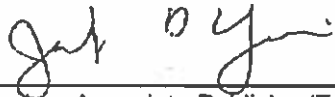


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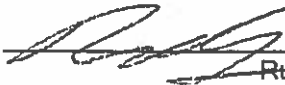
Joe Yovino, being the first duly sworn on oath, says that he or she is the Associate Publisher/Editor of THE DAILY REPORTER, which is a public newspaper of general circulation, printed and published daily in the English language in the City of Milwaukee, in said county, and fully complying with the laws of Wisconsin, relating to the publication of legal notices; that the notice of which the printed one attached is a true copy, which was clipped from the said newspaper, was inserted and published in said newspaper on

Nov. 17, 2021

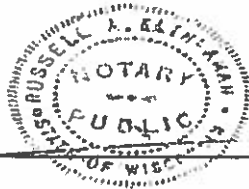


Joe Yovino, Associate Publisher/Editor

Sworn to me this 17th day of November 2021



Russell A. Klingaman
Notary Public, Milwaukee County, Wisconsin
My Commission Is Permanent



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Official Publication

1 FROM THE OFFICE OF GEORGE L. CHRISTENSON
2 MILWAUKEE COUNTY CLERK
3
4 County Ordinance No. 31-19
5 File No. 21-793
6
7 AN ORDINANCE
8
9 The Milwaukee County Board of Supervisors of the County of Milwaukee does order as
10 follows:
11
12 SECTION 1. Section 32.65 of the Milwaukee County Code of General Ordinances is
13 hereby amended as follows:
14
15 32.65 - Record center.
16 (1) Authority. A county-wide record center shall be established by the
17 department of administration for the storage, management and control of
18 inactive departmental records.
19 (2) Policy. It shall be the policy of the county that all departments shall utilize
20 the record center for the storage of inactive departmental records which are
21 required to be retained. Inactive records defined as those which must be
22 retained beyond the established departmental office storage period of the
23 county records committee approved retention schedule. The county records
24 committee, at the request of departments, may authorize alternative records
25 storage arrangements of inactive departmental records.
26
27 SECTION 2. Section 32.66 of the Milwaukee County Code of General Ordinances is
28 hereby amended as follows:
29
30 32.66 - Records management services.
31 (1) The department of administration shall establish and administer a records
32 management program which shall provide services to all county departments
33 pursuant to guidelines promulgated by the county records committee
34 pursuant to section 32.14(3) of the Code. The services shall include, without
35 limitation by way of enumeration, the following:
36 (a) Return inactive records, including vital records.
37 (b) Document disposal of obsolete records including confidential records.
38 (c) Evaluate records retention requests.
39 (d) Prepare, analyze and maintain records retention schedules.
40 (e) Prepare, analyze and review departmental records retention schedules and
41 policies.
42 (f) Evaluate new records storage, microfilm and imaging systems.
43 (g) Train, consult with and advise county departments in all phases of
44 records management to advance modern and efficient records handling
45 practices.
46 (h) Respond to requests for records made by county departments.
47 (i) Respond to open records requests by members of the public through
48 county departments pursuant to subsection (4) below.
49 (j) Make records available to the director of audits at any and all times with
50 or without notice in accordance with the provisions of county Ordinance
51 87-04.
52
53 (2) The department of administration shall provide staffing to the county
54 records committee as established by section 32.14(3).
55
56 (3) The department of administration shall charge for storage and retrieval
57 services which shall be approximately equivalent to the cost of such services
58 including overhead and depreciation of equipment. The price for such
59 services shall be periodically adjusted, based upon cost analysis.
60
61 (4) The legal custodian of each record stored at the record center shall
62 continue to be the owner for the purposes of this ordinance and such record.
63 Access to each record stored in the record center shall be determined by such
64 legal custodian.
65
66 SECTION 3. Section 56.14 of the Milwaukee County Code of General Ordinances is
67 hereby amended as follows:
68
69 56.14 - Records management.
70 (1) Policy. Programs for proper management of county records are deemed
71 necessary to promote economy and efficiency in the day-to-day recordkeeping
72 activities of the county government and to provide for preservation and
