

**BYLAW #2022-06
VILLAGE OF ACME
IN THE
PROVINCE OF ALBERTA
RECORDS, RETENTION AND DISPOSITION BYLAW**

**BEING A BYLAW IN THE VILLAGE OF ACME IN THE PROVINCE OF ALBERTA
RESPECTING MUNICIPAL RECORDS, RETENTION AND DISPOSITION
INFORMATION MANAGEMENT**

BEING a Bylaw of the Village of Acme, in the province of Alberta, for the purpose to establish regulations and procedures for the retention and disposal of Municipal records, including but not limited to correspondence, records, vouchers, receipts, instruments and other records in the custody or control of the Village of Acme, pursuant to the provisions of the Municipal Government Act, S.A., 1994, Charter M-26-1 and Amendments thereto, and in compliance with the Freedom of Information and Protection of Privacy Act, S.A., Charter F-18.5 and amendments thereto.

WHEREAS under the authority of and subject to the provisions section 214(2) of the Municipal Government Act, RSA 2000, c.M-26 as amended (hereinafter referred to the "MGA"). Council may pass a bylaw respecting the retention and disposition of records and information of the municipality and:

WHEREAS under the authority and subject of the provisions of the Freedom of Information and Protection of Privacy Act, RSA 2000, c.F-25 as amended, hereinafter referred to as "FOIP", the municipality is to allow any person the right of access to records in the custody and control of the municipality and is to control the manner, in which the municipality may collect, use, and disclose personal information from individuals and:

WHEREAS under the authority and subject to the provisions of the Electronic Transactions Act, RSA 2000, c.E-5.5 as amended, the municipality has the authority to create, record, transmit, or store information in digital form or any other intangible form by electronic, magnetic, or optical means, or any other means that have similar capabilities, recordings, transmissions, or storage.

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

SECTION 1 – SHORT TITLE:

- 1.1 This Bylaw shall be cited as the "Records, Retention and Disposition Bylaw" of the Village of Acme.



SECTION 2 – DEFINITIONS

- 2.1 **Archival** – Records that have been determined to have historical or other value to warrant their preservation. Also known as permanent records.
- 2.2 **Administrative Hold Order** – A hold order placed on the scheduled destruction of inactive records for administrative matters e.g., metadata errors, incorrect ownership, incorrect retention codes etc.
- 2.3 **CAO** – Chief Administrative Officer
- 2.4 **Certificate of Destruction** – Certification issued by a company which offers record destruction services, attesting to the destruction of Inactive records.
- 2.5 **Confidential** – Any record that contains personal information about individuals, third-party, commercial, financial, scientific, or technical information supplied either explicitly or implicitly in confidence; or any other information protected under FOIP.
- 2.6 **Council** – shall mean the Council of the Village of Acme in the Province of Alberta.
- 2.7 **Designated employee** – The CAO or Person designated by the CAO to conduct actions on behalf of the Village of Acme.
- 2.8 **Disposition** – For an inactive record, the final action taken per the records retention schedule, concluding with disposition, transfer, or permanent preservation.
- 2.9 **FOIP** – Freedom of Information of Privacy Act, RSA, 2000, c.F-25 as amended.
- 2.10 **LAEA** – Local Authorities Election Act
- 2.11 **Legal Hold Order** – A hold order placed on the scheduled destruction of inactive records due to foreseeable or pending litigation, governmental investigation, or audit.
- 2.12 **Metadata** – The structured information that describes, explains, locates, or otherwise makes it easier to retrieve, use or manage information resources.
- 2.13 **P** – Permanent Record
- 2.14 **Record** – Any recorded information, regardless of the medium or characteristics, made or received and retained by an organization in pursuance of legal obligations or in the transaction of business.



