

TOWN OF BURNS
Ordinance #8-23-2011 #1

Ordinance for the Destruction of Obsolete Records

STATE OF WISCONSIN
Town of Burns
La Crosse County

Section I – Title and Purpose

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

Section II – Authority

The Town Board of the Town of Burns , La Crosse 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 Burns.

Section III – Adoption of Ordinance

This ordinance, adopted by the 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 Burns to manage and destroy obsolete public records in the possession of the Town of Burns.

Section IV – Financial and Utility Records

The following Town of Burns town officers, pursuant to s. 19.21 (5), Wis. Stats., may destroy financial records, of which they are the legal custodians and that are considered obsolete according to the guidelines provided below:

- The Wisconsin State Historical Society publication: Wisconsin Municipal Records Manual, (attachment A) and/or The Wisconsin Public Records Board Guidelines.

Section V – Other Records

The Town of Burns town officers, pursuant to s. 19.21 (5) Wis. Stats., may destroy the following records of which they are the legal custodians and that are considered obsolete according to the guidelines provided below:

- The Wisconsin State Historical Society publication: Wisconsin Municipal Records Manual, (attachment A) and/or The Wisconsin Public Records Board Guidelines.

Section VI – Historical Society Notification

Prior to the destruction of any public record described in Sections IV or V at least 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 by a State of Wisconsin court and the approval of the town board pay a forfeiture of not less than \$50 nor more than \$100, plus the applicable surcharges, assessments, and costs for each violation. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.

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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 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 of state administrative rules.

The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this 23rd day of August, 2011.

Town of Burns chairman, 
Town of Burns supervisor, 
Town of Burns supervisor, 
Attest: Town of Burns clerk, 