

CHAPTER 1 - GENERAL GOVERNMENT

SUBCHAPTER I: FORM OF GOVERNMENT AND CITY OFFICIALS

1.01 (FORM OF GOVERNMENT)

The City of Prairie du Chien operates under the Mayor-Council system of government.

1.02 (ELECTED OFFICIALS)

(1) MAYOR: The Mayor shall be elected in even-numbered years for a term of 2 years.

(2) ALDERMAN: The Council shall consist of 12 Aldermen elected for two (2) year terms. One (1) Alderman from each of the six (6) Aldermanic Districts shall be elected each year.

1.03 (APPOINTED OFFICIALS)

<u>OFFICIALS</u>	<u>APPOINTED BY</u>	<u>BY</u>
(1) City Attorney	2/3 vote of Council	Indefinite
(2) Chief of Police	Police and Fire Commission	Indefinite
(3) Fire Chief	Police and Fire Commission	Indefinite
(4) Assessor	2/3 vote of Council	Indefinite
(5) City Engineer	Mayor, confirmation by 2/3 vote of Council	Indefinite
(6) Manager of the Department of Public Works	Mayor, confirmation by 2/3 Council	Indefinite
(7) Building Inspector	2/3 vote of Council	Indefinite
(8) Electrical Inspector	2/3 vote of Council	Indefinite
(9) Plumbing Inspector	2/3 vote of Council	Indefinite
(10) Library Director	Library Board	Indefinite
(11) Parks & Recreation Director	Council, upon the recommendation of the Parks and Recreation Board	Indefinite
(12) City Forester	Mayor, confirmation by Council	Indefinite
(13) Health Officer	Mayor, confirmation by Council	Indefinite
(14) Water Superintendent	2/3 vote of Council	Indefinite
(15) Wastewater Superintendent	2/3 vote of Council	Indefinite
(16) Deputy Emergency Government Director	Mayor, Confirmation by Council	Indefinite
(17) Weed Commissioner	Mayor	One year
(18) Deputy, City Administrator, Clerk/Treasurer	2/3 vote of Council	Indefinite
(19) Deputy Clerk	2/3 vote of Council	Indefinite
(20) Assistant Police Chief/Captain	Police & Fire Commission	Indefinite

1.04 (OFFICIALS QUALIFICATIONS AND DUTIES)

(1) CITY CLERK-TREASURER: The City Clerk-Treasurer shall perform the duties prescribed by law for city clerks, treasurers and comptrollers and such other duties required by the Council. The Clerk-Treasurer shall be the City Purchasing Agent.

(2) CITY ATTORNEY: The City Attorney shall undertake, on behalf of the City of Prairie du Chien, Wisconsin, the following duties:

- Shall perform all duties as directed by the Wisconsin Statutes, specifically Section 62.09 (12);

- Shall attend all meetings of the Common Council, Committee of the Whole, and any other meetings of the City as requested by the City Administrator;
- Shall be duly admitted to practice in the courts of record in the State of Wisconsin;
- Shall draft all ordinances and resolutions to be considered for adoption by the Common Council as directed;
- Shall review all contracts entered into by the City;
- Shall undertake all union negotiations and statutory mediation/arbitration on behalf of the City and as need be, draft union contracts between the City and its Employee's unions;
- Shall represent the City in union contract grievance matters;
- Shall confer with and advise the Mayor, the Common Council, department heads, and City staff on City-related matters;
- Shall render legal opinions as requested by the City Administrator;
- Shall prosecute all ordinance violations issued by the City;
- Shall defend the City in all matters not covered by the City's insurance;
- Shall draft all Development Agreements entered into by the City and third parties; and
- Shall undertake such other legal related matters as needed from time to time by the City.

Nothing in this section shall prevent the City Attorney from representing clients other than the City of Prairie du Chien so long as said representation does not conflict with his representation of the City nor is in conflict with the Canons of Ethics of the American Bar Association or the Rules of Professional Conduct as established by the Supreme Court of the State of Wisconsin now in effect and as hereafter amended. An annual job performance of the City Attorney shall be performed by the City Administrator for presentation to the Personnel, License and Insurance Committee.

(HISTORY: Amended by Ordinance 2010-12, passed on August 3rd 2010.)

(3) CITY ASSESSOR: The City Assessor shall be certified by the Wisconsin Department of Revenue at the level required by law and shall be experienced and capable of performing the duties of the office.

(4) CITY ENGINEER: The City Engineer shall have a Bachelor of Science Degree in civil engineering and shall be capable and experienced in municipal public work.

1.05 (GENERAL PROVISIONS RELATING TO CITY OFFICIALS)

(1) SALARIES AND FRINGE BENEFITS: The salaries and fringe benefits of City officers and employees shall, from time to time, be established by the Council in accordance with State law and the city Personnel Policy. No salaried City official shall receive overtime pay unless otherwise required by law.

(2) POWERS AND DUTIES OF CITY OFFICIALS: City officials mandated under §62.09 Wis. Stats., shall have the powers and duties prescribed by law and, except for the Mayor, shall perform such duties as shall be required of them by the Council. Other City Officials shall perform the duties prescribed by the Council.

(3) MULTI-OFFICES: The Council may elect to appoint the same person to 2 or more compatible offices.

(4) PROBATIONARY PERIOD: All newly appointed City officials, except the Police Chief, Fire Chief and Library Director, shall serve a 6 month probationary period and during such period may be removed from office without cause by a majority vote of the members elect of the Council.

(5) REMOVAL FROM OFFICE: All City Officials may be removed from office for cause by a majority of the members-elect of the Council.

(6) EMPLOYMENT OF OTHER CITY PERSONNEL: The employment of City employees shall be in accordance with the City Personnel Policy.

1.06 (CITY RESIDENCY)

(1) REQUIRED: Except as hereinafter provided, no person shall be legible for election or appointment to any position as an official, officer, or member of a body, board, or commission of the City of Prairie

du Chien unless he/she resides in the City of Prairie du Chien. Alderman and alderwomen shall reside within the district that they represent and the Mayor shall reside within the corporate boundaries of the City of Prairie du Chien. In the event an City official, officer, or member of a body, board, or commission shall cease to reside in the City of Prairie du Chien, or in the case of an alderman or alderwoman within the district that they represent, his or her office or position shall be automatically vacated.

(2) **EXCEPTION:** Nonresidents of the City of Prairie du Chien may be appointed as board of commission members if, in the judgment of 2/3 of the members elect of the Common Council of the City of Prairie du Chien determine that the best interests of the City of Prairie du Chien will be served by the appointment of said member(s) by reason of the fact that such member(s) is particularly qualified by reason of education, background, or experience to serve on any such board or commission.

