

TOWN OF GULL LAKE
ORDINANCE #108
DESTRUCTION OF OBSOLETE RECORDS

I. Purpose

The purpose of this ordinance is to establish a town records retention schedule and authorize destruction of town records pursuant to the schedule on an annual basis. Records custodians may destroy a record prior to the time set forth in the schedule only if such a record has been photographically reproduced as an original record or converted to optical disk format pursuant to s.16.61(7) WI Statute.

Any record not covered by this ordinance or any regulation or law shall be retained 7 years unless the record is added by amendment into the ordinance and the shorter time period approved by the state Public Records and Forms Board.

II. Definitions

“Record” has the meaning defined in Section 19.32(2), WI Statute.

“Legal Custodian” means the individual responsible for maintaining records pursuant to Section 19.33, WI Statute.

III. General Provisions

A. Historical Records—Notification to State Historical Society of Wisconsin

Under 19.21 (4) (a), municipalities must notify the State Historical Society of Wisconsin (SHSW) prior to destroying records. However, the SHSW has waived the required statutory 60 day notice for any record designated in the retention schedule with “Waived” (waived notice). THE SHSW must be notified prior to destruction of any record designated with “Notify” (not waived). “N/A” indicates not applicable and applies to any record designated for permanent retention with the original custodian. Notice to the SHSW is also required for any record not listed in this ordinance.

B. Destruction after Request for Inspection

No requested records may be destroyed until after the request is granted or 60 days after the request is denied. If an action is commenced under Section 19.37 WI Statutes, the requested record may not be destroyed until after a court order is issued and all appeals have been completed. See 19.35(5) WI Statutes.

C. Destruction Pending Litigation

No record subject to pending litigation shall be destroyed until the litigation is resolved.

IV. Records Retention Schedule (attach the schedule)

Legend: Terms and abbreviations used in the Records Retention Schedule

Retention Period: refers to the time that the identified records must be kept until destruction.

FIS: stands for current fiscal year and the additional amount of time as indicated.

Authority: refers to any specific statutory, administrative rule, or specific regulation that determines retention of the record. In most cases this will be blank because units of government have discretion to establish a time period.

SHSW Notification: Refers to whether or not a town must notify the State Historical Society of Wisconsin of its intention to destroy records.

W=Waived, means that the required notification has been waived.

N=Notify, means that notification by the local unit of government is required.

N/A=Not applicable, records have been designated for permanent retention by the local unit of government (custodian).

Date:

Chairperson:

Supervisor:

Supervisor:

Attest by Town Clerk:

Date of Posting: