7.3;

b. Consider zoning agency recommendations; and

c. Either uphold the denial or grant the appeal.

- (3) For appeals concerning increases in regional flood elevation the Board shall:

a. Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of s. 8.0 *Amendments*; and

b. Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.

7.5 FLOODPROOFING STANDARDS

- (1) No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to or above the flood protection elevation and submits a FEMA Floodproofing Certificate. Floodproofing is not an alternative to the development standards in ss. 2.0, 3.0, 4.0, or 5.1.

- (2) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:
- a. certified by a registered professional engineer or architect; or
 - b. meeting or exceeding the following standards:
 1. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 2. the bottom of all openings shall be no higher than one foot above grade; and
 3. openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (3) Floodproofing measures shall be designed, as appropriate, to:
- a. Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
 - b. Protect structures to the flood protection elevation;
 - c. Anchor structures to foundations to resist flotation and lateral movement;
 - d. Minimize or eliminate infiltration of flood waters;
 - e. Minimize or eliminate discharges into flood waters;
 - f. Placement of essential utilities to or above the flood protection elevation; and
 - g. If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
 1. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
 2. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
 3. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
 4. The use must be limited to parking, building access or limited storage.

7.6 PUBLIC INFORMATION

- (1) Place marks on structures to show the depth of inundation during the regional flood.
- (2) All maps, engineering data and regulations shall be available and widely distributed.
- (3) Real estate transfers should show what floodplain district any real property is in.

8.0 AMENDMENTS

Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 8.1.

- (1) In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 8.1. Any such alterations must be reviewed and approved by FEMA and the DNR.
- (2) In A Zones increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain maps, floodway lines, and water surface profiles, in accordance with s. 8.1.

8.1 GENERAL

The governing body shall change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in s. 8.2 below. Actions which require an amendment to the ordinance and/or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:

- (1) Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
- (2) Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;
- (3) Any changes to any other officially adopted floodplain maps listed in s. 1.5 (2)(b);
- (4) Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
- (5) Correction of discrepancies between the water surface profiles and floodplain maps;
- (6) Any upgrade to a floodplain zoning ordinance text required by s. NR 116.05, Wis. Adm. Code, or otherwise required by law, or for changes by the municipality; and
- (7) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.

8.2 PROCEDURES

Ordinance amendments may be made upon petition of any party according to the provisions of s. 62.23, Stats., for cities and villages. The petitions shall include all data required by s. 5.1(5) and 7.1(2). The Land Use Permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.

- (1) The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the Department Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of s. 62.23, Stats., for cities and villages.
- (2) No amendments shall become effective until reviewed and approved by the Department.

- (3) All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

9.0 ENFORCEMENT AND PENALTIES

Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred to the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not more than \$50.00 (fifty dollars), together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance, and the creation may be enjoined, and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof pursuant to s. 87.30, Stats.

10.0 DEFINITIONS

Unless specifically defined, words and phrases in this ordinance shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and is not discretionary.

1. A ZONES – Those areas shown on the Official Floodplain Zoning Map which would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.
2. AH ZONE – See “AREA OF SHALLOW FLOODING”.
3. AO ZONE – See “AREA OF SHALLOW FLOODING”.
4. ACCESSORY STRUCTURE OR USE – A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building. An accessory structure shall not be used for human habitation.
5. ALTERATION – An enhancement, upgrade or substantial change or modification other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.
6. AREA OF SHALLOW FLOODING – A designated AO, AH, AR/AO, AR/AH, or VO zone on a community’s Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.
7. BASE FLOOD – Means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.
8. BASEMENT – Any enclosed area of a building having its floor sub-grade on all sides.
9. BUILDING – See STRUCTURE.
10. BULKHEAD LINE – A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to s. 30.11, Stats., and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this ordinance.
11. CAMPGROUND – Any parcel of land which is designed, maintained, intended, or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or which is advertised or represented as a camping area.
12. CAMPING UNIT – Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pick-up truck, or tent that is fully licensed, if required, and ready for highway use.
13. CERTIFICATE OF COMPLIANCE – A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this ordinance.
14. CHANNEL – A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.
15. CRAWLWAYS or CRAWL SPACE – An enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.
16. DECK – An unenclosed exterior structure that has no roof or sides and has a permeable floor which allows the infiltration of precipitation.
17. DEPARTMENT – The Wisconsin Department of Natural Resources.
18. DEVELOPMENT – Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.
19. DRYLAND ACCESS – A vehicular access route which is above the regional flood elevation, and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.
20. ENCROACHMENT – Any fill, structure, equipment, use or development in the floodway.
21. FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) – The federal agency that administers the National Flood Insurance Program.
22. FLOOD INSURANCE RATE MAP (FIRM) – A map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.
23. FLOOD or FLOODING – A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:
 - The overflow or rise of inland waters;
 - The rapid accumulation or runoff of surface waters from any source;
 - The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or
 - The sudden increase caused by an unusually high-water level in a natural body of water, accompanied by a severe storm, or by

an unanticipated force of nature, such as a seiche, or by some similarly unusual event.

