



BY-LAW No. A786

A BYLAW OF THE VILLAGE OF CONSORT IN THE PROVINCE OF ALBERTA ESTABLISHING REGULATIONS AND PROCEDURES FOR THE RETENTION AND DISPOSAL OF MUNICIPAL RECORDS.

WHERAS, the Municipal Government Act, RSA 2000, Chapter M-26 as amended, empowers the Council to pass a bylaw respecting the retention and destruction of records and documents of the municipality; and.

NOW THEREFORE under the authority of the Municipal Government Act RSA 2000, Chapter M-26, the Council of the Village of Consort, in the Province of Alberta, duly assembled enacts as follows:

PART 1 – TITLES, DEFINITIONS AND SYMBOLS

1. Short Title

a) This Bylaw may be cited as the **“Records Retention and Disposition Bylaw #A786”**.

2. Definitions

- a) **“Official”** shall mean the Chief Administrative Officer, as defined in the Municipal government Act, or designate, duly appointed by the chief administrative Officer of the Municipality.
- b) **“Records”** shall mean all ledgers, receipts, vouchers, instruments, maps, rolls or other documents, records and papers held by the Municipality in any form.
- c) **“General Records”** shall mean all short-term records, not restricted in purpose or required for future reference and deemed to nonspecific in nature.
- d) **“Confidential”** shall mean any record which contains personal information about individuals, third-party, commercial, financial, scientific or technical information supplied either explicitly or implicitly in confidence or other sensitive information as described in the Freedom of Information and Protection of Privacy Act.
- e) **“Retention Period”** means the total length of time a Record must be kept before final disposition is implemented.
- f) **Retention Schedule**” means the timetable that identifies the retention period during which a record must be retained before disposition, and is set forth in Schedule “A” attached to and forming a part of this Bylaw.

D – Destroy

P – Permanent Retention

A – Permanently held in Alberta or other Archival Center

3. When used in the Bylaw and the Schedules attached hereto, and in the operation of any Records Management Systems established consistent with this Bylaw, symbols shall be used to designate the form of retention or disposal as follows:

D – Destroy

P – Permanent

A – Permanently held in Alberta or other Archival Center

PART 2 – RECORD RETENTION AND DESTRUCTION

4. Retention and Destruction

- a) All general records of the Village of Consort shall be destroyed after five (5) years, except as otherwise provided for in Schedule "A".
- b) Should an individual's personal information be used by the Village of Consort to make a decision that directly affects the individual, the Village of Consort shall retain the personal information for at least one (1) year after using it so that the individual has a reasonable opportunity to obtain access to it.
- c) Where, in this Bylaw and Schedule "A" attached hereto, it is provided that particular Records of the Village of Consort, in consultation with the appropriate department, shall be either
 - i. Destroyed;
 - ii. Permanent (P); orSuch original records shall be preserved and never destroyed, excepting the original bylaws and minutes of council meetings providing the originals have been recorded on microfiche or on another system that will enable copies of the originals to be made; and
 - iii. Permanently Held in Archives

Such records shall be released to either the Provincial Archives or other local archives upon decision and direction of the Official. A copy of the transferred records index shall be permanently retained on file.

5. Discretion

The Official shall always have discretion to retain records longer than the period provided for in this Bylaw and shall do so where the Official deems it appropriate and shall do so where the Official has received an indication that there is or may be any litigation involving any of the said records. Such decisions to retain the records longer than the period provided for herein shall be recorded in the records index.

6. FOIP Requests

Where the Official has received an indication that there is or may be a FOIP request involving any records scheduled for destruction, the Official is obligated to retain said records for a period of one (1) year after the FOIP request has been made. Such decisions to retain the records longer than the period provided for herein shall be recorded in the record retention index.

7. Permanent Retention and Destruction

- a) When records have been destroyed under this Bylaw, the Official shall so certify in writing. Such certification shall refer to the relevant schedule and item of this Bylaw and shall identify the records destroyed.
- b) The Official shall keep an index of:

- i. Records destroyed; and
- ii. Records referred to Archives; and Records held at other archival centers.

- c) Where the records are destroyed under this Bylaw; the proper and complete destruction thereof is the responsibility of the Official.
- d) When records are recorded on microfiche or other such system, the Official shall ensure that such microfiche is properly prepared, identified and indexed.
- e) Destruction of all records shall be carried out in the presence of a witness. The person destroying the records shall provide a written statement in writing attesting to the time and place of the destruction of the records, together with a list of the records destroyed and also the names of the persons who witnessed the destruction. That statement of disposition shall be presented to the Council and permanently retained in the Village of Consort records.
- f) Election material that has been locked in ballot boxes may be destroyed in accordance with the provisions of the Local Authorities Election Act.

PART 3 - GENERAL

8. Record Retention Schedules

The attached Schedule "A" is hereby adopted. It may be amended by resolution of Council upon the recommendation of the Official.

9. Storage and Security

It shall be the responsibility of the Official to provide for adequate storage and security of all Village of Consort records.

PART 4 - ENACTMENT

- 10. This bylaw shall come into force and have effect upon it being read a third time and passed. Policy #2015 is hereby rescinded.

PART 5 - SEVERABILITY

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

Read a first time this _____ day of _____, 2012.

Read a second time this _____ day of _____, 2012.

Read a third and final time this _____ day of _____, 2012.

