

ADMINISTRATION

ARTICLE V. OPEN RECORDS

Sec. 2-311. Adoption by Reference.

The applicable definitions in Wis. Stats. §19.32 are adopted by reference in this section as if set forth in full and shall apply in this article.

Sec. 2-312. Custody and Control of Records.

- (a) The Village Assessor shall have the custody and control of all property appraisal files and the contents thereof as well as all other documents, records and notes relating to the performance of the Assessor's duties.
- (b) The Treasurer shall have the custody and control of all financial records of the Village as well as all bank and financial accounts of the Village.
- (c) The Building Inspector shall have the custody and control of all files concerning building permits issued by the Village and all contents of such files.
- (d) The Clerk shall have the custody and control of all Village records except those records which are under the custody and control of the Village Assessor, Village Treasurer and Village Building Inspector.

(Res. No. 98-8, 3-23-1998)

Sec. 2-313. Storage.

All Village records shall be kept at the Kronenwetter Municipal Center at 1582 Kronenwetter Drive, Mosinee, Wisconsin.

(Res. No. 98-8, 3-23-1998)

Sec. 2-314. Inspection, Release and Reproduction.

- (a) Any public record or document, unless excepted by law, may be inspected and a copy thereof may be obtained from

the person having the custody and control of that public record or document during the hours set forth as follows:

- (1) On Mondays from 9:00 a.m. until 4:00 p.m. as to those records and documents under the custody and control of the Assessor.
 - (2) By appointment as to those records and documents under the custody and control of the Treasurer.
 - (3) By appointment as to those records and documents under the custody and control of the Building Inspector.
 - (4) Between 8:00 a.m. and 4:00 p.m., Monday through Friday, as to those records and documents under the custody and control of the Clerk.
- (b) The official legal custodian of the public document or record shall be responsible for designating where, when and how the public record or document may be inspected or copied. Provided, the decisions of the legal custodian of such document or record shall be governed by this article.
 - (c) The policy regarding the release, inspection and/or reproduction of public records and documents is as follows:

- (1) After the receipt of any written request for access to the public records of the Village, the official legal custodian will attempt to make such records available as soon thereafter as practical. In any event, every request should be responded to within five working days.
- (2) If a request is denied, it will be denied in writing not later than

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five working days after the request has been made. If a public record cannot be made available within five working days, the official legal custodian will inform the requester when the record can be made available.

- (3) If any records of the Village are requested which are necessary for day-to-day operations, then the official legal custodian may arrange for the records to be inspected after normal working hours.
 - (4) If the official legal custodian determines that portions of any records requested contain information which should not be released, the custodian will edit such records to remove the material not to be released and thereafter release the balance of the document.
 - (5) Any requests for computer records of the Village will be referred by the official legal custodian to the individual in charge of the equipment involved to determine the cost of any computer search, printing charges, and possible time available on the machine. Since computer time can be expensive, computer information will not be provided until the person requesting the information is informed of the estimated costs.
- (d) It is the policy that the Village will not respond to oral requests for records of the Village and, therefore, all requests for any records of the Village must be submitted in writing to the official legal custodian. It is not necessary that any person requesting access to the records of the Village identify himself or herself in order to obtain a record,

nor need any person requesting access to the records of the Village state any reason for such request.

- (e) Any written request for a record must reasonably describe the record or information sought. If the official legal custodians cannot reasonably determine what records or information are being requested, the request shall be denied in writing and the reason for the denial shall be stated in the written denial.
- (f) Any person shall have not only the right to inspect the records of the Village, but also the right to receive a reproduction of such records. If a person files a written request for reproduction of any of the records of the Village, that person shall be informed of the costs of locating and reproducing such records.

(Res. No. 98-8, 3-23-1998)

Sec. 2-315. Removal of Records.

No public document or record may be removed from the Kronenwetter Municipal Center unless required by legal process or unless the duties of the custodian of such record or document requires the custodian to remove the original of that document or record from the Kronenwetter Municipal Center. In such event, the custodian shall promptly return any such original document or record so removed.

(Res. No. 98-8, 3-23-1998)

Sec. 2-316. Fees.