- 2.15 **Record: Active Record** – A readily accessible record related to current, ongoing or in process activities and referred to on a regular basis to respond to day-to-day operational requirements.
- 2.16 **Record: Inactive Record** – A record no longer needed to conduct current business but preserved until the end of its retention period.
- 2.17 **Record: Non-Record** – A record in any media that has a short-term value, is not part of an administrative or operational record series, is not regularly filed in a record information system, and is required only for a limited time for the completion of a routine action or the preparation of records, which include but not limited to temporary information, duplicate documents, draft documents, publications, advertising material and blank information media can be destroyed immediately or after meeting its transitory need. Also known as a convenience copy or transitory record.
- 2.18 **Records Management** – The application of systematic control over records and information from creation to destruction.
- 2.19 **Records Retention Schedule** – A list of records series, indicating for each series the length of time it is to be maintained.
- 2.20 **Record Owner** – Individual responsible for the records under the care and control of the Village of Acme and has signing authority for transferring records between ownership or organization and destruction.
- 2.21 **Retention Period** – The length of time an inactive record must be kept meeting administrative, fiscal, legal, or historical requirements.
- 2.22 **RSA** – Revised Statutes of Alberta.
- 2.23 **S/O** – Superseded / Obsolete. Superseded meaning file is closed after information is replaced. Obsolete meaning it is no longer in use.
- 2.24 **Tax Order Hold** – A hold order placed on the scheduled destruction of records due to pending tax matters.

SECTION 3 – GENERAL

- 3.1 The Village of Acme believes that records and information is a critical, valuable resource and that this resource should be protected, preserved, and safeguarded from unauthorized use.
- 3.2 The designated employee will maintain an accurate index of all records, including those that have been destroyed or archived.
- 3.3 It shall be the responsibility of the Village of Acme to provide adequate storage and security for all records.

- 3.4 If the provisions established in this bylaw are inconsistent with the provisions established in applicable provincial and federal legislation, The Village of Acme will adhere to the provisions established in the provincial and federal legislation.

SECTION 4 – RECORDS RETENTION AND DESTRUCTION

- 4.1 The CAO or designate is responsible for the systematic control of the creation, use, maintenance, storage, security, retrieval, and disposition of records created by or received by the Village of Acme in the conduct of its operations. This will adhere to all provincial and federal statutes or regulations relating to records management.

SECTION 5 – RECORDS OF RETENTION SCHEDULE

- 5.1 The CAO or designate shall maintain the Records Retention Schedule of Village of Acme Schedule (A). Revisions or amendments to the Records Retention Schedule shall be approved by Council resolution.

SECTION 6 – DISPOSITION OF TRANSITORY, INACTIVE RECORDS, BYLAWS AND MINUTE BOOKS

- 7.1 Where this bylaw provides that records in the custody and control of the Village of Acme shall be retained, it shall be the responsibility of the CAO or designate employee to ensure that records are preserved in either physical or digital format or both and retained for the length of time established in the records retention schedule.

SECTION 7 – NON-RECORD

- 7.2 All non-records shall be disposed of at any time by The Village of Acme employees when non-records no longer serve any valid purpose.

SECTION 8 – INACTIVE RECORDS

- 8.1 Annually, a Notice of Disposition report will be prepared listing inactive records that have met retention and approved for Deposits
- 8.2 A Notice of Destruction report will be presented to CAO for review and sign-off:
- 8.3 Records that are responsive to a current, ongoing, or impending FOIP request must be retained for one (1) year after the FOIP request file has been closed.
- 8.4 Records will be destroyed by a company that offers records destruction services. A certificate of destruction will be created attesting to the destruction of the records.
- 8.5 Certificate of Destruction and supporting documentation will be maintained permanently by The Village of Acme.

SECTION 9 – BYLAW AND MINUTE BOOKS

- 9.1 Council may authorize the destruction of the original bylaws and minutes of council meetings if the originals have been recorded on microfiche or on another system that will enable copies of the original to be made as per section 214(1) of the Municipal Government Act, RSA 2000, c.M-26 as amended.

SECTION 10 – ARCHIVAL RECORDS

- 10.1 Council may authorize the permanent transfer of records (e.g., minute books, ledgers, photographs etc.) which are deemed to have archival value to the Alberta Archives or other Archival Centers.

SECTION 11 – DISCRETION

- 11.1 The CAO shall have the discretion to retain inactive records longer than the retention period provided for in the records retention schedule when the CAO has:
- a. Received an indication that there is or may be litigation involving any said records.
 - b. Approved a department request to keep any said records for business.
 - c. Approved a department request to keep any said records for historical purposes.
- 11.2 Such decisions to retain longer than the period provided for herein shall be recorded in the records management system as either an administrative hold order, a tax hold order, or a legal hold order.

