

**SHEBOYGAN COUNTY    ORDINANCE NO. 08 (2010/11)**

Re:    **Enacting County Records Retention/Disposition Schedule – 2010 as Part of County Code**

**WHEREAS**, the Wisconsin Counties Association spearheaded a Records Retention Task Force ("Task Force") which sought to create a comprehensive and flexible records retention schedule tailored to Wisconsin counties, and

**WHEREAS**, the Task Force prepared a schedule which has been approved by the Wisconsin Public Records Board which will allow for some records to be disposed of with permission of the Wisconsin Public Records Board in a time period less than the default period of seven (7) years which would otherwise be required by Wis. Stat. § 19.21(5)(c), and

**WHEREAS**, by enacting the Task Force Schedule, Sheboygan County will be able to take advantage of the opportunity to dispose of certain records earlier than the default seven (7) years in order to free up needed storage space, and

**WHEREAS**, by enacting the Task Force Schedule, Sheboygan County departments and agencies will be afforded a level of certainty and flexibility that might not otherwise be present, and,

**WHEREAS**, it is proposed that Sheboygan County "opt in" to the use of the Schedule;

**NOW, THEREFORE**, the County Board of Supervisors of the County of Sheboygan does ordain as follows:

Section 1.    **Enacting Retention/Disposition Schedule.** Sections 55.04 and 55.05 of the Sheboygan County Code of Ordinances are hereby amended as follows (redlining indicates additions; strikeouts indicate deletions):

55.04            RECORDS RETENTION/DISPOSITION SCHEDULE. Sheboygan County shall retain and dispose of all records pursuant to the *County Records Retention/Disposition Schedule – 2010*, including the Addenda thereto, a copy of which is on file with the County Clerk. If the Schedule does not identify a particular record, the minimum retention and time limits set forth in any applicable state or federal statutes shall apply. If the Schedule does not identify a particular record and no other state or federal statute is applicable, then such record shall be kept a minimum of seven (7) years as required by Wis. Stat. § 19.21(5)(c).

55.04 55.05    NOTICE TO HISTORICAL SOCIETY. Prior to the destruction of any public records, a written offer shall be made to the Historical Society for preservation of such records as it determines to be of permanent historical valuation, all pursuant to the provisions of Wis. Stat. § 44.09. This does not apply to patient health care records as defined in Wis. Stat. § 146.81(4) that are in the custody or control of the Health and Human Services Department, or to records to be destroyed to which the Historical Society has waived notice, including those records identified in the *County Records Retention/Disposition Schedule – 2010* referred to in Section 55.04 of this Code.

~~55.05            MINIMUM TIME LIMITS. No records shall be destroyed prior to the minimum time limits set forth in Wis. Stat. §§ 7.23 or 59.52(4) and if a~~

~~specific record is not contained within any of the limitations set forth therein, then such records shall be kept a minimum of seven (7) years as required by Wis. Stat. § 19.21 unless a shorter period of time is affixed by the public records board under Wis. Stat. §§ 16.61(3)(e), or 7.23.~~

Section 2. **Wisconsin Public Records Board Notice.** The County Clerk is directed to take such action as may be necessary to notify the Wisconsin Public Records Board of the enactment of this Ordinance.

Section 3. **Effective Date.** The herein Ordinance shall take effect upon enactment.

Respectfully submitted this 2nd day of November, 2010.

**EXECUTIVE COMMITTEE**

Michael J. Vandersteen  
Michael J. Vandersteen, Chairperson

Jerald A. Holub  
Jerald A. Holub, Vice-Chairperson

William C. Goehring  
William C. Goehring, Secretary

Devin LeMahieu  
Devin LeMahieu

Michael S. Ogea  
Michael S. Ogea

ENACTED 12.21.10

**UNOFFICIAL TEXT: Information in this document may have been changed by subsequent actions. Only printed volumes are official text.**