

**CHAPTER THREE
GENERAL COUNTY INFORMATION**

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**CHAPTER 3
GENERAL COUNTY INFORMATION**

ARTICLE I. GENERAL BUILDING REGULATIONS

Sec. 3-1 County office hours.

(a) The county law library and all county offices, except the sheriff's office, shall be closed on Saturdays.

(b) Subject to the provisions of subsection (a), courthouse offices shall be open, at a minimum, from 8:00 a.m. to 4:30 p.m. and all full-time offices shall be open during the noon hour.

(Res. No. 68, 9-24-57; Res. No. 6, 5-29-73; Ord. No 142-134, ' 1, 2-3-88)
State law reference - Authority of county to regulate office hours, Wis. Stat. ' 59.20(3)

Sec. 3-2 Smoke-free environment.

(a) All buildings and facilities under the County's control are smoke free environments and no individual is permitted to smoke within any such building or facility.

(b) Smoking within forty (40) feet of the outside of any entrance of a building or facility on County grounds is prohibited, except as described below:

1. Justice Center balconies within the County jail;
2. Designated area(s) within the Courthouse/Administration Center Courtyard;
3. Designated area near the Health and Human Services Center Receiving area; and,
4. Designated area(s) at the Mental Health Center.

(c) The County Executive may specify additional designated smoking areas and may also make modifications to those designated smoking areas listed in sub. (b). Any modifications shall be subject to review and approval by the Human Resources Committee.

(d) As used in this section, "smoke" or "smoking" means to smoke, hold or carry a lighted pipe, cigar, cigarette, cannabis or cannabis derivative, or tobacco-related products in any form. Smoking also includes the use of an electronic delivery device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device.

Editor's Note: the numbers of the subsections were changed to letters to keep the formatting uniform with the rest of the Code. Consequently, the reference to sub. 2 in the last section was changed to sub. (b).

Editor's Note: Enrolled Ordinance 167-93 changed the name of the Personnel Committee to Human Resources Committee.

(Ord. No. 144-53, 8-15-89; Ord. No. 162-41, 08-14-07; Ord. No. 177-92)
(Section 3-2 was amended by Enrolled Ordinance 177-92, effective 03/09/2023.)

Sec. 3-3 Prohibition on Dangerous Items – Courthouse and Administration Building

No person, except for law enforcement officers who are on duty at the time, will be permitted admittance to the Waukesha County Courthouse and Administration Center if they are found to have in their possession any item that, in the discretion of security personnel, could pose a danger to the safety and

security of persons working and conducting governmental business in the courthouse and administration buildings.

(Ord. No. 161-29, 8/22/06.)

Sec. 3-4 Prohibited Dangerous Items

Unless otherwise authorized, the following list of items will not be permitted in the Courthouse and Administration Center:

- a) firearms
- b) ammunition
- c) explosives
- d) knives
- e) pellet guns
- f) replica firearms
- g) box cutters
- h) razor blades

Security personnel are authorized to use discretion to deny entry to individuals in possession of items not included on the above list if they believe the items(s) could pose a danger to the safety and security of persons working and conducting governmental business in the courthouse and administration buildings.

(Ord. No. 161-29, 8/22/06.)

Secs. 3-5 Naming and Sponsorship Rights and Recognition Markers.

(a) Naming rights relating to a county building, facility or room shall only be granted for a contribution equal to or exceeding ten percent (10%) of the building, facility, or room's projected construction cost, or the insured value for an existing building, facility or room. Final authority to grant the naming rights in accordance with this section shall be vested with the County Board.

(b) Naming rights shall only be granted for a building, facility, or room construction or remodeling project that has been approved as an existing capital project in the five-year capital plan established under Sec. 7-16 and approved by the County Board under Sec. 4-216, or to any such capital project added by amendment to the approved five-year capital plan.

(c) Sponsorships may be granted for donations to a building, facility, or room construction or remodeling project not approved as part of the capital plan established under Sec. 7-16. Sponsorships may also be granted for donations for building, facility, or room remodeling projects in an amount less than ten percent (10%) for projects which are approved as part of the capital plan. Placement of sponsorship recognition markers appropriate to the level of the donation toward the project may be authorized.

(d) The name and/or logo of the donor awarded naming rights or sponsorship may be included in routine signage throughout the building, facility or room as applicable and in collateral materials, provided that the signage is consistent with the architectural style and landscaped appearance of the building, facility or room and has been approved by the County Executive or his designee.

(e) Any special rights or benefits desired as a condition of a donation for naming rights or sponsorship, including preferential use rights or rights of first refusal for subsequent renewal or extension, shall be incorporated into a written affiliation agreement presented to the County Board for approval.

Such special rights or benefits may be subject to conditions established by the County Board and shall be consistent with County policies.

(f) The award of naming rights or sponsorship and the placement of recognition markers shall be for the replacement life of the improvement for which the donation was made, unless otherwise specified in an affiliation agreement.

(g) Receipt of donations for naming rights or sponsorship or for recognition markers are subject to the acceptance and use of cash and noncash donation provisions of Sec. 7-90 and 7-91. The County explicitly reserves the right to decline any donation which is deemed to conflict with the mission, services, values and best interests of Waukesha County.

