

TOWN OF LOMIRA
DODGE COUNTY

Chapter 3

Retention and Destruction of Town of Lomira Public Records

Section 1. Purpose

The purpose of this Ordinance is to:

- A. Establish a Town of Lomira Record Retention & Disposition Schedule.
- B. Provide the legal custodians of the Town of Lomira public records with the authority to destroy certain obsolete public records in the possession of the Town of Lomira in accordance with Wis. Stat. § 19.21(4).

Section 2. Definitions

- A. Record Retention & Disposition Schedule
The Wisconsin Municipal Records Schedule (WMRS), as approved by the Public Records Board on August 27, 2018, attached hereto and incorporated herein as Exhibit-Chapter 3, is hereby adopted by the Town of Lomira as the Town's official record retention schedule. Records not contained in the *WMRS* shall be retained according to the Public Records Board other *General Records Schedules* and their successor schedules.
- B. Legal Custodian. Each elected official is the legal custodian of his or her records and the records of his or her office as defined in Wis. Stat. § 19.33. The official may designate the Town Clerk to act as the legal custodian of his or her records.
- C. Records
The meaning as defined in Wis. Stat. §19.32(2). Documents and records of the Town of Lomira which have been created or transferred entirely to electronic or other approved alternate format shall be considered original and subject to State retention guidelines according to Wis. Stat. §19.21(4)(c).
- D. Disposition/Destruction. Physical destruction of obsolete records by shredding, burning, or in the case of electronic records, by deleting from a computer hard drive and reformatting or destroying the tape(s)/disk(s).
- E. SHSW. State Historical Society of Wisconsin.

Section 3. Provisions

A. Historical Society Notification

As required by Wis. Stat. §19.21(4)(a), the State Historical Society of Wisconsin shall be notified at least 60 day prior to the destruction of any records, unless waived according to the Wisconsin Municipal Records Schedule.

B. Destruction Pending Litigation.

No record subject to pending litigation shall be destroyed until the litigation is resolved and permission is obtained from the Town of Lomira's attorney.

Section 4. Adoption of Ordinance

This Ordinance, adopted by a majority of the Town Board of Lomira on a roll call vote with a quorum present and voting and property notice having been given, authorizes the powers and establishes the duties of the legal custodians of the Town of Lomira public records to manage, protect and destroy obsolete public records in the possession of the Town of Lomira.

Originally adopted – 4/12/2017

Amended by Ordinance No. 2019-01 -- 2/13/2019