

**Village of Onoway
BYLAW NO. 570-01**

A BYLAW OF THE VILLAGE OF ONOWAY, IN THE PROVINCE OF ALBERTA, TO PROVIDE REGULATIONS AND PROCEDURES FOR THE RETENTION AND DISPOSAL OF THE VILLAGE OF ONOWAY RECORDS PURSUANT TO THE PROVISIONS OF SECTION 214 OF THE MUNICIPAL GOVERNMENT ACT, BEING CHAPTER M-26.1 OF THE STATUTES OF ALBERTA, 1994 AND AMENDMENTS THERETO.

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

1. That this bylaw may be cited as "The Records Management Bylaw of the Village of Onoway .
2. That the following definitions shall apply in respect of this bylaw:
 - a) "Municipality" shall mean the Village of Onoway.
 - 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 Village of Onoway.
 - c.) "Records" shall mean all the ledgers, receipts, vouchers, instruments, maps, rolls or other documents, records and papers held by the Village of Onoway 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 a 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 a 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 has 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 the 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 Municipality records.
15. This Bylaw shall come into full force and effect upon the final reading thereof.

READ a first time this 24th day of September, AD 2001.

READ a second time this 9th day of October, AD 2001.

READ a third and final time this 9th day of October, AD 2001.

Signed By Blaine Bretzlaff
Mayor

Signed By Catherine Dunn
Municipal Manager

Schedule 'A' to Bylaw 570-01

SUBJECT	DESCRIPTION	RETENTION PERIOD	DISPOSAL
DESTROYED RECORDS INDEX	Destroy Records Index	Permanent	Do Not Destroy
AGENDAS	Municipal Council	Permanent	Do Not Destroy
	Assessment Review Board	Permanent	Do Not Destroy
	Community Services Board	Permanent	Do Not Destroy
	Municipal Planning Commission	Permanent	Do Not Destroy
	Subdivision & Development Appeal Board	Permanent	Do Not Destroy
	All Other Council Sub-Committees, Ad-Hoc Committees and Boards/ Committees/ Commissions with Council or Administration Representation	7 Years	Destroy
MINUTES	Village Council	Permanent in Minute Book	Do Not Destroy
	Assessment Review Board	Permanent in Minute Book	Do Not Destroy
	Municipal Planning Commission	Permanent in Minute Book	Do Not Destroy
	Subdivision & Development Appeal Board	Permanent in Minute Book	Do Not Destroy
BYLAWS	All	Permanent in Bylaw Book	Do Not Destroy
REPORTS	Audited Financial Report	Permanent	Do Not Destroy

AGREEMENTS/CONTRACTS	<i>Note: The retention period for each category of agreement or contract in this section reflects the purely administrative perspective of contracts in general. The subject content of each agreement or contract is specific to the program needs and may contain long term rights and obligations, which extend for beyond the termination date.</i>	<i>Selective Retention and Disposal is required – Agreements/Contracts are to be retained as stated under each category or until the operational rights and obligations have been satisfied, whichever is greater.</i>	
	Land/Property Purchase by the Municipality (Includes purchases for road and utility right-of-ways and excludes Tax Recovery)	7 Years after disposed of by the Municipality (Excludes Tax Recovery) (Retain in appropriate Land File)	Destroy (Selective Disposal)
	Municipal Land/Property sold by the Municipality (Excludes Tax Recovery)	7 Years after disposed of by the Municipality (Excludes Tax Recovery) (Retain in appropriate Land File)	Destroy (Selective Disposal)
	Water Drainage Projects	Permanent	Do Not Destroy
	General Contracts and Agreements which includes records relating to contracts and agreements of persons, firms and corporations awarded contracts to supply goods and services and equipment hiring	7 years after superseded or obsolete providing there is no outstanding litigation (Selective Retention)	Destroy (Selective Disposal)
	Non-Financial agreements between the Municipality and federal, provincial, municipal, foreign, private and public sector organizations and individuals.	7 years after superseded or obsolete providing there is no outstanding litigation (Selective Retention)	Destroy (Selective Disposal)