- (a) Most of the Village records are readily available, or can be located in a relatively short period of time. Fees may be imposed pursuant to Wis. Stats. §19.35(3).
- (b) Some of the records of the Village are in off-site storage, archived, not on-line on the Village's computer or otherwise not immediately available. In those cases where a record is not readily

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available for whatever reason and where it appears that the costs of locating a record will exceed \$50.00, the official legal custodian will seek the prior written approval of the requester before proceeding. In addition, the custodian will endeavor, but will not be required to provide an estimate of total anticipated costs for locating the record.

- (c) The Village will determine the cost of locating a record by using the hourly rate of its per-hour employees involved in attempting to locate the record.

(Res. No. 98-8, § I, 3-23-1998)

Sec. 2-317. Disputes.

The official legal custodian of the documents and records of the Village shall report any disputes which may arise under the fees stated in Section 2-316 to the Board and shall recommend to the Board such modifications and revisions as he or she deems necessary.

(Res. No. 98-8, § III, 3-23-1998)

Sec. 2-318. Payment of Fees.

- (a) The official legal custodian of the documents and records of the Village may require the payment of fees provided in Section 2-316.
- (b) The official legal custodian of the records of the Village may, in his or her sole discretion, elect to waive the imposition of the fees provided in Section 2-316.

(Res. No. 98-8, § IV, 3-23-1998)

Sec. 2-319. Reproduction Expenses.

The expenses for open records requests shall be, as the board from time to time shall prescribe.

I. COSTS OF LOCATING DOCUMENTS

Some of the records of the Village of Kronenwetter are in off-site storage, archived, not on-line on the Village's computer or otherwise not immediately available. In those cases where a record is not readily available for whatever reason and where it appears that the costs of locating a record exceed \$5.00, the official legal custodian will seek the prior written approval of the requester before proceeding. In addition, the custodian will endeavor, but will not be required to provide an estimate of total anticipated costs for locating the record.

The Village of Kronenwetter will determine the cost of locating a record by using the hourly rate per employee involved in attempting to locate the record.

II. REPRODUCTION EXPENSES:

- 1. Cost of copying and reproduction of records where equipment is available.
 - A. \$.25 per side of page
 - B. There will be no cost charged for clerical employees' time in photocopying any fewer than three (3) pages.
 - C. If more than three (3) pages are to be copied, then a charge based on the employee's hourly wage shall be paid in advance by the person making the request on a one-fourth (1/4) hour basis.
 - D. \$25 for the cost to produce information written to a compact disk.

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E. To send a requested document via facsimile a charge of \$2.00 per page will be paid by the person making the request.

be limited to, audio or voice tape reproduction equipment, microfilm or fiche or ultra fiche reproduction equipment, assorted computer hardware and software.

F. The actual costs to the Village of Kronenwetter of tapes or other medium used for production shall also be paid by the person making the request.

C. The actual cost to the Village of the tape or other medium used for reproduction shall also be paid by the person making the request.

G. Applicable shipping and/or mailing fees will be added.

III. DISPUTES:

The official legal custodian of the documents and records, of the Village of Kronenwetter shall report any disputes which may arise under this fee schedule to the Village Board and shall recommend to the Village Board such modifications and revisions as she/he deems necessary.

H. Prepayment may be required for record requests in excel of \$5.00.

2. Costs of reproduction of records where equipment is not available at the Kronenwetter Municipal Center.

IV. PAYMENT OF FEES:

A. If equipment necessary for any reproduction is not available within the Kronenwetter Municipal Center offices, then the Village will either rent whatever equipment is necessary to perform the function or, use an outside vendor to perform the function, and will bill the requester for such rental fee. The cost charged will be the actual costs paid by the village to the third-party vendor.

1. If the total fee exceeds \$5.00, the official custodian of the documents and records of the Village of Kronenwetter may require the payment of costs provided herein in *advance*.

2. The official legal custodian of the records of the Village of Kronenwetter may, in her/his sole discretion, elect to waive the imposition of the costs provided for herein.

(Res. No. 98-8, § II, 3-23-1998)

B. Items in such a situation would include, but would not