(3) **CITY EMPLOYEES:** Subject to the conditions hereinafter set forth, no employee of the City of Prairie du Chien shall be required to live within the corporate boundaries of the City of Prairie du Chien. All members of Prairie du Chien Volunteer Fire Department, including the Fire Chief and all law enforcement officers with arrest powers employed by the City of Prairie du Chien shall reside within such proximity to the City of Prairie du Chien as to allow he or she to arrive at his or her duty station with 15 minutes under any and all conditions from his or her place of residence. Duty station for law enforcement officers with arrest powers shall be the City-County Law Enforcement Center located at, 228 North Beaumont Road, Prairie du Chien, Wisconsin, 53821. Duty station for the Fire Chief and members of the Prairie du Chien Volunteer Fire Department shall be the main fire station located on East Blackhawk Avenue, Prairie du Chien, Wisconsin, 53821. In the event any member of the Prairie du Chien Volunteer Fire Department, including the Fire Chief, and any law enforcement officer with arrest powers, fails to reside at such a location as to allow under any and all conditions arrival at his or her duty station within the time limitations above set forth, his or her employment with the City of Prairie du Chien shall be automatically terminated.

(HISTORY: Amended by Ordinance 97-08A, approved on June 3rd 1997.)

1.07 (CODE OF ETHICS)

(1) **DECLARATION OF POLICY:** The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a Code of Ethics for all City officials and employees, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions of the City. The purpose of this code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the City and directing disclosure by such officials and employees of private, financial or other interests in matters affecting the City. The provisions and purpose of this code and such rules and regulations as may be established are hereby declared to be in the best interests of the City.

(2) **RESPONSIBILITY OF PUBLIC OFFICE:** Public officials and employees are agents of the public and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the constitution of this State and carry out impartially the laws of the nation, State and City and to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their prime concern. Their conduct in both their official and private affairs should be above reproach so as to foster respect for all government.

(3) **DEDICATED SERVICE:** All officials and employees of the city should be loyal to the objectives expressed by the electorate and the programs developed to attain these objectives. Appointive officials and employees should adhere to the rules of work and performance established as the standard

for their positions by the appropriate authority. Officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.

(4) FAIR AND EQUAL TREATMENT:

(a) Use of Public Property: No official or employee shall request or permit the unauthorized use of City owned vehicles, equipment, materials or property for personal convenience or profit.

(b) Obligations to Citizens: No official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

(5) CONFLICT OF INTEREST:

(a) Financial and Personal Interest Prohibited: No official or employee, whether paid or unpaid, shall engage in any business or transaction or shall act in regard to financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties in the public interest contrary to the provisions of this section or would tend to impair his independence or judgment or action in the performance of his official duties.

(b) Definitions:

1. Financial Interest: Any interest which shall yield, directly or indirectly, a monetary or other material benefit to the officer or employee or to any person employing or retaining the services of the officer or employee.

2. Personal Interest: Any interest arising from blood and marriage relationships or from close business or political associations, whether or not any financial interest is involved.

3. Person: Any person, corporation, partnership or joint venture.

4. Anything of Value: Any gift, favor, service or promise from any individual, firm or corporation in any one calendar year which has a fair market value in excess of \$10.

The foregoing does not include reasonable fees and honorariums; actual and necessary expenses authorized under § 19.56, Wis. Stats.; political contributions which are reported under Ch. 11, Wis. Stats.; or the exchange of customary gifts among relatives.

(c) Specific Conflict Enumerated:

1. Incompatible Employment: No official or employee shall engage in or accept private employment or render service, for private interests, when such employment or service is incompatible with the proper discharge of his official duties or would tend to impair his independence of judgment or action in the performance of his official duties, unless otherwise permitted by law and unless disclosure is made as hereinafter provided.

2. Disclosure of Confidential Information: No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the City, nor shall he use such information to advance the financial or other private interest of himself or others.

3. Gifts and Favors: No official or employee shall accept any valuable gift, whether in the form of service, loan, thing or promise, from any person, firm or corporation which, to his knowledge, is interested, directly or indirectly, in any manner whatsoever in business dealings with the City; nor shall any such official or employee accept any gift, favor or thing of value that may tend to influence him in the discharge of his duties or grant in the discharge of his duties any improper favor, service or thing of value. Gifts received under unusual circumstances should be referred to the Ethics Board within 10 days for recommended disposition.

4. Representing Private Interests Before City Agencies or Courts: No officer or employee shall appear on behalf of any private person other than himself, his spouse or minor children before any City agency. However, a member of the Council may appear before City agencies on behalf of his constituents in the course of his duties as a representative of the electorate or in the performance of public or civic obligations.

(d) Contracts With the City: No City Officer or employee who, in his capacity as such officer or employee, participates in the making of a contract in which he has a private pecuniary interest, direct or indirect, or performs in regard to that contract some function requiring the exercise of discretion on his part shall enter into any contract with the City unless, within the confines of § 946.13, Wis. Stats.,:

1. The contract is awarded through a process of public notice and competitive bidding, or
2. The Ethics Board, hereinafter created, waives the requirement of the section after determining that it is in the best interest of the City to do so.

(e) Disclosure of Interest in Legislation: Any member of the Council who has a financial interest or personal interest in any proposed legislation before the Council shall disclose on the records of the Council, or the Ethics Board created by this section, the nature and extent of such interest. Any other official or employee who has a financial or personal interest in any proposed legislative action of the Council and who participates in discussion with or gives an official opinion or recommendation to the council shall hereby disclose on the record of the Council the nature and extent of such interest.

(6) ETHICS BOARD.

(a) The Personnel, Licensing and Insurance Committee shall serve as the Ethics Board. The City Attorney shall furnish the Board whatever legal assistance is necessary to carry out its functions.

(b) The Ethics Board shall elect its own chairman, vice-chairman and secretary at its first meeting after May 1 and shall develop written rules of procedure which shall be submitted to the Council for approval. The salary of the members shall be set by the Board subject to the approval of the Council. The Board shall keep full and complete records and shall have authority to hire a part-time recording secretary, if necessary, to implement the administrative requirements necessary to carry out its functions.

(c) The Ethics Board may make recommendations with respect to amendments to this Code of Ethics.

(d) Upon the sworn complaint of any person alleging facts which, if true, would constitute improper conduct under the provision of this section, the Board shall conduct a public hearing in accordance with all common law requirements of due process and, in written findings of fact and conclusions based thereon, make a determination concerning the propriety of the conduct of the subject official or employee and, if appropriate, refer the matter to the Council or other property City authority.