Signed by the Chief Elected Official and Chief Administrative Officer this _____ Day of _____ 2012

Mayor

Chief Administrative Officer



"SCHEDULE A"

RECORDS RETENTION & DISPOSITION BYLAW NO. A-786

SUBJECT	DESCRIPTION	RETENTION PERIOD IN YEARS
Accountants	Working Papers	7
Accounts	Paid (summary sheet)	7
	Payable Vouchers	7
	Receivable Duplicate Invoices	7
Administration	Reports (not part of minutes)	7
	As per legislation	7
Advertising	General	2
	As per Legislation	7
Agendas	Part of Minutes	P
Agreements	General	12 S/O
	Development	12 S/O
	Major Legal	12 S/O
	Minor Legal	12 S/O
Annexations	Correspondence	7
	Final Order	P
Annual Reports		7
	Local Boards	7
Applications	Site Plan Approval	2
	Subdivision (after final approval)	3
	Part-Time Employees (after end of employ)	1
Appointments	Other than those in Minutes	3
Assessment	Rolls	P
	Assessment Review Board (ARB) Minutes	P
	ARB Work File	5
	Appeals	12
	ARB Records	7
	Duplicate Roll	7

SUBJECT	DESCRIPTION	RETENTION PERIOD IN YEARS
	Review Court Records	7
Assessment Appeal	Board File	5
Assets		20 S/O
	Records of Surplus	5
	Temporary Files	2
Bank	Deposit Books	7
	Deposit Slips	7
	Memos (Credit/Debit)	7
	Reconciliations	2
	Statements	7
Boards	Minutes	P
	Authority & Structure	5 S/O
	Correspondence	5
Briefings/Reports	To Council	7
Budgets	Operating (in minutes)	P
	Capital (in minutes)	P
	Working Papers	3
Bylaws	All	P
Cash	Receipts Journal	7
	Disbursement Journal	7
	Duplicate Receipts	7
Certificates	Of Title	P
Census	Reports	12
Cheques	Cancelled (Paid)	7
	Register	7
	Stubs	7
Claims	Notice of	12 S/O
	Statement of	12 S/O
Committee	Minutes	P
Compensation	Records	10
Computer Cards		1
Contracts	Files (Completion of)	12 S/O
	Forms	12
	Major Legal	12 S/O
	Minor Legal	12 S/O

SUBJECT	DESCRIPTION	RETENTION PERIOD IN YEARS
Council	Minutes	P
Court Cases		12 S/O
Destroyed Records Index		P
Documents	Not Part of Bylaws	12 S/O
	Agreements Major Legal	12 S/O
	Agreements Minor Legal	12 S/O
	Contracts Legal	12 S/O
	Easements	12 S/O
	Leases (after expiration)	12 S/O
	Notices of Change of Land Titles	12 S/O
Elections	Nomination Papers	Sec 28(4) Local Authorities Election Act
	Ballot Box Content	Sec 101 Local Authorities Election Act
Engineering	Drawings	P
Employee Benefits	AHC, Blue Cross, Dental, etc.	5
	WCB Claims	5
Employees	Job Applications (hired)	3
	Job Applications (not hired)	1
	Job Description	3 (after position abolished)
	Oaths of Office	1 (after position vacated)
	Personnel File	1 (after cessation of employment or 6 years after dismissal)
Financial Statements	Interim	10
	Working Papers	3
	Final	12
Franchises		P
Income Tax	Deductions	7
	TD1	1
	T4	7
	T4 Summaries	7
Inquiries	From the Public	3
Insurance	Claims	12 (after settled)

SUBJECT	DESCRIPTION	RETENTION PERIOD IN YEARS
	Records (after expiration)	12
Land	Appraisals	1 (after sold)
Leases	After Expiration	7 S/O
Legal	Opinions	12 S/O
	Proceedings	12 S/O
Legislation	Acts (after superseded)	1
Licenses	Applications	3
	Business (after expired)	5
	Literature	2
Local Improvements	Records	P
Maps	Base (original)	P
	Contour	P
Maintenance Records		12
Minutes	Council	P
	Boards	P
	Committees	P
Monthly Reports	Road	7
Municipal Affairs	Annual Reports	5
Organization	Structure & Records	5 S/O
Payroll	Garnishees	3
	Individual Earnings Records	6
	Journal	6
	Time Cards – Daily	5
	Time Cards – Overtime	5
	Time Cards – Weekly	5
	Employment Insurance Records	5
Permits	Development	12 S/O
Petitions		10
Plans	Official	P
	Amendments	P
	Subdivision	P
Policy	After Superseded	5
Progress Reports	Project	7
	Under Contract (Final Payment)	10 S/O

Property Files		Until Sold + 10
SUBJECT	DESCRIPTION	RETENTION PERIOD IN YEARS
Prosecution	All	12 S/O
Publications	Local Reports	3
Purchase	Land	Until Sold + 12
Receipts	Books	7
	Duplicate Cash	7
	Registration	7
Receptions & Special Events (non Historic)		3
Reports	Accident	12 S/O
	Accident Statistics	12 S/O
	Field	12 S/O
Requisitions	Copies	2
	Duplicate	7
	Paid	7
Resolutions	Minutes	P
Subdivision	After Final Approval	12
Street	Sing Inventory Register	P
Tax	Rolls	P
Tax Recovery	Records	P
Taxes	Arrears	7
	Final Billing	12
	Municipal Credits	7
	Receipts	7
	Rolls	P
	Sale Deeds	P
Termination	Employees	P
Tenders	Files	12
	Successful	12
	Purchase Quotations	12
	Unsuccessful	2
Traffic	Streets	7
Training & Development Files		5
Trial Balances	Monthly	3

	Year End	7
SUBJECT	DESCRIPTION	RETENTION PERIOD IN YEARS
Vendors	Acknowledgments to	2
	Contracts	12
	Suppliers Files	12
Vouchers	Duplicate	7
Writs		12
Weed Control Reports	Until updated	1
Zoning	Bylaws	P
	Bylaw Enforcement	5