

CHAPTER 2  
GENERAL GOVERNMENT

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**2.01 FORM OF GOVERNMENT.** The City of Darlington operates under the Mayor-Council system of government under the provisions of Ch. 62, Wis. Stats.

**2.02 OFFICERS ENUMERATED.** (1) The officers of the City shall be a Mayor, Clerk-Treasurer, City Attorney, Assessor, Health Officer, Director of Public Works, Chief of Police, 2 Alderpersons from each Aldermanic District, and such other officers or boards as are created by law or by the Council.

(2) The office of Comptroller is dispensed with and his duties shall be performed by the Clerk-Treasurer.

**2.03 ELECTED OFFICIALS.** (1) **MAYOR.** Elected in even-numbered years for a 2-year term.

(2) **TWO ALDERPERSONS FROM EACH ALDERMANIC DISTRICT.** Two Alderpersons from each Aldermanic District, one elected in even-numbered years and one elected in odd-numbered years for 2-year terms.

**2.04 APPOINTED OFFICIALS.** (1) **CLERK-TREASURER.** Appointed by the Mayor, subject to confirmation by the Council, for an indefinite term.

(2) **CITY ATTORNEY.** Appointed in odd-numbered years by the Mayor, subject to confirmation by the Council, for a 2-year term.

(3) **ASSESSOR.** Appointed in odd-numbered years by the Mayor, subject to confirmation by the Council, for a 2-year term.

(4) **ZONING ADMINISTRATOR-BUILDING INSPECTOR.** Appointed in odd-numbered years by the Mayor, subject to confirmation by the Council, for a 2-year term.

(5) **CHIEF OF POLICE.** (See sec. 4.01(2) for appt. and term).

(6) **DIRECTOR OF PUBLIC WORKS.** (a) Selection. The Director of Public Works shall be appointed by the Mayor and confirmed by the Council.

(b) Tenure. The Director shall hold office for an indefinite term, subject to removal for cause by the Council by a 2/3 vote of all the members thereof.

(c) Qualifications. The Director shall have had at least 3 year's experience in municipal engineering or public works and shall be familiar, by education or experience, with the field of public works management.

(d) Powers and Duties. The Director shall have the following powers and duties:

1. (Ord. #01-2011) Subject to the direction of the Council or the Mayor, he shall be responsible for the administration of all public works, shall have general charge and supervision of the sewage treatment plant and of the construction of water mains and all maintenance, repair and construction of streets, alleys, curbs and gutters, sidewalks, bridges, parking areas, sewers, facilities and structures ordinarily requiring engineering services and supervision, and all machinery, equipment, and property used in any activity under his control.
2. He shall have charge of public services such as snow and ice removal, street cleaning and flushing, and such other activities as may be assigned to him from time to time by the Mayor or the Council.
3. He shall be a member of the Plan Commission.
4. He shall be responsible for the keeping of all records and documents required by law and ordinance relating to property and activities under his supervision and all such items shall remain the property of the City and be kept at the City Hall.
5. He shall have the power to employ and discharge all employees under his direction, except that such employment and discharge shall be confirmed by the appropriate committee and confirmed by the Council.
6. He shall prepare and keep up-to-date, accurate maps and records of the city utility system in and along the streets, alleys, and public ways of the City, shall prepare and maintain up-to-date property maps and inventories relating to real and personal property owned by the City under his control, shall install and maintain a property accountability system relating to municipal property used by employees and others under his control, shall lay out systematic routines for regular maintenance work, snow removal, street, sidewalk, and alley repair and improvement, and supervise the inspection of sidewalks.
7. He shall from time to time submit to the Council for its consideration at regular meetings summary reports of the work together with any suggestions of benefit and interest to the City, and shall in addition file a detailed annual report with recommendations and suggestions on or before October 15 in each calendar year in order that those recommendations may be considered in the preparation of the annual budget.

8. He shall be subject to directives on policy, procedure, or activities only from the Mayor or Council relating to matters under their control.

9. He shall perform such additional duties as are imposed upon him from time to time by motion, resolution, or ordinance of the Council which shall likewise have authority to change his duties.

(7) HEALTH OFFICER. (a) Appointment. The Health Officer shall be appointed in odd-numbered years by the Mayor, subject to confirmation of the Council, for a two-year term.

(b) Powers and Duties. See sec. 14.01 of this Code.

