

BYLAW NO. 25

A BYLAW OF THE MUNICIPAL DISTRICT OF CLEAR HILLS NO. 21, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING GUIDELINES FOR THE RETENTION AND DESTRUCTION OF RECORDS AND DOCUMENTS OF THE MUNICIPALITY.

WHEREAS, Section 214 of the Municipal Government Act, Chapter M-26.1, RSA 1994, and amendments thereto, empowers a Council to pass a bylaw respecting the retention and destruction of the records and documents of the municipality; and

WHEREAS, the Council of the Municipal District of Clear Hills No. 21, in the Province of Alberta, deem it necessary to pass such a bylaw.

NOW THEREFORE, the Council of the Municipal District of Clear Hills No. 21, in the Province of Alberta, duly assembled, hereby enacts as follows:

01. THAT, this bylaw shall provide regulations and procedures for the retention and disposal of all records and documents of the Municipal District of Clear Hills No. 21.
02. THAT, the Chief Administrative Officer (CAO) shall be responsible for administering this bylaw.
03. THAT, the authority established in this bylaw must be consistent with Federal and Provincial Statutes and Regulations.
04. THAT, the CAO shall always have the discretion to retain records longer than the period provided for in the bylaw, and shall do so where the CAO deems it appropriate; and shall do so where the CAO has received any indication that there is or may be any civil action involving any of the said records. Such decisions to retain the records longer than the period provided for therein shall be recorded in the records retention file.
05. Records of Retention and Disposal:
 - a) When records have been destroyed under this Bylaw, the CAO shall so certify in writing. Such certificates shall refer to the relevant schedule and item of this bylaw and shall identify the records destroyed.
 - b) The CAO shall keep an index of :
 - i) records destroyed
 - ii) records referred to Archives
 - iii) municipal records held at other archival centers.
 - c) Where records are destroyed under this bylaw, the CAO shall ensure the proper and complete destruction thereof.

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- d) All records destroyed shall be authorized by the Council of the Municipal District of Clear Hills No. 21 and the destruction shall be carried out in the presence of witnesses. The person destroying the records shall provide a statement in writing attesting to the time and place of the destruction of the records, a detailed list of the records destroyed, and names of the witnesses to the destruction of the records. This statement shall be permanently filed in the office records.
 - e) Election materials may be destroyed in accordance with the provisions of the Local Authorities Election Act.
06. THAT, the following terms shall be used in interpreting the method of retention or destruction of municipal records:
- a) Destroyed - such records shall be destroyed without any copy thereof being retained.
 - b) Permanent - such original records shall be preserved and never destroyed.
07. THAT, when an individual's personal information records have been used by the municipality to make a decision that directly affects the individual, the municipality must retain the personal information records for a least one year after using it so that the individual has a reasonable opportunity to obtain access to the records.
08. THAT, it is the responsibility of the CAO to provide for policies regarding security and storage of all municipal documents.
09. THAT, the attached Schedule "A" is hereby adopted and shall be used to determine the retention and disposal requirements for all records of the Municipal District of Clear Hills No. 21 and of any local Boards accountable to the Municipal District of Clear Hills No. 21. Schedule "A" to this bylaw may be amended by a resolution of the Council of the Municipal District of Clear Hills No. 21 upon recommendation from the CAO.
10. THAT, this bylaw shall come into force and effect upon the third and final reading thereof.

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READ for a FIRST time this 9th day of September A.D., 1997.

Ernest R. Bass

Ernest R. Bass, Reeve

Faye Kary

Faye Kary, CAO

READ for a SECOND time this 9th day of September A.D., 1997.

Ernest R. Bass

Ernest R. Bass, Reeve

Faye Kary

Faye Kary, CAO

READ for a THIRD time this 9th day of September A.D., 1997.

