

# CHAPTER 1

## COUNTY ORGANIZATION

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**1.01 Townships.** The following civil towns have previously been organized and established by the Manitowoc County Board of Supervisors pursuant to Wisconsin law. All land description references herein are to the Range lines east of the 4th principal Meridian, and Township numbers established in the original survey of the Wisconsin Territory made pursuant to the Northwest Ordinance, July 13, 1787, 1 Stat. 51. These descriptions shall be deemed to exclude all land which is within the corporate limits of any incorporated village or city or which is below the ordinary high water mark of Lake Michigan. It is the intent of the Manitowoc County Board of Supervisors that this ordinance recodifying previous resolutions setting forth these boundaries be construed so as to validate the existing boundaries between Manitowoc County civil townships and cure any defects in the proceedings held to set off these townships. References to Manitowoc County Board of Supervisors Proceedings are to the actions of the County Board which created and/or adjusted the boundaries or names of the townships.

(1) Cato. All that unincorporated territory located in Township numbered 19 North, Range 22 East. November 17, 1857, Manitowoc County Board of Supervisors Proceedings Vol. 3, page 9.

(2) Centerville. All that unincorporated territory located in Township numbered 17 North, Range 23 East. February 10, 1850, Manitowoc County Board of Supervisors Proceedings Vol. 1.

(3) Cooperstown. All that unincorporated territory located in Township numbered 21 North, Range 22 East. November 12, 1856, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 199.

(4) Eaton. All that unincorporated territory located in Township numbered 18 North, Range 21

East. November 14, 1851, Manitowoc County Board of Supervisors Proceedings Vol. 2, page 6; Renamed "Walders," May 9, 1853, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 43; Renamed "Eaton," May 17, 1854, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 89; November 18, 1856, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 215; November 11, 1857, Manitowoc County Board of Supervisors Proceedings, Vol. 3, page 2; November 16, 1857, Manitowoc County Board of Supervisors Proceedings, Vol. 3, page 6; November 22, 1860, Manitowoc County Board of Supervisors Proceedings, Vol. 3, page 113; July 11, 1867, Manitowoc County Board of Supervisors Proceedings, Vol. 4, page 193; December 21, 1869, Manitowoc County Board of Supervisors Proceedings, Vol. 4, page 321.

(5) Franklin. All that unincorporated territory located in Township numbered 20 North, Range 22 East. November 19, 1855, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 176. November 17, 1857, Manitowoc County Board of Supervisors Proceedings, Vol. 3, page 9.

(6) Gibson. All that unincorporated territory located in Township numbered 21 North, Range 23 East, except Section 36. November 11, 1858, Manitowoc County Board of Supervisors Vol. 3, page 28.

(7) Kossuth. All that unincorporated territory located in Township numbered 20 North, Range 23 East, and Sections 18, 19, 30 and 31 of Township 20 North, Range 24 East. November 12, 1851, Manitowoc County Board of Supervisors Proceedings Vol. 2, page 5; November 15, 1852, Manitowoc County Board of Supervisors Proceedings Vol. 2, page 34.

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(8) Liberty. All that unincorporated territory located in Township numbered 18 North, Range 22 East. Originally called "Buchanan," November 16, 1857, Manitowoc County Board of Supervisors Proceedings, Vol. 3, page 6. Renamed Liberty, November 20, 1861, Manitowoc County Board of Supervisors Proceedings, Vol. 3, page 170.

(9) Manitowoc. All that unincorporated territory located in Township numbered 18 North, Range 24 East and township numbered 19 North, Range 24 East which is landward of the ordinary high water mark of Lake Michigan. Originally established as a town by Act 48, section 34 of the Wisconsin Territorial Laws, March 3, 1839; January 9, 1849, Manitowoc County Commissioners Session, Vol. 1; May 27, 1893, Manitowoc County Board of Supervisors Proceedings, Vol. 7, pages 593, 597-598; Proceedings of the Board of Supervisors for 1894, page 22, May 26, 1894 and page 60, November 27, 1894; *State of Wisconsin ex rel. v. Town of Manitowoc*, 92 Wis. 546 (1895).