	Financial agreements between Village of Onoway and federal, provincial, municipal, foreign, private and public sector organizations or individuals	7 years after superseded or obsolete providing there is no outstanding litigation (Selective Retention)	Destroy (Selective Disposal)
	Land or Building Rental/Lease Agreements between Municipality and federal, provincial, municipal, foreign, private or public sector organizations or individuals	7 years after superseded or obsolete providing there is no outstanding litigation (Selective Retention)	Destroy (Selective Disposal)
	Development	Permanent (Retain in appropriate Land File)	Do Not Destroy
	Expropriation	Permanent	Do Not Destroy
	Annexation	Permanent	Do Not Destroy
	Wage and Benefits	7 Years after expiration	Destroy
	Roadside Spraying	7 Years after expiration	Destroy
	Road Use Agreements	3 Years after superseded or obsolete	Destroy
	Road and Building Construction Agreements	7 years after superseded or obsolete providing there is no outstanding litigation (Selective Retention)	Destroy (Selective Disposal)
DEVELOPMENT	Agreements	Permanent (Retian in appropriate land File)	Do Not Destroy
	Development Applications and Approvals	Permanent	Do Not Destroy
	Subdivision Applications and Approvals	Permanent	Do Not Destroy
	Planning Projects	Permanent	Do Not Destroy
	Development, Subdivision and Planning	7 years (Selective Retention)	Destroy (Selective Disposal)

	Stop Orders	Permanent (Retain in appropriate land file)	Do Not Destroy
ANNEXATIONS	Agreements and Select Correspondence	Permanent	Do Not Destroy
EXPROPRIATION	Agreements	Permanent	Do Not Destroy
MAPS/PLANS /AERIAL PHOTOS	Road Surveys (Includes Cancelled Surveys)	Permanent	Do Not Destroy
	Subdivision Plans (Includes Amendments to Plans, Descriptive Plans and Condominiums)	Permanent	Do Not Destroy
	Water Drainage Plans	Permanent	Do Not Destroy
	Building Plans	Permanent	Do Not Destroy
	All Other Surveys not listed in this Schedule	Permanent	Do Not Destroy
	Streetlighting Maps	1 year after superseded or obsolete	Destroy
	Municipally owned Building (current) as built plans	Permanent	Do Not Destroy
	Municipally owned Building (current) architect drawings	Permanent	Do Not Destroy
	Municipal Lands (current) site plan (includes parks)	Permanent	Do Not Destroy
DRAINAGE	Drainage Plans	Permanent	Do Not Destroy
	Drainage/Water Licenses	Permanent	Do Not Destroy
	Agreements	Permanent	Do Not Destroy
PROPERTY ASSESSMENT AND TAXATION	Assessment Rolls	Permanent	Do Not Destroy
	Assessment Cards and Fieldsheets	7 years after superceded or obsolete	Destroy

	Pipe, & Pipeline Assessment	7 years after superseded or obsolete	Destroy
	Assessment Agreements	7 years after superseded or obsolete	Destroy
	School Support Declarations	Until Ownership changes	Destroy
	Combined Assessment and Taxation Notices Duplicate Copies	<ul style="list-style-type: none"> • If appeal HAS NOT been lodged – 1 year after date of notice (selective retention) • Retain assessment notices beyond the 1 year period <i>only for those which have been appealed</i> in the appropriate land file • If appeal HAS BEEN LODGED – 7 years following the expiration of the last available step in the appeal process (selective retention) 	Destroy (Selective Disposal)
	Assessment Appeals	7 years following the expiration of the last available step in the appeal process	Destroy
	Assessment Review Board (Court of Revision) Decisions-Notices	7 Years	Destroy
	Assessment Review Board (court of Revision) Minutes	Permanent in Council Minutes	Do Not Destroy

	Municipal Government Board (Provincial Decisions)	7 years after superseded or obsolete	Destroy
	Taxation Agreements	7 years after superseded or obsolete	Destroy
	Annual Property Tax Transaction Register	Permanent	Do Not Destroy
	Property Tax Installment Payment Applications	3 years	Destroy
	Tax Payment Receipts	7 Years	Destroy
	Tax Recover Notification Registration List (Tax Recovery Notification List to Land Titles Office)	Permanent	Do Not Destroy
	Tax Recovery – Public Auction	Permanent	Do Not Destroy
	Tax Recovery Land Sales	Permanent	Do Not Destroy
	Collection/Sheriff Correspondence	7 years after completion	Destroy
	Tax Certificates	3 years	Destroy
	Notice of Change of Property Owner from Land Titles Office	Permanent (retain in appropriate land file)	Do Not Destroy
ASSETS	Fixed Asset Ledger	Permanent	Do Not Destroy
GRANTS	<i>Note: the retention period for each category of grants received or awarded in this section reflects the purely administrative perspective of grants in general. The subject content of each grant is specific to the program needs and may contain long term obligations. Selective Retention and Disposal is required – Grants are to be retained as outstated under each category or until the rights and obligations have been satisfied, whichever is longer.</i>		

