

## ORDINANCE NO. 558

### An Ordinance of the Municipal Code of the City of Kiel Creating Chapter 27 - Records Retention and Repealing and Renumbering Part of Chapter 3 - Finance and Taxation

The Common Council for the City of Kiel do ordain as follows:

SECTION 1: Chapter 27 is now created to read as follows:

**27.01 GENERAL PROVISION.** Under §19.21 (4)(a), municipalities shall notify the State Historical Society of Wisconsin (SHSW) prior to destroying records.

(1) Retention Period. Refers to the time that the identified records must be kept until destruction.

(2) Authority. Source which specifies the period of time for retaining records.

WMRM	Wisconsin State Municipal Records Manual
§	State Statutes
SCR	Supreme Court Rule
PSC	Public Service Commission
NR	Natural Resources

(3) SHSW notice refers to whether or not the State Historical Society of Wisconsin has waived the required statutory notification prior to destruction of records.

W	(waived) means records are not historical and the required 60-day notification is waived.
N	(nonwaived) means the records may have secondary historical value and therefore SHSW notification is required on a case-by-case basis prior to destruction.
N/A	Means not applicable and refers to those circumstances where a local unit of government is retaining a record permanently.

**27.02 RETENTION SCHEDULES.**

(1) ELECTED OFFICIALS. The following public records may be destroyed after the expiration of the designated retention period:

Records	Period of Retention	Authority	SHSW Notice
All records in their possession unless delegated in writing to the Town Clerk or his/her designee	1 year following termination of term	§19.33(1)	N

(2) CLERK'S OFFICE RECORDS. The following public records may be destroyed after the expiration of the designated retention period:

<b>Records</b>	<b>Period of Retention</b>	<b>Authority</b>	<b>SHSW Notice</b>
Meeting Agenda	7 years	WMRM	W
Minutes Books	Permanent	WMRM	N/A
Audio Tapes	90 days if made solely for the purpose of drafting the minutes	WMRM and §19.21(7)	W
Ordinances	Permanent	WMRM	N/A
Resolutions	Permanent	WMRM	N/A
Municipal Code	Permanent	WMRM	N/A
Affidavits of Publication	3 Years	WMRM	W
Affidavits of Publication for ordinances and resolutions for budget amendments	Permanent	WMRM	N/A
Claims	7 Years		W
Lawsuits	Permanent		N/A
Insurance Policies and Certifications of Insurance	Permanent		N/A
Oaths of Office	7 Years after term of oath ends	WMRM	W
Title Insurance Policies	Permanent	WMRM	N/A
Easements	Permanent	WMRM	N/A
Leases	7 years following termination of lease	WMRM	W
Liquor and beer applications and licenses	4 Years	§125.04 (3)(i)	W
Other applications and licenses/permits issued by Town Clerk	4 Years	WMRM	W
Dog license reports to County Clerk	7 Years	WMRM	W
Proceedings of Board of Review on audio tapes or as stenographic notes, including transcriptions	7 Years (after final action by board of review or completion of appeal)	§70.47(8)(f)	W
Notice of determinations of the Board of Review	7 Years (after final action by board of review or completion of appeal)	§70.47(8)(f)	W
Legal Opinions	Permanent	WMRM	N/A
Contracts	7 Years	WMRM	W

(3) ELECTION RECORDS. All materials and supplies associated with an election may be destroyed according to the following schedule, unless there is a recount or litigation pending with respect to the election:

