

## **106.1 Relating to Confidentiality of Income & Expense Provided to Assessor for Assessment Purposes Ordinance**

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The Town Board of the Town of Berry, Dane County does ordain as follows:

### **SECTION I – ADOPTION**

This ordinance adopts by reference Wisconsin Statute Sec. 70.47 (7)(af). Income and expense information provided by property owner to an assessor for the purposes of establishing the valuation for assessment purposes by the income method of valuation shall be confidential and not a public record open to inspection or copying under Sec. 19.35 (1) of Wis. Statutes.

### **SECTION II – EXCEPTIONS**

An officer may make disclosure of such information under the following circumstances:

- A. The assessor has access to such information in the performance of his/her duties;
- B. The Board of Review may review such information when needed, in its opinion, to decide upon a contested assessment;
- C. Another person or body has the right to review such information due to the intimate relationship to the duties of an office or as set by law;
- D. The officer is complying with a court order;
- E. The person providing the income and expense information has contested the assessment level at either the Board of Review or by filing a claim for excessive assessment under Sec. 74.37, in which case the base records are open and public.

### **SECTION III – SEVERABILITY**

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provision, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

### **SECTION IV - EFFECTIVE DATE**

This ordinance shall take effect immediately upon passage and posting (or publication) as provided by law.

Dated this 20<sup>th</sup> day of March, 2000

Posted: March 21, 2000

Brenda Kahl, Clerk/Treasurer  
Ronald Ahner, Supervisor  
Stan Theis, Supervisor

Karen Upper, Chair  
David Lucey, Supervisor  
Barbara Ripp-Statz, Supervisor