

The Corporation of the Township of McMurrich/Monteith

By-Law No. 08-2013

Being a by-law to provide for the retention of documents and for the destruction of certain documents.

WHEREAS Section 254 of the Municipal Act, 2001, c.25 provides that a Township shall retain and preserve the records of the municipality and its local boards in a secure and accessible manner and, if a local board is a local board of more than one municipality, the affected municipalities are jointly responsible for complying.

AND WHEREAS Section 255(2) of the Municipal Act, 2011, c. 25 provides authority to destroy a record of a municipality or local board if a retention period for the record has been established.

AND WHEREAS Section 255(3) of the Municipal Act, 2001, c. 25 a municipality may, subject to approval of the municipal auditor, establish retention periods during which the records of the municipality and local boards of the municipality must be retained and preserved.

Definitions:

“Record” means information however recorded or stored, whether in printed form, on film, be electronic means or otherwise, and includes documents, financial statements, minutes, accounts, correspondence, memorandums, plans, maps, drawings, photographs and films.

“Transitory Record” means records, including e-mail, voice mail, text messages that have temporary usefulness and are not required to meet statutory obligations, set policy, establish guidelines or procedures, certify a transaction, become a receipt or provide evidence of a legal, financial, operational or other decisions of the municipality including records such as:

- Additional duplicate copies
- Telephone messages
- Working papers
- Miscellaneous notices or memoranda
- External publications
- Records for convenience of reference
- Unrelated to Township business
- Unsolicited advertising information
- Tapes or notes from a meeting for which the minutes or reports have been adopted or finalized

The Council of the Township of McMurrich/Monteith enacts as follows:

- 1) The Clerk shall keep in the township office or in the place appointed for that purpose the originals of all by-laws and of all minutes of proceedings of the Council.
- 2) The Clerk shall have authorization to take whatever means necessary to salvage vital records and documents that may be damaged as a result of a disaster within 48 hours.
- 3) The retention period listed in Schedule “A” shall be the number of years, unless the period of time is indicated to be other than years, exclusive of the year in which the record is dated, indicated in the column entitled “Retention”.
- 4) The original of a record designated with “P” in the column entitled “Permanent” in Schedule “A” shall be retained permanently in the care or under the control of the Clerk or any other department or official of the Corporation.

- 5) The original or a copy of a record not designated by "P" in Schedule "A" shall be destroyed at the expiration of the retention period.
- 6) Unless otherwise specified in the schedule, or unless required for legal purposes or as otherwise provided by law, transitory records may be destroyed at any time.
- 7) Schedule "B" attached hereto shall be described as the Records Management Policy Statement.
- 8) Schedule "C" attached hereto shall be described as "Confirmation to Destroy Records" which must be signed by the department head prior to destroying the records.

This by-law as approved by the auditor shall come into force and take effect upon passage by Council.

Read a First and Second time this 4th day of February, 2013.


Reeve Glynn Robinson


Clerk Cheryl Marshall

Read a Third time and **Passed, Signed and Sealed** this 4th day of March, 2013.


Reeve Glynn Robinson


Clerk Cheryl Marshall

Schedule "A" to By-Law No. 08-2013

RETENTION SCHEDULE

Description of Record	Retention Period	Permanent
Administration		
Agendas	10	
Agreements		P
By-Laws		P
Contracts	Termination + 7	
Correspondence	10	
Deeds		P
Freedom of Information	Termination +2	
Leases		P
Litigation		P
Lottery Licences	7	
Minute Books		P
Meeting Recorder's Handwritten Notes		P
Property Files		P
Resolutions	10	
Roll Books		P
Board/Committee Files		
Agendas	10	
Correspondence	10	
Minutes		P
Events/Programs	Termination + 5	
Building, Development & Planning Files		
Building Permits & Supporting Docs.		P
Consent Files		P
Encroachment and/or Road Agreements		P
Engineered Drawings including:		P
Drainage area plans		
Detailed notes		
Bridge details		
Site plans		
Survey plans		
Plan and profile drawings		
Minor Variance Files		P
Official Plan		P
OMB Files		P
Rezoning Files		P
Road Allowance Files		P
Shore Road Allowance Files		P
Site plan Control Files		P
Zoning By-Law Files	Termination + 10	
Environmental		
Certificate of Approval	Termination + 10	
Correspondence	20	
Daily Operation Notes	10	
Environmental Assessments		P
Ground Water Testing		P
Weather Reports - Daily	10	
Financial Records		
Accounts Payable	20	
Accounts Receivable	15	
Auditor's Financial Reports		P
Budget - including worksheets	25	
Correspondence	7	
General Ledger	20	
Inventory	7	