(7) APPLICABILITY OF CODE. When an official or employee has doubt as to the applicability of a provision of this code to a particular situation or definition of terms used in the code, he should apply to the Ethics Board for an advisory opinion and will be guided by that opinion, when given. The official or employee shall have the opportunity to present his interpretation of the facts at issue and of the applicable provisions of the code before such advisory decision is made. This code shall be operative in all instances covered by its provisions except when superseded by an applicable statutory provisions except when superseded by an applicable statutory provision and statutory action is mandatory, but determined by the Ethics Board to be more appropriate or desirable.

(8) PENALTY AND SANCTIONS. Violations of any provision of this section may constitute a cause for suspension, removal from office or employment, or other disciplinary action.

(9) CONDUCT PROHIBITED.

(a) No employee or elected official of the City of Prairie du Chien shall during that employee's or elected official's working hours or at anytime the employee is acting in his/her official capacity for the City of Prairie du Chien engage in the following conduct:

- (1) Wear or display on his/her person any campaign material(s) for or against any candidate for elective office or referendum question.

- (2) Distribute in any form or by any means campaign material(s) or literature for or against any candidate for elective office or referendum question.
- (3) Actually campaign for or against any candidate for elective office or actively campaign for or against any referendum question.
- (4) Solicit or receive contributions in any form for or against any candidate for political office or for or against any referendum question.

(b) Nothing herein contained shall in way be interpreted to prohibit a City employee or City elected official from expressing his/her political opinion by way of any advertisement for or against a candidate for elective office or any referendum question by placement of any advertisement on real or personal property owned, rented, or leased by said employee or elected official and used by said employee or elected official as his/her residence or personal motor vehicle or other means of transportation.

(c) Any person violating any provision of this Ordinance shall be subject to penalties and sanctions as set forth in Section 1.07(8) of the Municipal Code. **(HISTORY: Created by Ordinance 2010-27, approved on December 21st 2010.)**

1.08 to 1.18 (Reserved)

SUBCHAPTER II: BOARDS AND COMMISSIONS

1.19 (PLAN COMMISSION)

(1) **MEMBERSHIP.** The Plan Commission shall consist of 7 members. One member shall be the * Chairman of the Parks and Recreation Commission. One member shall be a member of the Council to be appointed by the Mayor. The 5 other members of the commission shall be appointed by the Mayor, who shall also choose the presiding officer. The Mayor may appoint himself or herself to the commission and may appoint other city elected or appointed officials, except that the commission shall always have at least 3 citizen members who are not city officials. Citizen members shall be persons of recognized experience and qualifications. All appointments of members shall be subject to confirmation by majority vote of the council. The appointments shall be made during the month of April for staggered 3 year terms to commence the following May 1st. The Assistant City Attorney shall be an ex-officio member of the Commission. **(Amended by Ordinance 2000-03, approved on March 7th 2000, and amended by Ordinance 2002-02 *, approved on February 5th 2002.)**

(2) **POWERS AND DUTIES.** The Plan Commission shall have the powers and duties prescribed in § 62.23, Wis. Stats., and such other powers and duties as shall be vested in the Commission from time to time by the Council.

1.20 (BOARD OF ZONING APPEALS)

(1) **MEMBERSHIP.**

(a) The Board of Zoning Appeals shall consist of 5 members appointed by the Mayor, subject to confirmation by the Council, for staggered terms of 3 years.

(b) Two alternate members shall be appointed by the Mayor for terms of 3 years and shall act only when a regular member is absent or refuses to vote because of interest.

(c) The Building Inspector shall attend meetings, upon request, to provide technical assistance as requested by the Board of Zoning Appeals.

(2) **OFFICERS.**

(a) Chairman. The Mayor shall designate the Chairman of the Board.

(b) Secretary. The Clerk-Treasurer or his deputy shall serve as Secretary of the Board.

(3) **POWERS AND DUTIES.** The Board of Zoning Appeals shall have the powers and duties prescribed in § 62.23 (7) (e), Wis. Stats.

1.21 (BOARD OF REVIEW)

(1) MEMBERSHIP. The Board of Review shall consist of five (5) residents of the City, none of whom shall hold any public office or be publicly employed. The City Assessor shall attend all meetings of the Board.

(2) POWERS AND DUTIES. The Board shall have the powers and duties prescribed in § 70.47, Wis. Stats.

1.22 (POLICE AND FIRE COMMISSION)

(1) MEMBERSHIP. The Police and Fire Commission shall consist of 5 citizens, one of whom shall be appointed annually each April by the Mayor, subject to confirmation by the Council, for a term of 5 years

(2) POWERS AND DUTIES. The Commission shall have the powers and duties prescribed in § 62.13, Wis. Stats., except sub. (6).

1.23 (PARKS AND RECREATION COMMISSION)

(1) MEMBERSHIP. The Parks and Recreation Commission shall consist of seven (7) citizens who shall be appointed by the Mayor, subject to confirmation by the Council, for staggered five (5) year terms. The Mayor shall also appoint one Alderman as an ex-officio member of the Commission.

(2) POWERS AND DUTIES. The Commission shall have the general supervision of recreation in the City and shall operate and maintain all community recreation centers, playgrounds or other areas which shall be assigned to it by the Council. It may make rules and regulations for the government and control of all such places of recreation, subject to approval by the Council. The Commission shall generally direct the activities of the Parks and Recreation Director and may hire employees it deems necessary to carry out its responsibilities. It is the intent of the Council that the Commission promote recreation in its broadest aspects and toward this end shall cooperate with existing recreational programs under the auspices of schools or semipublic groups within the City. The Commission shall issue a written annual report to the Council. **(HISTORY: Amended by Ordinance 96-14, approved on September 4th 1996.)**

1.24 (LIBRARY BOARD)

(1) Membership. The Library Board shall consist of seven (7) members. One member shall be the Prairie du Chien School District Superintendent and six (6) members shall be citizens. Citizen members shall be appointed by the Mayor, subject to confirmation by the Council, for staggered 3 year terms.

(2) POWERS AND DUTIES. The Library Board shall have the powers and duties prescribed in § 43.58, Wis. Stats. The Board shall consult with the Council for the purpose of coordinating library personnel policies with general City personnel policies.

1.25 (BOARD OF HEALTH)

(1) MEMBERSHIP. The Board of Health shall consist of the Protection and Health Committee and the Health Officer.

(2) POWERS AND DUTIES. The Board of Health shall have such powers and duties prescribed in § 141.015, Wis. Stats., and this Code.

1.26 (ADMINISTRATIVE REVIEW APPEALS BOARD)

(1) MEMBERSHIP. The Administrative Review Appeals Board shall consist of the Mayor, and Alderman and one citizen member. The Alderman member shall be appointed annually by the Mayor, subject to confirmation by the Council. The citizen member shall be appointed by the Mayor, subject to confirmation by the Council, for a 3 year term.