	Administration of financial assistance programs, which includes records relating to the receiving of monies from federal and provincial governments.	7 years (selective retention)	Destroy (Selective Disposal)
	Administration of requests, submissions and awarding of grants to outside organizations, agencies or individuals, to carry out specific projects and assignments, follow up reports and related documentation.	7 years (selective retention)	Destroy (Selective Disposal)
FINANCIAL STATEMENTS	Audited Financial Statement	Permanent	Do Not Destroy
	Monthly Financial Statement - To Council	Permanent	Do Not Destroy
BUDGETS	Budget- Annual	7 Years	Destroy
GENERAL LEDGER	Annual General Ledger	Permanent	Do Not Destroy
	General Ledger Transaction File List	7 years	Destroy
	General Ledger - Journal Entries	7 years	Destroy
	General Ledger - Trial Balances - Monthly	Current	Destroy
	General Ledger - Trial Balances - Annual	7 years	Destroy
	General Ledger - Reconciliation's - Monthly	Current	Destroy
	General Ledger - Reconciliation's - Annual	7 years	Destroy
	General Ledger - Histories - Annual	7 years	Destroy
ACCOUNTING AND FINANCIAL	Accounts Payable-Invoices, Purchase Orders, Vouchers	7 years	Destroy
	Accounts Payable-Cheque Registers	7 years	Destroy
	Accounts Payable-Vendor Listing	7 years	Destroy

	Accounts Payable-Expense Accounts	7 years	Destroy
	Journal Entries	7 years	Destroy
	Accounts Receivable-Duplicate Invoices	7 years	Destroy
	Accounts Receivable-Month End Summary Reports	7 years	Destroy
	Accounts Receivable-Month End Cash Payment Reports	7 years	Destroy
	Cash Receipts	7 years	Destroy
	Cash Receipts Annual Transaction Report	7 years	Destroy
	Cash Receipts Monthly Transaction Report	1 year	Destroy
	Daily Cash Reports (Till)	7 years	Destroy
	Debenture Documents	7 years after paid	Destroy
	Investment Files and Schedules	7 years	Destroy
	Bank Deposit Books/Slips	7 years	Destroy
	Bank Statements	7 years	Destroy
	Cancelled Cheques	7 years	Destroy
TAXATION	Taxation matter at all Government levels records pertaining to sales tax, customers, excise tax, tax incentives, tax receipts for gifts and tax exemptions	7 year	Destroy
PAYROLL AND PERSONNEL RECORDS	TDI Forms	1 year after superseded of obsolete	Destroy
	Benefit Applications Cards-Alberta Health Care, Extended Health Care, Dental Group Life, Long Term Disability, Voluntary Life, Local Authorities Pension Plan	7 years after termination	Destroy
	T4's and Summary-Annual Status Reports and Working Papers	7 years	Destroy

	Local Authorities Pension Plan-Annual Status Reports and Working Papers	7 years	Destroy
	Employment Insurance Records	7 years	Destroy
	Employment Insurance-Record of Employment	7 years after termination	Destroy
	Workers Compensation Board Claims	7 years	Destroy
	Workers Compensation Board Monthly Statements	7 years	Destroy
	Garnishees	7 years after paid out	Destroy
	Payroll Journal	Permanent	Do Not Destroy
	Payroll Individual Earnings Record	Permanent	Do Not Destroy
	Payroll Cheque Register	7 years	Destroy
	Payroll-Monthly Summaries	7 years	Destroy
	Payroll Time Sheets-Daily, Overtime, Weekly, Monthly	7 years after expiry of attendance year and after master attendance record filed on employee's personal file	Destroy
	Employee Wage Negotiations/Agreements	7 years after superseded or obsolete	Destroy
	Master record on Individual Employees; resumes; employment history; appraisals and evaluations; pay and benefits (Individual Earnings Record) training and commendations; discipline; health examinations; record of classification decisions; job descriptions; reclassification actions; position transfers; classification appeals; changes in duties,, oaths of office	7 years after termination	Destroy (Selective Disposal)
APPLICATIONS FOR EMPLOYMENT	Not Hired	6 months after position filled	Destroy

