

**TOWN OF KILDARE  
JUNEAU COUNTY, WISCONSIN**

**ORDINANCE NO. 27**

**AN ORDINANCE REGULATING THE RETENTION AND  
DESTRUCTION OF TOWN OF KILDARE PUBLIC RECORDS**

**Section 1 - Purpose**

The purpose of this ordinance is to establish a town records retention schedule and authorize destruction of town records pursuant to the schedule on an annual basis. Records custodians may destroy a record prior to the time set forth in the schedule only if such a record has been photographically reproduced as an original record or converted to optical disk format pursuant to s. 16.61(7), Wis. Stats.

Any record not covered by this ordinance or any regulation or law shall be retained seven (7) years in accordance with s. 19.21(4)(b), Wis. Stats., unless the record is added by amendment into this ordinance and the shorter time period approved by the State Public Records and Forms Board.

**Section 2 - Definitions**

**Disposition/Destruction.** Physical destruction of obsolete records by shredding or burning or, in the case of electronic records, by deleting from a computer hard drive and reformatting or destroying the tape(s)/disk(s).

**Legal Custodian.** In addition to the definition provided by s. 19.33, Wis. Stats., "Legal Custodian" shall include the individual responsible for maintaining public records pursuant to the Town of Kildare Public Records Policy, or as otherwise responsible by law to keep and preserve Town records or file, deposit or keep such records in his/her office, or is lawfully in possession or entitled to possession of such public records and who is required to respond to requests for access to such records.

**Record.** Any material on which written, drawn, printed, spoken, visual or electro-magnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. Record includes, but is not limited to, handwritten, typed or printed pages, books, papers, maps, charts, photographs, films, recordings, tapes (including computer tapes), optical disks, electronically formatted documents, computer printouts, or other documentary materials.

Record does not include duplicate copies of materials the original copies of which are in the custody of the Town's legal custodian and which are maintained only for convenience or reference; drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his/her office; materials to which access is limited by copyright, patent or bequest;

and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.

Retention and Disposition Schedule. A list of Town records, attached to and made a part of this Ordinance, which specifies the period of time the records must be kept until destruction and the method of disposition.

Section 3 – General Provisions

A. Historical Records – Notification to State Historical Society of Wisconsin. As required by s. 19.21(4)(a), Wis. Stats., the State Historical Society of Wisconsin (SHSW) shall be notified prior to destroying records, with the exception of any record designated “Waived” in the retention schedule **unless (1) the SHSW has waived the required statutory notice; or (2) the record is designated for permanent retention with the original custodian.**

B. Microfilming or Optical Imaging of Records. Public records may be kept and preserved through the use of microfilm or optical imaging, providing the microfilm or optical imaging meets applicable standards for microfilm specified by s. 16.61(7), Wis. Stats. and for optical imaging specified by s. 16.612, Wis. Stats.


C. Destruction After Request For Inspection. No requested records shall be destroyed until after the request is granted or sixty (60) days after the request is denied. If an action is commenced under s. 19.37, Wis. Stats., the requested record may not be destroyed until after a court order is issued and all appeals have been completed as required by s. 19.35(5), Wis. Stats.

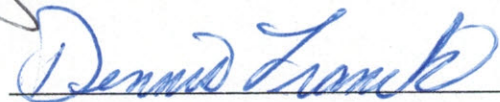
D. Destruction Pending Litigation. No record subject to pending litigation shall be destroyed until the litigation is resolved.

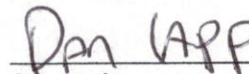
Section 4 – Effective Date

This Ordinance shall be in force and effect from and after its passage and publication as provided by law.

INTRODUCED AND ADOPTED by the Town Board of the Town of Kildare at a regular meeting held on the 23 day of July, 2008

  
6/19/08  
EXECUTIVE SECRETARY-PRB

  
Chairman

  
Supervisor

Attest:

  
Clerk

\_\_\_\_\_  
Supervisor

## TOWN OF KILDARE RECORDS RETENTION AND DISPOSITION SCHEDULE

### Legend

- 1 Period of Time is expressed in years unless specifically identified as days or months.
- 2 Retention Period refers to the minimum time that a particular records series must be kept prior to destruction.
  - a. EVT stands for event and refers to an occurrence that starts the retention period (e.g., contract completion).
  - b. FIS stands for current fiscal year and the additional amount of time as indicated.
- 3 Authority refers to any specific statutory, administrative rule or regulation that results in retention of a record.
  - a. Refers to a statute in the 2005-06 Wisconsin State Statutes.
  - b. WCTOPM stands for Wisconsin Treasurers' Office Procedural Manual.
  - c. WMIRM stands for Wisconsin Municipal Records Manual.
  - d. WPRB stands for Wisconsin Public Records Board.
- 4 SHSW Notification refers to whether or not the State Historical Society of Wisconsin must be notified of intention to destroy records.
  - a. Waived means that the required notification has been waived.
  - b. Notify means that notification is required.
  - c. N/A means that notification is not applicable because records have been designated for permanent retention by the original custodian.

**A. GENERAL/ADMINISTRATIVE RECORDS**

Record ID #	Brief Description	Retention Period/Disposition	Authority	SHSW Notify
1	Bonds (Treasurer & Clerk)	7 years after end of term/destroy	WMRM	waived
2	Census & Population Records	10 years/destroy	s. 16.96	notify
3	Contracts/Legal Agreements	EVT+7 years/destroy	WMRM	waived
4	Code of Ordinances	permanent	WMRM	N/A
5	Correspondence	7 years/destroy	s. 19.21(4)(b)	waived
6	Deeds (Town Roads)	permanent	WMRM	N/A
7	Equipment Warranties/Manuals	life of product or end of warranty/destroy	s. 19.21(4)(b)	waived
8	Historic Site Preservation Designations	permanent	s. 60.64	N/A
9	Ho-Chunk Nation Info/Correspondence	7 years	WMRM	notify
10	Insurance Policies/Certificates	7 years/destroy	s. 19.21(4)(b)	waived
11	Inventories, Property	until superseded/destroy	WMRM	waived
12	Mailing Lists	until superseded/destroy	s. 19.21(4)(b)	waived
13	Manuals/Procedures (Clerk, Board)	until superseded/destroy	s. 19.21(4)(b)	waived
14	Management Records	permanent	s. 19.21	N/A
14	Maps, Town	permanent	WMRM	N/A
15	Newsletters, Original (Town)	permanent	s. 19.21	N/A
16	Oaths of Office (Town Officials)	7 years after end of term/destroy	WMRM	waived
17	Office Supplies/Equipment	life of product/destroy	s. 19.21(4)(b)	waived
18	Official Minutes	permanent	WMRM	N/A
19	Ordinances	permanent	WMRM	N/A
20	Public Notices/Affidavits of Publication	7 years/destroy*	WMRM	waived
22	Reports, Miscellaneous	7 years/destroy	s. 19.21(4)(b)	waived
23	Resolutions	permanent	WMRM	N/A
24	Website Ad Agreements & Records	EVT+7 years/destroy	WMRM	waived
25	All Other Town Clerk Original Papers/Records	7 years/destroy	s. 19.21(4)(b)	waived

\*provided affidavits of publication of ordinances are maintained permanently with ordinance files

**B. LEGAL**

Record ID #	Brief Description	Retention Period/Disposition	Authority	SHSW Notify
1	Contracts/Agreements	EVT+7 years/destroy	WMRM	waived
2	Legal Opinions	permanent	WMRM	N/A
3	Litigation & Claim Records	7 years after closure/destroy	s. 19.21(4)(b)	waived
4	Workers' Comp & Liability Claims	7 years after closure/destroy	s. 19.21(4)(b)	waived

**C. PERSONNEL**

Record ID #	Brief Description	Retention Period/Disposition	Authority	SHSW Notify
1	Federal Tax Returns/Records/Wage & Tax Statements	FIS+6 years/destroy	WMRM	waived
2	OSHA Reports	7 years/destroy	s.19.21.4(b)	waived
3	Payroll Records	FIS+6 years/destroy	WMRM	waived
4	Social Security/Public Employees' Fund Records	7 years/destroy	s.40.05	waived
5	Timesheets, Employees'	FIS+6 years/destroy	WMRM	waived
6	Unemployment Compensation Reports/Records	7 years/destroy	s.108.20/108.205	waived
7	Workers' Comp Reports/Records	7 years/destroy	s. 102.37	waived
8	All Other Employee Records/Files	FIS+6 years/destroy	s.19.21(4)(b)	waived