<b>Records</b>	<b>Period of Retention</b>	<b>Authority</b>	<b>SHSW Notice</b>
Unused ballots and materials	3 business days after the canvass is completed	§7.23(a)	W
Voter serial number slips	3 business days after the canvass is completed	§7.23(a)	W
Ballots (state, county, local)	30 Days after the election	§7.23(h)	W
Ballots (federal offices)****	EVT (22 months after election)	§7.23(f)	W
Application for absentee ballots	90 Days after the election (22 months after the election for federal offices)	§7.23(k) §7.23(f)	W
Forms associated with election such as tally sheets, inspector's statements, and nomination papers	90 Days after the election (22 months after the election for federal offices)	§7.23(k) §7.23(f)	W
Official canvass statements	10 Years after the election	§7.23(i)	W
Registration and poll lists- Nonpartisan primaries and election	2 Years after the election in which they were created for	§7.23(e)	W
Registration and poll lists- Partisan primaries and general elections	4 Years after the election	§7.23(e)	W
Cancelled registration cards	4 Years after cancellation	§7.23(c)	W
Election notices	1 Year after the election (22 months for federal election)	§7.23(i) §7.23(f)	W
Proofs of publication and correspondence relative to publications	1 Year after the election (22 months for federal election)	§7.23(i) §7.23(f)	W
Campaign registration statement	6 Years after termination by the registrant	§7.23(d)	W
Campaign finance reports	6 Years after the date of receipt	§7.23(d)	W

\*\*\*\* Federal offices are President of the United States, U.S. Senator, and Congress

(4) FINANCE RECORDS. The following public records may be destroyed after the expiration of the designated retention period:

<b>Records</b>	<b>Period of Retention</b>	<b>Authority</b>	<b>SHSW Notice</b>
Bank statements, deposit books, slips, and stubs	7 years	WMRM	W
Bonds and/or coupons	7 Years after maturity	WMRM	W
Employment Records	7 Years following termination	WMRM	W
Applications for employment and resumes of persons not hired	7 Years		W
Receipt forms	7 Years	WMRM	W
Special assessment records	7 Years	WMRM	W
Tax levy certification of the school district clerk	3 Years (after audited)	WMRM	W
Certificates of apportionment	3 Years (after audited)	WMRM	W
State shared aid payment notices	6 Years (after audited)	WMRM	W
Final worksheet for determining allowable levy	5 Years (after audited)	WMRM	W
Statement of Taxes	Permanent	WMRM	N/A
Statement of new special assessments	5 Years (after audited)	WMRM	W
Statement of new sewer service charges	5 Years (after audited)	WMRM	W
General property tax credit certification	5 Years (after audited)	WMRM	W
Explanation of property tax credit certification	5 Years (after audited)	WMRM	W
Real property tax roll	15 Years	WMRM	N
Personal property tax roll	15 Years	WMRM	N
Financial reports (other than annual reports)	7 Years	WMRM	W

(5) PUBLIC WORKS RELATED RECORDS. The following public records may be destroyed after the expiration of the designated retention period:

<b>Records</b>	<b>Period of Retention</b>	<b>Authority</b>	<b>SHSW Notice</b>
Notice to contractors	7 Years (after completion of project) 2 Years (unsuccessful bidders)	WMRM	W
Bid bond	7 Years (after completion of project) 2 Years (unsuccessful bidders)	WMRM	W
Bidders proof of responsibility	7 Years (after completion of project) 2 Years (unsuccessful bidders)	WMRM	W
Bids	7 Years (after completion of project) 2 Years (unsuccessful bidders)	WMRM	W
Bid tabulations	2 Years	WMRM	W
Performance bond	7 Years (after completion of project)	WMRM	W
Contract	7 Years (after completion of project)	WMRM	W
Street vacation and dedications	Permanent	WMRM	N/A
Benchmark books	Permanent	WMRM	N/A
Section corner monument logs	Permanent	WMRM	N/A
Water, Storm, and Sanitary Sewer Main maps	Permanent	WMRM	N/A

(6) ASSESSMENT RECORDS. The following documents may be destroyed after the expiration of the designated retention period:

<b>Records</b>	<b>Period of Retention</b>	<b>Authority</b>	<b>SHSW Notice</b>
Master property record folders	5 Years after life of structure	WMRM	W
Index to owners	Until superseded	WMRM	W
Wisconsin real estate transfer returns	5 Years after information is transferred to master property record folders	WMRM	W
Tax exemption reports	10 Years	WMRM	W
Notice of increased assessment	5 Years unless assessment is appealed, retain 7 years after final BOR action or appeal completion	WMRM	W
Assessor's final report supplement – real and personal property	5 Years	WMRM	W
Assessor's final report real and personal property	5 Years	WMRM	W
Certified survey maps	Permanent	WMRM	N/A
Final Subdivision plats	Permanent	WMRM	N/A
Annexation plats	Permanent	WMRM	N/A
Assessor's plats	Permanent	WMRM	N/A
Conditional use permits	Permanent	WMRM	N/A