LAND AND BUILDING FACILITIES	Construction Project Reports and project studies on the construction of offices warehouses or other capital structures	7 years after completion (Selective Retention)	Destroy (Selective Disposal)
	Records relating to demolition of structures	7 years after demolition	Destroy
	Records relating to the sale of land and buildings owned by the Municipality (excludes Tax Recovery)	7 years (excludes Tax Recovery)	Destroy (Selective Disposal)
	Records relating to land and buildings purchased by the Municipality (excludes Tax Recovery)	7 years after disposed of by the Municipality (Excludes Tax Recovery)	Destroy (Selective Disposal)
MUNICIPALITY MUNICIPAL UTILITIES INCLUDING WATER, SEWER, WATER AND WASTEWATER LAGOONS	As Built Plans	Permanent	Do Not Destroy
	Preliminary Study and Design Reports	3 years after completion of Project providing there is no outstanding litigation	Destroy
	Environmental Approvals	Permanent	Do Not Destroy
	Permits and Licenses	3 years after superseded or obsolete	Destroy
	Maintenance Records	Permanent	Do Not Destroy
	Water Annual Reports to Provincial Department	Permanent	Do Not Destroy
	Waste Water (Sewer) Lagoons Annual Reports to Provincial Department	Permanent	Do Not Destroy
	Sewer Effluent Analysis Annual Reports	Permanent	Do Not Destroy
	Water Tests	5 years	Destroy
	Water-Annual Testing Summaries	Permanent	Do Not Destroy
	Water Plant Records	Permanent	Do Not Destroy

UTILITIES	Agreements For the purchase of lands for Utility Right of Ways	Permanent (Retain in appropriate Land File)	Do Not Destroy
	Easements for Utility Right of Way	Permanent	Do Not Destroy
	Power lines, Gas Lines, Telephone Lines and all other Non-Municipal Utility Location Records	3 years after superseded	Destroy
	Municipality Approvals to Utility Companies for Construction	3 years	Destroy
	Pipeline Crossings-Across roadways or road allowances - all	Permanent	Do Not Destroy
WELLSITES	Well sites	11 years after reclamation	Destroy
	Approach and Location Approvals	Upon approach removal	Destroy
SEISMIC	Municipality Approval for Seismic Work	7 years providing there is no outstanding litigation	Destroy
ROADS	Annual Road Maintenance Program Report	7 years	
	Road and Bridge Construction Design Records, Project Reports and Project Studies	7 years after completion providing there is no outstanding litigation (selective retention)	Destroy (Selective Retention)
	Agreements for the purchase of lands for road right of way	Permanent (Retain in appropriate Land File)	Do Not Destroy
	Roadway Surveys (Plans)	Permanent	Do Not Destroy
	Records relating to Road Closures	Permanent	Do Not Destroy

	Records relating to gravel truck and other equipment hiring	7 years after superseded or obsolete providing there is no outstanding litigation (selective retention)	Destroy (Selective Disposal)
	Drainage Projects-Plans/Surveys	Permanent	Do Not Destroy
TAX RECOVERY	Includes records relating to properties subject to public auction in the tax recovery procedure and sales of tax recovery property	Permanent	Do Not Destroy
LEGAL OPINIONS AND COUNSEL	Records relating to legal issues, opinions and advice provided to Municipality by the Solicitor (excludes transfers and titles)	20 years after superseded or obsolete (selective retention)	Destroy(selective disposal)
LITIGATION	Records relating to legal actions, law suits, for and against the Municipality	20 years after superseded or obsolete (selective retention)	Destroy(Selective disposal)
PETITIONS	Petitions - General	7 years (selective retention)	Destroy (Selective disposal)
POLICY	Policies	10 years after superseded or obsolete	Destroy
TENDERS	Successful Tender Quotation from organizations or individuals for the supply of goods or services	7 years after superseded or obsolete providing there is no outstanding litigation (selective retention)	Destroy (Selective Disposal)

	Unsuccessful Tender Quotation from organizations or individuals for the supply of goods or services	7 years after superseded or obsolete providing there is no outstanding litigation (selective retention)	Destroy (Selective Disposal)
	Successful Tender Quotation from organizations or individuals for the sale/disposal of Municipality assets	7 years after superseded or obsolete providing there is no outstanding litigation (selective retention)	Destroy (Selective Disposal)
	Unsuccessful Tender Quotations from organizations or individuals for the sale/disposal of Municipality assets	3 years	Destroy
COUNCIL PACKAGE MATERIALS	As these documents are duplicates of originals retained in the municipal 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.	When issue completed at Council meeting.	Destroy