

OPEN RECORDS LAW REQUESTS

Ordinance

Town of Delta

Ordinance Number 2026-02

Bayfield County, Wisconsin

AN ORDINANCE PERTAINING TO OPEN RECORDS LAW REQUESTS

SECTION 1: PURPOSE

The purpose of this Ordinance is to ensure that the Town of Delta complies with the Wisconsin Public Records Law (Wis. Stat. §§ 19.31–19.39), and promotes transparency in government by establishing a uniform procedure for responding to public records requests.

SECTION 2: DEFINITIONS

a. "Public Record" means any record, as defined in Wis. Stat. § 19.32(2), that is created or received by the Town of Delta in connection with the transaction of public business. This can be any writing, recording, or electronic data that is prepared, owned, used, or retained by the Town in the course of official business, subject to any exemptions under applicable state or federal law.

b. "Requestor" means any individual, organization, or entity that submits a request to inspect or obtain a copy of public records.

c. "Records Custodian" means the Town Clerk or their designee, responsible for overseeing compliance with public records requests.

SECTION 3: SUBMITTING A REQUEST

a. Method of Submission

Requests for public records may be submitted in person, by mail, by email, orally, or through the Town's designated online portal. The request should be directed to the Records Custodian.

- a. Requests may be submitted in writing, by email, or orally, though written requests are encouraged for clarity.

- b. Requests must reasonably describe the record(s) sought with as much detail and specificity as possible.
- c. Requests should be addressed to:

*Town Clerk
15990 County Hwy H
Mason, WI 54856*

deltatown@cheqnet.net

Phone Number available on the town's website.

b. Form of Request

While a request need not be submitted on a specific form, the Town encourages use of the "Open Records Request Form" available at the Town Hall and on the Town website. The request must:

- Clearly identify the specific records being requested.
- Include the name and contact information of the requestor (anonymous requests are permissible).
- State whether the requester seeks inspection, copies (printed or electronic), or both.

SECTION 4: RESPONSE TO REQUESTS

a. Acknowledgment

The Records Custodian shall acknowledge receipt of the request within **three (3) business days** and provide an estimated timeframe for response.

b. Timeframe

The Town shall respond to open records requests within **ten (10) business days**, unless otherwise permitted by law. If additional time is required, the requestor shall be notified with an explanation and a revised estimate.

c. Denial of Request

If the requested records are exempt from disclosure, in whole or in part, the Town shall provide a written explanation citing the applicable exemption.

SECTION 5: FEES

a. Inspection

There is no charge for the inspection of records at Town facilities during published inspection hours or by a pre-arranged time set with the Records Custodian.

b. Copies

Fees for copies shall be as follows:

- **Paper copies (8.5" x 11" or 8.5" x 14" or 8.5" x 17):** Black and White - \$0.25 per page, Color - \$1.00 per page.
- **Larger paper sizes:** Actual cost of reproduction
- **Electronic records (email or file transfer):** No fee, unless retrieval or redaction time exceeds threshold (see subsection d)
- **CD/DVD/Flash Drive** (if required): Actual cost of media

c. Certification of Records

If certification of records is requested, a charge of **\$2.00 per document** shall apply.

d. Labor Costs

If the request requires an estimate of more than **one hour** of staff time to search, retrieve, redact, or reproduce records, the Town shall charge **\$25/hr**, prorated to the actual time spent.

e. Deposit

If the estimated cost of fulfilling a request exceeds **\$50.00**, the Town shall require a deposit of the estimated cost before processing. The total cost of fulfilling the request must be paid before delivery of the requested documents.

SECTION 6: APPEALS

A requestor, who believes their request was improperly denied or fees were excessive, may appeal in writing to the Town Board within **ten (10) business days** of the denial or issuance of fees. The Town shall respond within **ten (10) business days** of receipt of the appeal.

SECTION 7: SEVERABILITY

If any section, clause, or provision of this Ordinance is declared invalid or unconstitutional, the remaining provisions shall remain in full force and effect.

SECTION 8: EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication as required by law.

PASSED AND APPROVED, by the Town Board of the Town of Delta, Wisconsin, this 18th day of August, 2026.

Franki Gross

Chairman

Town of Delta

ATTEST:

Lindsay Dykstra

Town Clerk

Town of Delta

TOWN OF DELTA, WISCONSIN PUBLIC RECORDS REQUEST FORM

Date of Request: _____

REQUESTOR INFORMATION

Name: _____

Organization (if applicable): _____

Mailing Address: _____

City, State, Zip: _____

Phone Number: _____

Email Address: _____

RECORD(S) REQUESTED

Please describe the records you are requesting with as much specificity as possible, including dates, subjects, titles, or record numbers if known:

[illegible]

FORMAT REQUESTED

Please indicate your preferred format for receiving the requested records:

- ☐ Paper copies
- ☐ Electronic copies (if available)
- ☐ Inspection only (no copies)
- ☐ Other (please specify): _____

FEE INFORMATION

I understand that I may be charged fees for copying and/or locating records in accordance with Town Ordinance No. 2026-02 as follows:

- Paper copies (8.5" x 11" or 8.5" x 14" or 8.5" x 17)
 - Black and White - \$0.25 per page
 - Color - \$1.00 per page.
- Larger paper sizes: Actual cost of reproduction
- Location fees: Actual cost if estimated exceeds \$25.00 - (25.00 per hour)
- Mailing/shipping: Actual cost
- Electronic media: Actual cost of storage media
- Other reproduction costs: Actual cost

ACKNOWLEDGMENT

I understand that:

- Prepayment shall be required if estimated costs exceed \$25
- A 50% deposit shall be required if estimated costs exceed \$50
- The Town will respond to this request per the Town Ordinance Number XX.
- Some records may be exempt from disclosure under Wisconsin law

Signature: _____ **Date:** _____

FOR OFFICE USE ONLY

Date Request Received: _____ Time: _____

Received by: _____

Request Status:

- ☐ Approved
- ☐ Partially Approved (with redactions)
- ☐ Denied
- ☐ No Responsive Records Found

Reason for denial or partial denial (if applicable): _____

Date response provided: _____

FEES CALCULATION

Number of pages: _____ × \$ _____ per page = \$ _____

Location time: _____ hours × \$25 per hour = \$ _____

Other costs (specify): _____ = \$ _____

Postage/shipping: _____ = \$ _____

TOTAL FEES: \$ _____Prepayment required? ☐ Yes ☐ No Amount received: \$ _____

Town Employee completing request: _____

Notes: _____