(7) ENGINEERING RECORDS. The following public records may be destroyed after the expiration of the designated retention period:

<b>Records</b>	<b>Period of Retention</b>	<b>Authority</b>	<b>SHSW Notice</b>
Annual Reports	Permanent	WMRM	N/A
Field Notes	Permanent	WMRM	N/A
Benchmark books (horizontal and vertical survey control in SE Wis.)	Permanent	WMRM	N/A
Section of corner monument logs	Permanent	WMRM	N/A
Official city maps	Permanent	WMRM	N/A
Water, storm, and sanitary sewer main maps	Permanent	WMRM	N/A
Profile and grade books	Permanent	WMRM	N/A
Excavation plans and private utilities	Permanent	WMRM	N/A
Index to maps	Permanent	WMRM	N/A
Applications to permits	Permanent	WMRM	N/A
Asbuilts (Sewer and Water)	Permanent	WMRM	N/A
Structure plans for municipal buildings and bridges	Life of structure	WMRM	W
Permits for excavation of streets including private utility companies	3 Years	WMRM	W
Fuel usage reports	2 Years	WMRM	W
Heavy equipment and vehicle (maintenance records)	Life of equipment	WMRM	W
Vehicle maintenance histories	Life of vehicle	WMRM	W
Storm sewer maps	Until superseded by asbuilts	WMRM	W
Quarter section maps	Until superseded	WMRM	W

(8) BUILDING INSPECTION RECORDS. The following records may be destroyed after the expiration of the designated retention period:

<b>Records</b>	<b>Period of Retention</b>	<b>Authority</b>	<b>SHSW Notice</b>
Address file	Permanent	WMRM	N/A
Certificates of occupancy	Until superseded	WMRM	W
Energy calculation worksheets	3 Years	WMRM	W
State approved commercial building plans	4 Years	WMRM	W
Permit fee receipts	7 Years	WMRM	W
Permit Ledger	7 Years	WMRM	W
Quarter section maps, copies	Until superseded	WMRM	W
Building Plans	1 Year after built	Uniform Dwelling Code	W
Applications and permits	Permanent	WMRM	N/A
Code compliance inspection reports	Permanent	WMRM	N/A
Weights and measures field reports	3 Years	WMRM	W



(9) PARK RECORDS. The following public records may be destroyed after the expiration of the designated retention period:

<b>Records</b>	<b>Period of Retention</b>	<b>Authority</b>	<b>SHSW Notice</b>
Master park plan	Permanent	WMRM	N/A
Plats	Permanent	WMRM	N/A
Aerial photographs	Permanent	WMRM	N/A
Reservation requests	30 Days. If payment receipts are attached: 7 Years	WMRM	W
Master reservation book	2 Years	WMRM	W

(10) PLANNING AND DEVELOPMENT DEPARTMENT RECORDS. The following public records may be destroyed after the expiration of the designated retention period:

<b>Records</b>	<b>Period of Retention</b>	<b>Authority</b>	<b>SHSW Notice</b>
Comprehensive master plan	Permanent	WMRM	N/A
Neighborhood plans	7 Years	WMRM	W
Storm water plans	7 Years	WMRM	W
Design manual and guides	7 Years	WMRM	W

(11) COURT RECORDS.

(a) Responsibility: You have the ultimate responsibility of maintaining court records, but you may delegate much of the actual recordkeeping duties to a clerk or assistant. (755.11) (19.33) (1)

(b) Types of Records: Records means all of the records subject to Supreme Court Rule 72 and includes both paper and non-paper records, such as emails and audio recordings. (755.001) (3)

(c) A record must be maintained and include all information listed in §800.11. You may use the back of the citation or you can create your own recordkeeping form provided it contains all the legally required information.