**2.05 BOARDS AND COMMISSIONS.** (1) POLICE AND FIRE COMMISSION.

(a) Members. The Police and Fire Commission shall consist of 4 citizens appointed by the Mayor subject to confirmation by the Council for terms of 5 years with appointments staggered so that no more than one citizen member is appointed each year. In addition, one alderperson shall be appointed by the Mayor annually.

(b) Powers and Duties. The Police and Fire Commission shall have the powers and duties designated by §62.13, Wis. Stats., and such others as the Council may from time to time designate. All provisions for administration of the Police and Fire Commission, appointments and duties of the chiefs, organization of the departments, conduct of subordinates, leaves of absence, promotions, offenses and penalties for misconduct, charges, suspensions, and trials shall be provided for in detail by the Commission.

(c) Meetings; Reports; Budgets. All members of the Police and Fire Commission shall meet in a body with the Council at the regular Council meeting in June each year. The Commission shall present to the Council a full report of their activity for the past 12 months and shall discuss in detail all proposals of major importance having a direct effect on either Department which have not been approved by the Council. All reports of the Commission submitted to the Council shall be in writing and shall be signed by all 5 members. Should any member not be in accord with the majority, the Mayor shall see that the members be heard and the Council apprised of their views. The Commission shall submit a proposed budget for the coming year at the first Council meeting in October.

(2) BOARD OF PUBLIC WORKS. The Public Works Committee shall act as the Board of Public Works.

(3) PLAN COMMISSION. (a) Members. The City Plan Commission

shall consist of the Mayor who shall be its presiding officer, the Director of Public Works, the chairperson of the Recreation Commission, an alderperson, and three citizens appointed pursuant to §62.23, Wis. Stats.

(b) Powers and Duties. The Commission shall have the functions and powers and duties prescribed in §62.23, Wis. Stats., and such other powers and duties as may be delegated to it by the Council or otherwise by Statute.

(4) BOARD OF ZONING APPEALS. (a) Members. The Board shall consist of 5 members who shall be appointed by the Mayor and confirmed by the Council for 3-year terms. Members of the Board shall serve with compensation to be periodically set by the Council. The Mayor shall designate one of the members as chairperson and the Clerk-Treasurer shall serve as secretary of the Board.

(b) Meetings. All meetings of the Board shall be held at the City Hall unless a different meeting place is announced in a public notice of the meeting, and shall be open to the public. Meetings of the Board shall be held at the call of the chairperson and at such other times as the Board may determine. The chairperson or, in his absence, the acting chairperson, may administer oaths and compel the attendance of witnesses.

(c) Rules. The Board shall adopt from time to time such rules and regulations as it may deem necessary to carry into effect the provisions of this section and of §62.23(7), Wis. Stats. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote showing such fact. The final disposition of appeals shall be by recorded resolution indicating the reasons of the Board therefor, all of which shall be a public record. The concurring vote of 4 members of the Board shall be necessary to reverse any order or determination of the Building Inspector or to decide in favor of the applicant any matter upon which they are required to pass or to affect any variation of the Zoning Code.

(d) Appeals. The Board shall hear appeals as provided in Chapter 9 of this Code.

(e) Powers. The Board shall have the following powers:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Building Inspector in the administration of the Zoning Code.

2. To permit the reasonable extension of a district where the boundary line of a district divides a lot in a single ownership at the time of the adoption of the Zoning Code.
3. To interpret the provisions of the Zoning Code in such a way as to carry out the intent and purpose of the plan where the street layout actually on the ground varies from the street layout as shown on the Zoning Map.
4. To permit a temporary building for business or industry in a residential district which is incidental to residential development, such permit to be issued for a period of not more than one year.
5. To permit a private garage to house more than 3 noncommercial automobiles, as an accessory building to a dwelling, hospital, school, or other public or semi-public institution, provided that the lot whereon such garage is to be located shall contain an area of not less than 200 square feet per motor vehicle housed.
6. If recommended by the State Public Service Commission, to permit, in appropriate cases and subject to appropriate conditions and safeguards in harmony with the general purpose and intent of the Zoning Code, a building or premises to be erected or used by a public service corporation or for public utility purposes in any location and for any purpose which is reasonably necessary for the public convenience and welfare.
7. To authorize upon appeal in specific cases such variance from the terms of the Zoning Code as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the Zoning Code would result in unnecessary hardship and so that the spirit of the Zoning Code shall be observed and substantial justice done.
8. In exercising the above-mentioned powers, the Board may, in conformity with the provisions of law, reverse or affirm, wholly or partly, or may modify an order, requirement, decision, or determination of the Building Inspector and to that end shall have all the powers of the Building Inspector.
9. Any person or persons, jointly or severally, aggrieved by the Board, or any taxpayer, or any officer, department, board or bureau of the City may, within 30 days after the filing of the decision in the office of the Board, but not thereafter, present to a court of competent jurisdiction a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality whereupon such decision of said

Board shall be subject to review by certiorari, as provided by law.

