

STATE OF WISCONSIN MILWAUKEE COUNTY VILLAGE OF FOX POINT

ORDINANCE NO 2024-01

AN ORDINANCE TO CREATE SECTION 46-3 OF THE MUNICIPAL CODE CANVASS OF
RETURNS AND
TO ESTABLISH A BOARD OF ABSENTEE CANVASSERS

WHEREAS, Section 7.52 of the Wisconsin State Statutes permits municipalities to establish by ordinance a process for canvassing absentee ballots in lieu of the process for canvassing absentee ballots at polling places established by Section 6.88 of the Wisconsin State Statutes; and

WHEREAS, to better facilitate the administration of elections in the Village of Fox Point, the Village Board wishes to adopt by ordinance the procedures set forth in Section 7.52 of the Wisconsin State Statutes; and

WHEREAS, Section 7.53(2m)(a) of the Wisconsin State Statutes requires municipalities choosing to canvas absentee ballots following the process established in Section 7.52 to establish a Board of Absentee Ballot Canvassers; and

WHEREAS, the Village of Fox Point Clerk has notified and consulted with the Wisconsin Elections Commission about the enactment of this ordinance as is required by Section 7.52(1)(a) of the Wisconsin State Statutes.

NOW THEREFORE, the Village Board of the Village of Fox Point, Milwaukee County, Wisconsin DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Part I of the Village of Fox Point Municipal Code entitled "Administrative Legislation," Chapter 46 entitled "Elections," Section 46-3 entitled "Canvass of Returns and Board of Absentee Ballot Canvassers" is hereby created to read as follows:

SEC. 46-3 CANVASS OF RETURNS AND BOARD OF ABSENTEE BALLOT
CANVASSERS

- (a) Purpose. Pursuant to Secs. 7.52 and 7.53(2m), Wis. Stats., there is created a Board of Absentee Ballot Canvassers.
- (b) Composition. The Board of Absentee Ballot Canvassers shall be composed of the Village Clerk, or a qualified elector of the Village designated by the Village Clerk, and two (2) other qualified electors of the Village appointed by the Village Clerk for a term of two (2) years commencing on January 1 of each even-numbered year, except that any member who is appointed to fill a permanent vacancy shall serve for the unexpired term of the original appointee.
- (c) Canvassing of Absentee Ballots. In lieu of canvassing absentee ballots at polling places under Sec. 6.88, Wis. Stats., the Board of Absentee Ballot Canvassers shall, at each election held in the Village, canvass all absentee ballots received by the Village Clerk by 8:00 p.m. on Election Day.
- (d) Counting of Absentee Ballots. At every election held in the Village, the Board of Absentee Ballot Canvassers shall, any time after the opening of the polls and before 10:00 p.m. on Election Day, publicly convene to count the absentee ballots for the Village. The Village Clerk shall give at least 48 hours' notice of any meeting under this subsection.
- (e) Canvass of Returns. The Board of Canvassers shall canvass the returns within 24 hours of the closing of the polls and reconvene no sooner than 4:00 p.m. on the Friday after the

- election and not later than 9:00 a.m. on the Monday after the election to count any outstanding provisional ballots.
- (f) The Board of Absentee Ballot Canvassers shall follow all applicable procedures established by Sec. 7.52, Wis. Stats.

SECTION 2: SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portion thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This ordinance shall take effect September 1, 2024.

Passed and adopted by the Village Board of the Village of Fox Point, Milwaukee County, Wisconsin this 9th day of July, 2024.


Christine Symchych, President


Sara A. Bruckman, Village Clerk

Published and/or posted this 16th day of July, 2024