<b>Description:</b>	<b>Retention Period:</b>	<b>Authority:</b>
Records	5 Years after the entry of final judgment	Page 2-A for relevant Supreme Court Rules SCR 72.01 (24a), (24m)
Audio Recordings	10 Years	SCR 72.01 (47)
Exhibits	1 Year after the time for appeal has expired and the party who submitted the exhibit must be offered the return of the exhibit	
Ant records defined as confidential by rule or statute such as: non-traffic juvenile records	Must be destroyed by shredding, burning, or other means that will obliterate the record	SCR 72.02 (2)

**\*\*\*Court records should be kept in certain areas**

(12) ELECTRIC, WATER AND SEWER UTILITY RECORDS. Kiel Utilities adopts the Wisconsin Public Service Commission Records Retention Regulations for Electric, Natural Gas, and Water Utilities retention schedule for utility records.

(13) POLICE RECORDS.

(a) *Purpose.* The purpose of this section is to establish records retention schedules for police records and authorize destruction of police records pursuant to the schedule on an annual basis. Records custodians do not have the authority to destroy records prior to the established retention period unless such records have been photographically or electronically reproduced as original records pursuant to Wis. Stats. § 16.61(7) and under this section.

(b) *Destruction after request for inspection.* No requested record may be destroyed until after the request is granted or 60 days after the request is denied. If an action is to commence under Wis. Stats. § 19.37, the requested record may not be destroyed until a court order is issued and all appeals have been completed.

(c) *Destruction pending litigation.* No record subject to pending litigation shall be destroyed until the litigation has been resolved.

(d) *Microfilming records.* Any police department records can be kept on microfilm provided the applicable standards established in Wis. Stats. § 16.61(7) are met. Factors such as retention periods and estimated costs and benefits of converting records between different medias should be considered in deciding whether or not to microfilm. The retention periods identified in this article apply to records in any media.

(e) *Electronic records.* Any Police Department records may be kept on an electronic content management (ECM) software, provided the applicable standards established in § 16.61(7), Wis. Stats., are met. Factors, such as retention periods and estimated costs and benefits of converting records between different media, should be considered in deciding whether or not to digitize. The retention periods identified in this section apply to electronic records

<b>Description:</b>	<b>Retention Period:</b>	<b>SHSW Notice:</b>
Video recordings of patrol activities	CR + 120 days	W
Personnel files	7 years following end of employment	W
Department employee schedules	EVT + 7 years	W
Incident and arrest reports, including supporting documents	PERMANENT	N/A
Parking violations	EVT + 1 year	W

Municipal ordinance citations	EVT + 8 years	W
Uniform traffic citations	EVT + 8 years	W
Traffic accident reports	EVT + 8 years	W
Written warnings and false alarm notices	EVT + 1 year	W
Memorandums	CR + 7 Years	W
Purchase orders	EVT + 7 years	W
Bicycle licenses	EVT + 3 years	W
Administrative reports and statistics	CR + 7 years	W
Property inventory reports	EVT (until superseded)	W
Police department office logs	CR + 8 years	W
Patrol officer logs	CR + 8 years	W
Vehicle maintenance records	EVT (life of vehicle)	W

(14) ALL OTHER RECORDS. Public records not identified in this Records Retention Schedule shall be retained seven (7) years in accordance with §19.21(5)(c), Wisconsin State Statutes, and Chapter 27 of the City of Kiel Municipal Code of the City of Kiel and may then be destroyed subject to SWHS authorization.

**SECTION 2:** Chapter 3 Finance and Taxation of the City of Kiel Municipal Code is repealed and recreated as follows:

**3.08 DESTRUCTION OF PUBLIC RECORDS.**

~~(1) FINANCIAL RECORDS. The officers may destroy the following nonutility records under their jurisdiction after the completion of an audit by State auditors or an auditor licensed under Chapter 442, Wis. Stats., but not less than 7 years after payment or receipt of the sum involved in the applicable transaction:~~

~~(a) Bank statements, deposit books, slips and stubs.~~

~~(b) Bonds and coupons after maturity.~~

~~(c) Canceled checks, duplicates and check stubs.~~

~~(d) License and permit applications, stubs and duplicates.~~

~~(e) Payroll and other time and employment records of personnel included under the Wisconsin Retirement System.~~

