



CITY OF MOOSE JAW

The Records Retention and Disposal Bylaw

Bylaw No. 5529

Date of Passage February 13, 2017
(effective date February 13, 2017)

Disclaimer:

This information has been provided solely for research convenience. Official bylaws are available at the Office of the City Clerk and must be consulted for purposes of interpretation and application of the law.

BYLAW NO. 5529

THE RECORDS RETENTION AND DISPOSAL BYLAW

WHEREAS Section 90 of *The Cities Act*, provides that a Council shall establish a Records Retention and Disposal Schedule, and all documents of the City must be dealt with in accordance with that Schedule;

AND WHEREAS Section 8 of *The Cities Act*, provides that, subject to the other provisions of the *Act* and to the provisions of any other Act, City Council may pass Bylaws that it considers expedient for the peace, order and good government of the City;

AND WHEREAS City Council desires to regulate the retention and provide for the destruction of certain documents of the City of Moose Jaw;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF MOOSE JAW ENACTS AS FOLLOWS:

Short Title

1. This Bylaw may be cited as "The Records Retention and Disposal Bylaw."

Purpose

2. The purpose of this Bylaw is to repeal Bylaw No. 5085 The Document Retention and Disposal Bylaw to establish a records retention and disposal bylaw pursuant to *The Cities Act*.

Definitions

3. In this Bylaw, in any supplemental or amending Bylaws, and in any Schedules attached hereto, the following words and terms shall have the following meaning unless there is something in the subject matter or context inconsistent herewith:
 - a) "City" means the municipal corporation of the City of Moose Jaw;
 - b) "City Clerk" means the person appointed as the City Clerk for the City of Moose Jaw or his/her duly authorized representative or designate;

- c) "Department Head" means the Mayor, the City Manager, the City Solicitor, the City Clerk, the Director of Engineering Services, the Director of Financial Services, the Director of Parks and Recreation, the Director of Planning and Development Services, the Director of Human Resource Services, the Fire Chief and includes any other person appointed as a Department Head by the City Manager and includes his/her duly authorized representative or designate;
- d) "Document" means any typed, written or electronic document and includes any information recorded or stored by means of any device, regardless of the medium, and includes reports, maps, plans, surveys, books of account and electronically readable information;
- e) "Original" means an authentic produced work of something, and which is to serve as a model or an example to be copied or imitated not deriving from any other source.

Preservation Of Documents Of The Municipality

- 4. (1) Subject to this Bylaw, all documents created by or received by the administration of the City, regardless of the medium in which they were created or were received, shall be preserved in the form in which they were created or received, as the case may be, in accordance with this Bylaw.
- (2) The Office of the City Clerk, through its Records Management Program, will coordinate the storage and disposal of electronic records, some of which may be duplicates of those documents referred to in subsection (1).

Documents Not Requiring A Retention Period

- 5. Notwithstanding any other provisions of this Bylaw, the following documents have no mandatory retention period and may be disposed of or destroyed, from time to time, in the absolute discretion of the City:
 - (a) documents wholly unrelated to the administration of the City;
 - (b) draft versions of internal working papers, documents or reports used in the preparation of a document of the City;
 - (c) duplicate copies of bylaws or agreements of the City unless such copies contain new information or notes or unless such copies form part of another document;
 - (d) information received from other agencies or jurisdictions by the City for research purposes (such as copies of contracts, engineering drawings, etcetera from other municipal corporations) provided:

- (i) such information is no longer required by the City; and
- (ii) such information does not form part of a document of the City, in which case, such information shall be retained and may not be destroyed except upon the expiration of the retention period for the document of which it forms a part;
- (e) magazines, books and other publications received by the City from other agencies or organizations;
- (f) advertising, catalogues, price lists and other junk mail received by the City;
- (g) telephone messages; and
- (h) outdated and unused blank forms.

Destruction Of Documents Subject To Retention Period

6. (1) Subject to subsection (2), the documents set forth in Schedule "A" may be destroyed upon the expiration of the retention period set out in Schedule "A".
- (2) No document or series of documents may be destroyed unless:
 - (a) the Department Head having custody of the document or series of documents is satisfied that the document or documents are no longer required by the City and are of no historical, archival or legal value;
 - (b) such destruction has been approved by the City Clerk; and
 - (c) the form, "Record of Disposal", as provided by the City Clerk, has been completed and filed with the City Clerk.
- (3) Any document set forth in Schedule "A" may be retained for any period longer than the retention period set out in Schedule "A" at the discretion of the Department Head having custody of the document.
- (4) The current year is not included in calculating the retention period of the document.

Destruction Of Informational Copies Of Documents

7. Notwithstanding any other provisions of this Bylaw, informational copies of any of the documents set forth in Schedule "A" may be destroyed after two (2) years if:
 - (a) in the case of documents created by the City for internal use, the original has been retained by the department having custody of the document in accordance with this Bylaw and the department creating the document has retained a file copy; or
 - (b) in all other cases, the original has been retained by the department having custody of the document in accordance with this Bylaw.

