

Bylaw 457-11

Bylaw of the Village of Heisler in the Province of Alberta, pursuant to provisions of the Municipal Government Act, being Chapter M-26.1 of the Revised Statutes of Alberta 2000 and amendments thereto, and the Records and the limitation Act, being Chapter L-12 to provide regulations and procedures for the retention and disposal of Municipal documents.

WHEREAS, it is the desire of the Council of the Village of Heisler to provide for regulations with respect to the retention and disposal of Municipal documents including correspondence, records, receipts, vouchers, instruments and other papers kept by the Municipality;

NOW THEREFORE the Municipal Council of the Village of Heisler, duly assembled, in acts as follows:

Part I TITLE, DEFINITIONS AND SYMBOLS

Section 1

This bylaw may be cited as “The Records Retention Bylaw” of the Village of Heisler.

Section 2

In this bylaw, unless the context otherwise requires, the word, term or expression:

- 1) “Auditor” shall mean the auditor(s) of the Municipality as established annually by resolutions of the Council;
- 2) “Solicitor” shall mean the Municipal Solicitor as appointed or engaged from time to time by Council;
- 3) “Official” shall mean the Chief Administration Officer (as defined in the Municipal Government Act)
- 4) “Committee” refers to the Records Retention Committee which shall be comprised of the Mayor, CAO, and Auditor;
 - (a) The composition of the committee would be determined by Council based on the needs and requirements of the municipality’s records scheduling program.
- 5) “Records” shall mean all of the ledgers, receipts, vouchers, instruments, maps, rolls or other documents, records and papers held by the Municipal Corporation in any form.

Section 3

When used in this 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 (retention) |
| MD | Microfilmed and Destroyed |
| MR | Microfilmed and Retained |
| S/O | Obsolete |

Part II

RECORD RETENTION AND DESTRUCTION

Section 1 Retention and Destruction

Where, in this bylaw and Schedule "A" attached hereto, it is provided that particular records of the Municipal Corporation, if of a local Board accountable to the corporation thereof, shall be:

1) Destroyed

- (i) Such records shall be destroyed without any copy thereof being retained

2) Permanent

- (i) Such original records shall be preserved and never destroyed;

3) Microfilmed and Destroyed

- (i) Such records shall be recorded on microfilm in their entirety, the microfilm shall be in duplicate and one copy therefore shall be stored apart from the other in a place of safe and suitable storage, and then such records shall be destroyed;

4) Microfilmed and Retained

- (i) Such records shall be recorded on microfilm in their entirety, the microfilm shall be done in one copy only, and the original documents shall be stored in accordance with the direction of the Committee;

5) Suggested Schedule of Retention and Disposal

- (i) May be amended by the Municipal Council upon recommendation of the Committee.

Section 5 Discretion

The official shall always have the discretion to retain records longer than the period provided for in this bylaw and shall do so where the official deems it appropriate.

Section 6

Records of Retention and Destruction

- a) When records have been destroyed under this bylaw, the official 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 official shall keep an index of the Records destroyed
- c) Where records are destroyed under this bylaw, the proper and complete destruction thereof is the responsibility of the official;
- d) All records destroyed should be carried out in the presence of a witness. The person destroying the records should provide a statement in writing attesting to the time and place of the destruction of the records, together with a detailed list of records destroyed and also the names of the persons who witnessed the destruction. This statement of disposition should be presented to the council and

permanently filed in the office records

- e) Election material that has been locked in the ballot boxes can be destroyed in accordance with the provisions of the Local Authorities Election Act.

Part III **GENERAL**

Section 1 Committee

The Committee shall meet as frequently as it deems necessary and shall be chaired by the official. The committee shall work on the basis of consensus. It shall be the duty of the Committee to keep the Municipal Council periodically informed as to its activities.

Section 2 Records Retention Schedules

The attached Schedule "A", pages 4 to 10 inclusive, is hereby adopted; it may be amended upon recommendation of the Committee and an amending bylaw of Council.

Section 3 Storage

It shall be the responsibility of the Committee to provide for policies regarding security and storage of all Municipal documents. Such policies shall be administered by the official for all Municipal documents.

Part IV **ENACTMENT**

This bylaw shall come into force and have effect upon it being read a third time and passed.

READ a first time in Council this _____ day of _____, 20____.

READ a second time in Council this _____ day of _____, 20____.

READ a third time and passed in Council this _____ day of _____, 20____.

Village of Heisler

Mayor of the Village of Heisler

Chief Administration Officer

Schedule 'A'
RECORDS RETENTION SCHEDULE

| Subject | Description | Suggested 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 Annual Reports | | 5-7 |
| | 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 (ARB) Minutes | P |

| Subject | Description | Suggested Retention Period In Years |
|-------------------|------------------------|--|
| | ARB Work File | 5 |
| | Appeals | 12 |
| | ARB Records | 7 |
| | Duplicate roll | 7 |
| | 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 |
| | Disbursements Journal | 7 |
| | Duplicate Receipts | 7 |
| Certificates | Of Title | P |
| Census | Reports | 12 |
| Cheques | Cancelled (paid) | 7 |
| | Register | 7 |
| | Stubs | 7 |

| Subject | Description | Suggested Retention Period In Years |
|--------------------------------|-------------------------------------|--|
| Claims | Notice of | 12 S/O |
| | Statements of | 12 S/O |
| Committee | Minutes | P |
| Compensation Computer Cards | Records | 10 |
| | | 1 |
| Contracts | Files (completion of) | 12 S/O |
| | Forms | 12 |
| | Major Legal | 12 S/O |
| | Minor Legal | 12 S/O |
| 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 Contents | Sec 101 Local Authorities Election Act |
| Engineering | Drawings | P |
| Employee Benefits | A.H.C., Blue Cross, Dental, etc. | 5 |
| | W.C.B. Claims | 4-5 |
| Employees | Job applications (hired) | 3 |
| | Job Application (not hired) | 1 |

| Subject | Description | Suggested Retention Period In Years |
|----------------------|----------------------------|--|
| | Job Descriptions | 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 | 5-7 |
| | TD1 | 1 |
| | T4 | 5-7 |
| | T4 Summaries | 5-7 |
| Inquiries | From the Public | 3 |
| Insurance | Claims | 12 (after settled) |
| | 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 |

| Subject | Description | Suggested Retention Period In Years |
|---------------------|-----------------------------------|--|
| Maintenance Reports | | 12 |
| Minutes | Council | P |
| | Boards | P |
| | Committees | P |
| Monthly Reports | Road | 5-7 |
| Municipal Affairs | Annual Reports | 5 |
| Organization | Structure & Records | 2-5 S/O |
| Payroll | Garnishees | 3 |
| | Individual Earning Records | 6 |
| | Journal | 6 |
| | Time Cards | 4-6 |
| | Time Sheets - Daily | 5 |
| | - Overtime | 5 |
| | - 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 | 5-7 |
| | Under Contract (Final payment) | 7-10 S/O |
| Property Files | | Until sold +10 |
| Prosecution | All | 12 S/O |

| Subject | Description | Suggested Retention Period In Years |
|---|-------------------------|--|
| 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 | Sign 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 |

| Subject | Description | Suggested Retention Period In Years |
|-----------------------------------|--|---|
| Traffic | Streets | 7 |
| Training and Development Files | | 5 |
| Trail Balances | Monthly Year End | 3 7 |
| Vendors | Acknowledgments To Contracts Suppliers Files | 2 12 12 |
| Vouchers | Duplicate | 7 |
| Writs | | 12 |
| Weed Control Reports | Until updated | 1 |
| Zoning | Bylaws Bylaw Enforcement | P 5 |