**D. LICENSES AND PERMITS**

Record ID #	Brief Description	Retention Period/Disposition	Authority	SHSW Notify
1	Alcohol Licenses & Applications	7 years/destroy	WMRM	waived
2	All Other Licenses & Applications	7 years/destroy	WMRM	waived
3	Dog License Reports (for County)	7 years/destroy	WMRM	waived
4	Fireworks Permits	7 years/destroy	WMRM	waived

**E. HEALTH AND SAFETY**

Record ID #	Brief Description	Retention Period/Disposition	Authority	SHSW Notify
1	Animal Control Records	7 years/destroy	s.19.21(4)(b)	waived
2	Ambulance Assn Minutes/Correspondence	7 years/destroy	s.19.21(4)(b)	waived
3	Emergency Management Records/Correspondence	7 years/destroy	s.19.21(4)(b)	waived
4	Emergency Operations Plan (Town)	until superseded/destroy	s.19.21(4)(b)	waived
5	Fire Call Claims & Correspondence	7 years after closure/destroy	s.19.21(4)(b)	waived
6	Fire Contract	EVT+7 years/destroy	WMRM	waived
7	Fire Number/Sign Lists/Records	permanent	WMRM	N/A
8	Hazard Mitigation Plans (County)	until superseded/destroy	s.19.21(4)(b)	waived

**F. ELECTIONS**

Record ID #	Brief Description	Retention Period/Disposition	Authority	SHSW Notify
1	Absentee Voter Applications/Records	22 months after election/destroy	s.7.23(1)(f)/WMRM	waived
2	Ballots, Unused	30 days after election/destroy	s.7.23(1)(am)/WMRM	waived
3	Ballots, Used	22 months after election/destroy	WMRM	waived
4	Campaign Registration & Finance Statements	6 years/destroy	s.7.23(1)(d)	waived
5	Canvass Statements	permanent	7.23(1)(i)/WMRM	N/A
6	Election Worker Lists/Training	7 years/destroy	s.19.21(4)(b)	waived
7	Electronic Voting Equipment Agreement/Records	EVT+7/destroy	WMRM	waived
8	Electronic Voting Equipment Paper Tapes	22 months after election/destroy	WMRM	waived
9	Election Records other than Registration (Federal)	22 months after election/destroy	s.7.23(1)(f)/WMRM	waived
10	Election Records other than Registration (Local)	90 days after election/destroy	WMRM	waived
11	Oaths of Office (Election Officials)	7 years after end of term/destroy	WMRM	waived
12	Poll Lists, Nonpartisan Primary or Election	2 years after election/destroy	s.7.23(1)(e)/WMRM	waived
13	Poll Lists, Primary or Election	4 years after election/destroy	s.7.23(1)(e)/WMRM	waived
14	Polling Place Certification	permanent	s.5.25	N/A
15	Public Notices/Affidavits of Publication/Correspondence	1 year after election unless contested, then by court order	s.7.23(1)(j)/WMRM	waived
16	Tally Sheets	90 days after election (local)/22 months after election (federal)/destroy	s.7.23(1)(g)/WMRM	waived
17	Voter Registration Lists/Records, Active	permanent	WMRM	N/A
18	Voter Registration Lists/Records, Inactive	4 years after cancellation/destroy	s.7.23(1)(c) /WMRM	notify
19	All Other Election Materials	90 days after election/destroy	s.7.23(1)(k)/WMRM	waived