(10) Manitowoc Rapids. All that unincorporated territory located in Township numbered 19 North, Range 23 East. Originally established by Manitowoc County Commissioners, January 9, 1849, County Commissioners Session, Vol. 1; March 18, 1850, Manitowoc County Board of Supervisors Proceedings, Vol. 1; September 16, 1850, Manitowoc County Board of Supervisors Proceedings, Vol. 1; November 12, 1851, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 6.

(11) Maple Grove. All that unincorporated territory located in Township numbered 20 North, Range 21 East. September 16, 1850, Manitowoc County Board of Supervisors Proceedings, Vol. 1; November 14, 1851, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 6; November 19, 1855, Manitowoc County Board of Supervisors Proceedings Vol. 2, page 176; November 14, 1856, Manitowoc County Board of Supervisors Proceedings, Vol. 2, pages 203, 215; November 18, 1856, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 215.

(12) Meeme. All that unincorporated territory located in Township numbered 17 North, Range 22 East. January 9, 1849, County Commissioners of

Manitowoc County, Sessions, Vol. 1; February 10, 1850, Manitowoc County Board of Supervisors Proceedings, Vol. 1; November 16, 1855, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 171.

(13) Mishicot. All that unincorporated territory located in Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17 in Township numbered 20, Range 24 East; section 36 of Township numbered 21 North, Range 23 East; sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33 of Township numbered 21 North, Range 24 East, excepting the right of way of Tannery Road lying in sections 9, 16, 21, 28 and 33 of Township numbered 21 North Range 24 East. November 15, 1852, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 34; May 9, 1853, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 43; Renamed "Saxonburg." May 12, 1853, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 46; Renamed "Mishicot," November 16, 1853, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 66. November 11, 1858, Manitowoc County Board of Supervisors Proceedings, Vol. 3, page 28.

(14) Newton. All that unincorporated territory located in Township 18 North, Range 23 East which is landward of the ordinary high water mark of Lake Michigan. February 10, 1850, Manitowoc County Board of Supervisors Proceedings Vol. 1; November 14, 1851, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 6; November 16, 1857, Manitowoc County Board of Supervisors Proceedings, Vol. 3, page 6; May 27, 1893, Manitowoc County Board of Supervisors Proceedings, Vol. 7, pages 593, 597, 598; Proceedings of the Board of Supervisors for the Year 1894, page 22, May 26, 1894; page 60, November 27, 1894; *State of Wisconsin ex. rel. vs. Town of Manitowoc*, 92 Wis. 546 (1895).

(15) Rockland. All that unincorporated territory located in Township numbered 19 North, Range 21 East. November 14, 1856, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 203; November 18, 1856, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 215; November 11, 1857, Manitowoc County Board of Supervisors Proceedings Vol. 3, page 2; November 22, 1860 Manitowoc County Board of Supervisors

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Proceedings, Vol. 3, page 113. July 11, 1867, Manitowoc County Board of Supervisors Proceedings, Vol. 4, page 193; December 21, 1869, Manitowoc County Board of Supervisors Proceedings, Vol. 4, page 321.

**(16) Schleswig.** All that unincorporated territory located in Township numbered 17 North, Range 21 East, except Section 30. Originally established as “Abel,” November 16, 1855, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 171. Named changed to “Schleswig,” November 18, 1856, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 217.

**(17) Two Creeks.** All that unincorporated territory which is landward of the ordinary high water mark of Lake Michigan and is located in sections 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36 and the right of way of Tannery Road located in sections 9, 16, 21, 28, and 33 of Township numbered 21 North, Range 24 East, and sections 30 and 31 of Township numbered 21 North, Range 25 East; Originally established as “Rowley,” July 13, 1859 Manitowoc County Board of Supervisors Proceedings, Vol. 3, page 61. Renamed “Two Creeks” November 20, 1861, Manitowoc County Board of Supervisors Proceedings, Vol. 3, page 171; All of Tannery Road added April 19, 1977, Manitowoc County Board of Supervisors Proceedings 1977-78, page 25.

