

# **CHAPTER 24**

## **TOWN OF DECATUR**

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

Whereas, sec. 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 of Decatur, Green 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 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 the 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 be effective upon posting as provided by law.

Passed on the 17<sup>th</sup> day of January, 2017

By the Town Board of the Town of Decatur

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Allen Schneider, Town Chairperson

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Ron Schwartzlow, 1<sup>st</sup> Supervisor

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Robert A. Gadow, 2<sup>nd</sup> Supervisor

Attested by

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Ann L. Schwartz, Town Clerk