Ernest R. Bass

Ernest R. Bass, Reeve

Faye Kary

Faye Kary, CAO

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RETENTION AND DESTRUCTION OF RECORDS

SCHEDULE "A"

SUBJECT	DESCRIPTION	DISPOSITION IN YEARS
Administration	General subjects relating to administrative function and activities.	7
	Organizational Chart	P
Policy and Procedures	Policy documents	P
Acts & Legislation	Other jurisdictions' acts and regulations	7
Associations & Societies	Participation in the functions of mutual professional interest.	7
Committees	Interaction with other bodies structured for specific tasks.	7
Legal Activities	Legal activities excluding transfers & titles.	P
Legislature & Cabinet Activities	Actions of Provincial Legislature.	7
Liaison	Information exchange between organizations.	7
Meetings, Symposiums, Conferences	Correspondence on the establishment & participation in meetings, etc.	7
Office Services	General office services administration.	7
Public Relations - General	Communications with the general public.	7
Public Relations - Publicity	Advertising, posters, displays etc.	7
Statistics - General Reports	Administrative reports & statistics.	7
Telecommunications	Administration, installation & maintenance of telecommunications equipment.	7
Consulting Services	Assessment and contracting of consulting firms.	7
Construction & Renovations	Progress reports & project studies on the construction and/or renovation of capital structures.	P
Utilities	Project studies, requirement reports, etc.	P
Finance - General	Financial administration functions.	P
Accounts Payable	General administration of accounting systems and procedures.	7
Accounts Revenue	The control and operation of receivable accounts.	7
Audits	Financial auditing methods and reports.	P

SUBJECT	DESCRIPTION	DISPOSITION IN YEARS
Banking	Administration and establishment of bank accounts.	P
Budgets - General	Budgeting information.	P
Capital Projects	Project lists, reports and statistics.	P
Cheque Administration	Administration of issuance, replacement and distribution of cheques.	7
Contracts	Financial agreements and contracts.	P
Funds (Debentures)	Administration of trust funds & revolving funds.	7
Grants	Administration of financial assistance programs.	P
Hospitality	Requests and approval of hospitality.	7
Reports & Statistics - Financial	Reports to maintain an ongoing record within the financial system.	7
Risk Management & Insurance	Administration of insurance programs.	7
Taxes	Records pertaining to taxation matters.	7
Information - General	Material relating to information services.	7
Libraries	Correspondence relating to library programs.	7
Records Management - General	Correspondence relating to Records Management Program.	P
Materials/Equipment/Vehicles	Related non-financial documentation.	7
Acquisition	Orders for goods which do not require requisitions.	7
Disposal & Surplus	Disposal or write-off of obsolete or surplus assets.	7
Equipment Operation	Operating standards, manuals, warranties etc. * or until item is disposed of	P*
Inventories	Recording, storage & distribution of equipment.	7
Personnel	General administration of personnel management.	7
Training & Development	Training & development plans.	7
Committees	Reports on the establishment & organization of.	7
M.D. Electoral Divisions & Boundaries	Not including School & Hospital boundary changes.	P
Agriculture	Policy & Acts	P
Agriculture	General administration of agriculture programs.	7
Communities	Correspondence relating to administration, funding, planning, etc.	7

SUBJECT	DESCRIPTION	DISPOSITION IN YEARS
Fire	All related correspondence.	7
Disaster Services	All related correspondence.	7
Recreation	Correspondence relating to administration & operation.	7
Incorporation Studies	Reports & future studies.	P
Lands - General	Correspondence & proposals of a general nature.	7
Lands - Flood	Flood control and drainage projects.	7
Lands - Drainage Control	Drainage proposals - filed by legal.	P
Resource Management	Information relating to the management of lands & resources.	7
Lands, Development - Subdivisions	Applications, decisions, zoning etc. M.D. 21 Land Use Order	7 P
Plans/Studies	General plans and studies.	P
Transportation Programs	Administration of construction & maintenance. Road Rebuilding Programs/Road Use Agreements	7 P
Hospitals	Correspondence relating to all aspects of health & welfare.	7
Schools	Correspondence relating to schools.	7
Cemeteries	General administration documents.	7
Utilities - Lighting/Gas/ Telephone	General administration documents.	7
Garbage Disposal - Landfills	All related correspondence.	7
Utilites - Water & Sewer	Correspondence relating to installation, operation and maintenance of water & sewer systems.	7
Safety	Correspondence relating to the establishment and operation of a Safety program.	7
Personnel	Confidential files. * 7 years after leaving M.D. employment	7*
Accounting	Year End general ledgers. Monthly reconciliation's & receipts	P 2
Bridge Files		P
Minutes	Council, ASB, MPC, DAB meetings	P
Agreements	Current & rescinded	P
Landfiles		P