

**Village of Rosemary
In the Province of Alberta
Bylaw 429/11**

“Municipal Records Retention”

A Bylaw of the Village of Rosemary, in the Province of Alberta to establish guidelines for the retention and disposal of records and documents of the municipality.

WHEREAS: Pursuant to the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, a Council may pass a bylaw respecting the destruction of records and documents of the municipality;

WHEREAS: The regulations and procedures for the retention and disposal of municipal documents must be consistent with the Alberta Evidence Act, Revised Statutes of Alberta 2000, Chapter A-18 and amendments thereto and the Freedom of Information and Protection of Privacy Act, Revised Statutes of Alberta 2000, Chapter F-18 and amendments thereto.

NOW THEREFORE: The Council of the Village of Rosemary, in the Province of Alberta, duly assembled, enacts as follows:

1.0 Title

1.1 This bylaw may be cited as the **“Records Retention and Disposition Bylaw”**.

2.0 Interpretation

2.1 **“Act”** shall mean the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto.

2.2 **“Chief Administrative Officer”** shall mean the person appointed to the position for the Village of Rosemary, as defined in the Municipal Government Act or delegate.

2.3 **“Council”** shall mean the Council of the Village of Rosemary.

2.4 **“Disposal”** shall mean to permanently loan, store within or outside Village facilities or destroy.

2.5 **“Records”** shall mean documentation received or created by the Village, including financial data, land files, minutes of meetings, contracts, correspondence and any other documentation kept by the Village.

2.6 **“Village”** shall mean the Village of Rosemary.

3.0 General Provisions

3.1 This bylaw shall provide regulations and procedures for the retention and disposal of all records and documents of the Village of Rosemary.

3.2 The Chief Administrative Officer (CAO) shall be responsible for administering this bylaw.

- 3.3 The authority established in this bylaw must be consistent with Federal and Provincial Statutes and Regulations.
- 3.4 If an individuals' personal information is used by the Village to make a decision that directly affects that individual, the Village must retain the personal information for at least one year after using it.
- 3.5 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. Decisions to retain specific records longer than the period provided for in Schedule "A" shall be recorded in the records retention and disposal file.

4.0 Records of Retention & Disposal

- 4.1 When records have been destroyed under the authority of this bylaw, the CAO shall so certify in writing.
- 4.2 The CAO shall keep an index of:
 - 4.1.1 Records Destroyed
 - 4.1.2 Records referred to the Provincial Archives
 - 4.1.3 Records held at other archival centres
- 4.3 When records are destroyed under the authority of this bylaw, the CAO shall ensure the proper and complete destruction of such records and shall also ensure that a Disposal of Record Form as per Schedule "B" is completed and signed.
- 4.4 A Disposal of Records Form shall be permanently retained in the Village files and shall identify:
 - 4.5.1 A description of the records disposed of.
 - 4.5.2 Date of disposal.
 - 4.5.3 Manner of disposal.
 - 4.5.4 Signature of the person(s) who disposed of the records.
- 4.5 Council may authorize the destruction of original bylaw and minutes of Council meetings if the originals have been recorded on microfiche or on another system that will enable copies of the originals to be made.
- 4.6 Notwithstanding Clause 4.5, other records may be destroyed in accordance with Schedule "A", attached to this Bylaw.
- 4.7 Election material that has been locked in ballot boxes can be destroyed in accordance with the Local Authorities Election Act, RSA 2000 and any amendments thereto.
- 4.8 The CAO is authorized to release records to the Provincial Archives of Alberta on a permanent loan basis. These records shall be recorded on the "Certificate of Gift" form, as provided by the Provincial Archives, and such certificate will be permanently retained by the Village.

4.9 Retained records should be kept in an appropriate medium, such as a storage box, file cabinet or binder, with adequate identification of the contents and time period.

4.0 Forms & Schedules

4.1 Schedule "A" may be reviewed from time to time by the CAO as to the accuracy of retention and disposal time periods. Recommendations for changes shall be referred to Council for decision.

4.2 Forms and Schedules to this Bylaw may be amended from time to time, by resolution of Council.

5.0 Severability

5.1 Should any provision of this Bylaw be found invalid, the invalid provision shall be severed and the remaining Bylaw shall be maintained.

6.0 Repeal of Bylaw

6.1 That the following Bylaw and all amendments be hereby repealed, 325/99.

7.0 Effective Date

7.1 This Bylaw shall take effect at the date of final passing thereof.

READ a first time this 12th day of December, 2011.

READ a second time this 12th day of December, 2011.

READ a third time and finally passed this 12th day of December, 2011.

