

ORDINANCE 05172023

AN ORDINANCE TO REPEAL AND RECREATE 2.9.7 OF THE GENERAL CODE OF ORDINANCES, REGARDING THE DESTRUCTION OF RECORDS FOR THE TOWN OF BURKE, DANE COUNTY, WISCONSIN

The Town Board of Supervisors of the Town of BURKE, Dane County, Wisconsin, has specific authority under ss. 60.83 and ss. 19.21(4), Wis. Stats., to adopt an ordinance to address the management and destruction of public records.

The Wisconsin Public Records Board has prepared the Wisconsin Municipal and Related Records Schedule which may be adopted and utilized by Wisconsin municipal governments. The use of the Wisconsin Municipal and Related Records Schedule will provide legal custodian(s) of public records in the possession of the Town of Burke with the authority to retain and destroy those records pursuant to such schedule.

SECTION 1: *Destruction of Records.* Title 2 Chapter 9.7 is repealed and recreated as follows:

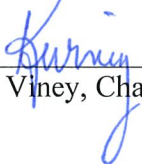
2-9-7 Adoption of Municipal Records Schedule; Retention and Destruction of Records

- (a) The Town of Burke adopts the General Records Schedule for Wisconsin Municipal and Related Records (“Wisconsin Municipal Records Schedule” or “WMRS”) promulgated by the Wisconsin Public Records Board. A copy of the currently effective WMRS shall be kept on file in the office of the Town Clerk. For records not specifically identified in the WMRS, the retention period shall be not less than 7 years after the record was effective.
- (b) When a record has met the terms of the retention period, the record may be destroyed by the legal custodian of the record, provided the custodian has complied with the notification requirement set forth in ss. 19.21(4), Wis. Stats., to the Wisconsin State Historical Society unless the State Historical Society has otherwise waived the notification requirement.
- (c) In the event of any conflict between the terms of this ordinance and any applicable state statute, the applicable state statute shall control.

SECTION 2: *Effective Date.* This ordinance shall take effect and be in force from and after its passage and publication as provided by law.

SECTION 3: *Severability and Conflict.* If any section or part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Adopted by the Town of Burke Board of Supervisors on May 17, 2023.



Kevin Viney, Chair

Attest: 

PJ Lentz, Clerk