



# City of West Allis

## Legislation Text

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**File #:** O-2019-0047, **Version:** 1

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Ordinance to Repeal and Recreate Section 1.09 of the West Allis Municipal Code Relating to the Destruction and Preservation of Public Records

Whereas, the Common Council of the City of West Allis has the specific authority under Section 19.21(4) Wis. Stats., to adopt an ordinance to address the management and destruction of public records in the possession of the City of West Allis; and

Whereas, the Common Council previously adopted Section 1.09 of the Revised Municipal Code and approved the City's Records Retention Policy 908 to address said management and destruction of the City's public records; and

Whereas, the Wisconsin Municipal Records Schedule (hereafter "Records Schedule"), approved by the Wisconsin Public Records Board on August 27, 2018, is a legally compliant comprehensive and flexible records retention and disposition schedule tailored to Wisconsin municipalities that can be adopted in its entirety by municipalities to be used for their records management; and

Whereas, the Common Council desires to adopt the Records Schedule in its entirety for the purposes of simplicity, consistency and ease of application in the retention and disposition of its records, and as a means of providing assurance of accountability to the public.

Now therefore, the Common Council of the City of West Allis, Milwaukee County, do ordain as follows:

### **Part 1. Code Revision**

Section 1.09 of the Municipal Code of the City of West Allis is hereby repealed and recreated to read as follows:

(1) General Records Schedule Adopted. The City hereby adopts, by reference, the Wisconsin Municipal Records Schedule (hereafter, "Records Schedule"), pertaining to the retention and destruction of public records, and approved by the State of Wisconsin Public Records Board on August 27, 2018. A copy of the Records Schedule will be kept on file in the City Clerk's office located in the West Allis City Hall at 7525 West Greenfield Avenue, West Allis, WI 53214 and made available for public viewing during the City Hall business hours.

(2) Other Records. In the event the City possesses or creates a record not contemplated by the Records Schedule, the City shall comply with the applicable law pertaining to the retention and destruction of said record.

### **Part 2. Inconsistent Law Repealed**

Any prior ordinances, resolutions and policies adopted or approved by the Common Council relating to the retention and destruction of the public records of the City of West Allis are hereby repealed.

### **Part 3. Severability**

The provisions of this ordinance are severable. If any provision of this ordinance is invalid, or if the application of this ordinance to any person or circumstance is invalid, such invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application.

### **Part 4. Effective Date**

This ordinance shall take effect and be in force upon execution of the Notification of Adoption forms by the State Archivist and Executive Secretary of the State Public Records Board, or publication, whichever occurs last.