~~(f) Receipt funds.~~

~~(g) Special assessment records.~~

~~(h) Vouchers, requisitions, purchase orders and all other supporting documents pertaining thereto.~~

~~(2) UTILITY RECORDS. Officers are empowered to destroy the following records of municipal utilities subject to regulation by the State Public Service Commission and after an audit as provided above, but not less than 2 years after payment or receipt of the sum involved in the applicable transaction:~~

- ~~(a) Water, sewer, electrical stubs and receipts of current billings.~~
- ~~(b) Customers' ledgers.~~
- ~~(c) Vouchers and supporting documents pertaining to charges not included in plant accounts.~~
- ~~(d) Other utility records after 7 years with the written approval of the State Public Service Commission.~~

~~(3) OTHER RECORDS. Officers may destroy the following records, but not less than 7 years after the record was effective:~~

- ~~(a) Assessment rolls and related records, including Board of Review minutes.~~
- ~~(b) Contracts and papers relating thereto.~~
- ~~(c) Correspondence and communications.~~
- ~~(d) Financial reports other than annual financial reports.~~
- ~~(e) Insurance policies.~~
- ~~(f) Municipal Court dockets.~~
- ~~(g) Oaths of office.~~
- ~~(h) Reports of boards, commissions, committees and officials duplicated in the official minutes.~~
- ~~(i) Resolutions and petitions.~~
- ~~(j) Voter record cards.~~

~~(4) NOTICE REQUIRED. Prior to the destruction of any public record described above, at least 60 days' notice shall be given the State Historical Society.~~

**3.08 FACSIMILE SIGNATURES.** The Mayor, Administrator and Treasurer may affix their facsimile signatures in lieu of their personal signatures on all orders, checks, drafts and order checks and receipts of the City pursuant to Section 66.0607(3), Wis. Stats.

### 3.09 SPECIAL ASSESSMENT PROCEDURES.

(1) In addition to other methods provided by law, special assessments for any public work or improvement or any current service may be levied in accordance with the provisions of this ordinance.

(a) Whenever the governing body shall determine that any public work or improvement or any current service shall be financed in whole or in part by special assessments levied under this ordinance, it shall adopt a resolution specifying this intention and the time, either before or after completion of the work or improvement, when the amount of the assessments will be determined and levied, the number of annual installments, if any, in which assessments may be paid, the rate of interest to be charged on the unpaid balance and the terms on which any of the assessments may be deferred while no use of the improvement is made in connection with the property.

(b) The provisions of §66.0703, Stats., shall apply to special assessments levied under this ordinance except that, when the governing body determines by resolution that the hearing on the assessments be held subsequent to the completion of the work or improvement or the rendering of the service, the report required by §66.0703(4), Stats., shall contain a statement of the final cost of the work, service, or improvement in lieu of an estimate of the cost.

(c) Notice of the time and place of the public hearing on any special assessment proposed to be levied and notice of the final assessment and terms of payment thereof shall be given in the manner prescribed by §66.0703(7) and (8)(d), Stats.

(d) Any special assessment levied under this ordinance shall be a lien against the property assessed from the date of the final resolution of the governing body determining the amount of the levy.

(e) Any person against whose property a special assessment is levied under this ordinance may appeal therefrom in the manner prescribed by §66.0703(12), Stats., within 40 days of the date of the final determination of the governing body.

SECTION 3: This ordinance shall take effect upon passage and publication in accordance of law.

Ordinance No. 558 introduced on January 15, 2019 by Alderperson \_\_\_\_\_, seconded by Alderperson \_\_\_\_\_.

Upon a call of votes thereof, the result was as follows:

\_\_\_\_\_ Votes Cast  
\_\_\_\_\_ Votes Aye  
\_\_\_\_\_ Votes Nay

The Mayor declared Ordinance No. 558 introduced and approved this 15 day of January, 2019.

\_\_\_\_\_  
MICHAEL STEINHARDT, Mayor

COUNTERSIGNED:

\_\_\_\_\_  
JAMIE J. AULIK, City Administrator