

DESTRUCTION OF OBSOLETE RECORDS

SECTION I – TITLE/PURPOSE

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

SECTION II – AUTHORITY

The town board of the Town of Richford, Waushara County, Wisconsin, has the specific authority under s. 19.21 (4), Wis. stats., to manage and destroy obsolete public records in the possession of the Town of Richford.

SECTION III – 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 of Richford to manage and destroy obsolete public records in the possession of the Town of Richford.

SECTION IV – RECORDS

The Town of Richford town officers, pursuant to s. 19.21, (5) Wis. stats., noted in this ordinance may destroy the financial non-utility records, utility records, and other records of which they are the legal custodians and that are considered obsolete as provided in the most recent publications of the 'Wisconsin Municipal Records Retention Schedule' and the 'Wisconsin Municipal Records Manual'. Any record not covered in the Ordinance should be retained for 7 years unless the record is added by amendment into the Ordinance or a shorter time period has been approved by the State Public Records and Form Board.

SECTION V – RECORDS CUSTODIAN DESIGNEE

The Town of Richford town officers designate the town clerk to keep and preserve any town records or file, deposit or keep records in the town hall, and are lawfully in possession or entitled to possession of such public records and who is required to respond to requests for access to such records.

SECTION VI – HISTORICAL SOCIETY NOTIFICATION

Prior to the destruction of any public record described in Section IV, at least 60 days notice in writing shall be given the State Historical Society of Wisconsin.

SECTION VII – 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 \$25.00 nor more than \$2,000 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.

*STATE OF WISCONSIN
Town of Richford
Waushara County*

SECTION VIII – 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.

SECTION IX – EFFECTIVE DATE

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 s. 60.80, Wis. stats.

Adopted January 9, 2006.