

Chapter 363

WATER UTILITY DISTRICT

[HISTORY: Adopted by the Town Board of the Town of Scott 11-8-2005. Amendments noted where applicable.]

GENERAL REFERENCES

Stormwater Utility — See Ch. 301.

Water — See Ch. 357.

§ 363-1. Water Utility Commission.

- A. Creation. There is hereby created an independent and nonpartisan Water Utility Commission to manage and operate the Water Utility of the Town of Scott.
- B. Membership; terms. The Water Utility Commission shall consist of five Commissioners, who shall be residents of the Town, each of whom shall serve a five-year term. These terms shall be staggered so that no more than one citizen Commissioner's term shall expire each year.
- C. Appointments. At its first regular meeting in December, the Town Board shall elect the citizen Commissioners to succeed Commissioners whose terms have expired, for terms to commence on January 1 following appointment. The Town Board may appoint a Commissioner to fill a vacancy for the remainder of the term.
- D. Eligibility for appointment. No person shall be eligible for appointment to the Water Utility Commission or any office or position in the Water Utility if the person, directly or indirectly, has any pecuniary interest in any contract for furnishing utility services or other public services to or for the Town or if the person is a stockholder in any corporation which has such a contract with the Town.¹
- E. Organization. The Commissioners shall choose from among their number a President and Secretary and shall appoint a Utility Clerk, who shall perform the duties of a bonded cashier, shall keep accurate books and accounts of utility revenues and expenses, and shall perform such other duties as the Commission shall from time to time direct. The Utility Clerk, before taking office, shall give a bond to the Town for the faithful performance of the duties of his or her office in such amount as the Public Service Commission (PSC) shall direct. The bond shall be approved by the Town Chairperson and filed with the Town Clerk.²

¹. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

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- F. Meetings. Regular monthly meetings of the Water Utility Commission shall be held. Special meetings may be held at any time upon a call by any member of the Commission, such member giving reasonable notice of the time and place of such meeting to the other Commissioners.
- G. Powers of Commission.
- (1) Charge and management. The Commission shall take entire charge and management of the Town's Water Utility. The Commission shall have full authority to supervise the operation of the Utility under the general control and supervision of the Town Board.
 - (2) Manager. The Commission may appoint a Utility manager, fix his or her compensation and duties and provide for the authority of the manager to act on behalf of the Commission.
 - (3) Other employees; consultants. The Commission may employ and fix the compensation of such other employees as the Commission deems necessary or convenient for the management and operation of the Town's Water Utility. The Commission also may employ the services and fix the compensation of such other agents or consultants as the Commission deems necessary or convenient for the operation and the management of the Water Utility. The Commission may also command the services of the Town Engineer.³
 - (4) Rates, rules and regulations. The Commission shall have authority to fix rates and establish rules and regulations for the governance, management and operation of the Utility, subject to the jurisdiction of the Public Service Commission of Wisconsin where applicable, and establish rules for the governance of its own proceedings.
 - (5) Contract. The Commission shall have full authority to let bids and enter into contracts in the name of the Town, provided that such contracts are necessary or convenient to the management and operation of the Water Utility.⁴
 - (6) Other powers. The Commission shall have such other powers as are necessary or convenient to the management and operation of the Town Water Utility, and the Town intends that the Commission shall have full authority respecting the Water Utility unless that authority is specifically withheld by statute. Actual construction work shall be under the immediate supervision of the Town Engineer.⁵

§ 363-2. Utility expenses.

Utility expenses shall be audited by the Commission at its regular monthly meeting and, if approved by its President and Secretary, shall be paid by the Town Clerk pursuant to §

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⁵. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

66.0607(4), Wis. Stats. The Commission may authorize the payment of labor, salaries and such other regular expenses as the Commission may determine, including, but not limited to, power and fuel bills, to be paid as they become due, if approved by the President and Secretary.

§ 363-3. Receipts.

All utility receipts shall be paid to the Utility Clerk and be turned over by the Clerk to the Town Treasurer at least once a month. Utility funds shall be separately accounted for by the specific utility service and shall be subjected to disposition as the Commission shall direct.

§ 363-4. Interpretation.⁶

This chapter shall be liberally construed to effect its purpose. As used herein, the term "management and control" or "management and operation" shall be construed broadly and shall include, without limitation by enumeration, all authority related to the utility properties of the Town, and all authority related to purchasing, acquiring, leasing, constructing, adding to, improving, conducting, controlling, operating, or managing the Town's Water Utility, except as specifically withheld by statute.

⁶. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).