G. FINANCIAL

Record ID #	Brief Description	Retention Period/Disposition	Authority	SHSW Notify
1	Audit Reports (final)	permanent	WMRM	N/A
2	Balancing Reports	7 years/destroy	WPRB/WCTOPM	waived
3	Bank Credit/Debit Notices	7 years/destroy	WPRB/WCTOPM	waived
4	Bank Deposit Records	7 years/destroy	WMRM	waived
5	Bank Reconciliations	7 years/destroy	WPRB/WCTOPM	waived
6	Bank Statements	7 years/destroy	WPRB/WCTOPM	waived
7	Bills/Invoices	7 years/destroy	WMRM	waived
8	Budget, Original	permanent	WMRM	N/A
9	Budget Worksheets	7 years/destroy	WMRM	waived
10	Check Registers	7 years/destroy	WCTOPM	waived
11	Checks, Cancelled	7 years/destroy	WCTOPM	waived
12	Checks, Outstanding	7 years/destroy	WCTOPM	waived
13	Correspondence, Treasurer's	7 years/destroy	WPRB/WCTOPM	waived
14	Deposit Tickets/Books	7 years/destroy	WRPB/WCTOPM	waived
15	Financial Statements, Final	permanent	WMRM	N/A
16	Forest Land Aid/Withdrawal Tax Records	duration of order/contract; destroy 25 years after withdrawal*	s.77.80	notify <del>WAIVED</del>
17	General Ledger	15 years/destroy	WMRM	notify
18	Municipal Borrowing Records	7 years after debt retired/destroy	WMRM	waived
19	Receipts, General & Settlement	FIS+4 years/destroy	WMRM/WCTOPM	waived
20	Shared Revenue/Highway Aid & Other Aids	7 years after audit/destroy	WMRM	waived
21	Special Assessment Records (PC-506)	FIS+4 years/destroy	WPRB/WCTOPM	waived
22	Statements of Sewer Charges	FIS+4 years/destroy	WMRM	waived
23	Tax Calculation Records	FIS+4 years/destroy	WMRM	waived
24	Tax Collection Records	FIS+4 years/destroy	WMRM	waived
25	Tax Deeds/Foreclosures	15 years/destroy	WCTOPM	waived
26	Tax Receipts	15 years/destroy	WMRM/WCTOPM	waived
27	Tax Rolls, Real Property	transfer to county treasurer	WMRM	N/A
28	Tax Rolls, Personal Property	15 years/destroy	WMRM/WCTOPM	notify
29	Tax Settlement Statements	FIS+4 years/destroy	WMRM	waived
30	Voucher/Order Registers	15 years/destroy	WMRM	waived
31	All other receipts of town treasurer	FIS+4 years/destroy	WMRM	waived

\*Notify DOR prior to destruction

H. PUBLIC WORKS

Record ID #	Brief Description	Retention Period	Authority	SHSW Notify
1	Bids/Proposals/Correspondence/Bid Bonds/Proof of Responsibility, Successful	EVT+7 years/destroy	WMRM	waived
2	Bids/Proposals/Correspondence/Bid Bonds/Proof of Responsibility, Unsuccessful	2 years after bid opening/destroy	WMRM	waived
3	Bridge Reports/Plans	life of structure/destroy	WMRM	notify
4	Construction Plans for Public Buildings & Bridges	life of structure/destroy	WMRM	notify
5	Contracts	EVT+7 years/destroy	WMRM	waived
6	Driveway Permits	permanent	WMRM	N/A
7	FEMA Road Repair Records	25 years/destroy	WMRM	waived
8	Heavy Equipment Records	life of vehicle/destroy	WMRM	waived
9	Highway Matching Funds (County)	permanent	s.19.21(4)(b)	N/A
10	Landfill/Solid Waste Permits/Records (closed facility)	FIS+6 years/destroy	s.209.04/19.21(4)(b)	waived
11	Map, Town	permanent	WMRM	N/A
12	Private Utilities Excavation Plans/Permits	permanent	WMRM	waived
13	Purchase Orders/Records	FIS+6 years/destroy	WMRM	waived
14	Recycling Reports/Grant Applications	7 years/destroy	s.19.21(4)(b)	waived
15	Refuse Collection Reports/Correspondence	7 years/destroy	s.19.21(4)(b)	waived
16	Roads-LRIP/TRIP Projects	8 years/destroy	s. 86.31	waived
17	Road Maintenance/Repair Records	25 years/destroy	WMRM	waived
18	Road Mileage Certifications/CSMS	permanent		NA
19	Road Petitions & Records	permanent	s.82.10	N/A
20	Road Plat Records/Maps	permanent	WMRM	N/A
21	Road Vacations/Dedications	permanent	WMRM	N/A
22	Roads-WISLR Submissions	7 years/destroy	s. 86.302(2)	waived