**(18) Two Rivers.** All that unincorporated territory which is landward of the ordinary high water mark of Lake Michigan and is located in sections 1, 2, 3, 10, 11, and 15 of Township numbered 19 North, Range 24 East; sections 1, 2, 11, 12, 13, 14, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, and 36 in Township numbered 20 North, Range 24 East; and in sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, and 32 of Township numbered 20 North, Range 25 East. January 9, 1849, Manitowoc County Commissioners, Session, Vol. 1; March 18, 1850, Manitowoc County Board of Supervisors Proceedings, Vol. 1; November 15, 1852, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 34; May 9, 1853, Manitowoc County Board of Supervisors Proceedings, Vol. 2, page 43; July 13, 1859, Manitowoc County Board of Supervisors Proceedings, Vol. 3, page 61.

**1.02 County Board of Supervisors.** **(1)** The legislative and administrative power of Manitowoc County shall be vested in the County Board of Supervisors.

**(2) Membership.** Eligibility to serve on the Manitowoc County Board of Supervisors shall be determined by state law.

**(a)** The County Board shall consist of one member elected from each supervisory district denominated in MCC § 1.03.

**(b)** All members of the County Board shall be elected at the spring election of the even-numbered year.

**(3) Vacancies.** **(a)** A vacancy in a county board supervisor position occurs when the incumbent:

1. Dies;
2. Resigns;
3. Is convicted of a felony, unless pardoned;
4. Ceases to be a resident of the county board district from which elected;
5. Is declared to be incompetent under Wis. Stat. Ch. 880;
6. Is subject to removal from office by virtue of any reason recognized by state statute.

**(b)** A vacant position shall be filled by appointment of the chairperson of the county board for the unexpired term. The chairperson’s appointment is subject to confirmation by the entire county board.

**(4) Self-organization.** Pursuant to Wis. Stat. § 59.10, Manitowoc County hereby elects to operate as a self-organized county as that term is used in law.

**(5) Rules.** The County Board shall adopt, and may, from time to time, amend, the rules of procedure governing county board operations. These rules, when approved by the county board, have the same force as ordinances of the county board.

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(6) Compensation. (a) Supervisors and the Chairperson of the Board shall be paid at the rate established from time to time by resolution of the Board enacted pursuant to the Statutes in such case made and provided.

(b) Health Insurance. Supervisors may participate in the group health insurance program of Manitowoc County. Supervisors must pay 100% of the premium for health insurance.

(c) Any supervisor who, having been a member of the Manitowoc County Board of Supervisors for a total of ten (10) years or more, at least one (1) two (2)-year term of which was served after the effective date of this ordinance [April 1990], may continue indefinitely on Manitowoc County's group health insurance plan at their own expense after they cease to be a member of the County Board.

**1.03 County Supervisor Districts.** (1) There shall be twenty-five (25) supervisory districts in Manitowoc County apportioned after every decennial federal census to attain, so nearly as is practicable, equal numbers of persons within each district.

(2) Considerations in districting. In establishing districts, the Board shall endeavor to avoid undue fragmentation of townships or unincorporated villages, and shall attempt to follow established city council districts in the City of Manitowoc.

(3) Districts. All references to wards shall be deemed to apply to the applicable provision of the municipal ordinances of the municipality involved.

The following districts were established by the Manitowoc County Board of Supervisors by Resolution 2001/2002-117 on October 16, 2001:

District No. 1 - City of Manitowoc Wards 1 and 2.

District No. 2 - City of Manitowoc Wards 3 and 4.

District No. 3 - City of Manitowoc Wards 5 and 6.

District No. 4 - City of Manitowoc Wards 7 and 8.

District No. 5 - City of Manitowoc Wards 9 and 10.