Don L. Gibb, Mayor

Margaret Loewen, CAO

SCHEDULE "A"

SUBJECT	DESCRIPTION	RETENTION PERIOD (yrs)
Accounts	Journal Entries & Back-up	7
	Payable Invoices/Vouchers	7
	Receivable Duplicate Invoices	7
	Paid (Summary Sheet)	7
Advertising	General	2
	As per Legislation	7
Agreements	General	10 S/O
	Development	10 S/O
	Major Legal	10 S/O
	Minor Legal	10 S/O
	Leases (after expiration)	10 S/O
Annexations	Correspondence/Reports	7
	Final Order	P
Appeals	Under the MGA	7
Appointments	Other than those in Minutes	3
Assessment	Assessment Roll	P
	Assessment Review Board Minutes	P
	Assessment Review Board (work file)	5
	Assessment Appeals	10
	Assessment Review Board Records	7
	Duplicate Roll	7
	Review Court Records	7
	Assessor's Valuation Records	3
	Assessment Appeal - Board File	5
Assets	Ledger	20 S/O
	Records of Surplus	5
	Temporary Files	2
Bank	Deposit Books	7
	Deposit Slips	7
	Memos (Credit/Debit)	7
	Reconciliations	7
	Statements	7
Budget	Operating (in minutes)	P
	Capital (in minutes)	P
	Working Papers	3

Bylaws	All (Dormant & Repealed)	P
Cash	Receipts Journal	7
	Disbursements Journal	7
	Duplicate Receipts	7
Cemetery	Records	P
Cheques	Cancelled	7
	Stubs/Duplicate	7
	Register	7
Contracts	Files (completion of)	10 S/O
	Forms	10
	Major Legal	10 S/O
	Minor Legal	10 S/O
Correspondence	Correspondence	2
	Petitions	10
	Boards	5
	Inquiries from the Public	2
Debentures	Debenture Registers (after final payment)	7
Destroyed Records Index		P
Documents	Not Part of Bylaws	10 S/O
	Contracts Legal	10 S/O
	Easements	10 S/O
	Notice of Change of Land Titles	10 S/O
Elections (in accordance with Local Authorities Elections Act)	Nomination Papers	
	Ballot Box Contents	
Federal/Provincial Remittance Forms		7
Financial Statements	Annual	10
	Interim	10
	Accountant's Working Papers	10
	Final	10
Human Resources	Job Applications (hired)	3
	Job Applications (not hired)	1
	Job Description (after position abolished)	3 S/O
	Part-time Applications (after end of employment)	1
	Personnel File (after cessation of employment)	2
	Personnel File (after dismissal/termination)	10
	Termination	P
WCB Claims	5	

Income Tax	Deductions	5
	TD1	1
	T4	5
	T4 Summaries	5
Insurance	Accident	10 S/O
	Accident Statistics	10 S/O
	Claims (after settled)	10
	Policies (after policy expires)	3
	Records (after expiration)	10
Investment Records		3 S/O
Ledgers	General	P
	Notices of Claim	7
	Journal Entries	10
	Requisitions/Purchase Orders	P
	Requisition Copies	2
Legal	Notices of Claim	10 S/O
	Statements of Claim	10 S/O
	Opinions	10 S/O
	Proceedings	10 S/O
	Prosecution (all)	10 S/O
	Writs	10
	Minister's Orders	P
Licenses	Applications	3
	Business (after expired)	5
	Literature	2
Minutes	Council	P
	Board	P
	Committee	P
Miscellaneous	Audio Recording of Council Meetings	90 days
	Audio Recording of Public Meetings	90 days
	Audio Recording of SDAB meetings	90 days
Payroll	Deductions	5
	Employee Benefits	5
	Employment Insurance Records	5
	Garnishees	3
	Individual Earning Record	6
	Journal	6
	Time Sheets	5
Permit Application	Building (After Expiry Date)	3
	Development (After Expiry Date)	3
	Land Use Classification	10 S/O

Photographs		P
Plans	Official	P
	Amendments	P
	Subdivision	P
	Subdivision Applications (after final approval)	3
	Land Survey Certificates	P
	Maps (Base & Contour)	P
	Site Plan Approval	2
	Engineering Drawings	P
	Architect's Drawings	Lifetime of Facility+1
	Engineering Studies	Lifetime of Facility+1
		Until replaced or asset sold
Policy	After Superseded	5
Property	Land Purchases	until sold + 10
	Land Appraisals (after sold)	1
	Property Files	until sold +10
Receipts	Books	7
	Duplicate Cash	7
	Registration	7
Reports	Admin (as per legislation)	7
	Admin (not part of minutes)	7
	Annual Reports	5
	Annual Reports Local Boards	5
	Annual Municipal Affairs	5
	Census	10
	Maintenance	10
	Local	3
	Project Progress	5
	Field	10 S/O
	Under Contract (final payment)	7-10 S/O
	To Council	7
	Board & Committee	3
	Weed Control	1
Taxes	Tax Roll	P
	Tax Recovery Records	P
	Arrears	7
	Final Billing	10
	Municipal Credits	7
	Receipts Journal	7
	Sale Deeds	P
	Local Improvement Records	P
	Certificates of Title	P
	Change of Ownership Documents	7
	Tax Certificates	2

Tenders	Files	10
	Successful	10
	Purchase Quotes	10
	Unsuccessful	2
Traffic Control Devices	Sign Inventory Register	P
	Streets	7
Utility Documents	Water Meter –readings	2
	Water Meter – repairs	5

SCHEDULE "B"

Disposal of Records

I, _____, affirm that, as authorized by Bylaw

#429/11, the following municipal records were disposed of:

<u>Description of Records</u>	<u>Date of Disposal</u>	<u>Method of Disposal</u>

CAO (if applicable)

Print Name