

**Town of Rockland
Brown County, Wisconsin**

Ordinance No. 2015-4

**Establishing Procedures and Criteria for Allowing Alternative Forms of Sworn Testimony
at Board of Review (BOR) Hearings**

Whereas, Section 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 Rockland, Town Board does hereby create and enact Sec. 02-03.01, ORDINANCE TO ESTABLISH PROCEDURES AND CRITERIA FOR ALLOWING ALTERNATIVE FORMS OF SWORN TESTIMONY AT BOARD OF REVIEW HEARINGS

A. Authority

1. Section. 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

B. Adoption

1. This ordinance, having been adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, provides procedures and criteria to be used in order to determine if and when a property owner may appear before the Board under oath by telephone or to submit written statements under oath to the Board of Review

C. PROCEDURE

1. 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.

2. 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.

D. CRITERIA TO BE CONSIDERED

1. 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 Board of Review's technical capacity to honor the request
- f. Any other factors that the board deems pertinent to deciding the request

E. EFFECTIVE DATE

This ordinance is effective on publication or posting.

Adopted this _____ day of _____, 2015, by the Town Board of the Town of Rockland:

Dennis J. Cashman, Chairman

Supervisor Van Vonderen

Supervisor Schwalbach

Attest: Jann Charette, Town Clerk

Roll Call Tally:
Cashman YES / NO
Van Vonderen YES / NO
Schwalbach YES / NO
Total YES _____ / NO _____