

## Ordinance 2015 - 2

### Ordinance to Establish Procedures and Criteria for Allowing Alternative Forms of Sworn Testimony at Board of Review (BOR) Hearings

Whereas, §70.47(8), Wis. Stat. authorizes the Board of Review to consider requests from a property owner or the property owner's representative to appear before the board under oath by telephone or to submit written statements under oath to the board of review;

Now Therefore the Town Board of the Town of Prairie Lake, Barron County does ordain as follows:

#### 1. PROCEDURE:

In order for a property owner or property owner's representative to submit a request to testify by phone or submit a sworn written statement, he/she must first comply with the following procedures: a) the legal requirement to provide notice of intent to appear at BOR must be satisfied; and b) an Objection Form for Real Property Assessment (PA-115A) must be completed and submitted to the BOR as required by law.

After the two requirements outlined above have been met, a Request to Testify by Telephone or Submit a Sworn Written Statement at Board of Review (Form PA-814) may be submitted to the town clerk. Such requests must be submitted in time to be considered by the board at the first meeting of the BOR.

#### 2. CRITERIA TO BE CONSIDERED

The board may consider any or all of the following factors when deciding whether to grant or deny the request:

- a. The requester's stated reason(s) for the request as indicated on the PA-814;
- b. Fairness to all parties;
- c. Ability of the requester to procure in person oral testimony and any due diligence exhibited by the requester in procuring such testimony;
- d. Ability to cross examine the person providing the testimony;
- e. The BOR's technical capacity to honor the request;
- f. Any other factors that the board deems pertinent to deciding the request.

#### 3. EFFECTIVE DATE

This ordinance shall take effect immediately upon passage and posting (or publication) as provided by law.

This ordinance was adopted at a regular meeting of the Town Board of the Town of Prairie Lake on the 14<sup>th</sup> day of April, 2015, and shall be in force in perpetuity, or until revoked by a future action of this Board or any succeeding Board thereof.

Attest:

*/s/ Karn Moe*  
Karn Moe, Clerk

*/s/ Dale Lehner*  
Dale Lehner, Chairman

*/s/ Janice Rustong*  
Janice Rustong, Supervisor

*/s/ Wayne Brenholt*  
Wayne Brenholt, Supervisor