Payroll including:		P
Time Sheets		
Federal & Provincial Deductions		
Benefits		
Pay Equity		
Petty Cash Receipts	7	
Subsidy Files		P
Tax Certificates	7	
Tax Receipts	2	
Tax Receipt Batches	15	
Human Resources		
Arbitrations		P
Health & Safety	7	
Personnel Files including:	Termination + 25	
Performance Reviews		
Training		
Correspondence		
Job Descriptions		
Workplace Safety & Insurance Board		P
Parks & Recreation		
Building Maintenance	20	
Health & Safety Inspections	20	
Public Health Inspections	10	
Recreation Program Records	Termination + 5	
Rental Agreements	5	
Water Sampling		P

Schedule "B" To By-Law No. 08-2013

RECORDS MANAGEMENT POLICY STATEMENT

The Township of McMurrich/Monteith collects and preserves the official records created, received, and accumulated by the Township of McMurrich/Monteith and records relating to the history, organization, function, and structures of the municipality. In order to care for these records, Staff shall:

1. Develop a records management policies to facilitate the retention and transfer of valuable records to the Archives and the regular destruction of unneeded and valueless records;
2. Work in cooperation with Supervisory Staff to supervise the records management policies; and
3. Assist in the implementation of the records management policies and authorize the destruction and disposition of municipal records scheduled for disposal.

The following guidelines apply to the Township of McMurrich/Monteith records management policies:

1. The official records of the Township of McMurrich/Monteith are the property of the Township. Any employee leaving his or her position is required to leave all official records for any successors.
2. The Supervisor may implement regulations and restrictions regarding the use of material held in the records centre. All regulations shall be distributed to township employees for their information.
3. The Supervisor will survey the records of the township and determine retention and disposition schedules. Employees are required to abide by these schedules.
4. Each office in the township shall designate one person as records officer, who shall be responsible for records management within the office, with the advice and assistance of the Supervisor.
5. All records held are the property of the Township of McMurrich/Monteith until they are deemed inactive, at which time they will either be transferred to the archives or destroyed.

Schedule "C" to By-Law No. 08-2013

Confirmation to Destroy Inactive Records

Date:	
To:	Clerk
From:	
Destruction Date:	

This confirmation to destroy records is being sent to you to advise that pursuant to By-Law No. _____ the records listed below are now due for destruction. By-Law _____ provides the authority to destroy the records. Once a record series has reached and passed its approved retention period it ceases to be of value to the Corporation and it is then destroyed.

Please review and sign the list to confirm authorization for destruction. You have until the date noted above to advise of any records that need to be held past the destruction date for any legal or statutory reasons.

Please note that records subject to a current request, appeal or complaint made under the Municipal Freedom of Information and Protection of Privacy Act and records required for any other legal purposes must be taken out of the disposition process and held until released by the Municipal Solicitor and Township's MFIPPA Head. This is your only opportunity to advise us of any records on the attached list that may need to be pulled from this destruction process for any legal or statutory reasons.

Year of Record	Description of Record	Authorized

I hereby confirm that the above listed Records that are clearly marked authorized may now be destroyed as there are no legal or statutory reasons for holding any of these records past their scheduled destruction date.

Clerk _____

Date: _____