(5) RECREATION COMMISSION. (a) Members. The Commission shall consist of 7 members including one representative of the Darlington School Board, one alderperson, and 5 citizens. The School Board representative and the alderperson shall be appointed by the Mayor, subject to confirmation by the Council, for a 1-year term; citizen members shall be appointed in a like manner for a 3-year term.

(b) Organization, Rule Making, Compensation. The Commission shall organize annually by the election of a chairperson, secretary, and such other officers as may in their judgment be necessary. All members of the Commission shall serve without compensation. The Commission shall establish such rules and regulations for the performance of its duties as it shall deem advisable and necessary.

(c) Powers and Duties. 1. The Recreation Commission shall coordinate, develop, maintain, equip, operate and supervise recreational facilities of the City and shall have such other duties as may be assigned by the Council, and with the consent of the School Board, it shall organize and conduct play and recreational activities on the grounds and in buildings under control of the School Board, and it shall have the power and authority to equip, operate, supervise and maintain privately owned lands or buildings which use for recreational activities and purposes may be temporarily granted by the owners.

2. The Committee may appoint and employ, subject to the approval by the Council, a Recreation Director to carry out the policies of the Commission. Such employment shall be within the limitation of budgeted funds.

3. Wherever possible the Commission shall utilize existing City employees, equipment and facilities to carry out and maintain its programs.

(d) Treasurer. The Clerk-Treasurer shall act as treasurer of the Commission without additional compensation.

(e) Expenditures. All expenditures shall be made as are other City expenditures and according to the State laws. All expenditures shall be within the budget as approved by the Council. Expenditures shall be made by order of the Clerk-Treasurer to pay bills that have been audited by the Commission, approved by the Council, and presented to the Clerk-Treasurer. The Commission shall not contract any liability in excess of its budget as approved by the Council.

(f) Budget, Annual Report. Prior to October 1 of each year, the Commission shall submit to the Council an estimate of the expenditures during the ensuing year. Such amount as shall be approved by the Council shall be included in the City budget. The Commission shall submit to the Council at its first regular meeting in January of each year a report upon the activities of the Commission during the preceding year together with a summary of receipts and disbursements.

(6) LIBRARY BOARD. The Library Board shall consist of an alderperson and 6 citizen members appointed as provided in §43.54, Wis. Stats., and shall have the powers and duties prescribed by State law and the Council.

(7) BOARD OF REVIEW. The Board of Review shall consist of the Mayor, the Clerk-Treasurer, one alderperson, and one citizen appointed annually by the Mayor.

(8) BOARD OF HEALTH. The Council shall constitute the Board of Health.

(9) ELECTION BOARD. See §7.30(4), Wis. Stats.

(10) WATER AND SEWER COMMITTEE. The Council shall constitute the Water and Sewer Committee.

(11) DARLINGTON UNITED WAY, INC. (a) Board Established. The Darlington United Way, Inc. Board of Trustees shall consist of 7 citizens appointed by the Mayor, subject to confirmation of the Council, for staggered terms of 3 years.

