

Bond Case Briefs

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MUNICIPAL EMPLOYMENT - WISCONSIN

Black v. City of Milwaukee

Supreme Court of Wisconsin - June 23, 2016 - N.W.2d - 2016 WL 3448194 - 2016 WI 47

Police officer's union brought action challenging city ordinance that required all city employees to live in city.

The Circuit Court granted summary judgment in favor of union in part and in favor of city in part. City appealed and union cross-appealed. The Court of Appeals affirmed in part and reversed in part. Union petitioned for review.

The Supreme Court of Wisconsin held that:

- Statute satisfied uniformity requirement of home rule amendment, and thus statute precluded city from enforcing residency requirement, and
- City did not violate police officers' substantive due process rights by enforcing statute.

Statute providing that no local government unit may have a residency requirement for unit's employees satisfied uniformity requirement of home rule amendment, and thus statute precluded city from enforcing residency requirement, even if application of statute affected only one city, where statute defined "local government unit" to mean any city, village, town, county, or school district.

City council did not shock the conscience by enforcing requirement that city employees live within city, even though that requirement conflicted with state statute, and thus city did not violate substantive due process rights of police officers on that ground.

Supreme Court of Wisconsin strikes down city ordinance that required all city employees to live in city.