

## TOWN OF MANNING, ALBERTA

### BY-LAW 839 - 16

#### RECORDS RETENTION AND DISPOSAL

A By-law of the Town of Manning, in the Province of Alberta to provide Regulations and Procedures for the Retention and Disposal of Town Records.

**WHEREAS** Section 214(2) of the Municipal Government Act, a council may pass a bylaw respecting the destruction of other records and documents of the municipality;

**AND WHEREAS** the Council of the Town of Manning, in the Province of Alberta, wishes to establish regulations and procedures with respect to the retention and disposal of records in the custody or possession of the Town, including correspondence, records, receipts, vouchers, instruments, notes and other papers or alternative media records, including those records not in the physical custody of the Town but for which the municipality retains responsibility;

**AND WHEREAS** the authority for such regulations and authorities must be consistent with Federal or Provincial Statutes and Regulations;

**NOW THEREFORE PURSUANT** to the provisions of the Municipal Government Act, Chapter M-26, the Council of the Town of Manning, Alberta, in regular session duly assembled, enacts as follows:

#### SEVERABILITY

If any provision of this by-law is declared invalid because of any word, phrase, clause, sentence, paragraph or section of this by-law or any documents which form part of this by-law or an application thereof to any person or circumstance is declared invalid, the remaining provisions shall not be affected thereby, but shall remain in force.

#### SECTION 1 – SHORT TITLE

This By-law may be cited as the “Records Retention and Disposal Bylaw”.

#### SECTION 2 – DEFINITIONS

- 2.1 “Municipality” means the Corporation of the Town of Manning.
- 2.2 “Official” means the Chief Administrative Officer, as defined in the Municipal Government Act, or delegate duly appointed by the CAO of the Town.
- 2.3 “Records” means all the ledgers, receipts, vouchers, instruments, maps, rolls or other document, record, and papers held by the Town of Manning in any form.
- 2.4 “General Records” means all short term records not restricted in purpose or required for future reference and deemed to be nonspecific in nature.

- 2.5 "Transitory Records" means records received or created while doing a job which have only short term, immediate or no future value to the Municipality and includes records which are duplicate copies of an original record of the Municipality.

### **SECTION 3 – RECORD DISPOSAL**

- 3.1 The general records of the Municipality shall be destroyed after three (3) years, except as otherwise provided for in Schedule "A". General records are authorized to be destroyed without requiring the Official to certify, in writing, the description of the records and that the records have been destroyed.
- 3.2 All transitory records are authorized to be routinely destroyed without requiring the Official to certify in writing the description of the records and that the records have been destroyed.
- 3.3 Should an individual's personal information be used by the Municipality to make a decision that directly affects the individual, the Municipality shall retain such personal information for a minimum of one (1) year after using it so that the individual has a reasonable opportunity to obtain access to it.
- 3.4 Where it is provided in the Bylaw, and Schedule "A" attached hereto, that particular records of the Municipality shall be:
- 3.4.1 Destroyed  
Such records, in consultation with the appropriate department, shall be destroyed without any copy thereof being retained; and
- 3.4.2 Permanent  
Such original records shall be permanently retained, preserved, and never destroyed except where the originals have been recorded electronically or on another system that will enable copies of the originals to be made; and
- 3.4.3 Permanently held in Alberta or other Archival Center  
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.

### **SECTION 4 – OFFICIAL DUTIES**

- 4.1 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 and shall do so where the Official 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 retention index.
- 4.2 Where 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.
- 4.3 The Official shall keep an index of:  
(i) records destroyed; and  
(ii) records referred to Archives; and  
(iii) records held at other archival centers
- 4.4 Where records are destroyed under this Bylaw, the proper and complete destruction thereof is the responsibility of the Official.

- 4.5 Destruction of all records shall be carried out in the presence of a witness. The person destroying the records shall provide a statement in writing attesting to the time and place of the destruction of the records, together with a list of records destroyed and also the names of the persons who witnessed the destruction. The statement of Disposition shall be permanently retained in the Municipality records.
- 4.6 The attached Schedule "A" be and is hereby adopted as the retention destruction schedule of the Municipality and may be amended from time to time by resolution of Council.
- 4.7 It shall be the responsibility of the official to provide for the security and storage of all Municipal records.

#### **SECTION 5 – ELECTION MATERIAL**

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

#### **SECTION 6 – EFFECTIVE DATE**

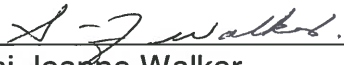
This By-law shall come into effect the date upon third and final reading.


READ A FIRST TIME this 9th day of November, 2016

READ A SECOND TIME this 9th day of November, 2016

Moved and passed unanimously that the "Records Retention and Disposal", be presented for third and final reading.

