

ORDINANCE NO. 21-1

RECORDS RETENTION ORDINANCE

An Ordinance renumbering Section 2.26 to 2.24, creating Section 2.26 and repealing Section 2.27 of the Ozaukee County Code of Ordinances pertaining to Records Retention.

The County Board of Supervisors of the County of Ozaukee does ordain that Sections 2.24, 2.26 and 2.27 of the Ozaukee County Code of Ordinances be renumbered, created and repealed as follows:

~~2.26~~2.24 FEES FOR COPIES AND SERVICES

2.25 LEGAL CUSTODIAN OF PUBLIC RECORDS

2.26 RECORDS RETENTION

(1) The provisions of this section are applicable to all records, defined by Section 19.32 (2) of the Wisconsin Statutes, within the possession of an authority, defined by s. 19.32 (1) of the Wisconsin Statutes.

(2) The County Records Retention/Disposition Schedules created and maintained by the Wisconsin Public Records Board are adopted as follows:

(a) Addendum A - County General Records Schedule,

(b) Addendum B - County Clerk Records Schedule,

(c) Addendum C - County Treasurer Records Schedule,

(d) Addendum D - Retention and Disposal of Court Records,

(e) Addendum E - Register of Deeds Records Schedule, and

(f) Addendum F - District Attorney Records Schedule.

(3) Records shall be preserved until the expiration of the retention period set forth in the applicable Schedule or the expiration of the retention period in Sections 7.23 or 59.52 (4) (a) of the Wisconsin Statutes or other applicable statutory period. Records not listed in the Schedules and for which no specific statutory retention period is prescribed must be retained for a minimum of 7 years, the default retention period in Section 19.21 (5)(c) of the Wisconsin Statutes.

(4) Prior to the destruction of any record a minimum 60 days notice, required by Section 19.21 (5)(d) of the Wisconsin Statutes, must be provided to the Wisconsin Historical Society (WHS) unless WHS has previously waived notice as indicated on the Schedules or elsewhere.

(5) If a request to inspect or copy a record has been made, the record may not be destroyed until the request is granted or the applicable time period in Section 19.35 (5) of the Wisconsin Statutes has expired.

(6) If a record is relevant to pending or potential litigation or the authority is aware that there is a distinct possibility litigation may be commenced, the record must be preserved until the pending or potential litigation has resolved or the applicable statute of limitations for commencing any action that the authority believes is distinctly possible has passed.

(7) Authorities may transfer or maintain records in optical disc or electronic storage if all requirements in Sections 16.612 and 59.52 (14) of the Wisconsin Statutes are complied with and original records so transferred or maintained may be destroyed consistent with Subsection (3).

~~2.27 — DESTRUCTION OF OBSOLETE RECORDS~~

~~(1) — Prior to the destruction of any obsolete public records, the legal custodian of such records shall make a written offer of such records to the State Historical Society. If such offer is not accepted within 60 days, a written offer of the records shall be made to the County Historical Society. If this offer is not accepted within 60 days, the records may be destroyed.~~

~~(2) — Authorization is granted to destroy obsolete Human Services Department records as follows:~~

~~(a) — Public assistance and social services records, as determined by the State Department of Health and Social Services, after the minimum holding period prescribed by the State Department.~~

~~(b) — County vouchers and original general purchase orders relative to general relief after the expiration of ten (10) years of the date thereof and after they have been audited.~~

~~(c) — Such other records no longer required for administration of the general relief program.~~

~~(3) — Authorization is granted to destroy or dispose of obsolete Human Services Department records as follows:~~

~~(a) — All department records shall be retained for the minimum period prescribed by applicable Wisconsin Administrative Code and federal regulations.~~

~~(b) — Obsolete records not required to be retained may be disposed of in the following manner:~~

~~1. — Alcohol and drug abuse treatment records shall be destroyed by department personnel pursuant to federal regulations.~~

~~2. — Other treatment and financial records shall be offered to the State Historical Society, pursuant to Wisconsin Statutes. If said records are not requested by said Society, they shall be destroyed by department personnel.~~

~~3. — The Finance Committee of the County Board shall be notified prior to the destruction of any financial records.~~

This Ordinance shall take effect upon enactment and publication.

Dated at Port Washington, Wisconsin, this 7th day of July 2021.

SUMMARY: Creation of a Records Retention Ordinance.

VOTE REQUIRED: Majority

EXECUTIVE COMMITTEE

RESULT: **APPROVED [UNANIMOUS]**

MOVER: M. Wolf, 2nd Vice- Chairperson

SECONDER: R. Nelson, Supervisor District 6

AYES: Schlenvogt, Melotik, Wolf, Geracie, Nelson, Jobs

EXCUSED: D. Korinek

Lee Schlenvogt

CHAIRPERSON - COUNTY BOARD

ORD. 21-1

Records Retention Ordinance

 **Passed By Majority Vote**

Winker		YES
Haas		YES
Jobs		YES
Schlenvogt		YES
Clark	S	YES
Nelson	M	YES
Becker		YES
Larson		YES
Grabow		YES
Melotik		YES
Wolf		YES
Richart		YES
Korinek		EXCUSED

Rishel		YES
Geracie		YES
Duecker		EXCUSED
Irish		YES
Wirth		YES
Ross		EXCUSED
Marchese		YES
Strom		YES
Holyoke		YES
Henrichs		YES
Braverman		YES
Read		YES
Minkel-Dumit		YES