73 safeguarding of vital records. Purpose. The purpose of this ordinance section is to
74 establish a county record retention schedule and authorize destruction of records
75 retained pursuant to the schedule on annual basis. Records evaluations may
76 destroy a record prior to the time set forth in the schedule only if such a record
77 has been reproduced as an original record pursuant to s. 19.01(7) or s. 19.01(2),
78 Wis. Stats.
79
80 (2) Definitions. As used in this section:
81 (a) "Record" means document, book, paper, photograph, sound recording,
82 magnetic tape, microfilm or other representation of physical form or
83 characteristics, made or received pursuant to law or ordinance or in
84 connection with the transaction of official business. Library and museum
85 material, made or acquired and preserved solely for reference or exhibition
86 purposes, and copies of publications and computerized forms, are not
87 included within the definition of records as used in this section. Any material
88 on which written, drawn, printed, spoken, visual or electromagnetic
89 information is recorded or preserved, regardless of physical form or
90 characteristics, which has been created or is being kept by an authority,
91 "Record" includes, but is not limited to, handwritten, typed or printed papers,
92 maps, charts, photographs, films, recordings, tapes (including computer tapes) and
93 computer printouts, optical discs, and any other medium on which
94 electronically generated or stored data is recorded or preserved. "Record"
95 does not include drafts, notes, preliminary computations and like materials
96 prepared for use or prepared by a person for use or prepared by the initiator in
97 the name of a person for whom the initiator is working, materials which are
98 purely the personal property of the custodian and have no relation to his/her
99 office, regardless of whether access is limited by copyright, patent or bequest;
100 and published materials in the possession of an authority other than a public
101 library, which are available for sale, or which are available for inspection at a
102 public library.
103 (b) "Unit" means any department, institution, office, commission, board or agency of
104 the county excluding constitutional officers and the courts.
105 (c) "County record" means any record prepared or received by any unit of the county
106 government.
107
108 (3) County records committee. The county records committee (hereinafter
109 referred to as "committee") shall consist of the following five (5) members or
110 their designees: corporate counsel; comptroller; director, department of
111 administration services, who shall serve as chairman; director of
112 transportation and director of the county historical society. The department
113 of administrative services shall furnish necessary staff assistance to the
114 committee. The committee shall provide general guidelines to the department
115 records management program to promote efficient and economical
116 management methods for the retention, preservation and disposition of
117 county records. All County records for which a specific retention period is
118 not established by State Statute, Administrative Code, Federal law or
119 regulation, shall be retained for a period of not less than seven (7) years,
120 unless another retention period is designated in Milwaukee County
121 Ordinance.
122
123 (4) Duties of committee. The committee shall, with due regard for the functions of
124 the units concerned. The "Records Management and Retention Ordinance of
125 Milwaukee County" as attached to Ordinance 11 and amended by this
126 ordinance, is adopted by reference as though fully set forth herein. This
127 ordinance and any amendments hereto shall be provided promptly to each
128 department head by the County Clerk. Department heads presume
129 responsibility for notice and compliance with their respective departments.
130
131 (a) Establish standards, procedures and techniques for effective management
132 of records. This shall include standards for use of filing equipment, microfilm,
133 central records depositories, methods of record destruction, etc.
134
135 (b) Establish procedures for preparation of schedules providing for retention
136 of county records and schedules which are for prompt and orderly disposal of
137 records no longer possessing sufficient administrative, legal or fiscal value to
138 warrant their further keeping.
139
140 (c) Establish procedures to insure the maintenance and security of the

