

**Ordinance 1.54.3**  
**Limitations on Right to Access (R83.3.3)**

THE VILLAGE BOARD OF THE VILLAGE OF PARK RIDGE ORDAINS AS FOLLOWS:

**Section I. LIMITATIONS ON RIGHT TO ACCESS**

1. A request for a record may be denied as provided in this Ordinance 1.54.3. 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 five 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 section 19.37(1), Wisconsin Statutes, or upon application to the Attorney General or a district attorney.
2. As provided by section 19.36, Wisconsin Statutes, the following records are exempt from inspection under this section:
  - A. Records specifically exempted from disclosure by state or federal law or authorized to be exempted from disclosure by state law;
  - B. 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;
  - C. Computer programs, although the material used as input for a computer program or the materials produced as a product of the computer program is subject to inspection; and
  - D. A record or any portion of a record containing information qualifying as a common law trade secret.
3. 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 Village attorney, may deny the request, in whole or in part, only if he or she 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:
  - A. Records obtained under official pledges of confidentiality which were necessary and given in order to obtain the information contained in them.
  - B. Records of current deliberations after a quasi-judicial hearing.
  - C. Records of current deliberations concerning employment, dismissal, promotion, demotion, compensation, performance, or discipline of any Village officer or employee, or the investigation of charges against a Village officer or employee, unless such officer or employee consents to such disclosure.
  - D. Record concerning current strategy for crime detection or prevention.
  - E. Records of current deliberations or negotiations on the purchase of Village property, investing of Village funds, or other Village business whenever competitive or bargaining reasons require nondisclosure.
  - F. 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.

- G. Communications between legal counsel for the Village and any officer, agent or employee of the Village, when advice is being rendered concerning strategy with respect to current litigation in which the village or any of its officers, agents or employees is or is likely to become involved, or communications which are privileged under section 905.03, Wisconsin Statutes.
4. 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 Village attorney prior to releasing any such record and shall follow the guidance of the Village attorney when separating out the exempt material. If in the judgment of the custodian and the Village attorney there is no feasible way to separate the exempt material from the nonexempt material without unreasonably jeopardizing nondisclosure of the exempt material, the entire record shall be withheld from disclosure.

**Section II. EFFECTIVE DATE**

This ordinance shall take effect upon passage and publication as provided by law.

Passed and adopted by the Village Board of the Village of Park Ridge on this first day of January, 1996.