

**DEPARTMENT OF PUBLIC WORKS**

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TO: Municipal Services Committee

FROM: Kurt W. Craanen, Inspections Supervisor  
Paula Vandehey, Director of Public Works



SUBJECT: Proposed Policy- Releasing of Plans

DATE: November 10, 2015

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Attached is a proposed policy pertaining to City Staff releasing building plans to customers who request copies of submitted building plans.

State law gives us some guidance on this, (s. 101.12(5), Wis. Stats). However, the manner in which we process each request should be consistent.

Builders and other interested parties occasionally request copies of building plans that were submitted with building permit applications. If the builder or architect that created the plans is out of business, we will make copies of the plans and release them. If the submitter of the plans is still in business, we will contact the submitter of the plans and release copies of the plans only if they grant us permission.

Our concern is the potential of releasing plans that are considered a trade secret and the City becoming involved legal action brought on by the original submitter of the plans.

**Therefore, the Department of Public Works recommends approval of the proposed policy pertaining to releasing submitted building plans.**

cc: Emily Truman



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## CITY OF APPLETON BUILDING PLAN RELEASE POLICY

1. **Purpose.** This policy establishes procedures to respond to customer requests for building plans (i.e. architectural, plumbing) plans that have been submitted for review or with a building permit application and are filed in the City's archives. (Plans may be considered trade secrets or intellectual property).
2. **State Statute.** This policy is a supplement to s. 101.12(5), Wis. Stats, which is incorporated into this policy.
3. **Application.** A person requesting to inspect or copy plans shall submit a written application identifying the structure or proposed structure whose plans are sought to be inspected or copied, providing the full name and address of the requester.
4. **Secure Buildings.** If a submitted application requests inspection and/or copying of plans for any secure structure or proposed secure structure, the department shall consider the information supplied in the application and weigh the possible harm to the public interest which may result from permitting inspection and copying of the plans against the benefits of allowing such inspection or copying. The review may result in the City, at its discretion, disallowing any viewing or copying of a submitted plan.
5. **Contact building submitter of plans.** After receiving an application for review, the City shall promptly transmit a copy of the application to the owner of the structure or proposed structure and the submitter of the plans being inspected or copied. If the submitter does not want to allow the plans to be released and the plans qualify as a trade secret, the City shall not release the plans.
6. **Submitter no longer in business.** If the submitter of the plans is no longer in business the City may release the plans at its discretion.
7. **Fees.** A fee shall be charged for all copies made that is consistent with the City of Appleton fee schedule and pursuant to Wisconsin's Open Records Statutes.