147 county's vital records.
148
149 (d) Obtain reports from units as are required for the administration of the
150 program.
151
152 (e) Approve retention schedules.
153
154 (f) Establish safeguards against unauthorized or unlawful removal or loss of
155 county records, including the right to initiate action to remove county records
156 removed unlawfully or without authorization.
157
158 (5) Dues of unit heads. The head of each unit shall:
159 (a) Establish and maintain an active, continuing program for proper management
160 of the records of the unit.
161 (b) Make and maintain records containing adequate and proper documentation of
162 the organization, functions, policies, decisions, procedures and essential
163 transactions of the unit designed to furnish information to protect the legal and
164 financial rights of the county and of persons directly affected by the unit's
165 activities.
166 (c) Submit to the committee for their approval, in accordance with the
167 standards established by them, schedules proposing the length of time
168 each county record series remains retained for administrative, legal or
169 fiscal purposes after it has been received by the unit.
170 (d) Cooperate with the committee in the conduct of surveys made by them
171 pursuant to the provisions of this section.
172 (e) Comply with the rules, regulations, standards and procedure issued by
173 the committee.
174
175 (6) Records not to be damaged or destroyed.
176 (a) All records made or received by or under authority of or coming into custody,
177 control or possession of county personnel in the course of their public duties are the
178 property of the county and shall not be retained, destroyed, transferred, removed or
179 otherwise damaged or disposed of, in whole or in part, except as provided by law.
180 (b) A record, which has been requested by the public, shall not be destroyed
181 until after the request is denied or 60 days after the request is denied. If an
182 action is commenced under s. 19.37, Wis. Stats., the requested record shall
183 not be destroyed until a court order is issued and all appeals have been
184 completed. If s. 19.37(3), Wis. Stats., No record subject to pending litigation
185 or suit shall be destroyed until the litigation or suit has been resolved.
186 (7) Disposal of records. No record shall be destroyed or otherwise disposed of, by any
187 unit of the county, unless done so in accordance with the adopted retention schedule
188 and notification to the county and/or state historical society, if required. This section
189 does not supersede sections of the statutes establishing specific retention schedules.
190 (8) Destruction of nonrecord materials. Nonrecord materials or materials not
191 included within the definition of records as contained in this chapter may, if not
192 otherwise prohibited, be destroyed at any time by the unit by the possession of
193 such materials without prior approval of the committee. However, this
194 preapproval notification to the law library as specified in section 100.06(1) of the
195 Code. The committee may formulate procedures and interpretations to guide in
196 disposition of nonrecord materials.
197 (9) Appeal procedure. Any unit head may appeal from a decision or regulation of
198 the committee to the county board committee on judiciary, safety and general
199 services, whose decision shall be final.
200 (10) Rules and regulations. The committee shall promulgate such rules and
201 regulations as are necessary or proper to effectuate the purposes of this section
202 and the related laws of the state.
203 (11) Progress reports. Progress reports shall be sent to the county board and the
204 county executive when so directed by the committee. The report shall describe
205 the status and progress of programs established pursuant to this section and
206 shall set forth the recommendations of the committee for improvements in the
207 management of county records including benefit quantification of such
208 recommendations.
209 (12) Statistical reports and summaries provided to individuals and groups not a
210 part of county government.
211 (a) Statistical reports and summaries of county records may be provided to
212 individuals and groups not a part of county government, provided that:
213 (1) Release of such information is not prohibited under any state statute or
214 county ordinance.
215 (2) Approval is given for release of such information by the head of the unit
216 responsible for the maintenance of records to be used in preparation of the
217 summary or report, and,
218 (3) Approval for the preparation of the report is given by the department of
219 administration, if required under subsection (4)(2) hereof.
220 (b) A proportion processing charge shall be made to the individual or group
221 requesting the summary or report. Such charge shall be determined in the
222 following manner:
223 (1) The unit head, with the assistance, if requested, of the data processing
224 division of the department of administration, shall determine the cost
225 involved in preparation, by consideration of the time, personnel, and
226 equipment required for preparation of the summary or report.
227 (2) In the event the estimated cost of such summary or report exceeds fifty
228 dollars (\$50.00) and requires the use of the county's data processing
229 systems at all times of employees of the department of administration, the
230 approval of said department shall be obtained before preparation of the
231 report. In granting the approval the department of administration shall
232 determine a priority schedule for the retrieval of the requested information,
233 to prevent interference with the department's customary processing of
234 county records.
235 (c) This section shall not apply to any summaries or reports which the county
236 is required to furnish free of charge under the provisions of any federal or
237 state statute.
238 SECTION 4. Section 56.20 of the Milwaukee County Code of General Ordinances is
239 hereby amended as follows:
240
241 56.20 - Access to public records.
242 (1) Definitions:
243 (a) "Authority" means any of the following having custody of a record: an officer,
244 elected official, agency, board, commission, committee, council, department or
245 public body corporate and politic created by constitution, law, ordinance, rule or
246 order or a formally constituted subunit of the foregoing.
247 (b) "Record" means any material on which written, drawn, printed, spoken, visual or
248 electromagnetic information is recorded or preserved, regardless of physical form or
249 characteristics, which has been created or is being kept by an authority. "Record"
250 includes, but is not limited to, handwritten, typed or printed papers, maps, charts,
251 photographs, films, recordings, tapes (including computer tapes) and computer
252 printouts, optical discs, and any other medium on which electronically
253 generated or stored data is recorded or preserved. "Record" does not include
254 drafts, notes, preliminary computations and like materials prepared for the
255 originator's personal use or prepared by the originator in the name of a person for
256 whom the originator is working, materials which are purely the personal property of
257 the custodian and have no relation to his/her office, materials to which access is
258 limited by copyright, patent or bequest, and published materials in the possession of
259 an authority other than a public library which are available for sale, or which are
260 available for inspection at a public library.
261 (2) Legal custodians.
262 (a) Every department head of every unit of county government, including all boards