1.27 (BOARD OF PUBLIC WORKS)

(1) MEMBERSHIP. The Board of Public Works shall consist of the Public Works Committee.

(2) POWERS AND DUTIES. It shall be the duty of the Board, under the direction of the Council, to superintend all public works and keep the streets, alleys, sewers and public works and places in repair and to exercise such powers and duties as provided by law or ordinance.

1.28 (WATER UTILITY COMMISSION)

(1) MEMBERSHIP. The Water Utility Commission shall consist of the Public Works Committee.

(2) POWERS AND DUTIES. The Commission, under the direction of the Council, shall generally supervise the operation of the City water department and shall make recommendations to the Council regarding utility rates and capital improvements.

1.29 (WASTEWATER UTILITY COMMISSION)

(1) MEMBERSHIP. The Wastewater Utility Commission shall consist of the Public Works Committee.

(2) POWERS AND DUTIES. The Commission, under the direction of the Council, shall generally supervise the operation of the City Waste Water Department and shall make recommendations to the Council regarding utility rates and capital improvements.

1.30 (AIRPORT COMMISSION)

(1) MEMBERSHIP. * The Airport Commission shall consist of five (5) members, more specifically, four (4) citizen members, all of whom shall be persons especially interested in aeronautics and one (1) member of the Common Council. The Mayor shall appoint the citizen members for staggered six (6) year terms and the Council Member for two (2) year term. **(Amended by Ordinance 98-10, approved on June 2nd 1998.)**

(2) POWERS AND DUTIES. See Section 16.02(2) of this code.

1.31 (HOUSING AUTHORITY)

(1) MEMBERSHIP. The Housing Authority shall consist of 5 citizen members appointed by the Mayor for staggered 5 year terms. No member of the Authority shall be connected in an official capacity with any political party.

(2) POWERS AND DUTIES. The Authority shall have the powers and duties prescribed in SS. 66.40, Wis. Stats., and such other powers and duties as may be vested in it from time to time by the Council.

1.32 (HARBOR COMMISSION)

(1) MEMBERSHIP. The Harbor Commission shall consist of 5 citizen members appointed by the Mayor, subject to confirmation by the Council, for staggered 3 year terms. The Clerk-Treasurer shall be the Secretary for the Commission.

(2) POWERS AND DUTIES. The Commission shall, subject to Council approval adopt rules and regulations and establish fees relating to the operation of the City Harbor.

1.33 (DESIGN AND PRESERVATION COMMISSION)

(1) MEMBERSHIP. The Design and Preservation Commission shall consist of 9 members including 2 Aldermen and 7 citizens who shall be appointed by the Mayor, subject to confirmation by the Council. One of the citizen members shall be a representative of the Downtown Business Association; one shall be a representative of the Marquette Road business area; and one shall be involved in the ReUse of St. Feriole Island. The two (2) Alderman members shall be appointed to one (1) year terms and the citizen members to staggered three (3) year terms.

(2) POWERS AND DUTIES. See Chapter 17 of this Code.

1.34 (FAIR HOUSING CITIZENS ADVISORY COMMITTEE)

See Section 19.25 of this Code.

1.35 (ETHICS BOARD)

See Section 1.07(6) of this Chapter.

1.36 (ESTABLISHMENT OF THE DOWNTOWN REVOLVING LOAN FUND)

(1) There is hereby established the Downtown Revolving Loan Fund, the purpose of said loan shall be to lend money at no interest or at an interest rate lower than that available through a local lending institution, to businesses now existing or that intend to locate in the Downtown Business District of the City of Prairie du Chien for the purpose of enhancing the exterior appearance and/or the interior appearance of the structure that said business is located or to be located. Further, for purpose of this ordinance, the “Downtown Business District of the City of Prairie du Chien” is defined as that area set forth and outlined in black on Exhibit “A” which is attached hereto and made a part hereof.

(2) That funding for said Revolving Loan Fund shall be derived from the following sources:

- (a) Proceeds from sale of lands to Block 43, LLC, received by the City of Prairie du Chien, and
- (b) Any other source or sources that from time-to-time be designated by the Common Council of the City of Prairie du Chien.

1.37 (ESTABLISHMENT OF THE DOWNTOWN REVOLVING LOAN FUND COMMITTEE)

(1) There is hereby established the Downtown Revolving Loan Fund Committee, which shall consist of seven (7) members, six (6) of which shall be appointed by the Common Council and the seventh (7th) member by the Mayor. Appointments by the Common Council shall be as follows: One (1) such member shall be a member of the City of Prairie du Chien Redevelopment Authority; one (1) such member shall be a member of the City of Prairie du Chien Industrial Development Corporation; one (1) such member shall be a member of the Common Council; one (1) such member shall be a member of the PDRI Design Committee; one (1) such member shall be a member of the PDRI Economic Restructuring Committee, and (1) one such member shall be a member of the City of Prairie du Chien Plan Commission. In the event the Common Council is unable to fill the Committee appointments from the above-stated organizations, appointments can be made from an at large group. The member appointed by the Mayor shall be at the sole selection of the Mayor subject only to the below restrictions, more specifically, that only one (1) Committee member shall own a business in the Downtown Business District and the further restriction that only one (1) committee member shall work in the banking industry. The term of the members shall be for three (3) years, however, the initial members appointed by the Common Council shall serve as follows: two (2) members for one (1) year; two (2) members for two (2) years; and two (2) members for three (3) years. Further, the initial member appointed by the Mayor shall be for three (3) years. Thereafter, all appointments shall be for a three (3) year term, except appointments to fill the unexpired term caused by a vacancy due to death or resignation of an appointed member of the Committee. Further, not more than one (1) Committee member shall own a business in the Downtown Business District as above defined. Further, at least one (1) member of the Committee shall work in the banking industry. The Common Council shall take recommendations from PDRI as to potential candidates to fill committee appointments, however, the Common Council is not bound by such recommendations and further Committee members do not have to be a resident of the City of Prairie du Chien.

(2) The Committee above established shall carry out the goals of the Downtown Revolving Loan Fund as set forth in Section 1.36 of the Municipal Code.

(3) The Common Council shall from time to time establish rules and regulations consistent with the goals of the Downtown Revolving Loan Fund, as set forth in Section 1.36 of the Municipal Code that govern and control the lending of moneys held by the Downtown Revolving Loan Fund.

(HISTORY: Created by Ordinance 2009-10, approved on October 20th 2009.)

1.38 to 1.40 (Reserved)

SUBCHAPTER III: ELECTIONS AND POLITICAL BOUNDARIES

1.41 (CLERK-TREASURER'S ELECTION DUTIES)

As provided in § 7.15, Wis. Stats., the Clerk-Treasurer shall have charge of and supervise all elections held in the City.

