



Legislation Text

File #: 05744, Version: 2

**Fiscal Note**

No appropriation required.

**Title**

SUBSTITUTE - Amending Chapter 3 of the Madison General Ordinances by renumbering and organizing relevant sections into five (5) sub-chapters and amending necessary sections throughout the ordinances to update references to the renumbered sections.

**Body**

DRAFTER'S ANALYSIS: This is one of two companion ordinances that accomplish a reorganization of Chapter 3 of the Madison General Ordinances. This ordinance renumbers much of Chapter 3 and divides it into 5 subchapters. The companion ordinance (ID #05743) moves a number of provisions currently in Chapter 3 into Chapter 33 Boards, Commissions and Committees. Except for repeal of outdated sections, neither of these ordinances are intended to make substantive changes in Chapter 3. Once the reorganization has been accomplished through passage of the ordinances, the task of updating Chapters 3 and 33 for substantive change will be undertaken.

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The Common Council of the City of Madison do hereby ordain as follows:

1. Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances is amended by creating therein the following five (5) subchapters:

- Subchapter 3A: Organization, Offices and Departments
- Subchapter 3B: Qualifications of Officials and Employees
- Subchapter 3C: Compensation and Civil Service
- Subchapter 3D: Elections
- Subchapter 3E: Open Meetings and Public Records

2. Section 3.01 entitled "Organization Under Mayor Plan" is relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

3. Section 3.02 entitled "Continuity of Government" is relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

4. Section 3.025 entitled "Emergency Proclamation" is renumbered to Section 3.19 **and** relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

5. Section 3.03 entitled "Mayor" is relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

6. Section 3.04 entitled "Mayor's Staff" is relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

7. Section 3.11 entitled "Department of Public Works" is relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

8. Section 3.12 entitled "City Clerk/Treasurer" is renumbered to Section 3.05 and relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.
9. Section 3.14 entitled "City Assessor" is renumbered to Section 3.06 and relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.
10. Section 3.15 entitled "City Attorney" is renumbered to Section 3.07 and relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.
11. Section 3.16 entitled "City Engineer" is renumbered to Section 3.08 and relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.
12. Section 3.21 entitled "Emergency Management" is renumbered to Section 3.20 and relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.
13. Section 3.22 entitled "Overture Center Director" is renumbered to Section 3.09 and relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.
14. Section 3.48 entitled "Human Resources Department" is renumbered to Section 3.13 and relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.
15. Section 3.51 entitled "Department of Transportation" is renumbered to Section 3.14 and relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.
16. Section 3.59 entitled "Establishment of a Municipal Court for the City of Madison" is amended to be entitled "Municipal Court of the City of Madison", renumbered to Section 3.16 and relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.
17. Section 3.69 entitled "Community Development Authority of City of Madison" of the Madison General Ordinances is repealed and recreated as Section 3.17.
18. Section 3.78 entitled "Department of Information Services" is renumbered to Section 3.15 and relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.
19. New Section 3.10 entitled "City Comptroller" of Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances is created to read as follows:  
  
"3.10 CITY COMPTROLLER. See Section 4.01, M.G.O."
20. New Section 3.18 entitled "Other Departments, Boards and Commissions" of Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances. is created to read as follows:  
  
"3.18 OTHER DEPARTMENTS, BOARDS AND COMMISSIONS."  
(1) The ordinances establishing other City departments not included in Chapter 3 are provided in other

chapters of these ordinances.

- (2) Ordinances establishing and regulating City boards, commissions, and committees may be found in Chapter 33 or, when deemed advantageous, with the ordinance related to the subject matter of the board, commission, or committee. However, those boards, commissions, or committees that are created by resolution of the Common Council are not included in the Madison General Ordinances."

21. Section 16.04 entitled "Department of Planning and Community and Economic Development" as modified by ORD- 07-00018 is repealed and recreated as Section 3.12 and relocated to Subchapter 3A entitled "Organization, Offices and Departments" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances. Sections 3.12(9) and (10) of the recreated ordinance are renumbered to Sections 3.12(10) and 3.12(11).

22. Subsections (1) and (2) of Section 3.27 entitled "Qualifications --City Officers, Members of Commissions, and Employees" are renumbered to Subsections (1) and (2), respectively, of Section 3.30 and relocated to Subchapter 3B entitled "Qualifications of Officials and Employees" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

23. Subsections (3) through (5) of Section 3.27 entitled "Qualifications --City Officers, Members of Commissions, and Employees" of the Madison General Ordinances are repealed and recreated as Subsections (3) through (5), respectively, of Section 33.01 entitled "Board, Commission and Committee Procedures".