(Section 3-5 was created by Enrolled Ordinance 176-97, effective 02/08/2022.)

Editor's Note: Section 3-5 (a), (b), and (c) were repealed and recreated by Enrolled Ordinance 180-40, effective 11/08/2025.

Secs. 3-6 - 3-10 Reserved.

ARTICLE II. FEES AND JURY COMPENSATION

Sec. 3-11 Compensation and travel expenses.

(a) The compensation of persons called to serve as jurors shall be in accordance with fees adopted by the Waukesha County Board by ordinance and on file in the office of the Waukesha County Clerk.

(b) Persons called to serve as jurors shall be reimbursed for travel expenses at the rate provided for by statute.

(Res. No. 242-2/80, 2-26-80; Ord. No. 164-47, 10/27/09, effective 1/1/10.)

State law reference - Compensation of jurors, Wis. Stats. '756.25 and ' 20.916(8).

Editor's Note: Through Enrolled Ordinance No. 164-47, the County Board set the rates, commencing January 1, 2010 as follows: For one-half day of jury duty - \$15, for each full day of jury duty - \$30, for a daily juror travel fee - \$7.

Sec. 3-12 Fees for copies and recording.

(a) The fees for copies made by the county clerk under the provisions of section 59.23(2) of the Wisconsin Statutes or for copies made by the county treasurer under the provisions of section 59.25(3) of the Wisconsin Statutes are as follows:

1. First copy, twenty-five cents (\$0.25);
2. Each duplicate of the first copy, ten cents (\$0.10);
3. Each certification, one dollar (\$1.00).

(b) The fees for the following services are as follows:

1. Recording certificates by the register of deeds under the provisions of section 867.045(2) of

the Wisconsin Statutes, ten dollars (\$10.00);

2. Each additional page required for instruments submitted for recording with the register of deeds under the provisions of section 59.43(2)(a) of the Wisconsin Statutes, two dollars (\$2.00) per page.

(Res. No. 82-84, 7-17-84)

State law reference - Authority to establish fees, Wis. Stat. ' 19.35(3).

Secs. 3-13 - 3-20 Reserved.

ARTICLE III. REGISTER OF DEEDS AUTHORIZATIONS

Secs. 3-21 - 3-35 Reserved.

Editor's note: Former Secs. 3-21 and 3-23 were repealed by Enrolled Ordinance 178-66. Sec. 3-22 has been moved to Sec. 6-29 of Chapter 6, Article IV, effective 01/01/2024.)

ARTICLE IV. MISCELLANEOUS AUTHORIZATIONS

Sec. 3-36 Auditor access to information and records.

(a) All officers and employees of the county and parties contracting with the county shall provide access to and furnish the county auditors with requested information, records and reports regarding powers, duties, activities, organization property, financial transactions, methods of operation, or any and all other records, reports or information in their custody. In addition, they shall provide access for the auditors to inspect all property, equipment and facilities within their custody.

(b) Any information provided to the auditors which is deemed confidential by federal, state or local laws shall be held as confidential and not disclosed to the public.

(c) The auditors shall have access to reasonable staff time of agency officers and employees as may be required for the performance of his or her duties.

(Ord. No. 145-116, ' 1, 10-16-90)

Editor's note - Ordinance No. 145-116, adopted Oct. 16, 1990, did not specifically amend this Code; hence, inclusion of ' 1 as ' 2-508 was at the discretion of the editor.

Sec. 3-37 Use of court commissioners in small claims matters.

Court commissioners in the county, appointed under Wisconsin Statutes section 757.68(1), shall be authorized to assist in the administration of small claims matters, including the conduct of hearings and proceedings as described by Wisconsin Statutes chapter 799, and those additional duties and authorities described Wisconsin Statutes section 757.69.

(Res. No. 283-2/86 3-27-86)

Editor's Note: Obsolete reference to '757.13 removed - 06/20/2011.

Secs. 3-38 - 3-45 Reserved.

ARTICLE V. RESERVED

Secs. 3-46 - 3-65 Reserved.

ARTICLE VI. PUBLIC RECORDS

Division 1 Generally

Reserved.

Division 2 Records Retention

Sec. 3-66 Purpose.

The purpose of this chapter is to establish a county-wide records retention schedule through the adoption of the Wisconsin Public Records Board's general records schedule for counties, statewide general record schedules and unique Waukesha County record series approved by the State Public Records Board. Additionally, it authorizes destruction of county records pursuant to these schedules on an annual basis. Record custodians do not have the authority to destroy records prior to the established retention period unless such records have been digitally or photographically reproduced as original records pursuant to section 16.61(7), Wisconsin Statutes, and any applicable section of this Code. If there is not a specific law requiring a specific retention period, all records must be retained seven (7) years unless the Wisconsin Public Records Board fixes a shorter period.

