

BYLAW #14-12-336

COUNTY OF NORTHERN LIGHTS IN THE PROVINCE OF ALBERTA

BEING A BYLAW TO PROVIDE REGULATIONS AND PROCEDURES FOR THE RETENTION AND DISPOSAL OF THE COUNTY OF NORTHERN LIGHTS RECORDS, PURSUANT TO THE PROVISIONS OF SECTION 214 OF THE MUNICIPAL GOVERNMENT ACT, BEING CHAPTER M-26.1 OF THE STATUTES OF ALBERTA, 2000 AND AMENDMENTS THERETO.

WHEREAS, the Council of the County of Northern Lights, 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 County, including correspondence, records, receipts, vouchers, instruments, notes and other papers or alternative media records, including those records not in the physical custody of the County 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, the Council of the County of Northern Lights, in the Province of Alberta, duly assembled, enacts as follows:

1. That this bylaw may be cited as "The Records Retention Bylaw"
2. That the following definitions shall apply in respect of this bylaw:
 - a) "Municipality" shall mean the County of Northern Lights.
 - b) "Official" shall mean the Chief Administrative Officer, as defined in the Municipal Government Act, or delegate duly appointed by the Chief Administrative Officer of the County of Northern Lights.
 - c) "Records" shall mean all the ledgers, receipts, vouchers, instruments, maps, rolls or other document, records, and papers held by the County of Northern Lights in any form
 - d) "General Records" shall mean all short term records not restricted in purpose or required for future reference and deemed to be nonspecific in nature.
 - e) "Transitory Records" shall mean 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.
3. That 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.
4. That 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.
5. That 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.

6. That where it is provided in the Bylaw, and Schedule "A" attached hereto, that particular records of the Municipality shall be:
 - i) **Destroyed**
Such records, in consultation with the appropriate department, shall be destroyed without any copy thereof being retained; and
 - ii) **Permanent**
Such original records shall be permanently retained, preserved, and never destroyed except where the originals have been recorded on microfiche or on another system that will enable copies of the originals to be made; and
 - iii) **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.
7. That 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.
8. That 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.
9. That the Official shall keep an index of:
 - i) records destroyed; and
 - ii) records referred to Archives; and
 - iii) records held at other archival centers
10. That where records are destroyed under this Bylaw, the proper and complete destruction thereof is the responsibility of the Official.
11. That 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 Municipality records.
12. Election material that has been locked in the ballot boxes may be destroyed in accordance with the provisions of the Local Authorities Act.
13. That 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.
14. That it shall be the responsibility of the Official to provide for the security and storage of all Municipal records.
15. This Bylaw shall repeal Bylaw # 99-12-085 and this Bylaw shall come into full force and effect upon the final reading thereof.

Read a First time this 09th day of December, AD 2014

Read a Second time this 09th day of December, AD 2014

Read a Third and Final time this 09th day of December, AD 2014

Salenderson
Chief Elected Official

Van Oort
Chief Administrative Officer

**Bylaw #14-12-336
Schedule A
Records Retention Schedule**

| Subject | Description | Suggested Retention Period In years |
|-----------------------------|---|--|
| Accounts | Paid (summary sheet) Payable vouchers, Receivable duplicate invoices | 7 |
| Administration | Reports (not part of minutes) as per legislation | 7 |
| Advertising | General | 2 |
| | As per legislation | 7 |
| Agenda | Part of Minutes | P |
| Agreements and Contracts | General | 10 S/O |
| | Development | 12 S/O |
| | Major Legal | 12 S/O |
| | Minor Legal | 12 S/O |
| | Easements | 12 S/O |
| | <i>See Roads for Road Use agreements</i> | |
| Annexations | Correspondence | 7 |
| | Final Order | P |
| Annual Reports | Local Boards | 5-7 |
| Applications | Site Plan approval subdivision (after final Approval) | 3 |
| Appointments | Other than those in minutes | 3 |
| Assessment | Rolls | 7 |
| | Assessment review board (ARB) Minutes | P |
| | ARB Work File | 5 |
| | Appeals | 5 |
| | ARB Records | 5 |
| Assets | | 20 S/O |

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|-------------------|--|-------------------|
| | Records of Surplus | 5 |
| | Temporary Files | 2 |
| Bank | Deposit books | 7 |
| | Deposit Slips | 7 |
| | Memos (credit/debit) | 7 |
| | Reconciliations | 7 |
| | Statements | 7 |
| | Daily Cash Batch Logs | 7 |
| Boards | Minutes <i>See Minutes</i> | |
| | Authority & structure | 5 S/O |
| | Correspondence | |
| Briefing/ Reports | To Council <i>See Council</i> | |
| Budgets | Operating | 7 |
| | Capital | 7 |
| | Working papers | 3 |
| Bursaries | 3 years from meeting all employment And graduation requirements | 3 |
| Bylaws | All | P |
| Cash | Receipts journal | 7 |
| | Disbursements journal | 7 |
| | Duplicate receipts | 7 |
| Certificates | Of title | P (in land files) |
| Census | Reports | 10 |
| Cheques | Cancelled (paid) | 7 |
| | Register | 7 |
| Claims | Notice of | 12 S/O |
| | Statements of | 12 S/O |
| Committee | Minutes - <i>See Minutes</i> | |
| Council | Minutes - <i>See Minutes</i> | |

