

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

Randy Francois, 1st Supervisor

Dan Palmer, 2nd Supervisor

Attest: _____

Julie L. Bigler, Town Clerk