District No. 6 - City of Manitowoc Wards 11 and 12.

District No. 7 - City of Manitowoc Wards 13 and 14.

District No. 8 - City of Manitowoc Wards 15 and 16.

District No. 9 - City of Manitowoc Wards 17 and 18.

District No. 10 - City of Manitowoc Wards 19 and 20.

District No. 11 - Town of Manitowoc Ward 1; Town of Manitowoc Rapids Wards 1, 4, and 5; Town of Newton Wards 2 and 4.

District No. 12 - Town of Centerville; Town of Newton Wards 1 and 3; Village of Cleveland Wards 1 and 2.

District No. 13 - Town of Meeme Wards 1 and 2; Town of Schleswig Wards 2 and 3.

District No. 14 - Town of Schleswig Ward 1; City of Kiel Wards 1, 2, 3, 4, 5, and 6.

District No. 15 - Town of Eaton; Town of Liberty Wards 1 and 2; Town of Rockland Ward 1; Village of St. Nazianz.

District No. 16 - Town of Franklin Ward 2; Town of Maple Grove; Town of Rockland Ward 2; Village of Reedsville Wards 1 and 2.

District No. 17 - Town of Franklin Ward 1; Town of Kossuth Ward 1; Town of Mishicot Ward 4; Village of Kellnersville ; Village of Mishicot Wards 1 and 2.

District No. 18 - Town of Cato Wards 1 and 2; Village of Valders ; Village of Whitelaw.

District No. 19 - Town of Cooperstown Wards 1 and 2; Town of Gibson Wards 1 and 2; Town of Mishicot Ward 3; Village of Maribel.

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District No. 20 - Town of Mishicot Wards 1 and 2; Town of Two Creeks; Town of Two Rivers Wards 2 and 4.

District No. 21 - Town of Kossuth Wards 2 and 3, Town of Manitowoc Ward 2; Town of Manitowoc Rapids Wards 2 and 3; Village of Francis Creek.

District No. 22 - Town of Two Rivers Ward 3; City of Two Rivers Wards 1, 2, and 3.

District No. 23 - City of Two Rivers Wards 4 and 5.

District No. 24 - City of Two Rivers Wards 6 and 7.

District No. 25 - Town of Manitowoc Ward 3, Town of Two Rivers Ward 1; City of Two Rivers Wards 8 and 9.

**1.04 County Board Committees.** (1) At the commencement of every County Board term, the Chairperson shall appoint five (5) members to each of the standing committees.

(a) The Members of all Standing Committees of the Manitowoc County Board of Supervisors shall serve until their successors are appointed and qualified, unless a committee member is not re-elected to represent their district, in which event the committees shall continue to function without such member or members.

(2) The Chairperson shall also appoint a member of each Committee as its chairperson except for committees, boards, or commissions whose membership is authorized by Wisconsin Statutes to elect its own chairperson.

(3) Standing Committees. The following are the names and duties of the standing committees of the Manitowoc County Board of Supervisors:

(a) Finance. Makes recommendations to the Board on all financial matters. Reviews the proposed Annual Budget Policy and recommends to the Board. Settles or disallows all claims exceeding \$500.00 but not exceeding \$10,000.00 and accounts of the County pursuant to Wis. Stat. § 59.07(3) (1991-92). Oversees all financial matters relating to

the investment of County funds. Contracts for the annual audit of the County's general purpose financial statements, indirect cost plan, and other services that may statutorily be required. Adopt policy governing the operations of the Comptroller/Auditor; Payroll; Information Systems; Register of Deeds; Clerk; and Treasurer; develop and recommend to the County Board the proposed annual budget for the County; exercise the authority prescribed in MCC Ch. 4. Oversees and is responsible for Comptroller, County Clerk, County Treasurer, Information Systems, and Register of Deeds.