Council's Package Documents and correspondence These documents are duplicates of originals retained in the county 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.

| | | |
|-------------------------|--------------------------------------|--|
| Court Cases | | 12 S/O |
| Destroyed Records Index | | P |
| Developments | Agreements | P |
| | Applications & Approvals | P |
| | Subdivision applications & Approvals | P |
| | Planning Projects | P |
| | Development, subdivision & planning | P |
| | Stop orders | P |
| | <i>All retained in land files</i> | |
| Documents | Not part of bylaws | 12 S |
| Drainage | Plans | P |
| | Drainage/ water licences | P |
| | Agreements | P |
| | Projects | P |
| Elections | Nomination papers | Sec 28(4) Local Authorities Election Act |
| | Ballot Box Contents | Sec 101 Local Authorities Election Act |
| Engineering | Drawings | P |
| Employees | Job applications (hired) | 3 |
| | Job applications (not hired) | 1 |
| | Job descriptions | 3 (after position abolished) |
| | Oaths of Office | 1 (after position |

| | | |
|----------------------------|--|---|
| | Personnel File | vacated) 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, training and development | |
| Financial Statements/Audit | Interim | 10 |
| | Working papers | 3 |
| | Final | P |
| Insurance | Claims | 12 (after Settled) |
| Journal Entries | Adjustments to General Ledger | 7 |
| Land | Appraisals | 1 (after sold) |
| | Land Files | P |
| | Notices of Change of Land titles (placed in land files) | P |
| Leases | After Expiration | 7 S/O |
| Legal | Opinion | 20 S/O |
| | Proceedings | 12 S/O |
| | All records relating to legal actions, law Suits, for and against County | 20 |
| | Bylaw enforcement Action | 20 after settlement |
| Local Improvements | Records | P |
| Maps/Plans/Aerial Photos | Base (original) | P |
| | Contour | P |
| | Building Plans | P |

| | | |
|---------------------|---------------------------------------|-------------|
| | All other surveys not listed | P |
| | Aerial Photos For assessment purposes | 7 |
| | County owned buildings current | P |
| | Architect Plans | |
| | County Lands current site plans | P |
| | Including parks | |
| Maintenance Reports | | 12 |
| Minutes | Council | P |
| | Boards | P |
| | Committees | P |
| Municipal Affairs | Annual reports | 3 |
| Organization | Structure & Records | 2-5 S/O |
| Payroll | Garnishees, Individual earnings | 7 |
| | Records, Time sheets, Employment | |
| | Insurance Records, Income Tax, TD1, | |
| | T4s, T4 Summaries, AHC, Blue Cross, | |
| | Dental, WCB claims, other benefits | |
| Permits | Development | |
| | (on land files) | |
| Petitions | | 10 |
| Plans | Official | P |
| | Amendments | P |
| Policy | After Superseded | 5 |
| Progress Reports | Project Under contract | 5-7 |
| | (after final payment) | |
| Property Files | Kept on land files | P |
| Publications | Local reports | 3 |
| Purchase | Land | P land file |
| Receipts | Books | 7 |

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|----------------|---|--|
| | Duplicate Cash | 7 |
| | Registration | 7 |
| Reports | Accident | 12 S/O |
| | Accident Statistics | 12 S/O |
| 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 Road right of way | P – land files |
| | Road surveys (plans) (including cancelled | P |
| | Records to road closures | P |
| | Records related to gravel truck and other Equipment hired | 7 |
| | Roads (grader beat maps and info) | 7 |
| | Road Use Agreements | 1 year after expiry |
| Subdivision | After final Approval Subdivision Plans (<i>On land files</i>) | P |
| Tax | Rolls | 7 |
| Tax Recovery | Records | P |
| Taxes | Arrears, final billings, credits, Receipts | 10 |
| Tenders | Files, successful tenders, Purchase quotations | 10 after completion 10 after completion |
| | Unsuccessful | 2 |
| Seismic | County approval for seismic work | 7 (providing there Is no litigation) |
| Trial Balances | Monthly | 3 |
| | Year End | 7 |
| Utilities | As built plans | P |
| | Prelim study & design reports | 3 after complete |

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|----------------------|---|--------------------|
| | Environmental approvals | P |
| | Permits & licences | 3 after superseded |
| | Maintenance records | P |
| | Water reports to Prov. Department | P |
| | Waste water (sewer) lagoons | P |
| | Sewer effluent analysis annual reports | P |
| | Water Tests | 5 |
| | Water annual testing summaries | P |
| | Water Plant Records | P |
| | Easements for utility right-of-way | P |
| | Pipeline Crossing- across roads or allowances | P |
| Wellsite's | Well sites | P – land files |
| | Approach & location approvals | P – Land files |
| Writs | | 12 |
| Weed Control Reports | Until updated | 1 |
| Zoning | Bylaws | P |

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