1.42 (ELECTION OFFICIALS)

(1) Election officials for each polling place shall be appointed pursuant to § 7.30, 7.31 and 7.32, Wis. Stats.

(2) ELECTION WORKERS SHIFTS. That pursuant to § 7.30(1), Wis. Stats., two (2) or more sets of election officials may be selected to work at different times on election day and the City Clerk for the City of Prairie du Chien or his/her designee may establish different work hours for different election officials assigned to the same polling place. **(Amended by Ordinance 2007-05, approved on February 6th 2007.)**

1.43 (BOARD OF CANVASSERS)

(1) MEMBERSHIP. The Board of Canvassers shall consist of the Clerk-Treasurer and 2 other reputable citizens appointed by the Clerk-Treasurer prior to the date of the election being canvassed.

(2) POWERS and DUTIES. The Board shall have the powers and duties prescribed in § 7.53 (2) and 9.01, Wis. Stats.

1.44 (NOMINATIONS OF ELECTED CITY OFFICIALS)

All candidates for elective City office shall file nomination papers pursuant to § 8.10, Wis. Stats.

1.45 (POLLING HOURS)

The polls of the City shall open at 7:00 A.M. and close at 8:00 P.M. for all elections. **(Amended by Ordinance 2010-04, approved on February 2nd 2010.)**

1.46 (POLLING PLACES)

The polling places of the City are as follows:

- (1) FIRST ALDERMANIC DISTRICT - Grace Evangelical Lutheran Church (1515 So. 15th Street)
- (2) SECOND ALDERMANIC DISTRICT - City Hall (214 E. Blackhawk Avenue)
- (3) THIRD ALDERMANIC DISTRICT - City Hall (214 E. Blackhawk Avenue)
- (4) FOURTH ALDERMANIC DISTRICT - Wisconsin National Guard Armory (601 North Marquette Road)
- (5) FIFTH ALDERMANIC DISTRICT - Wisconsin National Guard Armory (601 North Marquette Road)
- (6) SIXTH ALDERMANIC DISTRICT - United Methodist Church (695 South Dousman Street)
(Amended by Ordinance 92-21, approved on June 2nd 1992; Ordinance 97-13, approved on September 16th 1997; Ordinance 2002-05, approved on July 2nd 2002; Ordinance 2007-12, approved on September 14th 2007)

1.47 (CITY BOUNDARIES AND ANNEXATIONS)

(1) BOUNDARIES. The boundaries of the City are set forth on the Official Map of the City and the legal description of said boundaries are on file in the office of the Clerk-Treasurer. The number of any

ordinance annexing territory to or detaching from the City after the effective date of this Code shall be added to this section in sub. (2) below.

(2) ANNEXATIONS:

1.48 (WARD BOUNDARIES)

Pursuant to ss. 5.15, Wis. Stats., the City is hereby divided into 6 wards to be bounded and numbered as follows:

(1) That Ward No. 1 of the City of Prairie du Chien shall consist of the following Census Tract Numbers and Block Numbers:

<u>Census Tract No.</u>	<u>Census Block No.</u>
980600	1033
“	1034
“	1035
“	1036
“	1037
“	1038
“	1039
“	1040
“	1017
“	1022
“	1069
“	1046
“	1045
“	1044
“	1043
“	1042
“	1041
“	1021
“	1070
“	1047
“	1048
“	1049
“	1050
“	1051
“	1052
“	3022
“	3021
“	3020
“	1019
“	1020
“	1077
“	1060
“	1093
“	1058
“	1057
“	1059
“	1056
“	1055
<u>Census Tract No.</u>	<u>Census Block No.</u>
980600	1053

“	3023
“	3024
“	3025
“	3026
“	3027
“	3028
“	1080
“	1079
“	1078
“	1091
“	1094
“	1092
“	1096
“	1095
“	1097
“	1098
“	3036
“	3037
“	1081
“	1082
“	1083
“	1084
“	1087
“	1088
“	1101
“	1100
“	1099
“	1104
“	1121
“	1120
“	1119
“	1086
“	1110
“	1111
“	1105
“	3038
“	3035
“	3037
“	3032
“	3034
“	1103
“	1122
“	1118
“	1117
“	1123
“	1116
<u>Census Tract Co.</u>	<u>Census Block No</u>
“	1115
“	1102
“	1105

“	1141
“	1140
“	1137
“	1136
“	1135
“	1125
“	1124
“	1114
“	1113
“	1112
“	1108
“	1109
“	1130
“	1131
“	1126
“	1127
“	1128
“	1107
“	1106
980400	2053
“	2038
980600	1129
980400	2037
“	3039
“	2042
“	2043

(2) That Ward No. 2 of the City of Prairie du Chien shall consist of the following Census Tract Numbers and Block Numbers:

<u>Census Tract No.</u>	<u>Census Block No.</u>
980600	1023
“	1024
“	1025
“	1026
“	1027
“	1028
“	1029
“	1030
“	1031
“	1032
<u>Census Tract No.</u>	<u>Census Block No.</u>
“	1068
“	1067
“	1066
“	1065
“	1064
“	1063
“	1071
“	1072
“	1073
“	1074

“	1075
“	1062
“	1061
“	1089
“	1076
“	1089
“	1090

(3) That Ward No. 3 of the City of Prairie du Chien shall consist of the following Census Tract Numbers and Block Numbers:

<u>Census Tract No.</u>	<u>Census Block No.</u>
980600	1152
“	1018
“	2018
“	2019
“	2020
“	2027
“	2028
“	2047
“	2017
“	2051
“	2050
“	2049
“	2048
“	2052
“	2046
“	2053
“	2054
“	2055
“	2045
“	1016
“	1015
“	1014

<u>Census Tract No.</u>	<u>Census Block No.</u>
980600	1013
“	1012
“	1011
“	1010
“	1009
“	1008
“	1007

(4) That Ward No. 4 of the City of Prairie du Chien shall consist of the following Census Tract Numbers and Block Numbers:

<u>Census Tract No.</u>	<u>Census Block No.</u>
980600	1153
“	2016
980500	2051
“	2050
“	2049
“	2048
“	2047

“	2052
“	2053
“	2054
“	2055
“	2056
980600	2014
“	2013
“	2012
“	2011
“	2010
“	2015
“	2021
“	2022
“	2023
“	2024
“	2026
“	2025
“	2009

(5) That Ward No. 5 of the City of Prairie du Chien shall consist of the following Census Tract Numbers and Block Numbers:

<u>Census Tract No.</u>	<u>Census Block No.</u>
980500	2016
<u>Census Tract No.</u>	<u>Census Block No.</u>
980500	2016
“	2012
“	1042
“	1041
“	1040
“	1038
“	2060
“	2018
“	2059
“	2019
“	2017
“	2011
“	2010
“	2009
“	2008
“	2007
“	2020
“	2021
“	2022
“	2023
“	2024
“	2025
“	2026
“	2046
“	2045

(6) That Ward No. 6 of the City of Prairie du Chien shall consist of the following Census Tract Numbers and Block Numbers:

<u>Census Tract No.</u>	<u>Census Block No.</u>
980400	3020
“	3053
“	3054
“	3055
980500	1011
“	1007
“	1008
“	1000
980400	3037
“	3052
980500	1013
“	1012
“	1010
“	1008
“	1009
<u>Census Tract No.</u>	<u>Census Block No.</u>
980400	3039
“	3051
980500	1014
“	1015
“	1016
“	1005
“	1001
980400	3050
980500	1019
“	1018
“	1004
“	1003
“	1002
980400	3038
“	3040
“	3047
“	3046
“	3049
980500	1020
“	1021
“	1022
“	1017
“	1028
980400	3048
980500	1024
“	1023
“	1025
“	1026
“	1027
“	2064
“	2065
“	2066
“	2067

“	2077
“	2063
“	2070
“	2069
“	2068
980400	3041
“	3042
“	3043
980500	2076
“	2062
“	2071
“	2072
“	2061

<u>Census Tract No.</u>	<u>Census Block No.</u>
980500	2074
“	2073
“	2075
“	2014
“	1031
“	1030
“	1029
“	1036
“	2015
“	2013
“	1032
“	1033
“	1034
“	1037

(7) That Ward No. 7 of the City of Prairie du Chien shall consist of the following Census Tract Numbers and Block Numbers:

<u>Census Tract No.</u>	<u>Census Block No.</u>
980400	3056
“	3063
“	3057
“	3062
“	3060
“	3064
“	3061
“	3065
“	3058
“	3059
980500	2006
“	2005
“	2027

(8) That Ward No. 8 of the City of Prairie du Chien shall consist of the following Census Tract Numbers and Block Numbers:

<u>Census Tract No.</u>	<u>Census Block No.</u>
980600	3007
980500	2028
“	2004

“	2003
“	2002
“	2001
<u>Census Tract No.</u>	<u>Census Block No.</u>
980500	2000
980600	3006
980500	2043
“	2044
“	2029
“	2030
“	2031
“	2032
“	2033
980600	3005
980500	2057
“	2058
“	2042
“	2041
“	2040

(9) That Ward No. 9 of the City of Prairie du Chien shall consist of the following Census Tract Numbers and Block Numbers:

<u>Census Tract No.</u>	<u>Census Block No.</u>
980500	2039
“	2038
“	2034
“	2035
“	2036
980600	2008
“	2007
“	2006
“	2005
“	2004
“	2003
“	2002
“	2001
“	2000
“	2032
“	2033
“	2034
“	2035
“	2036
“	2037
“	2038
“	2039
“	2031
<u>Census Tract No.</u>	<u>Census Block No.</u>
980600	2042
“	2041
“	2030
“	2043

“	3004
“	2029
“	2044
“	2040
“	1006
“	1005
“	1004
“	1003
“	1002
“	1001
“	1000
“	3008
“	3009
“	3010
“	3011
“	3016
“	3015
“	3014
“	3013
“	3012
“	3017
“	3018
“	3019

(Amended by Ordinance 01-05, approved on July 17th 2001.)

1.49 (ALDERMANIC DISTRICTS)

The City of Prairie du Chien, Crawford County, Wisconsin, is hereby divided into six (6) Aldermanic Districts comprised from the nine (9) Wards which constitute the City of Prairie du Chien as described in Section 1.48 of the Municipal Code of the City of Prairie du Chien and said six (6) Aldermanic Districts are specifically created and described as follows:

- (1) **The First Aldermanic District** shall consist of the First Ward as described in Section 1.48 of the Municipal Code.
- (2) **The Second Aldermanic District** shall consist of the Second and Third Wards as described in Section 1.48 of the Municipal Code.
- (3) **The Third Aldermanic District** shall consist of the Fourth and Fifth Wards as described in Section 1.48 of the Municipal Code.
- (4) **The Fourth Aldermanic District** shall consist of the Sixth Ward as described in Section 1.48 of the Municipal Code.
- (5) **The Fifth Aldermanic District** shall consist of the Seventh and Eight Wards as described in Section 1.48 of the Municipal Code.
- (6) **The Sixth Aldermanic District** shall consist of the Ninth Ward as described in Section 1.48 of the Municipal Code.

(Amended by Ordinance 01-06, approved on November 2nd 2001.)

1.50 (COUNTY SUPERVISORY DISTRICTS)

The City is divided into County Supervisory Districts to be described and numbered as follows:

- (1) **FIRST COUNTY SUPERVISORY DISTRICT** - The First Ward.
- (2) **SECOND COUNTY SUPERVISORY DISTRICT** - The Second Ward.
- (3) **THIRD COUNTY SUPERVISORY DISTRICT** - The Third Ward.
- (4) **FOURTH COUNTY SUPERVISORY DISTRICT** - The Fourth Ward.

- (5) FIFTH COUNTY SUPERVISORY DISTRICT - The Fifth Ward.
- (6) SIXTH COUNTY SUPERVISORY DISTRICT - The Sixth Ward.

1.51 (ELECTION MAPS ON FILE)

Ward Maps, Aldermanic District Maps and County Supervisory District Maps shall be kept on file in the office of the Clerk-Treasurer.

1.52 to 1.55 (Reserved)

SUBCHAPTER IV: PUBLIC RECORDS

1.56 (PUBLIC RECORDS, ACCESS TO)

(1) DEFINITIONS.

- (a) "Authority" means any of the following City entities having custody of a City record: an office, elected official, agency board, commission, committee, council, department or public body corporate and politic created by constitution, law, ordinance, rule or order; or a formally constituted subunit of the foregoing.
- (b) "Custodian" means that officer, department head, division head or employee of the City designated under sub. (3) below or otherwise responsible by law to keep and preserve any City records or file, deposit or keep such records in his office, or is lawfully in possession or entitled to possession or entitled to possession of such public records and who is required by this section to respond to requests for access to such records.
- (c) "Record" means any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. "Record" includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), and computer printouts. "Record" does not include drafts, notes, preliminary computations and the like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the person property of the custodian and have no relation to his office; materials to which access is limited by copyright, patent or bequest; and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.

(2) DUTY TO MAINTAIN RECORDS.