READ A THIRD AND FINAL TIME this 9th day of November, 2016

  
\_\_\_\_\_  
Sunni-Jeanne Walker  
Mayor

  
\_\_\_\_\_  
Dennis Egyedy  
Chief Administrative Officer

## Schedule A

### Records Retention Schedule

Subject	Description	Suggested Retention Period In years
<b>Accountants</b>	Working Papers	7
<b>Accounts</b>	Paid (summary sheet) Payable vouchers, Receivable duplicate invoices	7
<b>Administration</b>	Reports (not part of minutes) as per legislation	7
<b>Advertising</b>	General as per legislation	2 7
<b>Agenda</b>	Part of Minutes	P
<b>Agreements</b>	General	10 S/O
	Development	12 S/O
	Major Legal	12 S/O
	Minor Legal	12 S/O
	Easements	12 S/O
<b>Annexations</b>	Correspondence	7
	Final Order	P
<b>Annual Reports</b>	Local Boards	5-7
<b>Applications</b>	Site Plan approval subdivision (after final Approval)	3
	Part-time Employees (after end of Employ)	1
<b>Appointments</b>	Other than those in minutes	3
<b>Assessment</b>	Rolls	P
	Assessment review board (ARB) Minutes	P
	ARB Work File	5
	Appeals	12
	ARB Records	7
	Duplicate roll	7
	Review court records	7
<b>Assessment Appeal Board File</b>		5
<b>Assets</b>		20 S/O
	Records of Surplus	5
	Temporary Files	2
<b>Bank</b>	Deposit books	7
	Deposit Slips	7

## Schedule A

### Records Retention Schedule

Subject	Description	Suggested Retention Period In years
	Memos (credit/debit)	7
	Reconciliations	7
	Statements	7
<b>Boards</b>	Minutes	P
	Authority & structure	5 S/O
	Correspondence	
<b>Briefing/Reports</b>	To Council	7
<b>Budgets</b>	Operating (in minutes)	P
	Capital (in minutes)	P
	Working papers	3
<b>Bylaws</b>	All	P
<b>Cash</b>	Receipts journal	7
	Disbursements journal	7
	Duplicate receipts	7
<b>Certificates</b>	Of title	P
<b>Census</b>	Reports	12
<b>Cheques</b>	Cancelled (paid)	7
	Register	7
	Stubs	7
<b>Claims</b>	Notice of	12 S/O
	Statements of	12 S/O
<b>Committee</b>	Minutes	P
<b>Compensation</b>	Records	10
<b>Computer cards</b>		1
<b>Contracts</b>	Files (completion of)	10 S/O
	Forms	10
	Major Legal	12 S/O
	Minor Legal	12 S/O
<b>Council</b>	Minutes	P
<b>Council Package documents</b>	<p>as these documents are duplicates of originals retained in the town office, it is the responsibility of each member of Council to destroy these after the Council meeting at which the issue is completed. These are to be treated as transitory documents.</p>	
<b>Court Cases</b>		12 S/O

## Schedule A

### Records Retention Schedule

Subject	Description	Suggested Retention Period
		In years
<b>Destroyed Records Index</b>		P
<b>Developments</b>	Agreements	P
	Applications & Approvals	P
	Subdivision applications & Approvals	P
	Planning Projects	P
	Development, subdivision & planning	7
	Stop orders (retain in land file)	P
<b>Documents</b>	Not part of bylaws	12 S
<b>Drainage</b>	Plans	P
	Drainage/water licenses	P
	Agreements	P
	Projects	P
<b>Elections</b>	Nomination papers	Sec 28(4) Local Authorities Election Act
	Ballot Box Contents	Sec 101 Local Authorities
<b>Engineering</b>	Drawings	P
<b>Engineering</b>	Drawings	P
<b>Drainage</b>	Plans	P
	Drainage/water licenses	P
	Agreements	P
	Projects	P
<b>Elections</b>	Nomination papers	Sec 28(4) Local Authorities Election Act
	Ballot Box Contents	Sec 101 Local Authorities Election Act
<b>Engineering</b>	Drawings	P
<b>Employee benefits</b>	AHC, Blue Cross, Dental, Etc	5
	WCB Claims	4-5
<b>Employees</b>	Job applications (hired)	3
	Job applications (not hired)	1
	Job descriptions (after position abolished)	3

