

**STATE OF WISCONSIN
WAUKESHA COUNTY
VILLAGE OF WALES**

ORDINANCE NO: 21-05-17

**An Ordinance to Create Section 1-20F of the Municipal Code With Regard to
the Conduct of Remote and Virtual Meetings of Boards and Commissions**

The Village Board of the Village of Wales, Waukesha County, Wisconsin does ordain as follows:

Section One: Section 1-20F of the Municipal Code is hereby created to read as follows:

(F) Virtual Meetings and Remote Attendance. In exceptional circumstances as determined by the chair of the applicable Village board, authority, committee or commission, meetings may on a case by case basis be held on a virtual basis or otherwise with remote attendance as described in this section. Virtual meetings and remote attendance are only authorized when the chair determines that health, safety, welfare, family or work circumstances warrant a virtual meeting or remote attendance. Virtual meetings and remote attendance are not authorized solely for convenience, or due to vacation, travel, or seasonal relocation of one or more members of the body. For meetings that include quasi-judicial action requiring due process, the chair must consult the Village Attorney before authorizing a virtual meeting or remote attendance. Virtual meetings and remote attendance are subject to the following:

- (1) Remote Attendance. When a meeting is held in-person, the chair of the applicable body, may allow one or more members of the body to attend the meeting by telephone or other electronic means, subject to the requirements of this section. A member of the body seeking to attend remotely shall notify the Village Administrator of the request at least forty-eight (48) hours in advance of the meeting. The Village Administrator shall immediately notify the chair. The chair shall decide whether to grant the request at least twenty-four (24) hours in advance of the meeting. The chair's determination shall be final. Members of the body attending remotely shall have all powers of participation, including counting toward a quorum and having the opportunity to vote. Such attendance is only permitted if systems allow the remote member to hear the proceedings and be heard in the meeting room. If visual information is presented at the meeting, the information shall be distributed or systems must allow remote attendees to view what is presented. The Village does not warrant remote attendance system performance. If circumstances leading to one or more members of the body seeking to attend remotely are widely shared by others in the general public, the chair should consider providing a similar remote attendance option for the general public. Such option must be provided to citizens in a timely manner as part of the meeting agenda notice.
- (2) Virtual Meeting. Upon direction of the chair, a body may on a case-by-case basis conduct an entirely virtual meeting, in which no member of the body is present at Village Hall, subject to the requirements of this section. Members of the body attending virtually shall have all powers of participation, including counting toward a quorum and having the opportunity to vote. If visual information is presented at the meeting, remote attendees must have the opportunity before or during the meeting to view what is presented or be prohibited from

voting on the matter. The public shall be given access to the system implementing the virtual meeting platform. Information about access to the meeting shall be provided to citizens in a timely manner as part of the meeting agenda notice. Best efforts shall be used to ensure that members of the public lacking access to the virtual meeting platform are provided alternative reasonable methods to attend.

- (3) Open Meetings Law Limitations. In no event shall a virtual meeting be convened, or remote attendance be permitted where a violation of the Wisconsin Open Meetings Law would result.

Section Two: Severability: In the event that any provision of this Ordinance is for any reason held to be invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portions of this Ordinance shall be deemed separate, distinct and independent provisions of the Ordinance and all remaining portions of this Ordinance shall remain in full force and effect.

Section Three: All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby to such extent repealed.

Section Four: This ordinance shall take effect and be in force after its passage and posting pursuant to law.

PASSED AND ADOPTED by the Village Board of Trustees of the Village of Wales, Waukesha County, Wisconsin, this 17th day of may, 2021.

VILLAGE OF WALES

By: Jeffery A. Flaws
Jeffery A. Flaws, President

ATTEST:

Gail E. Tamez
Gail E. Tamez, Village Administrator

Posted this 18th day of may, 2021.