(b) Personnel Committee. Reviews grievances and acts as bargaining agent for County with County employees subject to collective bargaining. Oversees the administration of personnel policies and procedures, including all forms of compensation, classification, employment, and termination of County employees. Receives recommendations from the Administrator regarding requests for changes to the authorized full-time and part-time positions resolution, based on funds available. Receives and reviews recommendations from the Administrator regarding compensation for employees, represented or not, based on funds available. Reviews with the Finance Committee the Administrator's proposed annual budget policy. Reviews and approves group hospital, surgical, and life insurance coverage and reviews worker's compensation coverage in conjunction with the Finance Committee. Oversees and is responsible for Personnel, Corporation Counsel, and Veterans Services.

(c) [REPEALED]

(d) Public Safety Committee. Confers and meets with the appropriate officials responsible for the justice and public safety of persons and property within the County, including the Clerk of Circuit Court, Circuit Court Judges, Coroner, Emergency Management, District Attorney, Family Court Commissioner, Register in Probate, and Sheriff and brings such recommendations for improvements or changes to the County Board. Reviews monthly the budget status of all justice and public safety departments, and if necessary refers matters of the budget and personnel to the Finance and Personnel Committees. Oversees and is responsible for Clerk of Circuit Court, Circuit Court Judges, Coroner, District Attorney, Emergency Management, Family

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Court Commissioner, Register in Probate, Emergency Management and Sheriff's Department.

(e) Highway Committee. Oversees the administration of the Highway Department and the County Airport and its agreements, contracts, and leases, acts on monthly claims, purchases capital equipment, purchases rights-of-way for road construction, establishes the annual repair and maintenance of County roads, approves agreements to repair and maintains state and local highways.

[EFFECTIVE UNTIL JUNE 30, 2006]

(f) Natural Resources & Education Committee. Oversees the Administration of the UW Extension Office, the Soil Conservation Office, and the Aging Resource Center. Approves the purchase of capital equipment, authorizes applications for state aid, enters into contracts with landowners, and acquires gifts. Responsible for hiring and performance reviews of all agents. Recommends policies for supporting agriculture, conservation, and sponsors educational programs in the areas of: agriculture/agribusiness, community resource development, family living education, and 4H-youth development. Oversees and is responsible for UW Extension Office, Soil & Water Conservation, Aging Resource Center and Expo Board.

[EFFECTIVE BEGINNING JULY 1, 2006]

(f) Natural Resources and Education Committee. The Natural Resources and Education Committee has policy oversight authority for the UW Extension Office and the Soil Conservation Office and may recommend policies for supporting agriculture and conservation. The committee may, within the limits of the budget authorized by the county board, approve the purchase of capital equipment; acquire gifts; authorize applications for state aid; enter into contracts with landowners; and sponsor educational programs in the areas of agribusiness, agriculture, community resource development, family living education, and 4H-youth development.

(g) [Repealed by Ordinance No. 1999/2000-142 (Dec. 21, 1999)].

(h) Executive Committee. The executive committee shall consist of the county board chair, the first vice-chair, and the second vice-chair. The county board chair shall be the chair of the executive

committee. The executive committee shall have full authority to act in the name of the county board whenever time does not permit the full county board to meet and act. Any action taken pursuant to this section shall be submitted for county board approval at the next regular county board meeting following the action or at a special meeting of the county board called by the executive committee at such time and place and upon such notice as may be necessary and expedient.

(i) Public Works Committee. Oversees the administration of the Public Works Department in the areas of operation and maintenance of all County buildings except the Health Care Center, Highway Department Buildings, and County Airport, but will still be responsible for capital projects involving expenditures exceeding \$2,500.00 at the Health Care Center. Initiates a plan to assure that all County owned and operated buildings are in compliance with laws pertaining to handicapped accessibility. Reviews the status of County owned tax delinquent properties and other County owned lands under lease. Oversees the County's solid waste management programs with the cities, towns, and villages of the County. Oversees the disposal of obsolete equipment not needed by County departments. Oversees and is responsible for Public Works/Solid Waste, Recycling, and Manitowoc Industrial Commission.