- (a) Except as provided under sec. 1.57 of this subchapter, each officer and employee of the City shall safely keep and preserve all records received from his predecessor or other persons and required by law to be filed, deposited or kept in his office or which are in the lawful possession or control of the officer or employee or his deputies, or to the possession or control of which he may be lawfully entitled as such officer or employee.
- (b) Upon the expiration of an officer's term of office or an employee's term of employment, or whenever the office or position of employment becomes vacant, each such officer or employee shall deliver to his successor all records then in his custody and the successor shall receipt therefore to the officer or employee, who shall file said receipt with the Clerk-Treasurer. If a vacancy occurs before a successor is selected or qualifies, such records shall be delivered to and receipted for by the Clerk-Treasurer, on behalf of the successor, to be delivered to such successor upon the latter's receipt.

(3) LEGAL CUSTODIANS.

- (a) Each elected official is the legal custodian of his records and the records of his office, but the official may designate an employee of his staff to act as the legal custodian.

(b) Unless otherwise prohibited by law, the Clerk-Treasurer or his designee shall act as legal custodian for the Council and for any committees, commissions, boards or other authorities created by ordinance or resolution of the Council. This shall not include the Police and Fire Departments, the City Library, the Water Department, the Waste Water Department, the City Assessor and Building Inspector, whose custodians shall be the Police Chief, the Fire Chief, the Library Director, the Water Utility Superintendent, the Waste Water Utility Superintendent, the City Assessor and the Building Inspector, respectively.

(c) For every authority not specified in pars. (a) or (b) above, the authority's chief administrative officer is the legal custodian for the authority, but he officer may designate an employee of his staff to act as the legal custodian.

(d) Each legal custodian shall name a person to act as legal custodian in his absence or the absence of his designee. This subsection shall not apply to the Council.

(e) The designation of a legal custodian does not affect the powers and duties of an authority under this section.

(4) PROCEDURAL INFORMATION. Pursuant to § 19.34, Wis. Stats., and the guidelines therein listed, each authority shall adopt, prominently display and make available for inspection and copying at its offices, for the guidance of the public, a notice containing a description of its organization and the established times and places at which the legal custodian from whom and the methods whereby, the public may obtain information and access to records in its custody, make requests for records, or obtain copies of records, and the costs thereof. Each authority shall also prominently display at its offices, for the guidance of the public, a copy of this section. This section does not apply to members of the Council.

(5) PUBLIC ACCESS TO RECORDS; FEES.

(a) Except as provided in sub. (7) below, any person has a right to inspect a record and to make or receive a copy of any record as provided in § 19.35(1), Wis. Stats.

(b) Records will be available for inspection and copying during all regular office hours.

(c) If regular office hours are not maintained at the location where records are kept, the records will be available for inspection and copying upon at least 48 hours' advance notice of intent to inspect or copy.

(d) A requester shall be permitted to use facilities comparable to those available to city employees to inspect, copy or abstract a record. This subsection does not authorize or require the purchase or lease of equipment nor does it require the provision of a separate room for inspection, copying or abstracting of records.

(e) The authority may require supervision during inspection or may impose other reasonable restrictions on the manner of access to an original record if the record is irreplaceable or easily damaged.

(f) A requester shall be charged a fee to defray the cost of locating and copying records as follows:

1. A cost of \$.25 per page for photocopying shall be charged; Large copies, \$2.00 per page; and \$5.00 per plotted page. Said costs shall not exceed the actual, necessary and direct costs to the authority of reproduction, and such charges shall be prominently displayed and made available for inspection by the authority at its office. **(Amended by Ordinance 2004-10, approved on May 4th 2004.)**
2. If the form of a written record does not permit copying, the actual and necessary cost of photographing and photographic processing shall be charged.
3. The actual full cost of providing a copy of other records not in printed form on paper such as films, computer printouts and audio or video tapes shall be charged.
4. If mailing or shipping is necessary, the actual cost thereof shall also be charged.
5. No fee for locating a record if the record is readily available. If not, there shall be a search fee of \$2.50 per record. Further, there shall be a fee of \$5.00 per diskette for

computer generated information. (Amended by Ordinance 2004-10, approved May 4th 2004.)

6. The authority shall estimate the cost of all applicable fees and may require a cash deposit adequate to assure payment if such estimate exceeds \$5.

7. The authority may provide copies of a record without charge or at a reduced charge where he determines that waiver or reduction of the fee is in the public interest.

(6) ACCESS PROCEDURES.

(a) A request to inspect or copy a record shall be made to the authority. A request shall be 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. A request may be made orally, but a request must be in writing before an action to enforce the request is commenced under § 19.37, Wis. Stats. Except as provided below, no request may be refused because the person making the request is unwilling to be identified or to state the purpose of the request. No request may be refused because the request is received by mail unless prepayment of a fee is required under sub. (5) (f), 6, above. A requester may be required to show acceptable identification whenever the requested record is kept at a private residence or whenever security reasons or Federal law or regulations so require.

(b) Each custodian, upon request for any record, shall, as soon as practicable and without delay, either fill the request or notify the requester of the authority's determination to deny the request in whole or in part and the reasons therefore. When the legal custodian has doubts as to whether the requested records are exempt for disclosure, in whole or in part, he shall have 3 working days to confer with the City Attorney prior to making a determination. If the legal custodian, after conferring with the City Attorney, determines that a written request is so general as to be unduly time consuming, the party making the request may first be required to itemize his request in a manner which would permit reasonable compliance.

(c) A request for a record may be denied as provided in sub. (7) below. If a request is made orally, the request may be denied orally unless a demand for a written statement of the reasons denying the request is made by the requester within 5 business days of the oral denial. If a written request is denied in whole or in part, the requester shall receive a written statement of the reasons for denying the request. Every written denial of a request shall inform the requester that if the request for the record was made in writing, then the determination is subject to review upon petition for a writ of mandamus under § 19.37 (1), Wis. Stats., or upon application to the Attorney General or a district attorney.

(7) LIMITATIONS ON RIGHT TO ACCESS.

(a) As provided by § 19.36, Wis. Stats., the following records are exempt from inspection under this section:

1. Records specifically exempted from disclosure by State or Federal law or authorized to be exempted from disclosure by State law.
2. Any record relating to investigative information obtained for law enforcement purposes if Federal law or regulations require exemption from disclosure or if exemption from disclosure is a condition to receipt of aids by the State.
3. Computer programs, although the material used as input for a computer program or the material produced as a product of the computer program is subject to inspection.
4. A record or any portion of a record containing information qualifying as a common law trade secret.

(b) As provided by § 43.30, Wis. Stats., public library circulation records are exempt from inspection under this section.

