



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

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December 6, 2007

Mr. Michael J. Caylor
1806 East Twelfth Street
Merrill, WI 54452

Dear Mr. Caylor:

I am writing in response to your letter to Assistant Attorney General Bruce Olsen. In that letter you ask for clarification of the 24-hour notice requirement for posting notices of governmental meetings.

Section 19.84(3) of the Wisconsin Statutes requires that every public notice of a meeting be given at least 24-hours in advance of the meeting, unless for "good cause" such notice is "impossible or impractical." Under section 990.001(4)(a) "when the time within which an act is to be done . . . as expressed in hours the whole of Sunday and of any legal holiday, from midnight to midnight, shall be excluded." Posting a notice of an 8:00 a.m., Monday meeting at 8:00 a.m., on the Sunday immediately preceding that meeting, therefore, would not be adequate.

The law also requires that the public notice of a meeting must give the time, date, place, and subject matter of the meeting "in such form as is reasonably likely to apprise members of the public and the news media thereof." Sec. 19.84(2), Wis. Stats. Posting the meeting notice for a Monday meeting on the Saturday immediately preceding that meeting would be sufficient under the 24-hour notice requirement. If that notice, however, is only posted or displayed in a locked building, a building that is not accessible on Saturday, it is likely that a court would not find that the notice complied with the statute's requirement that the notice "reasonably" apprise members of the public and the news media of the Monday meeting.

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I am sending a copy of this letter to the city clerk and the city attorney for the City of Merrill and invite them to contact our office with any concerns or questions.

Sincerely,



Alan Lee
Assistant Attorney General

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c: Thomas N. Hayden
City Attorney
City of Merrill

Bill Heideman
City Clerk
City of Merrill

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