(4) Grievance Committee. This committee is established pursuant to the requirements of Wis. Stat. § 59.26(8)(b) for the purpose of hearing grievances involving sworn law enforcement employees of Manitowoc County. The committee shall be composed of five (5) members and shall include the Chair, Vice-Chair, and Secretary of the Public Safety Committee, and the Chair and Vice-Chair of the Personnel Committee. The jurisdiction of the Grievance Committee shall be limited to that set forth in Wis. Stat. § 59.26(8)(b), which includes the suspension, demotion, or dismissal of sworn law enforcement personnel. All other grievances arising from the Sheriff's Department shall be handled by the Personnel Committee. The Grievance Committee shall be considered to be a special committee rather than a standing committee.

**1.05 County Seat.** The County seat shall be the City of Manitowoc.

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**1.06 Courthouse and Jail.** The County Courthouse shall be located at 1010 South Eighth Street, Manitowoc, WI 54220. The County jail shall be located at 1025 South Ninth Street, Manitowoc, WI 54220.

**1.07 County Seal.** The county hereby adopts an official seal blazoned as follows:

A central disk covered by a blue sky.

A first, innermost gold ring with black icons clockwise from the honor point of an anchor representing the county's maritime history and three five-pointed stars representing the county's cities, villages, and towns and counter-clockwise from the nombril point of a stalk of corn representing the county's agricultural prominence and three cogs representing the county's manufacturing excellence.

A second, ornamental, light blue ring with a cog-toothed outer edge.

A third, dark blue ring with the words "COUNTY OF MANITOWOC" in the chief point and the word "WISCONSIN" in the base point.

A fourth, ornamental, gold ring with a cog-toothed outer edge.

A graphic rendition of the cupola of the Manitowoc County Courthouse topped by an American flag centered on the fesse point and overlying the central disk, the four rings at the chief point, and the first three rings at the base line.

A wavy gold banner with numbers showing the year "1836" in which the county was incorporated overlying the four rings at the base line.

(2) The following image depicts the county seal:



(3) Style. The county seal may be affixed to a document by an embossing seal, an inked rubber stamp, or by printing the seal on the document. The county seal may be depicted in color or in black-and-white.

(4) The validity of any official county act shall not be impaired by a deficiency in the sealing of the same.

(5) The County Clerk, Clerk of Circuit Court, Treasurer, Register of Deeds, and Sheriff may adopt and utilize an official seal. Each official shall file a reproduction of their seal with the County Clerk.

(6) Authorized Use. (a) The official seal may be used by employees, officials, and officers of Manitowoc County in the performance of their official duties.

(b) The County Board may, by resolution, authorize the use of the official seal by other persons or for other purposes, or both, on such terms as it deems appropriate when it concludes that such use is in the county's interest. Section (8) notwithstanding, any use of the official seal, or a colorable imitation thereof, in connection with any commercial activity, impersonation, merchandise, retail product, solicitation, or in any manner reasonably calculated to convey the impression that such use is approved, endorsed, or authorized by Manitowoc County, must be authorized by County Board resolution.

(7) Unauthorized use prohibited. The unauthorized use of the official seal, or any colorable imitation thereof, by any person is prohibited and is subject to the penalties specified in section 1.07(9).

(8) Fair Use. The use of the official seal, or a colorable imitation thereof, for commentary, criticism, news reporting, research, scholarship, and noncommercial teaching, may be deemed a fair use of the official seal. The purpose and character of the use shall be considered in determining whether a use of the official seal is a fair use.

(9) Penalty for unauthorized use. Any person violating this section shall forfeit not less than \$10 nor more than \$100 per use. A separate offense shall be deemed committed each time that the official seal, or a colorable imitation thereof, is used or displayed in violation of this section.

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(10) Injunction. In addition to the penalties provided under sub. (9), the Corporation Counsel may commence an action to enjoin a violation of this section and may prosecute such violation in any court of appropriate jurisdiction.

