

**TOWN OF BAYFIELD**  
**Bayfield County – Wisconsin**

**ORDINANCE 2005-09**

**An Ordinance for the Destruction of Obsolete Records**

**SECTION I – TITLE/PURPOSE**

This ordinance is entitled the Town of Bayfield Destruction of Obsolete Records Ordinance. The purpose of this ordinance is to provide the town officers of the Town of Bayfield with the authority to destroy certain obsolete public records in possession of the Town of Bayfield. This ordinance rescinds Ordinance 90-02 adopted May 21, 1990.

**SECTION II – AUTHORITY**

The town board of the Town of Bayfield, Bayfield 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 Bayfield.

**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 Bayfield to manage and destroy obsolete public records in the possession of the Town of Bayfield.

**SECTION IV – FINANCIAL RECORDS**

The Town of Bayfield town officers, pursuant to s. 19.21, (5) Wis. stats., noted in this ordinance may destroy the financial non-utility records of which they are the legal custodians and that are considered obsolete:

Records such as statements, bills, receipts, time sheets and similar items may be destroyed after seven (7) years.

Tape recordings of meetings may be destroyed after 90 days from the approval of the minutes.

**SECTION V – UTILITY RECORDS**

The Town of Bayfield town officers, pursuant to s. 19.21 (5), Wis. stats., noted in this ordinance may destroy the following utility records of which they are the legal custodians and that are considered obsolete:

None

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**SECTION VI – OTHER RECORDS**

The Town of Bayfield 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:

All other records may be destroyed after seven (7) years with the exception of minutes, ordinance and resolution books, journals, ledgers, and maps.

#### SECTION VII – HISTORICAL SOCIETY NOTIFICATION

Prior to the destruction of any public record described in Sections IV, VI, or VII, at least 60 days notice in writing shall be given the State Historical Society of Wisconsin and the Town of Bayfield History Committee or its successor.

#### SECTION VIII – 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 as established by Town Board resolution, 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 IX – 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 X – 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 s. 60.80, Wis. stats.

### **ORDINANCE 2005-09**

#### **An Ordinance for the Destruction of Obsolete Records**

Adopted this 18 day of April 2005.

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Tom Gordon, Chair

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Gerald L. Carlson, Supervisor

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James Erickson, Supervisor

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Richard C. Compton, Supervisor

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William Ferraro, Supervisor

THIS IS TO CERTIFY THAT the foregoing is a true and correct copy of a resolution duly and legally adopted by the TOWN OF BAYFIELD at a regular meeting held on the 18th day of April, 2005.

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David L. Good, Clerk

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