Destruction of Electronic Documents

8. Notwithstanding any other provision of this Bylaw, documents created in an electronic medium for internal or external correspondence (such as internet or e-mail documents) may be destroyed after one (1) month if a printed copy of the documents has been produced and retained and such printed copy shall be retained and may only be disposed of in accordance with the provisions of this Bylaw.

Repeal

9. Bylaw No. 5085 referred to as The Document Retention and Disposal Bylaw is hereby repealed.

Interpretation Of This Bylaw

10. The City Clerk shall be responsible for the administration and interpretation of this Bylaw.

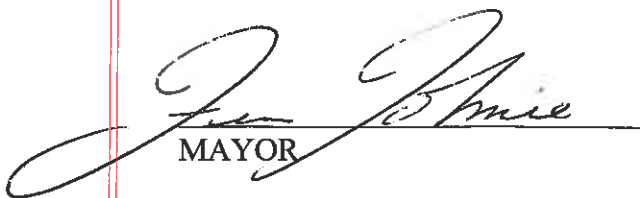
Coming Into Force

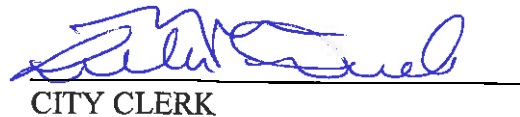
11. This Bylaw shall come into force and take effect on, from and after the final passing thereof.

READ A FIRST TIME FEBRUARY 13, 2017

READ A SECOND TIME FEBRUARY 13, 2017

READ A THIRD TIME AND PASSED FEBRUARY 13, 2017


MAYOR


CITY CLERK

SCHEDULE "A"
(BYLAW NO. 5529)

Alphabetical Listing of Municipal Records
And Their Suggested Retention Periods

<u>Accounting:</u> <u>(in years)</u>	<u>Retention Period</u>
▪ Accounts Receivable Ledger Cards	7
▪ Annual Financial Statements	Permanent
▪ Bank Passbooks and Statements	7
▪ Bank Reconciliation Statements	7
▪ Cash Payment Books	7
▪ Cash Receipt Books	7
▪ Cash Register Tapes	7
▪ Cheque Stubs/Duplicates	7
▪ Cheques (cancelled)	7
▪ Daily Cash Reports and Summaries	7
▪ Debenture Registers (after final payment)	7
▪ Local Improvement Assessment Roll	7
▪ Deposit Books	7
▪ Federal/Provincial Remittance Forms	7
▪ General Ledgers/Journals	7
▪ Investment Records (after not current)	3
▪ Invoices	7
▪ Ledgers (subsidiary)	7
▪ Monthly Financial Statements	7
▪ Receipts (duplicates)	7
▪ Requisitions/Purchase Orders	7
▪ Sewer and Water Cards or Ledgers	7
▪ Tax Roll/Assessment Roll	Permanent
▪ Vouchers	7

Administration:**Retention Period (in years)**

- Appeals under *The Planning and Development Act, 2007* 3
- Assessment Appeals 3
- Assessor's Valuation Records 3
- Change of Ownership Documents 7
- Insurance Policies (after policy expires) 3
- Licenses 3
- Permits 3
- Photographs Permanent
- Tax Certificates 7
- Tax Enforcement Records (after tax title property sold) 7
- Tax Lien Withdrawal Forms 7
- Utility Documents 3

Agreements and Contracts:

- Agreements and Supporting Documentation Permanent

Correspondence:

- Correspondence 5
- Petitions 7

Employee-Employer:

- Employee Records (after termination) 10

Legal Matters:

- Minister's Orders Permanent
- Notices of Claim 10
- Statements of Claim 10
- Writs 10

Minutes and Bylaws:

- Bylaws Permanent
- Minutes Permanent

Miscellaneous:

Retention Period (in years)

- Cemetery Records Permanent
- Disclosure of Holdings
(after last date of appointment/term) 7
- Vital Statistics 7

Plans:

- Architect's Drawings (buildings, park sites) Lifetime of facility plus 1 year
- Land Survey Certificates Permanent
- Municipal Maps & Plans Until replaced OR Asset sold
- Road Surveys 10

Reports:

- Boards and Committee Reports not forming part of Council minutes (See * notation) 3

*If a report forms part of the Minutes, it is kept permanently as part of the Minutes.

- Boards and Committee Reports 3

Election:

- Ballots 90 days
- Declarations of Polls 90 days
- Nomination Forms and Receipt Forms 90 days
- Oaths of Office Term of Office
- Poll Maps 90 days
- Poll by Poll Election Results 90 days
- Returning Officer's Summary of Results 90 days
- Voter's Lists 3

SCHEDULE "B"
(Bylaw No. 5529)

RECORD OF DISPOSAL

1. **Name of Department Disposing of Records** _____

2. **Date Range of Records being Disposed of:**

Commencing: _____ / _____ / _____
 Month Day Year

Ending: _____ / _____ / _____
 Month Day Year

3. **Records or Series of Records Being Disposed of:**

4. **Summary of the Type and Information Contained in the Records Being Disposed of:**

5. **Date of Disposal of Records:**

_____ / _____ / _____
Month Day Year

Approval of Department Head

Approval of City Clerk