Official Publication

Continued from previous page

- 290 and commissions, is the legal custodian of his/her records and the records of his/her
291 office, but the official may designate an employee of his/her staff to act as the legal
292 custodian
293
294 (b) Each legal custodian shall name a person to act as legal custodian in his/her
295 absence or the absence of his/her designate. This subsection does not apply to
296 members of the county board.
297
298 (c) The designation of a legal custodian does not affect the powers and duties of the
299 county clerk and county government under other statutes and ordinances,
300 notwithstanding the provisions of § 19 21 of sec. Wis. Stats.
301
302 (3) Procedural information Pursuant to § 19 34, Wis. Stats. and the guidelines therein
303 listed, the county clerk shall adopt, prominently display and make available for
304 inspection and copying at its office for the guidance of the public, a notice
305 containing a description of the county organization and the established times and
306 places at which each legal custodian from whom and the methods whereby, the
307 public may obtain information and access to records in its custody, make requests
308 for records, or obtain copies of records, and the cost thereof. Each legal custodian
309 shall similarly adopt and display a notice reciting the time and places for inspection
310 and costs involved in obtaining copies. The county clerk shall also prominently
311 display at its office, for the guidance of the public, a copy of §§ 19 31 — 19 39, Wis.
312 Stats. This section does not apply to members of the county board
313
314 (4) Access to records: *See.*
315
316 (e) The rights of any person who requests inspection or copies of a record are
317 governed by the provisions and guidelines of s. 19 35(1), Wis. Stats.
318
319 (b) Each authority and/or legal custodian shall provide any person who is authorized
320 to inspect or copy a record which appears in written form pursuant to s. 19 35(1)(b),
321 Wis. Stats. or any person who is authorized to and requests permission to
322 photograph a record the form of which does not permit copying pursuant to a
323 § 19 35(1)(c), Wis. Stats., with facilities comparable to those used by its employees to
324 inspect, copy, and abstract the record during established office hours. An authority
325 and/or legal custodian is not required by this subsection to purchase or lease
326 photocopying, duplicating, photographic, or other equipment or to provide a separate
327 room for the inspection, copying or abstracting of records.
328
329 (c) 1 Each authority and/or legal custodian shall impose a fee upon the requester of
330 a copy of a record which may not exceed the actual, necessary and direct cost
331 of reproduction and transcription of the record, unless a fee is otherwise
332 specifically established or authorized to be established by the law. For the
333 purpose of implementing and collecting the actual, necessary and direct cost
334 of reproduction and transcription of a record a uniform fee is established in an
335 amount of fifteen cents (\$0.15) for each page of letter size or legal size
336 documents except that when any statute, ordinance or resolution provides for
337 a different fee, such fee shall be observed and collected.
338
339 2. Each authority and/or legal custodian shall impose a fee upon the requester of
340 a copy of a record for the actual, necessary and direct cost of photographing
341 and photographic processing if the authority and/or legal custodian provides a
342 photograph of a record, the form of which does not permit copying.
343
344 3. Except as otherwise provided by law or as authorized to be prescribed by law,
345 an authority and/or legal custodian shall impose a fee upon a requester for
346 locating a record, not exceeding the actual necessary and direct cost of
347 location, if the cost is fifty dollars (\$50.00) or more.
348
349 4. Each authority and/or legal custodian shall impose a fee upon a requester for
350 the actual, necessary and direct cost of mailing or shipping of any copy or