If a record custodian seeks to establish a retention period of less than seven (7) years for records not identified on the Wisconsin Public Records Board's general records schedule for counties or statewide general record schedules they shall follow the State Public Records Board process in accordance with sec. 16.61, Wisconsin Statutes for specific Record Disposition Authorizations (RDAs) as facilitated by the Waukesha County Records Retention Committee.

(Ord. No. 144-135, 10-17-89)
(Enrolled Ordinance No. 181-05, effective 06-06-2026)

Sec. 3-67 Definitions.

As used in this division:

Legal custodian means the individual responsible for maintaining records pursuant to section 19.33, Wisconsin Statutes.

Record means record as defined in section 19.32(2), Wisconsin Statutes.

County Records Retention Committee means the group responsible for review of record retention schedules and the coordination of record series adoption by the State Public Records Board. Committee membership includes the designees of the Director or Administration, Corporation Counsel and the legal custodian (e.g. Department Head) of the records under review.

(Ord. No. 144-135, 10-17-89)

Cross reference - Authority of register of deeds to destroy certain records, ' 3-21.

(Enrolled Ordinance No. 181-05, effective 06-06-2026)

Sec. 3-68 Historical society notification.

Unless notification requirements have been waived by the state historical society of Wisconsin, prior to the destruction of any public record described in this division, at least sixty (60) days' notice in writing shall be given to the state historical society of Wisconsin. This division shall not be construed to authorize the destruction of any public record after a period less than prescribed by statute or state or federal administrative regulation.

(Ord. No. 144-136, 10-17-89)

(Enrolled Ordinance No. 181-05, effective 06-06-2026)

Sec. 3-69 Destruction after request for inspection.

No requested record may be destroyed until after the request is granted by the state historical society of Wisconsin or sixty (60) days after the request is denied. If an action is commenced under section 19.37, Wisconsin Statutes, the requested record may not be destroyed until a court order is issued and all appeals have been completed. See section 19.36(6), Wisconsin Statutes.

(Ord. No.144-135, 10-17-89)

Sec. 3-70 Destruction pending litigation.

No record subject to pending litigation shall be destroyed until the litigation has been resolved.

(Ord. No. 144-136, 10-17-89)

Sec. 3-71 Preservation of county records.

County records may be kept and preserved by any means approved by the county board and allowed by Wisconsin Statutes. County records may be kept and preserved through the use of photographic or digital means meeting the applicable standards established in section 16.61(7), Wisconsin Statutes. After verification that destruction is allowed, paper records may be destroyed if these records are to be preserved in accordance with this section.

(Ord. No. 144-136, 10-17-89)

(Enrolled Ordinance No. 181-05, effective 06-06-2026)

Sec. 3-72 Review and approval by public records and forms board.

This division shall be reviewed and approved by the public records and forms board prior to its effective date.

(Ord. No. 144-136, 10-17-89)

Secs. 3-73 - 3-80 Reserved.

ARTICLE VII. DISPOSAL OF COUNTY PROPERTY

Sec. 3-81 Policy.

(a) It is declared to be the policy of the county that surplus or obsolete county property shall be disposed of by the method most advantageous and cost effective to include:

1. Reallocation from one county department to another.
2. Sale through means of direct best offer, highest bid, or public auction.
3. Donation to a nonprofit organization, preferably one which is located within Waukesha County.
4. Sale as scrap for salvage value.
5. Discard as refuse or trash.

(b) The disposition methods outlined in this section do not apply to county property which is disposed of:

1. On a case-by-case basis by separate ordinance.
2. Under a specific method authorized by a different ordinance (i.e; county property disposed of for value as part of a purchase transaction)
3. Through enactment of disposition policy as contained in the annual operating budget (i.e., computer equipment, vehicle/equipment and copier replacement funds).

(Ord. No. 150-112, ' 1, 3-12-96)

Sec. 3-82 Definitions.

Terms below have the following definitions:

County property. All assets or fixed assets owned by Waukesha County. As used in this article, county property does not include real property such as land or buildings.

Asset. A non-consumable item with a useful life greater than one (1) year and a current value less than one thousand dollars (\$1,000.00)

Fixed asset. A non-consumable item with a useful life greater than one (1) year and a current value greater than one thousand dollars (\$1,000.00).

Obsolete. County property which the county no longer needs.

Refuse. An item for which the cost of disposal exceeds its current value.

Surplus. County property which a department no longer needs but which may be useful to another department.

(Ord. No. 150-112, ' 1, 3-12-96)

Sec. 3-83 Responsibilities.

(a) All county departments are required to notify the department of administration of any county property which a department has determined to be surplus or obsolete.

(b) The department of administration is responsible for:

1. Determining procedures for the reallocation of county property.
2. Preparing a summary list of all county property which has not been reallocated or which has not been disposed of as refuse and which will be subject to disposal under this policy. The list shall include a recommendation on a method of disposal.
3. Submitting to the finance committee, prior to disposal, a process for disposition based on the hierarchal order as set forth in this article.

(c) The finance committee shall review the process to dispose of county property under this article. However, if the finance committee has not acted to reject the department's recommended process at its next meeting, then the department shall dispose of the items as it had recommended.

(Ord. No. 150-112, ' 1, 3-12-96)