

**Ordinance 2012 (10) - Ordinance for the destruction of obsolete records.**

**Any ordinances heretofore adopted by the town board on this subject are hereby repealed.**

STATE OF WISCONSIN  
Town of Pensaukee  
Oconto County

**SECTION I - TITLE AND PURPOSE**

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

**SECTION II - AUTHORITY**

The Town Board of the Town of Pensaukee, Oconto 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 Pensaukee.

**SECTION III - ADOPTION OF ORDINANCE**

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, authorizes the powers and establishes the duties of the town officers of the Town of Pensaukee to manage and destroy obsolete public records in the possession of the Town of Pensaukee.

**SECTION IV - FINANCIAL RECORDS**

The following Town of Pensaukee town officers, pursuant to s. [19.21 \(5\)](#), Wis. stats., may destroy the financial records, except utility records, of which they are the legal custodians and that are considered obsolete as provided below: Clerk and/or Treasurer

**SECTION V - UTILITY RECORDS**

The Town of Pensaukee town officers, pursuant to s. [19.21 \(5\)](#), Wis. stats., may destroy utility records of which they are the legal custodians and that are considered obsolete.

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**SECTION VI - OTHER RECORDS**

The Town of Pensaukee town officers, pursuant to s. [19.21 \(5\)](#), Wis. stats., may destroy other records of which they are the legal custodians and that are considered obsolete.


**SECTION VII - HISTORICAL SOCIETY NOTIFICATION**

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

## 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 of not less than \$10 nor more than \$25, 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 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.

Adopted this 10<sup>th</sup> day of July, 2012.

Dennis Clark

Jacki Nelis

Vernon Zoeller

Attest:

Joyce Stoegbauer