(c) In responding to a request for inspection or copying of a record which is not specifically exempt from disclosure, the legal custodian, after conferring with the City attorney, may deny

the request, in whole or in part, only if he determines that the harm to the public interest resulting from disclosure would outweigh the public interest in full access to the requested record. Examples of matters for which disclosure may be refused include, but are not limited to, the following:

1. Records obtained under official pledges of confidentiality which were necessary and given in order to obtain the information contained in them.
2. Records of current deliberations after a quasi-judicial hearing.
3. Records of current deliberations concerning employment, dismissal, promotion, demotion, compensation, performance, or discipline of any City officer or employee, unless such officer or employee consents to such disclosure.
4. Records concerning current strategy for crime detection or prevention.
5. Records of current deliberations or negotiations on the purchase of City of property, investing of city funds or other City business whenever competitive or bargaining reasons require nondisclosure.
6. Financial, medical, social or personal histories or disciplinary data of specific persons which if disclosed would be likely to have substantial adverse effect upon the reputation of any person referred to in such history or data.
7. Communications between legal counsel for the City and any officer, agent or employee of the city when advice is being rendered concerning strategy with respect to current litigation in which the City or any of its officers, agents or employees is, or is likely, to become involved, or communications which are privileged under § 905.03, Wis. Stats.

(d) If a record contains information that may be made public and information that may not be made public, the custodian of the record shall provide the information that may be made public and delete the information that may not be made public from the record before release. The custodian shall confer with the City Attorney prior to releasing any such record and shall follow the guidance of the City Attorney when separating out the exempt material. If, in the judgment of the custodian and the City Attorney, there is no feasible way to separate the exempt material from the nonexempt material without unreasonably jeopardizing nondisclosures of the exempt material, the entire record shall be withheld from disclosure.

(e) Whenever the Assessor, in the performance of the Assessor's duties, requests or obtains income and expense information pursuant to Section 70.47(7)(a), Wis. Stats., or any successor statute thereto, then, such income and expense information that is provided to the Assessor shall be held by the Assessor on a confidential basis, except, however, that said information may be revealed to and used by persons: in the discharging of duties imposed by law; in the discharge of duties imposed by office (including, but not limited to, use by the Assessor in performance of official duties of the Assessor's office and use by the Board of Review in performance of its official duties); or pursuant to order of a court. Income and expense information provided to the Assessor under Section 70.47(7)(a), Wis. Stats., unless a court determines that it is inaccurate, is per Section 70.47(7)(a), Wis. Stats., unless a court determines that it is inaccurate, is per Section 70.47(7)(a), Wis. Stats., not subject to the right of inspection and copying under Section 19.35(1), Wis. Stats.

(8) SEVERABILITY. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict. **(Amended by Ordinance 2000-06, approved on April 11th 2000.)**

1.57 (PUBLIC RECORDS, DESTRUCTION OF)

(1) **FINANCIAL RECORDS.** City Officers may destroy the following nonutility records of which he is the legal custodian and which are considered obsolete after completion of an audit by state auditors or an auditor licensed under Ch. 442, Wis. Stats., but not less than 7 years after payment or receipt of any sum involved in the particular transaction unless a shorter period has been fixed or will in the future be fixed by the committee on public records, pursuant to § 16.61 (3)(e), Wis. Stats., and then after such shorter period:

- (a) Bank statements, deposit books, slips and stubs.
- (b) Bonds and coupons after maturity.
- (c) Cancelled checks, duplicates and check stubs.
- (d) License and permit applications. stubs and duplicates.
- (e) Payrolls and other time and employment records of personnel included under the Wisconsin Retirement Fund.
- (f) Receipt forms.
- (g) Special assessment records.
- (h) Vouchers, requisitions, purchase orders and all other supporting documents pertaining thereto.

(2) **UTILITY RECORDS.** City officers may destroy the following utility records of which they are the legal custodians and which are considered obsolete after completion of any required audit by the Bureau of Municipal Audit or an auditor licensed under Ch. 442, Wis. Stats., subject to State Public Service Commission regulations, but not less than 7 years after the record was effective unless a shorter period has been fixed by the State Public Records Board pursuant to § 16.61(3)(e) Wisc. Stats., and then after such a shorter period, except that water stubs, receipts of current billings and customers' ledgers may be destroyed after 2 years:

- (a) Water stubs and receipts of current billings.
- (b) Customer's ledgers.
- (c) Vouchers and supporting documents pertaining to charges not included in plant accounts. Other utility records after 7 years with the written approval of the State Public Service Commission.
- (d) Contracts.
- (e) Excavation permits.
- (f) Inspection records.

(3) **OTHER RECORDS.** City Officers may destroy the following records of which he is the legal custodian and which are considered obsolete, but note less than 7 years after the record was effective, unless another period has been set by statute, or by the State Public Records pursuant to § 16.61 (3) (e), Wis. Stats., and then after such a shorter period:

- (a) Assessment rolls and related records, including Board of Review Minutes.
- (b) Contracts and papers relating thereto.
- (c) Correspondence and communications.
- (d) Financial reports other than annual financial reports.
- (e) Insurance Policies.
- (f) Oaths of Office
- (g) Reports of boards, commissions, committees and officials duplicated in the Council minutes.
- (h) Resolutions and petitions.
- (i) Voter record cards.

(4) **NOTICE REQUIRED.** Unless notice is waived by the State Historical Society, at least 60 days' notice shall be given the State Historical Society prior to the destruction of any record as provided in § 19.21(4)(a), Wis. Stats.

(5) TAPE RECORDINGS. Any tape recording of a governmental meeting of the City may be destroyed, erased or reused no sooner than 90 days after the minutes of the meeting have been approved and published if the purpose of the recording was to make minutes of the meeting.

(6) LIMITATION. This section shall not be construed to authorize the destruction of any public record after a period less than prescribed by statute or State administrative regulations.

(7) PRESERVATION THROUGH MICROFILM. Any City Officer or the head of any department or division of City government may keep and preserve public records in his possession by means of microfilm or other photographic reproduction method. Such records shall meet the standards for photographic reproduction set for in § 16.61(7)(a) and (b), Wis. Stats. and shall be considered original records for all purposes. Such records shall be preserved along with other files of the department or division and shall be open to public inspection and copying according to the provisions of State law and this Code.

(8) That all information supplied to the City Assessor for the City of Prairie du Chien, Crawford County, Wisconsin, by any person, entity, or corporation relative to income and expenses derived from and associated with property assessed by the City of Prairie du Chien, shall remain confidential. Provided, however, that said confidentiality does not apply to person using said information in the discharge of their duties imposed by law or the discharge of the duties of their office or if ordered to be disclosed by a court of competent jurisdiction determines that income and expense information to be inaccurate, said information is not subject to the right of inspection and copying under § 19.35 (1), Wis. Stats., now in effect or hereafter amended. **(Amended by Ordinance 98-17, approved on October 6th 1998.)**