Handbook for Wisconsin Municipal Officials – Page 2

Wisconsin State Legislature

**61.19  Annual elections; appointments.**At the annual spring election in each village in odd-numbered years, except as otherwise provided herein, there shall be chosen: A president, a clerk, a treasurer, an assessor if election of the assessor is provided and a constable. In villages in counties having a population of 750,000 or more, the officers named shall be elected for a term of 2 years on the first Tuesday of April of each even-numbered year. Any other officers shall be appointed annually by the village board at their first meeting after the first Tuesday in April unless the board otherwise provides. No person not a resident elector in such village shall be elected to any office therein. The village clerk may appoint a deputy clerk for whom the clerk shall be responsible, and who shall take and file the oath of office, and in case of the absence, sickness or other disability of the clerk, may perform the clerk's duties and receive the same compensation unless the village board appoints a person to act as such clerk. No assessor shall be elected or appointed if the village has come within the jurisdiction of a county assessor under s. [70.99](https://docs.legis.wisconsin.gov/document/statutes/70.99).

**History:**[1973 c. 90](https://docs.legis.wisconsin.gov/document/acts/1973/90); [1991 a. 316](https://docs.legis.wisconsin.gov/document/acts/1991/316); [1995 a. 16](https://docs.legis.wisconsin.gov/document/acts/1995/16) s. [2](https://docs.legis.wisconsin.gov/document/acts/1995/16%2C%20s.%202); [2017 a. 207](https://docs.legis.wisconsin.gov/document/acts/2017/207) s. [5](https://docs.legis.wisconsin.gov/document/acts/2017/207%2C%20s.%205).

**62.09 Officers**

**(11)** Clerk.

**(a)** The clerk shall have the care and custody of the corporate seal and all papers and records of the city.

**(b)** The clerk shall attend the meetings of the council and keep a full record of its proceedings.

**(c)** The clerk shall enter at length, immediately after it goes into effect, every ordinance in an “ordinance book," with proof of publication, date of passage and page of journal where final vote is recorded. The clerk shall keep a record of all licenses and permits granted and record all bonds, in appropriate books.

**(d)** The clerk shall draw and sign all orders upon the treasury in the manner provided by s. [66.0607](https://docs.legis.wisconsin.gov/document/statutes/66.0607), and keep a full account thereof in appropriate books. The clerk shall carefully preserve all receipts filed with the clerk.

**(e)** The clerk shall keep an accurate account with the treasurer and charge the treasurer with all tax lists presented for collection and with all moneys paid into the treasury.

**(f)** The clerk shall keep all papers and records in the clerk's office open to inspection at all reasonable hours subject to subch. [II of ch. 19](https://docs.legis.wisconsin.gov/document/statutes/subch.%20II%20of%20ch.%2019).

**(h)** The clerk shall have power to administer oaths and affirmations under these statutes.

**(i)** The clerk may in writing filed in the clerk's office appoint a deputy, who shall act under the clerk's direction, and in the clerk's absence or disability or in case of a vacancy shall perform the clerk's duties, and shall have power to administer oaths and affirmations. The deputy shall receive such compensation as the council shall provide. The clerk and the clerk's sureties shall be liable on the clerk's official bond for the acts of such deputy.

**(j)** The clerk shall notify the treasurer of the county in which the city is located, by February 20, of the proportion of property tax revenue and of the credits under s. [79.10](https://docs.legis.wisconsin.gov/document/statutes/79.10) that is to be disbursed by the taxation district treasurer to each taxing jurisdiction located in the city.

**(k)** The clerk shall stamp or endorse street trade permits at the request of an employer under s. [103.25 (3m) (b)](https://docs.legis.wisconsin.gov/document/statutes/103.25%283m%29%28b%29).

**(L)** The clerk shall stamp or endorse traveling sales crew worker permits at the request of an employer under s. [103.34 (11) (c)](https://docs.legis.wisconsin.gov/document/statutes/103.34%2811%29%28c%29).

**(m)** The clerk shall make a certified claim against the state, without direction from the council, in all cases in which the reimbursement is directed in s. [16.51 (7)](https://docs.legis.wisconsin.gov/document/statutes/16.51%287%29), upon forms prescribed by the department of administration. The forms shall contain information required by the clerk and shall be filed annually with the department of corrections on or before June 1.