

**TOWN OF SUMPTER DESTRUCTION OF OBSOLETE RECORDS ORDINANCE**

**ORDINANCE NO. 01-05**

**1.01 PURPOSE**

This ordinance is entitled the Town of Sumpter Destruction of Obsolete Records Ordinance. The purpose of this ordinance is to provide the town officers of the Town of Sumpter with the authority to destroy certain obsolete public records in possession of the Town of Sumpter.

**2.01 AUTHORITY**

The town board of the Town of Sumpter, Sauk County, Wisconsin, (hereinafter "Town") has the specific authority under section 19.21(4) of the Wisconsin Statutes, to manage and destroy obsolete public records in the Town's possession.

**3.01 ADOPTION OF ORDINANCE**

The town board, by this ordinance, adopted on proper notice, with a quorum and roll call vote of the town board present and voting, has authorized the powers and has established the duties of the town officers of the Town to manage and destroy obsolete public records in the possession of the Town.

**4.01 FINANCIAL RECORDS**

The Town Officers, pursuant to section 19.21(4) of the Wisconsin Statutes, may destroy the following financial non-utility records that have been kept for more than seven (7) years of which they are the legal custodians and that are considered obsolete:

- Routine Financial Reports
- Income Notification
- Bank Statements and Deposit Books
- Vendor Bills
- Payroll Records—Quarterly and Annual Reports
- Batch Reports

**5.01 UTILITY RECORDS**

The Town Officers, pursuant to section 19.21(4) of the Wisconsin Statutes, may destroy the following utility records that have been kept for more than two (2) ears of which they are the legal custodians and that are considered obsolete: (water stubs, receipts of current billings, customer ledgers of any municipal utilities)

## **6.01 OTHER RECORDS**

The Town Officers, pursuant to section 19.21(4) of the Wisconsin Statutes, may destroy the following records that have been kept for more than seven (7) years of which they are the legal custodians and that are considered obsolete:

- Election Records
- Licenses and Permits
- Operator Licenses
- General Correspondence

## **7.01 TIME PERIOD**

The time period for any town public record that must be kept is seven (7) years, except that water stubs, receipts of current billings and customer's ledgers of any municipal utility may be kept for not less than two (2) years, and any other records having a different retention period provided by statute should be kept for the specified time period.

## **8.01 HISTORICAL SOCIETY NOTIFICATION**

Prior to the destruction of any public record described in Sections IV, V, or VI, at least 60 days notice in writing shall be given to the State Historical Society of Wisconsin, and the local Historical Society.

## **9.01 PENALTY PROVISIONS**

Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance, shall, upon conviction, pay a forfeiture of not less than \$ \_\_\_\_\_ nor more than \$ \_\_\_\_\_, plus the applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues shall be considered a separate offense under this ordinance. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.

## **10.01 SEVERABILITY**

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

## **11.01 EFFECTIVE DATE, CONSTRUCTION**

This ordinance is effective on publication or posting. This ordinance shall not be construed to authorize the destruction of any public record after a period less than prescribed by statute or state administrative rules. The town clerk shall properly post or publish this ordinance as required under section 60.80 of the Wisconsin Statutes.