

TOWN OF DAYTON ORDINANCE #031313 FOR DESTRUCTION OF PUBLIC RECORDS

STATE OF WISCONSIN

Town of Dayton

Richland County

Section I- Title and Purpose

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

Section II- Authority

The Town Board of the Town of Dayton, Richland County, has the specific authority s. 19.21(4) Wisconsin Stats., to manage and destroy obsolete public records in possession of the Town of Dayton.

Section III- Adoption of Ordinance

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting with a proper notice having been given, authorizes the powers and establishes the duties of the town officers of the Town of Dayton, to manage and destroy obsolete public records in the possession of the Town of Dayton.

Section IV- Financial Records

The Town of Dayton officers, pursuant to s. 19.21(5), Wis. Stats., may destroy the financial records, including utility bills, of which they are the legal custodians that are considered obsolete as provided below: **(Refer to Section VII before proceeding unless these type of records have been WAIVED by the SHSW) Section IV & V waived by e-mail Feb. 19, 2013**

Officer	Records officer authorized to destroy	Period records must be held by town
Clerk	Bank Deposits	Seven (7) Years
	Bank Records	Seven (7) Years
	Invoices	Seven (7) Years
	Check Stubs	Seven (7) Years
	Annual Reports	Seven (7) Years
	Budgets	Seven (7) Years
	Payroll Tax Reports- Fed./State	Seven (7) Years
	County Tax/ Treas. Reports	Seven (7) Years
	Any other Financial Reports	Seven (7) Years

Section V- Other Records

The Town Dayton town officers, pursuant to s. 19.21(5), Wis. Stats., may destroy the following records of which they are the legal custodians and that are considered obsolete:

The town board requests that the town clerk destroy obsolete records in Section IV & V annually that are over 7 years old.

Officer	Records officer authorized to destroy	Period records must be held by town
Clerk	Correspondence	Seven (7) Years
	Zoning Records	Seven (7) Years
	Election Records	Seven (7) Years
	Building Inspection Records	Seven (7) Years
	Liquor/Beer Licenses	Seven (7) Years
	Notices	Seven (7) Years
	Minutes	Seven (7) Years except official minutes
	Ordinances (Rescinded)	Seven (7) Years
	Various election records listed in s. 7.23 will be followed	
	E-Mails (That are official record)	Seven(7) Years ** (by Ordinance)

**** All E-Mails will be stored on Town PC/Flash Drive and/or by Hard Copy.**

Section VI- Records Not to be Destroyed

The following records may not be destroyed at any time:

All Property Tax Records & Deeds & land records

Minutes of Town (Official)

Original copies of resolutions

Information about municipal highways

Assessment rolls.

Court Records

Legal opinions of the municipal attorney

Ordinances (Currently In Effect)

Any other records deemed essential by Clerk (Custodian of Records)

CT Report (Form C)

Section VII- State Historical Society Notification

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

Section VIII- Penalty Provisions

The Town of Dayton will not have a penalty provision in our ordinance as we do not have a way to enforce it. This was discussed with our WTA Attorneys.

Section IX- Severability

If any provision of the ordinance or its application to any persons 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 X- Effective Date

This ordinance is effective upon approval of Wisconsin Records Board and final approval of the Dayton Town Board.

This ordinance is then 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 administration rules.

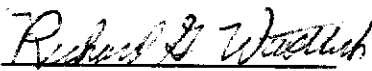
The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wisconsin Stats.

Adopted this 13 day of March 2013

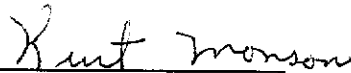
Filed this 21st of March 2013

Town of Dayton

Richard Wastlick
Chairman



Kurt Monson
Supervisor



James Lingel
Supervisor