**1.08 Public Records.** (1) As used in this section:

(a) "Record" means any written document, magnetic storage medium, journal, book of account, or other medium used to store and convey information.

(b) "Non-current" means a record more than seven (7) years old which has been retained by Manitowoc County.

(c) "Current" means a record which is seven (7) years old or less.

(2) The official custodian of county records shall be the department head of the department which generated the record.

(3) Requests for inspection or copying. Anyone may request to inspect any record of any county agency or any non-county agency which receives fifty percent (50%) or more of its funding from the county.

(a) The custodian of the record may not ask the requester to state a reason for the request, to identify themselves, or fill out any form.

(b) Unless the record is exempt from disclosure, the custodian shall furnish a copy of the record as soon as practicably possible. The custodian may require a requester to be specific as to the record requested. The custodian is not required to make a file search on behalf of the requester, nor to create a record to respond to the requester. The custodian is not required to perform research or evaluation of records for a requester.

(c) A custodian may grant access to files or other records of the county upon request. However, the custodian may not grant access to confidential files. A custodian shall prevent a requester from disrupting, disorganizing, destroying, marking, mutilating, or removing files. A custodian may remove a requester from the office involved if the

requester refuses to conduct his or her search in an orderly fashion.

(4) Fees for copies. The custodian of a record shall charge copying costs as follows:

(a) Twenty-five cents per side for a black and white photocopy of a letter or legal size document. Charges for color copies, other paper sizes, or special types of reproduction materials (e.g., transparencies) shall be set by the custodian of the records or their designee based on the actual costs of reproduction.

(b) Actual costs of duplicating files stored in computers or in magnetic media; where the record can be duplicated directly to magnetic tape from the county's main computer, a charge of one hundred dollars (\$100.00), plus the cost of the tape(s) (unless provided) and the applicable sales tax, shall be imposed, together with shipping costs unless the party requesting the copy arranges shipping.

(c) Forty cents (40¢) per microfilm image copy.

(d) In the case of plat maps, aerial photographs, topographic diagrams, and the like, the reasonable actual cost of producing a copy.

(e) This fee schedule does not apply to copies for which the copy fee is set by state law.

(f) Every department head shall prepare, post, and update a notice of the public's right to inspect records which describes the provisions of this section and lists the persons to whom a request for inspection of records should be made.

**1.09 County Executive.** Manitowoc County created the office of County Executive by Resolution No. 2000/2001-161 dated March 20, 2001, with the powers and duties established by Wis. Stat. § 59.17. Any duties assigned by the Manitowoc County Code to an Administrative Coordinator or a County Administrator shall be deemed powers of the County Executive.

**1.10 Official Newspaper.** The official newspaper of Manitowoc County shall be the Manitowoc Herald-Times-Reporter, 902 Franklin Street, Manitowoc, WI 54220.

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### HISTORY

3/19/2002: Secs. 1.07(6), 1.07(7), 1.07(8), 1.07(9), and 1.07(10) amended by Ord. No. 2001/2002-189 effective March 29, 2002.

4/16/2002: Sec. 1.04(3)(h) repealed by Ord. No. 2002/2003-2 effective May 21, 2002.

5/21/2002: Sec. 1.04(3)(h) amended by Ord. No. 2002/2003-8 effective May 30, 2002.

6/18/2002: Secs. 1.08(4)(a) and (e) amended by Ord. No. 2002/2003-25 effective June 27, 2002.

11/07/06: Sec. 1.04 (f) repealed June 30, 2006 and recreated by Ord. No. 2005/2006-109 effective July 1, 2006.

1/17/06: Sec. 1.07(1), (2), and (3) amended by Ord. No. 2005/2006-146 effective January 24, 2006.

2/21/06: Sec. 1.07 and 1.07(2) amended by Ord. No. 2005/2006-168 effective immediately.

4/15/08: Sec. 1.04(3)(c) repealed by Ord. No. 2008/2009-20 effective May 1, 2008.