

# **TOWN OF FOUNTAIN PRAIRIE ORDINANCE NO. 08-08**

## **CHAPTER 7 - DESTRUCTION OF OBSOLETE RECORDS**

### **SECTION I – TITLE AND PURPOSE**

This ordinance is entitled the Town of Fountain Prairie Destruction of Obsolete Records Ordinance. The purpose of this ordinance is to provide the Town Officers of the Town of Fountain Prairie with the authority to destroy certain obsolete public records in possession of the Town of Fountain Prairie.

### **SECTION II – AUTHORITY**

The Town Board of the Town of Fountain Prairie, Columbia County, Wisconsin, has the specific authority under s.19.21 (4), WI Statutes to manage and destroy obsolete public records in the possession of the Town of Fountain Prairie.

### **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 Fountain Prairie to manage and destroy obsolete public records in the possession of the Town of Fountain Prairie.

### **SECTION IV – FINANCIAL RECORDS**

The following Town of Fountain Prairie Town officers, pursuant to s. 19.21 (5), WI Statutes, may destroy the financial records of which they are the legal custodians and that are considered obsolete as provided below:

Town Chairman - Financial Records held for more than seven (7) years.

Town Clerk/Treasurer – Financial Records held for more than seven (7) years.

### **SECTION V – OTHER RECORDS**

The Town of Fountain Prairie Town officers, pursuant to s.19.21 (5), WI statutes, may destroy other records of which they are the legal custodians and that are considered obsolete:

Town Chairman and Town Clerk/Treasurer – Other Records in accordance with State Statutes.

## SECTION VI – HISTORICAL SOCIETY NOTIFICATION

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

## SECTION VII – 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 of not less than \$50.00 nor more than \$500.00, plus the applicable surcharges, assessments and costs for each violation. Each day a violation exists or continues constitutes 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 VIII – 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 IX – EFFECTIVE DATE, CONSTRUCTION

This ordinance is effective upon publication and adoption by the Town Board.

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 publish this ordinance as required under s. 60.80, WI Statutes.

Adopted this thirteenth day of November, 2008

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Steven D. Rubert, Chairman

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Carl T. Benck, Supervisor

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Steven R. Jacob, Supervisor

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William Gretzinger, Supervisor

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David L. Liebenthal, Supervisor