

**TOWN OF KINNICKINNIC
ORDINANCE NO. 2007- 02**

An Ordinance regulating destruction of obsolete records.

WHEREAS, the Town Board of the Town of Kinnickinnic deems it expedient and necessary to address the destruction of obsolete records pursuant to §19.21 Stats.;

NOW THEREFORE, the Town Board of the Town of Kinnickinnic **DOES HEREBY ORDAIN** as follows:

Section 1. TITLE/PURPOSE

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

Section 2. AUTHORITY

The Town Board of the Town of Kinnickinnic, St. Croix County, Wisconsin, has the specific authority under §19.21(4), Wis. Stats., to manage and destroy obsolete public records in the possession of the Town of Kinnickinnic.

Section 3. ADOPTION OF ORDINANCE

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

Section 4. FINANCIAL RECORDS

The Town of Kinnickinnic Treasurer and Clerk, pursuant to §19.21(4) Wis. Stats., may destroy the following financial non-utility records of which they are the legal custodians and that are considered obsolete:

1. Bank statements, deposit books, slips and stubs;
2. Bonds and coupons after maturity;
3. Cancelled checks, duplicates and check stubs;
4. License and permit applications, stubs and duplicates;
5. Official bonds;
6. Payrolls and other time and employment records of personnel included under the Wisconsin Retirement System;
7. Receipt forms;
8. Special assessment records;

9. Vouchers, requisitions, purchase orders and all other supporting documents pertaining thereto.

These records may not be destroyed less than seven (7) years after payment or receipt of any sum involved in the particular transaction, unless a shorter period has been fixed by the State Public Records Board pursuant to §16.61(3)(e), Stats., and then after such shorter period.

Section 5. OTHER RECORDS

The Town of Kinnickinnic Chair, Treasurer and/or Clerk, pursuant to §19.21(4), Wis. Stats., may destroy the following records of which they are the legal custodians and that are considered obsolete:

1. Assessment rolls and related records, including Board of Review minutes;
2. Contracts and papers relating thereto;
3. Correspondence and communications, including e-mail communications;
4. Election notices;
5. Financial reports other than annual financial reports;
6. Insurance policies;
7. Oaths of Office;
8. Reports of Boards, commissions, committees and officials duplicated in the official council minutes;
9. Resolutions and petitions;
10. Voter registration cards;
11. Uniform traffic citations;
12. Village ordinance citations;
13. Other records of the Village not enumerated above.

These records may not be destroyed less than seven (7) years following the date of their receipt by the Building Inspector.

Section 6. BUILDING INSPECTOR RECORDS

The Building Inspector, pursuant to §19.21(5), Wis. Stats., may destroy the following records of which he/she is the legal custodian and are considered obsolete: house plans, site plans, e-mail communications, letters and other correspondence, and records pertaining to site inspections. The Building Inspector shall not destroy any permits issued in connection with the building inspection process.

These records may not be destroyed less than seven (7) years following the date of their receipt by the Building Inspector.

Section 7. HISTORICAL SOCIETY NOTIFICATION

Prior to the destruction of any public record described in Section 4, 5 or 6 at least sixty (60) days notice in writing shall be given the State Historical Society of Wisconsin.

Section 8. 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 \$200.00 nor more than \$500.00, 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.

Section 9. 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 10. 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 §60.80, Wis. Stats.

Adopted this 2 day of April, 2007.

TOWN OF KINNICKINNIC

Mary R. Murphy
Mary Murphy, Town Chair

Attest: Lola Higgins
Lola Higgins, Clerk