24. **FLOOD FREQUENCY** – The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average once in a specified number of years or as a percent (%) chance of occurring in any given year.
25. **FLOODFRINGE** – That portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.
26. **FLOOD HAZARD BOUNDARY MAP** – A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.
27. **FLOOD INSURANCE STUDY** – A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A-Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.
28. **FLOODPLAIN** – Land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe and may include other designated floodplain areas for regulatory purposes.
29. **FLOODPLAIN ISLAND** – A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.
30. **FLOODPLAIN MANAGEMENT** – Policy and procedures to ensure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.
31. **FLOOD PROFILE** – A graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.
32. **FLOODPROOFING** – Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.
33. **FLOOD PROTECTION ELEVATION** – An elevation of two feet of freeboard above the Regional Flood Elevation. (Also see: FREEBOARD.)
34. **FLOOD STORAGE** – Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.
35. **FLOODWAY** – The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.
36. **FREEBOARD** – A safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.
37. **HABITABLE STRUCTURE** – Any structure or portion thereof used or designed for human habitation.
38. **HEARING NOTICE** – Publication or posting meeting the requirements of Ch. 985, Stats. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (7 days) before the hearing. Local ordinances or bylaws may require additional notice, exceeding these minimums.
39. **HIGH FLOOD DAMAGE POTENTIAL** – Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.
40. **HIGHEST ADJACENT GRADE** – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
41. **HISTORIC STRUCTURE** – Any structure that is either:
 - Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
 - Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.
42. **INCREASE IN REGIONAL FLOOD HEIGHT** – A calculated upward rise in the regional flood elevation greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.
43. **LAND USE** – Any nonstructural use made of unimproved or improved real estate. (Also see DEVELOPMENT.)
44. **LOWEST ADJACENT GRADE** – Elevation of the lowest ground surface that touches any of the exterior walls of a building.
45. **LOWEST FLOOR** – The lowest floor of the lowest enclosed area (including basement).
46. **MAINTENANCE** – The act or process of ordinary upkeep and repairs, including redecorating, refinishing, nonstructural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems, or structures.
47. **MANUFACTURED HOME** – A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."
48. **MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION** – A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.

49. MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION, EXISTING – A parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.
50. MOBILE/MANUFACTURED HOME PARK, EXPANSION TO EXISTING – The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading, or the pouring of concrete pads.
51. MOBILE RECREATIONAL VEHICLE – A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles."
52. MODEL, CORRECTED EFFECTIVE – A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.
53. MODEL, DUPLICATE EFFECTIVE – A copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.
54. MODEL, EFFECTIVE – The hydraulic engineering model that was used to produce the current effective Flood Insurance Study.
55. MODEL, EXISTING (PRE-PROJECT) – A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man-made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.
56. MODEL, REVISED (POST-PROJECT) – A modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-project conditions.
57. MUNICIPALITY or MUNICIPAL – The county, city or village governmental units enacting, administering, and enforcing this zoning ordinance.
58. NAVD or NORTH AMERICAN VERTICAL DATUM – Elevations referenced to mean sea level datum, 1988 adjustment.
59. NGVD or NATIONAL GEODETIC VERTICAL DATUM – Elevations referenced to mean sea level datum, 1929 adjustment.
60. NEW CONSTRUCTION – Structures for which the start of construction commenced on or after the effective date of a floodplain zoning regulation adopted by this community and includes any subsequent improvements to such structures.
61. NON-FLOOD DISASTER – A fire or an ice storm, tornado, windstorm, mudslide, or other destructive act of nature, but excludes a flood.
62. NONCONFORMING STRUCTURE – An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this ordinance for the area of the floodplain which it occupies. (For example, an existing residential structure in the floodfringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)
63. NONCONFORMING USE – An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this ordinance for the area of the floodplain which it occupies. (Such as a residence in the floodway.)
64. OBSTRUCTION TO FLOW – Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.
65. OFFICIAL FLOODPLAIN ZONING MAP – That map, adopted and made part of this ordinance, as described in s. 1.5(2), which has been approved by the Department and FEMA.
66. OPEN SPACE USE – Those uses having a relatively low flood damage potential and not involving structures.
67. ORDINARY HIGHWATER MARK – The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.
68. PERSON – An individual, or group of individuals, corporation, partnership, association, municipality, or state agency.
69. PRIVATE SEWAGE SYSTEM – A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Safety and Professional Services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure, or a system located on a different parcel than the structure.
70. PUBLIC UTILITIES – Those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer, and storm sewer.
71. REASONABLY SAFE FROM FLOODING – Means base flood waters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.
72. REGIONAL FLOOD – A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.
73. START OF CONSTRUCTION – The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
74. STRUCTURE – Any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lakebed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

75. SUBDIVISION – Has the meaning given in s. 236.02(12), Wis. Stats.
76. SUBSTANTIAL DAMAGE – Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.
77. SUBSTANTIAL IMPROVEMENT – Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term does not include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.
78. UNNECESSARY HARDSHIP – Where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height, or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.
79. VARIANCE – An authorization by the board of adjustment or appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.
80. VIOLATION – The failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.
81. WATERSHED – The entire region contributing runoff or surface water to a watercourse or body of water.
82. WATER SURFACE PROFILE – A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.
83. WELL – means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

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