

Ordinance 04-07-2015, to Establish Procedures and Criteria for Allowing Alternative Forms of Sworn Testimony at Board of Review (BOR) Hearings

State of Wisconsin  
Town of Montrose  
Dane County

**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 Board of Town of Montrose, Dane 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: 1) 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 request 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 \_\_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
Roger Hodel, Chairperson

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Randy Francois, 1st Supervisor

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Dan Palmer, 2nd Supervisor

Attest: \_\_\_\_\_

Julie L. Bigler, Town Clerk