**I. LAND USE/PLANNING/ZONING**

Record ID #	Brief Description	Retention Period/Disposition	Authority	SHSW Notify
1	Assessor's Plats	permanent	WMRM	N/A
2	Building Inspection Records	permanent	WMRM	N/A
3	Building Permit Applications/Permits/Records	permanent	s.60.61	N/A
4	Comprehensive Plan	until superseded/destroy	WMRM	notify
5	Farmland Preservation Maps/Plans	until superseded/destroy	s.91.13/91.63	notify
6	Fence Viewing Records	permanent	s.90.16	N/A
7	Housing Reports (State/Federal)	7 years/destroy	s.19.21(4)(b)	waived
8	Plan Commission Minutes/Records	permanent	WMRM	N/A
9	Planning Surveys/Responses	7 years/destroy	s.19.21(4)(b)	waived
10	Plats, Preliminary	until superseded with final/destroy	WMRM	waived
11	Plats, Final	permanent	WMRM	N/A
12	Sanitary Permits (County-issued)	permanent	s.145.135	N/A
13	Subdivision Plats/Correspondence/Records	permanent	WMRM	N/A
14	Survey Maps, Certified	permanent	WMRM	N/A
15	Vacation/Alteration of Plats	permanent	WMRM	N/A
16	Variance Applications/Approvals	permanent	WMRM	N/A

**J. REAL PROPERTY/PROPERTY ASSESSMENT**

Record ID #	Brief Description	Retention Period	Authority	SHSW Notify
1	Aerial Photographs	until superseded/destroy	WMRM	waived
2	Assessment Rolls, Final - Real Property	15 years/destroy*	s.1921(5)(a)	notify
3	Assessment Rolls, Final - Personal Property	15 years/destroy*	s.19.21(5)(a)	notify
4	Assessor Contracts/Correspondence	EVT +6 years/destroy	WMRM	waived
5	Assessor's Plats	permanent	s.70.27/WMRM	N/A
6	Assessor Reports	FIS+5 years/destroy	s.70.43/WMRM	waived
7	Board of Review Minutes	7 years after final action	s.70.47(8)(f)/WMRM	notify
8	Board of Review Records (all)	EVT+7 years; if appealed 7 years after final decision/destroy	s.70.47(8)(f)/WMRM	waived
9	Board of Review Taped Meeting Minutes	7 years after final action/destroy	s.70.47(8)(f)/WMRM	waived
10	Deeds	permanent	WMRM	N/A

\*If it contains forest land/crop acreage, obtain approval from DOR prior to destruction

**J. REAL PROPERTY/PROPERTY ASSESSMENT (CONT'D)**

Record ID #	Brief Description	Retention Period/Disposition	Authority	SHSW Notify
1	Easement Records	permanent	WMRM	N/A
2	Equalized Values Records	EVT+7 years;/destroy	s.70.57(1m)	waived
3	Farmland Preservation Agreements/Records	EVT+7 years;/destroy	s.91.13	notify
4	Foreclosures/Tax Liens	15 years;/destroy	s.75.19/75.91/WMRM	waived
5	Forest Land Records	duration of order;/destroy 25 or 50 years after withdrawal*	s.77.80	notify
6	Lottery Credit Notices, State	EVT+7 years;/destroy	s.79.10(5)	waived
7	Master Property Records	5 years beyond life of structure;/destroy	WMRM	waived
8	Notices of Increased Assessment	5 years; if appealed 7 years after final decision;/destroy*	WMRM	waived
9	Payment in Lieu of Taxes (PILT) Records	EVT+7 years;/destroy	s.70.113	waived
10	Plats, Subdivision, Preliminary	until superseded;/destroy	WMRM	waived
11	Plats, Subdivision, Final	permanent	WMRM	N/A
12	Real Property Work Sheets	permanent	WMRM	N/A
13	Revaluation Correspondence/Records, General	7 years;/destroy	s.19.21(4)(b)	waived
14	Statements of Assessment, Preliminary	until superseded by final;/destroy	WMRM	waived
15	Statements of Assessments, Final	permanent	WMRM	N/A
16	Statements of Taxes, Final	permanent	WMRM	N/A
17	Tax Collection Records	FIS+4 years;/destroy	WMRM	waived
18	Tax Exemption Reports	10 years;/destroy	WMRM	waived
19	Tax Levies/Apportionments/Mill Rates	3 years after audit;/destroy	WMRM	waived
20	Tax Settlement Statements	5 years after audit;/destroy	WMRM	waived
21	Vacation or Alteration of Plats	permanent	WMRM	N/A
22	All Other Assessor Records/Files/Worksheets	5 years;/destroy	WMRM	waived

\*if it contains forest land/crop acreage, obtain approval from DOR prior to destruction