

TOWN OF HELVETIA
ORDINANCE 04-02-15

**ORDINANCE TO ESTABLISH PROCEDURES & CRITERIA FOR ALLOWING
ALTERNATIVE FORMS OF SWORN TESTIMONY AT BOARD OF REVIEW HEARINGS**

Whereas, Sec. 70.47(8), Wisconsin Statutes 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 Helvetia, Waupaca 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 or she must first comply with the following procedures:

(a) The legal requirement to provide Notice of Intent to appear at the Board of Review (BOR) must be satisfied;

(b) An Objection Form for Real Property Assessment (PA-115A) must be completed & submitted to the Board of Review (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 Municipal Clerk. Such requests must be submitted in time to be considered by the Board at the first meeting of the Board of Review (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 the parties

(c) Ability of the requester to procure in person oral testimony & any due diligence exhibited by the requester in procuring such testimony

(d) Ability to cross-examine the person providing the testimony

(e) The Board of Review's technical capacity to honor the request

(f) Any other factors that the Board deems pertinent to deciding the request

This ordinance shall be effective upon publication or posting by the Town Clerk as required, pursuant to s. 60.80, Wisconsin Statutes.

The above and foregoing ordinance was adopted this 2nd day of April, 2015 by the Town Board of Helvetia, Waupaca County.

Calvin L. Preuss Supervisor

Leonard Oppen Chairman

Larry Chich Supervisor Aye 3

Douglas Nimer Clerk No 0

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