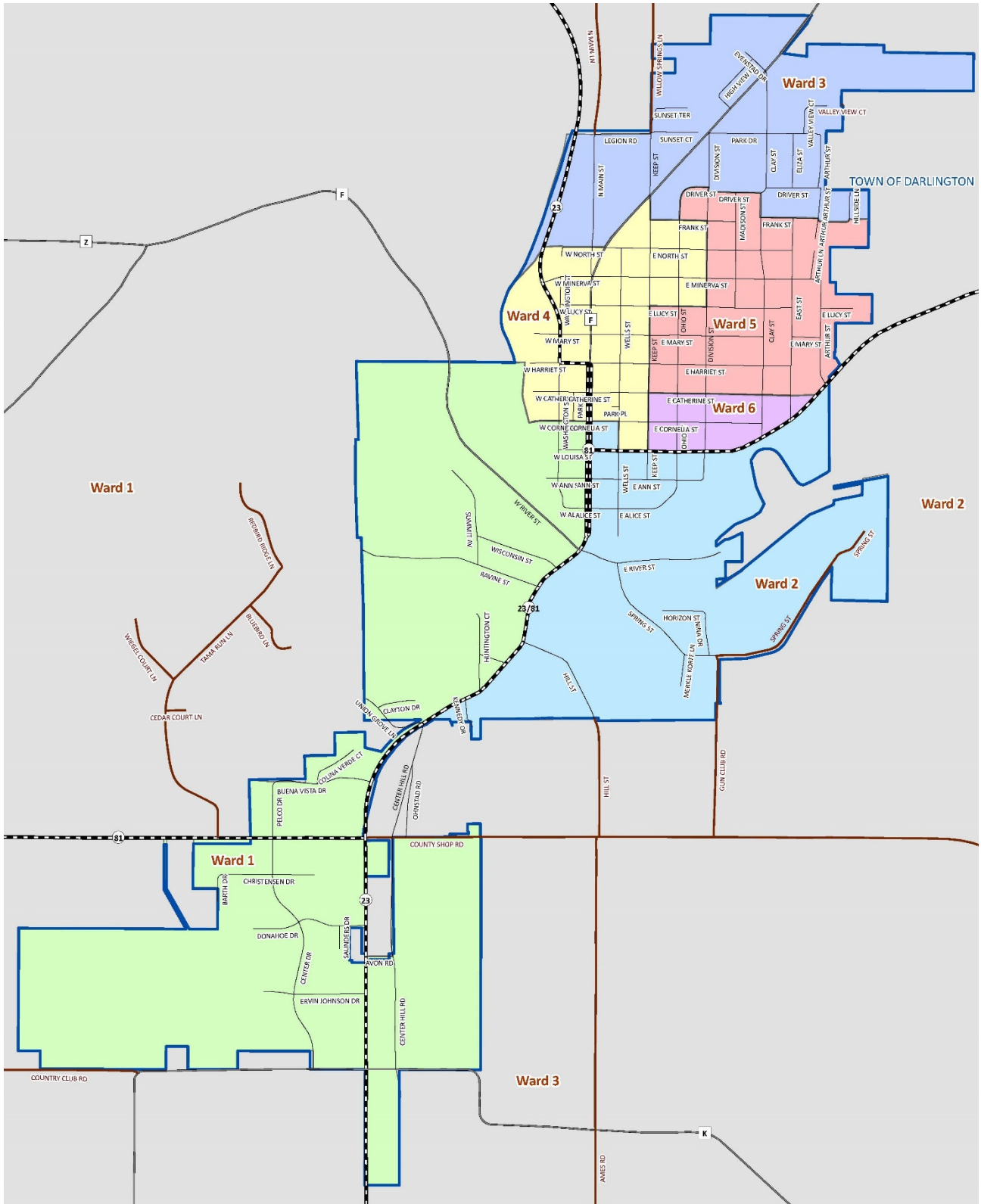
(b) Powers and Duties. See Sec. 11.08 of this Code.

(12) ADMINISTRATIVE REVIEW APPEALS BOARD. See Sec. 6.05 of this Code.

**2.06 POLLING PLACES**. (Ord. #5-2003). There shall be one polling place in the City. All electors shall vote in the Municipal Building.

**2.07 WARDS**. (Ord. #07-2021). Pursuant to Section 5.15 of the Wisconsin Statutes and based upon the 2010 decennial Census of Population, the City of Darlington is hereby divided into six (6) wards. The ward boundaries are set forth on the Official City of Darlington Ward Map dated October 5, 2021, which map, together with all subsequent amendments thereto, is incorporated into this section by reference and made a part thereof as though fully set forth herein.





**2.075 ALDERMANIC DISTRICTS** (Ord. #07-2001) (Am. Ord. #04-2011) (Am. Ord 07-2021). The City shall be divided into three Aldermanic Districts known as the First, Second, and Third Aldermanic Districts. The boundaries of each Aldermanic District shall be as follows:

(1) FIRST ALDERMANIC DISTRICT. The First Aldermanic District shall encompass Wards 1 and 2 of the City.

(2) SECOND ALDERMANIC DISTRICT. The Second Aldermanic District shall encompass Wards 3 and 4 of the City.

(3) THIRD ALDERMANIC DISTRICT. The Third Aldermanic District shall encompass Wards 5 and 6 of the City.