351 photograph of a record which is mailed or shipped to the requester.
352
353 5. An authority and/or legal custodian may provide copies of a record without
354 charge or at a reduced charge where the authority determines that waiver or
355 reduction of the fee is in the public interest.
356
357 6. Each authority and/or legal custodian shall require prepayment by a requester
358 of any fee(s) imposed under this subsection if the total amount exceeds five
359 dollars (\$5.00).
360
361 (d) Each authority and/or legal custodian in acting upon a request for any record
362 shall respond within the times and according to the procedures set out in s. 19 35(4),
363 Wis. Stats.
364
365 (5) Separation of information If a record contains information that may be made public
366 and information that may not be made public, the authority and/or legal custodian
367 having custody of the record shall provide the information that may be made public
368 and delete the information that may not be made public from the record before
369 release. Each authority and/or legal custodian shall consult with the county
370 corporation counsel before releasing any information under this subsection.
371 Notwithstanding the foregoing, records of the following personnel matters are
372 generally not public and should not be disclosed to the public without prior
373 consultation with the corporation counsel:
374
375 (a) Evaluations of applicants
376
377 (b) Names of applicants other than those certified for employment
378
379 (c) Pay survey data obtained from identifiable nonpublic employers.
380
381 (d) Names of nonpublic employers contributing pay survey data
382
383 (e) Performance evaluations of individual employees
384
385 In addition, all patient health care records shall remain confidential and are
386 nonpublic, and may be released only to persons in accordance with the provisions of
387 as 146 82 and 805 04, Wis. Stats.
388
389 (6) Statistical reports and summaries provided to individuals and groups not a
390 part of county government.
391 (a) Statistical reports and summaries of county records may be provided to
392 individuals and groups not a part of county government, provided that:
393 (1) Release of such information is not prohibited under any state statute or
394 county ordinance,
395 (2) Approval is given for release of such information by the head of the unit
396 responsible for the maintenance of records to be used in preparation of the
397 summary or report, and,
398 (3) Approval for the preparation of the report is given by the department of
399 administration, if required under subsection (b)(2) hereof.
400
401 (b) A preparation processing charge shall be made to the individual or group
402 requesting the summary or report, such charge shall be determined in the
403 following manner:
404
405 (1) The unit head, with the assistance, if requested, of the data processing
406 officer of the department of administration, shall determine the cost
407 involved in preparation, by consideration of the time, personnel, and
408 equipment required for preparation of the summary or report.
409
410 (2) In the event the estimated cost of such summary or report exceeds fifty
411 dollars (\$50.00) and requires the use of the county's data processing
412 systems or the time of the department of administration employees, the
413 approval of said department shall be obtained before preparation of the
414 report. In addition the approval of the department of administration shall
415 determine a priority schedule for the retrieval of the requested information
416 to prevent interference with the department's customary processing of
417 county records.
418
419 (c) This section shall not apply to any summaries or reports which the county
420 is required to furnish free of charge under the provisions of any federal or
421 state statute.
422
423 SECTION 5. The provisions of this Ordinance shall become effective upon passage and
424 publication
425
426 Adopted by the Milwaukee County Board of Supervisors
427 November 4, 2021