

CITY OF LACOMBE
Bylaw 365

A Bylaw of the City of Lacombe, in the Province of Alberta, to provide for the regulation and procedures for the retention, disposal and release of municipal documents

WHEREAS, section 214 (2) of the *Municipal Government Act, R.S.A. 2000, c M-26*, states that Council may authorize the destruction of documents;

WHEREAS, section 214 (3) of the *Municipal Government Act, R.S.A. 2000, c M-26*, governs the retention of personal information, and

WHEREAS, sections 88, 93, and 95 of the *Freedom of Information Protection of Privacy Act R.S.A 2000 c. F-25* allows citizens to access information and the Municipality to set fees for these services;

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF LACOMBE ENACTS AS FOLLOWS:

Short Title

1. The bylaw shall be referred to as "The Records Retention, Disposal and Release of Municipal Documents Bylaw" of the City of Lacombe.

Definitions

2. In this bylaw and schedules:

- a) "Chief Administrative Officer" shall mean the Chief Administrative Officer of the City of Lacombe and or anyone authorized by the Chief Administrative Officer to act on his behalf.
- b) "Disposition" shall mean the destruction of records
- c) "S/O" shall mean selective retention / Obsolete
- d) "Permanent Record" shall mean original records that shall be preserved and never destroyed.
- e) "Records" shall mean a record or records of information in any form, including electronically stored information, notes, images, audiovisual recordings, x-rays, books, documents, maps, drawings, photographs, letters, vouchers and papers and any other information that is written, photographed, recorded or stored in any manner, but does not include software or any mechanism that produces records.
- f) "Retention Period" shall mean the total length of time a Record must be kept before final disposition is implemented. This period commences when the file is completed.
- g) "Records Retention Schedule" shall mean 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 part of this bylaw.

Records Management

3. The Chief Administrative Officer shall have the authority to:

- a) Convert as may be expedient, records for retention from their original form to an electronic image or other format, and
- b) To destroy the records of the municipality once their potential relevance, applicability and use has expired.

4. The Chief Administrative Officer shall keep an index of:

- a) Records permanently retained and details of storage, where appropriate,
 - b) Records permanently retained in electronic image or format,
 - c) Records destroyed,
 - d) Records retained in provincial or other archives,
 - e) Listing of the Records Retention Schedule, and
 - f) To the extent practical, all other records retained by the municipality.
5. The destruction of all records to be destroyed under this bylaw must be authorized by the Chief Administrative Officer, who must ensure that such destruction is carried out in the presence of at least one (1) other employee of the City. The Chief Administrative Officer must prepare a Statement of Disposition in writing attesting to the time and place of the destruction of these records, together with a detailed list of the records destroyed and also the names of the employee or employees who witnessed the destruction. This certificate of destruction shall be maintained as a permanent record.
6. Election material that has been locked in the ballot boxes can be destroyed in accordance with the provisions of section 101 in the *Local Authorities Election Act R.S.A. c. L-21*.

Discretion

7. The Chief Administrative Officer shall have discretion to retain records longer than the retention period provided for in this bylaw. Such decision to retain records shall be recorded.

Access to Information

8. The Chief Administrative Officer shall be responsible for the administration of the release of information upon request in accordance with Part 7 of the Freedom of Information Protection Act.
9. Information requested that is in the possession of the Municipality, and of which the CAO is not otherwise required to withhold, shall be available for viewing in the municipal office of the Municipality during regular business hours.
10. Copies of the information that may be requested will be provided in paper, electronic data or electronic image format.
11. The fees for viewing records, receiving photocopied, faxed, electronically mailed, or receiving reproductions on other media of records are set forth in Schedule "B" of this bylaw. No initial fee will be charged for viewing ones' own personal information.

Schedules

12. The attached Schedule "A", Records Retention Schedule, is hereby adopted.
13. Fees will be in accordance with Schedule "B", Fees for Provision of Information Requested.

Enactment

14. City of Lacombe Bylaw 212 is hereby repealed.
15. This Bylaw shall come into force and take effect on its passing thereof.

