

Chapter 1.06

**2017 – 01 – TOWN OF WESCOTT ORDINANCE
REGULATING OPEN RECORDS REQUESTS
AND REPEALING ORDINANCE NO. 94-9**

The Town of Wescott, by its town board, ordains as follows:

Section I. TITLE AND PURPOSE. This ordinance is designed to repeal Town of Wescott Ordinance No. 94-9 and set forth an open records request procedure and fees for the location and reproduction of town records under the public records laws of this state, including s. 19.35(3).

Section II. AUTHORITY. The Town Board of Supervisors of the Town of Wescott, Shawano County, Wisconsin, has specific authority under Ch. 19 and Ch. 60 Wis. Stats. to adopt this ordinance.

Section III. PUBLIC ACCESS TO RECORDS. Except as provided in s. 19.36 Wis. Stats., any person has a right to inspect a record and to make or receive a copy of any record as provided in s. 19.35(1) Wis. Stats. Records will be available for inspection and copying during all regular office hours.

Section IV. LOCATION AND PREPARATION OF RECORDS. All open records requests requiring the location and compilation of records shall be charged a processing fee consistent with the actual, necessary and direct cost of location as determined by the Town Clerk pursuant to s. 19.35(3)(c) Wis. Stats. Fees for the location and preparation of records shall not be billed to the requester until a minimum of \$50.00 in fees has accumulated. Multiple requests made by a requester for open records of related subject matter may have location fees combined at the discretion of the Town Clerk.

Section V. REPRODUCTION OF RECORDS. Reproduction of records shall be made in the form that is the most convenient and cost effective to the Town at the discretion of the Town Clerk. The Town shall collect for its cost to reproduce requested records as follows:


- a. Photocopies. The Town shall collect \$0.30 per page, plus mailing costs if applicable.
- b. Computer Disks. The Town shall collect \$1.00 for each computer disk, "zip drive" or related item, plus mailing costs if applicable.

Section VI. REQUEST PROCEDURE. A request may be made orally, but a request must be in writing, before an action to enforce the request is commenced under s. 19.37 Wis. Stats. Upon proper completion and submission of a request, the Town will provide the requester with a response and an estimation of costs associated with the request. When the Town estimates that the cost of all applicable fees exceeds \$5.00, the Town may require a cash deposit adequate to assure payment.


Section VII. INSUFFICIENCY OF REQUESTS. A request to inspect or copy a record is deemed sufficient if it reasonably describes the requested record or the information requested. However, a request for a record without a reasonable limitation as to subject matter or length of time represented by the record does not constitute a sufficient request.

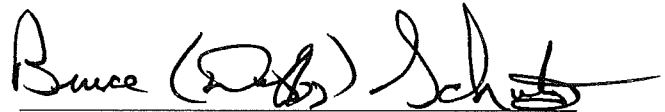
Section VIII. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall not be affected and shall remain in full force and effect.


Adopted this 11th day of May, 2017.



Michel Schuler, Chairman Yes/No


Brian Moesch, Supervisor Yes/No


Phil Zubse, Supervisor Yes/No


Bruce "Duffy" Schultz, Supervisor Yes/No


Marlene Brown, Supervisor Yes/No


Attest: Angela Vreeke, Clerk

Posted in the following locations on: _____

May 12 2017 1) Town Hall, Lake Drive 2) Town Office, Old Keshena Rd. 3) Town Fire Station, Lake Drive 4) Town website: www.townofwescott.com