## Schedule A

### Records Retention Schedule

Subject	Description	Suggested Retention Period
		In years
<b>Oaths of Office</b>		1 (after position vacated)
<b>Personnel File</b>		1 (after cessation of employment or 7 yrs. after termination)
	Master records on employees, resumes employment history, appraisals & evaluations, pay & benefits (individual earnings) training & commendations, record of classification decisions, discipline, health exams, job description, reclassification actions, position transfers, classification appeals, changes in duties, oath of office	7 yrs. (After termination)
<b>Financial Statements</b>	Interim	10
	Working papers	3
	Final	12
<b>Franchises</b>		P
<b>Income Tax</b>	Deductions	5-7
	TD1	1
	T4	5-7
	T4 Summaries	5-7
<b>Inquiries</b>	from the Public	3
<b>Insurance</b>	Claims	12
		(after settled)
	Records (after expiration)	12
<b>Journal Entries</b>	Adjustments to General Ledger	7
<b>Land</b>	Appraisals	1
		(after sold)
	Land Files	P
	Notices of Change of Land titles	12 S/O
<b>Leases</b>	After Expiration	7 S/O
<b>Legal</b>	Opinion	20 S/O
	Proceedings	12 S/O

## Schedule A

### Records Retention Schedule

Subject	Description	Suggested Retention Period
		In years
<b>Legislation</b>	Acts (after superseded)	1
<b>Licenses</b>	Applications	3
	Business (after expired)	5
	Literature	2
<b>Litigations</b>	All records relating to legal actions, law Suits, for and against Town	20
<b>Local Improvements Records</b>		P
<b>Maps/Plans/ Aerial Photos</b>	Base (original)	P
	Contour	P
	Building Plans	P
	All other surveys not listed	P
	Arial Photos for assessment purposes	10 (after suspend)
	Town owned buildings current	P
	Architect Plans	
	Country lands current site plans Including parks	P
<b>Maintenance Reports</b>		12
<b>Minutes</b>	Council	P
	Boards	P
	Committees	P
<b>Monthly reports</b>	Roads	5-7
<b>Municipal Affairs</b>	Annual reports	5
<b>Organization</b>	Structure & Records	2-5 S/O
<b>Payroll</b>	Garnishees	3
	Individual earnings record	7
	Time cards	4-6
	Time sheets daily	5
	overtime	5
	weekly	5
	Employment Insurance records	5
<b>Permits</b>	Development	12 S/O
<b>Plans</b>	Official	P
	Amendments	P
	Subdivision	P



## Schedule A

### Records Retention Schedule

Subject	Description	Suggested Retention Period		
		In years		
Policy	after Superseded		5	
Progress Reports	Project Under contract (final payment)		5-7	
Property Files		Until Sold + 10		
Prosecution	All		12 S/O	
Publications	Local reports		3	
Purchase	Land	Until Sold + 12		
Receipts	Books		7	
	Duplicate Cash		7	
	Registration		7	
Reports	Accident		12 S/O	
	Accident Statistics		12 S/O	
	Field		12 S/O	
Requisitions	Copies		2	
	Duplicate		7	
	Paid		7	
Resolutions	Minutes		P	
Roads	Annual road maintenance report		7	
	Road & bridge construction design, Project reports & studies	7 (after complete)		
	Agreements for purchase of lands for Right of way		P	
	Road surveys (plans) (including cancelled		P	
	Records to road closures		P	
	Records related to gravel truck and other Equipment hired		7	
	Street	Sign Inventory Register		P
	Subdivision	After final approval		12
Subdivision Plans			P	
Tax	Rolls		P	
Tax Recovery	Records		P	
Taxes	Arrears		7	
	Final Billing		12	
	Municipal credits		7	
	Receipts		7	
	Rolls		P	
	Sale Deeds		P	

## Schedule A

### Records Retention Schedule

Subject	Description	Suggested Retention Period In years
<b>Tenders</b>	Files	12
	Successful	12
	Purchase Quotations	12
	Unsuccessful	2
<b>Seismic</b>	Town approval for seismic work (providing there is no litigation)	7
		7
<b>Streets</b>		7
<b>Training and Development Files</b>		5
<b>Trial Balances</b>	Monthly	3
	Year End	7
<b>Utilities</b>	As built plans	P
	Prelim study & design reports	(after complete) 3
	Environmental approvals	P
	Permits & licenses	(after superseded) 3
	Maintenance records	P
	Water reports to Prov. Department	P
	Waste water (sewer) lagoons	P
	Sewer effluent analysis reports	P
	Water Tests	5
	Water annual testing summaries	5
	Water Plant records	P
	Easements for utility right-of-way	P
	Pipeline Crossing-across roads or allowances	P
<b>Vendors</b>	Acknowledgements to	2
	Contracts	12
	Suppliers files	12
<b>Vouchers</b>	Duplicates	7
<b>Wellsite</b>	Well sites	(after reclaim) 11
	Approach & location approvals	(Upon approach removal)
<b>Writs</b>		12
<b>Weed Control Reports</b>	until updated	1
<b>Zoning</b>	Bylaws	P
	Bylaw enforcement	5

Note: "S/O" indicates Superseded (replace or take the place of) or Obsolete (no longer in use). "P" indicates Permanent.