SECTION 12 – AUDIT

- 12.1 The CAO or designated employee will ensure that the records retention schedule shall be adhered to and an periodic audit of the records to ensure compliance with the Records Retention and Disposition Bylaw.

SECTION 13 – REPEAL

- 13.1 Bylaw #99-7 repealed upon the third reading of Bylaw #2022-06

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SECTION 14 – ENACTMENT

14.1 This bylaw shall come into force and effective on the date of the third and final reading.

READ FIRST TIME this 9 day of May, 2022


Bruce McLeod, Mayor

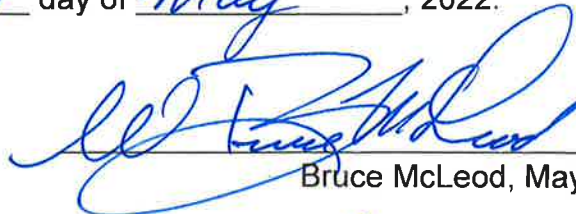

Gary Sawatzky, CAO

READ A SECOND TIME this 9 day of May 2022.


Bruce McLeod, Mayor


Gary Sawatzky, CAO

READ A THIRD TIME AND PASSED this 9 day of May, 2022.


Bruce McLeod, Mayor


Gary Sawatzky, CAO

SCHEDULE "A"

RECORD RETENTION AND DISPOSAL OF MUNICIPAL RECORDS

The Village of Acme shall retain the following records for the following terms:

S/O - Superseded / Obsolete

P – Permanent

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 Board	5-7
Applications	Site Plan approval	2
	Subdivision (after final approval)	3
	Part-time Employees (after end of employment)	3
Appointments	Other than those in Minutes	3
Assessment	Rolls	P
	Assessment Review Board (ARB) Minutes	P
	ARB Work File	5
	Appeals	12
	ARB Records	7

	Duplicate roll	7
	Review Court Records	7
Assessments 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
Claims	Notice of	12 S/O
	Statements of	12 S/O
Committee	Minutes	P
Compensation	Records	10
Computer Cards		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) LAEA
	Ballot Box Contents	Sec. 101 LAEA
Engineering	Drawings	P
Employee Benefits	A.H.A., Blue Cross, Dental, etc.	5
	W.C.B. Claims	4-5
Employees	Job applications (hired)	3
	Job applications (not hired)	1
	Job Descriptions (After position abolished)	3
	Oaths of Office (After position vacated)	1
	Personnel File (After cessation of employment)	1
	Personnel File (After dismissal)	6
<i>(FYI-The GOA keeps any pension contribution Information for 70 years.)</i>		
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 (After Settled)	12
	Records (After expiration)	12
Land	Appraisals (After sold)	1
Leases	After Expiration	7 S/O



Village of Acme Bylaw #2022-06 Record Retention and Disposal of Municipal Records

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
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 (After garnish is removed)	3
	Individual Earning Records	6
	Journal	6
	Timecards	4-6
	Time Sheets Daily	5
	Overtime	5
	Weekly	5
	Employment Insurance Records (After cessation of employment)	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	(After sold)	1

Village of Acme Bylaw #2022-06 Record Retention and Disposal of Municipal Records

Prosecution	All	12 S/O
Publications	Local Reports	3
Purchase	Land (After 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	1
	Municipal Credits	7
	Receipts	
	Rolls	P
	Sale Deeds	P
Termination	Employees	P
Tenders	Files	12
	Successful	12
	Purchase Quotations	12
	Unsuccessful	10
<i>(FYI-The GOA keeps all unsuccessful tenders for 10 years in case of civil litigation.)</i>		
Traffic	Streets	7
Training and Development Files		5
Trail Balances	Monthly	3
	Year End	7



Vendors	Acknowledges To	2
	Contracts	12
	Suppliers Files	12
Vouchers	Duplicate	7
Writs		12
Weed Control Reports	Until updated	1
Zoning	Bylaws	P
	Bylaw Enforcement	5

