



DISTRICT OF CLEARWATER

BYLAW NO. 61, 2010

A BYLAW TO PROVIDE FOR THE RETENTION AND DESTRUCTION OF MUNICIPAL RECORDS

WHEREAS in accordance with the provisions of the Community Charter, the Corporate Administrator is responsible for ensuring all Municipal records are prepared, maintained and kept safe.

AND WHEREAS it is the desire of the District of Clearwater to provide specific regulations with respect to the retention and disposition of these records.

AND WHEREAS it is the desire to establish the necessary authority to ensure these records are managed in accordance with the accepted business standards throughout their lifetime from creation or receipt through to final disposition.

AND FURTHERMORE that records of significance be permanently preserved and that records that are inactive and of no long term value to the Municipality or the community be declared redundant and systematically destroyed.

NOW THEREFORE, the Council of the District of Clearwater, in open meeting assembled, enacts as follows:

CITATION

- 1.1. This Bylaw shall be cited as District of Clearwater Records Retention and Destruction Bylaw No. 61, 2010.

DEFINITIONS

- 2.1 In this Bylaw unless the context otherwise requires:

“Custody and Control” in relation to a record means having physical possession of such record, which includes responsibility for physical aspects of accessing, maintaining, preserving, disposing of, and securing such record. Further defined in the Freedom of Information & Protection of Privacy Act.

“Disposition” means the destruction of a Districts’ record or the transfer of a Districts’ record of enduring value into permanent storage.

“Record” means information in any form or medium, created or received in the transaction or conduct of District business, and kept as evidence of such activity.

“Retention” means the lifespan of a record from the date of its creation or acquisition to the date of its disposition.

RECORDS MANAGEMENT POLICY

- 3.1 A records Management Corporate Policy No 2010-12 has been established under the approval of the Corporate Administrator to manage records in the custody and control of the District. The Policy establishes record classification, retention triggers and time periods and indicators about which records may contain material appropriate for selective retention and/or permanent preservation.
- 3.2 All departments of the Municipality shall ensure that all records in the custody and control of their respective departments are classified and scheduled in accordance with the Records Classification and Retention Schedule established within the Records Management Corporate Policy No 2010-12.

SCOPE

- 4.1 All records either created by employees of the District or received by employees of the District in the context of their functional responsibilities by standard mail, courier, hand delivered, electronic mail, facsimile, scanning or by any other means are District records and subject to the maintenance and disposition provisions of this Bylaw.
- 4.2 All records in the custody and control of employees of the District, Members of Council, and Committees of Council which are created or received in the context of their functional responsibilities, are the property of the District.
- 4.3 This Bylaw does not apply to records:
- a) created or received by a Member of Council, beyond their capacity as a Member of Council;
 - b) of incorporated societies, including community associations, which have an operating agreement with the District.

where such records are not in the custody and control of the District.

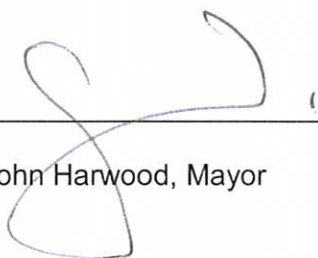
- 4.4 This Bylaw does not apply to records created or received by employees of the District in connection with membership in a professional association or collective bargaining unit, and not as part of their job duties.

READ A FIRST TIME the 7th day of December 2010

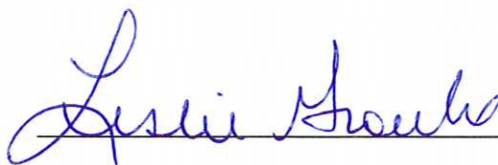
READ A SECOND TIME the 7th day of December 2010

READ A THIRD TIME the 7th day of December 2010

ADOPTED this 4th day of January, 2011

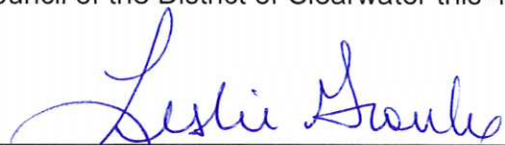


John Harwood, Mayor



Leslie Groulx, Corporate Administrator

Certified to be a true and correct copy of Bylaw No. 61, 2010, cited as "*Retention and Destruction of Municipal Records Bylaw No. 61, 2010*" adopted by the Council of the District of Clearwater this 4th day of January 2011.



Leslie Groulx, Corporate Administrator