



# City of West Allis

## Legislation Text

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**File #:** O-2012-0014, **Version:** 1

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

The Common Council of the City of West Allis do ordain as follows:

PART I. Section 1.09 of Revised Municipal Code is hereby repealed and recreated to read as follows:

### 1.09 DESTRUCTION AND PRESERVATION OF PUBLIC RECORDS.

- (1) **Authorization.** Pursuant to Section 19.21 of the Wisconsin Statutes, City officers are authorized to microfilm, electronically copy, scan, download to optical disk, or use any other electronic storage method and destroy the original copies of public records of the City in their custody, in accordance with the provisions and requirements of this action.
- (2) **Storing and Preserving.** The keeping and preservation of public records of the City by the use of microfilm, optical disc or electronic format, as provided in this section, shall be performed in accordance with the standards established in Section 16.61(7) of the Wisconsin Statutes, so far as the same may be applicable, and in accordance with the applicable standards of the Wisconsin Administrative Code.
- (3) **Notice.** Prior to the destruction of the original of any of the public records of the City with or without preserving of such original, by means set forth in subsection (2), at least sixty (60) days' written notice shall be given to the Common Council and to the State Historical Society. No records shall be destroyed if the original record is ordered preserved by ordinance or resolution of the Common Council. Records ordered to be preserved may be microfilmed, scanned, or otherwise electronically stored and used for reference.
- (4) **Record Retention.** Except as provided below, all records of the City may be microfilmed, scanned, or otherwise electronically stored and the original record destroyed after approval as required by subsection (3) above. Microfilm or electronic records generated from such records may be destroyed seven (7) years after payment or receipt of the sum involved in financial transactions or seven (7) years after the date of the original document, unless ordered to be preserved by the Common Council except as a different time is hereinafter provided.
  - (a) Original non-utility records required for an audit by the Department of State Audit may be destroyed after completion of the audit and microfilming or electronic copying.
  - (b) Microfilm or electronic copies of the original records of water stubs and receipts of current billings and customer ledgers may be destroyed two (2) years after payment or receipt of the sum involved in the transactions.
  - (c) Records of the municipal water utility included in plant accounts and system improvements may be destroyed upon written approval of the State Public Service Commission, but not sooner than seven (7) years after payment or receipt of the sum involved in the applicable transaction.
  - (d) Civil Service examinations may be destroyed following expiration of the eligibility list for the position for which the examination was taken.

(e) Examinations for electrical licenses conducted by the Board of Electrical Examiners may be destroyed one year after the examinations have been graded.

(5) State Regulations. This section shall not be construed to authorized the destruction or microfilming/electronic copying with destruction of the original of any public record before a period less than prescribed by statute or State Administrative Regulations. The custodian of any public record is authorized to destroy such record in accordance with the Department of Administration schedules as they may be from time to time amended.

(6) Police Dispatch, Telephone and Radio Transmission Tapes.

(a) All audio tapes containing dispatch calls, telephone conversations and radio transmissions shall be maintained for a period of one hundred twenty (120) days after the date of recording.

(b) If the tapes contain material related to a pending criminal case or if the Police Department has received notice of a civil claim related to material on said tapes within one hundred twenty (120) days of the recording, the tapes shall be maintained until such matter is resolved or seven (7) years from the recording date, whichever is sooner.

PART II. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART III. This ordinance shall take effect and be in force from and after its passage and publication.

ATTO-Repeal&RecreateSec1.09Dest&PresPublicRecords