24. Section 3.28 entitled "Bonds to Be Filed By City Officers " is renumbered to Section 3.31 and relocated to Subchapter 3B entitled "Qualifications of Officials and Employees" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

25. Section 3.36 entitled "Absence of Employees From Duty " is renumbered to Section 3.32 and relocated to Subchapter 3B entitled "Qualifications of Officials and Employees" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

26. Section 3.37 entitled "Trainee Program " is renumbered to Section 3.33 and relocated to Subchapter 3B entitled "Qualifications of Officials and Employees" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

27. Section 3.41 entitled "Judgments Against Employees " is renumbered to Section 3.34 and relocated to Subchapter 3B entitled "Qualifications of Officials and Employees" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

28. Section 3.47 entitled "Code of Ethics " is renumbered to Section 3.35 and relocated to Subchapter 3B entitled "Qualifications of Officials and Employees" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

29. Section 3.49 entitled "Bargaining Agreements " is renumbered to Section 3.36 and relocated to Subchapter 3B entitled "Qualifications of Officials and Employees" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

30. Section 3.50 entitled "Post Entry Training Program " is renumbered to Section 3.37 and relocated to Subchapter 3B entitled "Qualifications of Officials and Employees" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

31. Section 3.52 entitled "Nonrepresented Transit Division Employees " is renumbered to Section 3.38 and relocated to Subchapter 3B entitled "Qualifications of Officials and Employees" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

32. Section 3.53 entitled "Overtime Control " is renumbered to Section 3.39 and relocated to Subchapter 3B entitled "Qualifications of Officials and Employees" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

33. Section 3.63 entitled "Use of Polygraph Tests Prohibited " is renumbered to Section 3.40 and relocated to

Subchapter 3B entitled "Qualifications of Officials and Employees" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

34. Section 3.64 entitled "Privilege" is renumbered to Section 3.41 and relocated to Subchapter 3B entitled "Qualifications of Officials and Employees" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

35. Section 3.29 entitled "Salaries of Mayor and Officials" is renumbered to Section 3.50 and relocated to Subchapter 3C entitled "Compensation and Civil Service" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

36. Section 3.33 entitled "Pension System" is renumbered to Section 3.51 and relocated to Subchapter 3C entitled "Compensation and Civil Service" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

37. Section 3.34 entitled "Travel Expense Accounts" is renumbered to Section 3.52 and relocated to Subchapter 3C entitled "Compensation and Civil Service" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

38. Section 3.35 entitled "Civil Service System" is renumbered to Section 3.53 and relocated to Subchapter 3C entitled "Compensation and Civil Service" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

39. Section 3.38 entitled "Compensation Plan" is renumbered to Section 3.54 and relocated to Subchapter 3C entitled "Compensation and Civil Service" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

40. Section 3.30 entitled "Primary for City Elections" is renumbered to Section 3.60 and relocated to Subchapter 3D entitled "Elections" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

41. Section 3.31 entitled "Appointment of Election Officials and Their Compensation" is renumbered to Section 3.61 and relocated to Subchapter 3D entitled "Elections" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

42. Section 3.32 entitled "Opening and Closing of Polls" is renumbered to Section 3.62 and relocated to Subchapter 3D entitled "Elections" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

43. Section 3.42 entitled "Public Records" is renumbered to Section 3.70 and relocated to Subchapter 3E entitled "Open Meetings and Public Records" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

44. Section 3.44 entitled "Open Meetings of Municipal Bodies" is renumbered to Section 3.71 and relocated to Subchapter 3E entitled "Open Meetings and Public Records" of Chapter 3 entitled "Government Organization, Officials and Employees" of the Madison General Ordinances.

45. All other necessary sections throughout the Madison General Ordinances are amended to update references to the renumbered sections.

EDITOR'S NOTE: When the changes provided by this ordinance, along with those in a companion ordinance (ID #05743), have been made, the Table of Contents for Chapter 3 will read as follows:

Subchapter 3A: Organization, Offices and Departments

- 3.01 Organization Under Mayor Plan.
- 3.02 Continuity of Government.
- 3.03 Mayor.

- 3.04 Mayor's Staff.
- 3.05 City Clerk/Treasurer.
- 3.06 City Assessor.
- 3.07 City Attorney
- 3.08 City Engineer.
- 3.09 Overture Center Director.
- 3.10 City Comptroller
- 3.11 Department of Public Works.
- 3.12 Department of Planning and Development.
- 3.13 Human Resources Department.
- 3.14 Department of Transportation.
- 3.15 Department of Information Services
- 3.16 Municipal Court for the City of Madison.
- 3.17 Community Development Authority.
- 3.18 Other Departments, Boards and Commissions.
- 3.19 Emergency Proclamation.
- 3.20 Emergency Management.

Subchapter 3B: Qualifications of Officials and Employees

- 3.30 Qualifications --City Officers, Members of Commissions, and Employees..
- 3.31 Bonds to Be Filed By City Officers
- 3.32 Absence of Employees From Duty
- 3.33 Trainee Program.
- 3.34 Judgments Against Employees.
- 3.35 Code of Ethics.
- 3.36 Bargaining Agreements.
- 3.37 Post Entry Training Program.
- 3.38 Nonrepresented Transit Division Employees.
- 3.39 Overtime Control
- 3.40 Use of Polygraph Tests Prohibited.
- 3.41 Privilege.

Subchapter 3C: Compensation and Civil Service.

- 3.50 Salaries of Mayor and Officials.
- 3.51 Pension System.
- 3.52 Travel Expense Accounts.
- 3.53 Civil Service System.
- 3.54 Compensation Plan.

Subchapter 3D: Elections.

- 3.60 Primary for City Elections.
- 3.61 Appointment of Election Officials and Their Compensation.
- 3.62 Opening and Closing of Polls.

Subchapter 3E: Open Meetings and Public Records.

- 3.70 Public Records.
- 3.71 Open Meetings.