INTRODUCED AND GIVEN FIRST READING THIS 13th day of September, 2010

GIVEN SECOND READING THIS 13th day of September, 2010

GIVEN THIRD AND FINAL READINGS THIS 13th day of September, 2010

_____Judy Gordon_____

Mayor

_____Michael Minchin_____

Chief Administrative Officer

UNCERTIFIED COPY

**Schedule A
Records Retention Schedule**

Subject	Description	Suggested Retention Period in Years	
Accountants	Working Papers	7	
Accounts	Paid (summary sheets)	7	
	Payable Vouchers	7	
	Receivable Duplicate Invoices	7	
	Collections	7	
	Write-offs	7	
Administration	Reports (not part of minutes)	7	
	As per Legislation	7	
Advertising	General	2	
	As per Legislation	7	
Agendas	Part of Minutes	P	
	Packages	15	
Agreements	General	10 S/O	
	Development	10 S/O	
	Major Legal	10 S/O	
	Minor Legal	10 S/O	
Annexations	Correspondence	P	
	Final Order	P	
Annual Reports	Local Boards	5-7	
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	P	
	(ARB) Minutes	P	
	ARB Work File	5	
	Appeals	10	
	ARB Records	7	
	Duplicate Roll	7	
	Review Court Records	7	
	Assessment Appeal	Board File	5
	Assets	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	
	Department Budget Working Papers	7	
	Working Papers	3	
Bylaws	All	P	
	Working papers & drafts	7	
Cash	Receipt Journal	7	
	Disbursement Journal	7	

Cemetery	Duplicate Receipts	7
	Burial Permits	P
	Cemetery Records (burial deeds, plot plans, etc)	P
Census	Final Reports	P
	Working Files	10
Certificates	Of Title	P
Cheques	Cancelled (Paid)	7
	Register	7
	Stubs	7
Claims	Notice of	10 S/O
	Statements of	10 S/O
Committee	Minutes	P
Compensation	Records	10
Computer	Back-up tapes	P
Contracts	Files (Completion of)	10 S/O
	Forms	10
	Major Legal	P
	Minor Legal	10 S/O
	Rental Bookings / Contracts	7
	Minutes	P
Council		
Court Cases		P
Destroyed Records	Destruction Certificates	P
	Index	P
Documents	Not Part of Bylaws	10 S/O
	Agreements Major Legal	P
	Agreements Minor Legal	10 S/O
	Contracts Legal	P
	Easements	P
	Leases (after expiration)	10 S/O
	Notices of Change of Land Titles	10 S/O
		Sec 28(4) Local Authorities Election Act
Elections	Nomination Papers	Sec 101 Local Authorities Election Act
	Ballet Box Contents	Election Act
	Oaths of Office	P
Engineering	Drawings	P
Employee Benefits	AHC, Blue Cross, Dentals, etc.	5
	WCB Claims	P
Employees	Job Applications (Hired)	3
	Job Applications (Not Hired)	1
	Job Descriptions	3 (After position abolished)
	Oaths of Office	1 (after position vacated)
Financial Statements	Personnel File	P
	Interim	10
	Working Papers	10
Fleet Management	Final	10
	Service Records	7
FOIP	Commissioner's Orders	P
	Corrections	5
	Requests	5
Franchises		P
Grants	Approved	10
	Denied	5
Income Tax	Deductions	5-7

	TD1	1
	T4	5-7
	T4 Summaries	P
Inquiries	From the Public	3
Inspections	Electrical, Plumbing, Gas	10 (Permanent before 2005)
Insurance	Claims	10 (after settled)
	Records (after expiration)	10
Land	Appraisals	1 (after sold)
Leases	After Expiration	7 S/O
Legal	Opinions	10 S/O
	Proceedings	10 S/O
Legislation	Acts (After superseded)	1
Licenses	Applications	3
	Business (after expired)	5
	Dog	5
	Literature	2
	Taxi	P (talk to Wayne)
Local Improvements	Records (after expiration)	P
Maps	Base (Original)	P
	Contour	P
Maintenance Reports		10
Minutes	Council	P
	Boards	P
	Committees	P
Monthly Reports	Road	5-7
Municipal Affairs	Annual Reports	5
Municipal Enforcement	Notebooks	3
	Reports	3
	Ticket books	3
Organization	Structure & Records	2-5 S/O
Payroll	Garnishees	3
	Individual Earning Records	P
	Journal	60
	Time Cards	4-5
	Time Sheets	- Daily 5
		- Overtime 5
		- Weekly 5
	Employment Insurance Records	5
Permits	Development	P
Petitions		7-10
Plans	Official	P
	Amendments	P
	Subdivision	P
Policy	After Superseded	P
Pool Records	Accident Records	P
	Attendance	3
	Registration	3
	Scheduling	3
Progress Reports	Project	5-7
	Under Contract (Final Payment)	7-10 S/O
Property Files		P
Prosecution	All	10 S/O
Public Relations	Advertising	3
	Press Releases	7
	Speeches	5