**2.08 PUBLIC RECORDS.** (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) 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 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 personal 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 sub. (7) below, 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 the Clerk-Treasurer's 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, or in his absence or disability or in case of vacancy, the deputy clerk is hereby designated the legal custodian of all City records.

(c) For every authority not specified in pars. (a) or (b), the authority's chief administrative officer is the legal custodian for the authority, but the 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.

(e) The legal custodian shall have full legal power to render decisions and to carry out the duties of an authority under Subchapter. II of Ch. 19, Wis. Stats., and this section. The designation of a legal custodian does not affect the powers and duties of an authority under this section.

(4) PUBLIC ACCESS TO RECORDS; FEES. (a) Except as provided in sub. (6), 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) A requester shall be permitted to use facilities comparable to those available to City employees to inspect, copy or abstract a record.

(d) The legal custodian 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.

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

1. The cost of photocopying shall be \$.20 per page. Said cost has been calculated not to exceed the actual, necessary, and direct cost of reproduction.
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 videotapes shall be charged.
4. If mailing or shipping is necessary, the actual cost thereof shall also be charged.
5. There shall be no charge for locating a record unless the actual cost therefor exceeds \$50, in which case the actual cost shall be determined by the legal custodian and billed to the requester.
6. The legal custodian shall estimate the cost of all applicable fees and may require a cash deposit adequate to assure payment if such estimate exceeds \$5.
7. Elected and appointed officials of the City shall not be required to pay for public records they may reasonably require for the proper performance of their official duties.
8. The legal custodian may provide copies of a record without charge or a reduced charge where he determines that waiver or reduction of the fee is in the public interest.

(f) 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 subs. (4) and (6) of this section. This paragraph does not apply to members of the Council.

(5) ACCESS PROCEDURES. (a) A request to inspect or copy a record shall be made to the legal custodian. 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. (4)(e)6. 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 therefor. 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. (6). 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.

(6) 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, or the investigation of charges against a 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 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 a 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 non-exempt material without unreasonably jeopardizing nondisclosure of the exempt material, the entire record shall be withheld from disclosure.

(7) DESTRUCTION OF RECORDS. (a) City officers may destroy the following nonutility financial 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., 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 by the State Public Records Board pursuant to §16.61(3)(e), Wis. Stats., and then after such shorter period:

1. Bank statements.
2. Canceled checks.
3. Receipt forms.
4. Vouchers, etc.

(b) 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), Wis. Stats., and then after such a shorter period, except the water stubs, receipts of current billings and customers' ledgers may be destroyed after 2 years:

1. Contracts.
2. Excavation permits.
3. Inspection records.

(c) City officers may destroy the following records of which they are the legal custodian and which are considered obsolete, but not less than 7 years after the record was effective unless another period has been set by statute, and then after such a period, or unless a shorter period has been fixed by the State Public Records Board, pursuant to §16.61(3)(e), Wis. Stats., and then after such a shorter period:

1. Old insurance policies.
2. Election notices.
3. Canceled registration cards.

(d) 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 by §19.21(4)(a), Wis. Stats.

(e) Any tape recordings 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.

(8) PRESERVATION THROUGH MICROFILM. Any City officer or the director of any department or division of City government may, subject to the approval of the Council, 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 forth 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 of subs. (4) through (6) above.

**2.09 FAIR AND OPEN HOUSING.** (Ord. #03-2019) (1) The Council hereby adopts §106.50, Wis. Stats., and all subsequent amendments thereto.

(2) The officials and employees of the City shall assist in the orderly prevention and removal of all discrimination in housing within the City by implementing the authority and enforcement procedures set forth in §106.50, Wis. Stats., as amended.

(3) The Clerk-Treasurer shall maintain forms for complaints to be filed under §106.50, Wis. Stats., and shall assist to file a complaint thereunder with the Wisconsin Department of Industry, Labor and Human Relations for enforcement of §106.50, Wis. Stats., as amended.

**2.10 CONFIDENTIALITY OF INCOME AND EXPENSE INFORMATION REQUESTED BY ASSESSOR.** (Ord. #05-2003) Whenever the Assessor, in the performance of the Assessor's duties, requests or obtains income and expense information pursuant to Section 70.47(7)(af), 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)(af), unless a court determines that it is inaccurate, is not subject to the right of inspection and copying under Section 19.35(1), Wis. Stats.