Publications	Local Reports	3
	Received from federal	3
	Received from provincial	3
	Received from other	3
Purchase	Land	P
Receipts	Books	7
	Duplicate Cash	7
	Registration	7
Receptions & Special Events (Non-Historical)		3
Reports	Accident	10 S/O
	Accident Statistics	10 S/O
	Field	10 S/O
Requisitions	Copies	2
	Duplicates	7
	Paid	7
Resolutions	Minutes	P
Subdivision	After Final Approval	P
Street	Sign Inventory Register	P
Tax	Rolls	P
Tax Recovery	Records	P
Taxes	Arrears	7
	Final Billing	10
	Fuel Exemptions	7
	Municipal Credits	7
	Receipts	7
	Rolls	P
	Sale Deeds	P
Terminations	Employees	P
Tenders	Files	10
	Successful	10
	Purchase Quotations	10
	Unsuccessful	2
Traffic	Streets	7
Training & Development Files	Seminars, workshops, informal training	5
	Disaster Training	5
	Health & Safety Training	5
Trial Balances	Monthly	3
	Year End	7
	Acknowledgements to	2
	Contracts	10
	Supplier Files	10
Vouchers	Duplicate	7
Writs		10
Weed Control Reports	Until Updates	1
Zoning	Bylaws	P
	Bylaw Enforcement	5

Schedule B
Fees for Provision of Information Requested

1. In this Schedule:
 - a) "Active File" means those records stored on the Municipality's administrative offices
 - b) "Inactive File" means those records transferred from the Municipality's administrative offices to the long term storage areas designated by the Chief Administrative Officer
2. Photocopies of Active Files:
 - a) Initial Cost and First Page \$3.50
 - b) Second and subsequent page or original document \$0.25
3. Photocopies of Inactive Files:
 - a) Initial Cost and First Page \$13.25
 - b) Second and subsequent pages \$0.50
4. Requests to View Inactive Files \$13.00
5. Paper copies of Records Retained by the Municipality in Electronic Data or Image format
 - a) Initial Cost and First Page \$7.00
 - b) Second and subsequent pages \$0.50
6. Electronic Copies or Records Retained by the Municipality in Electronic Data or Image Format on CD or DVD provided by the Municipality:
 - a) Each CD or DVD required Disc Cost
 - b) Initial Cost and First Electronic File copied \$7.00
 - c) Second and subsequent electronic file required \$0.50
7. Electronic Copies of Records Retained by the Municipality in Electronic Data or Image Format transferred electronically by facsimile telecopier:
 - a) Initial Cost and First Page \$7.00
 - b) Each subsequent page \$0.50
8. Electronic Copies of Records Retained by the Municipality in Electronic Data or Image Format transferred by electronic mail:
 - a) Initial Cost and First 5 Electronic Files Sent \$7.00
 - b) Each additional electronic file \$0.50
9. If the retrieval and copying of the documents requested are such that more than one (1) hour of staff time is used, there will be an additional charge of \$13.00 per hour over and above the first hour, pre rated
10. In addition to those fees set above, those requesting copies of information under this bylaw shall be responsible to pay to the City the sum of all additional costs incurred in the delivery and transmission of the information including but not limited to such costs as:
 - a) Telephone charges and tolls
 - b) Postage, courier and shipping costs
 - c) Electronic network access fees and line charges