

TOWN OF CALMAR

BYLAW #2023-22

BEING A BYLAW OF THE TOWN OF CALMAR, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE MANAGEMENT OF MUNICIPAL RECORDS.

WHEREAS: Pursuant to the *Municipal Government Act*, Revised Statutes of Alberta 2000 and amendments thereto, a Council may pass a bylaw respecting the destruction of records and documents of the municipality;

AND WHEREAS: The judicial life cycle of records and documents of the municipality are consistent with the *Alberta Evidence Act*, Revised Statutes of Alberta 2000 and *Electronic Transactions Act*, Statutes of Albert 2001;

AND WHEREAS: The regulations and procedures for municipal records and documents are consistent with all statutes of Alberta and Canada;

AND WHEREAS: It is the desire of the Town of Calmar to provide for regulations and procedures governing the retention and disposition of municipal documents;

NOW THEREFORE, the Council of the Town of Calmar, in the Province of Alberta, duly assembled enacts as follows:

1. **TITLE**

This bylaw shall be cited as the "Records & Information Management Bylaw" of the Town of Calmar.

2. **DEFINITIONS**

- 2.1. "Council" means the Council of the Town of Calmar
- 2.2. "Convenience Copy" means a printed or stored copy of the official record used for ease of reference that is not altered from the master record. Transitory in nature and can be discarded when no longer useful;
- 2.3. "Designated Officer" means that person delegated a responsibility by the Chief Administrative Officer;
- 2.4. "Disposal" means to permanently loan, store outside Town facilities, destroy or electronically delete;
- 2.5. "Electronic Record" means information that is recorded or stored on any medium in or by a computer system or other similar device and can be read, reproduced, or perceived by a person or computer system or other similar device;
- 2.6. "Electronic Records System" includes the computer system or other similar device by or in which information is recorded or stored, and any procedures related to the recording and storage of electronic records;
- 2.7. "Master Record" means the most complete record of an action, transaction or decision. It is the record that you rely on to take actions and make decisions. The master record is the complete record maintained in the electronic system;
- 2.8. "Non-Electronic Records" mean those records excluded from the Electronic Record definition as noted in this bylaw and are often referred to as paper records;
- 2.9. "Record" means information in the custody or under control of the Town in non-electronic or electronic media, including by not limited to financial date, land files, minutes of meetings, contracts, correspondence and any other documents kept by the Town;

2.10. "Schedule A" means the Records Retention and Disposition Schedule as amended from time to time;

2.11. "Town" means the Town of Calmar.

3. **AUTHORITY AND POWERS**

3.1. Council may authorize the destruction of paper records if the originals have been recorded by a method that will enable copies of the originals to be made.

3.2. Notwithstanding the clause above and any superseding legislation, other records may be destroyed in accordance with Schedule A.

3.3. Election material shall be destroyed in accordance with the Local Authorities Election Act, RSA 2000.

3.4. A Designated Office may review and amend Schedule A from time to time for accuracy of retention and disposition time periods, meeting all audit and legal requirements, legislation and regulations.

3.5. The Designated Officer is authorized to release or permanently loan records to the Provincial Archives of Alberta, Multicultural Heritage Centre, local Museum or other archival entity. These records shall be recorded on a "Certificate of Gift" form, or equivalent documentation, as provided by the archival entity. This document will be permanently retained in the Town's records system.

4. **GENERAL RETENTION AND DISPOSITION**

4.1. If an individual's personal information will be used by the Town to make a decision that directly affects that individual, the Town must retain the personal information for at least one year after using it.

4.2. The records retention and disposition schedule, known as Schedule A, must at least:

4.2.1. Describe the records under the control of the Town,

4.2.2. Specify how long records must be kept,

4.2.3. Show criteria for closure of records,

4.2.4. Indicate the final disposition method of the records; and may

4.2.5. State legislative reference where applicable.

4.3. Records are to be reviewed for retention and disposal on an annual basis and may be retained longer than the period provided for in Schedule A, as deemed necessary.

4.4. Schedule A does not form part of this bylaw but is attached to this bylaw for reference purposes.

4.5. Pursuant to section 4.4 above, a current version of Schedule A will be retained at all times in the Town's records system.

4.6. Retained non-electronic records shall be kept in an appropriate medium such as a storage box, file cabinet or binder with adequate identification of contents, time period and retention period.

4.7. Electronic records shall be kept in a secure manner with appropriate firewalls, administrative and user rights and safety measures, and retained and disposed of according to Schedule A.

4.8. Upon each occasion of disposing of or relocating electronic or non-electronic records, an affidavit shall be completed listing: a description of the records disposed, date of disposal, manner in which records were disposed, signature of person who disposed of records, and reason supporting destruction. This affidavit shall be retained permanently in the Town vault and/or through the Town's electronic records system.


5. **EFFECTIVENESS AND REVIEW**

- 5.1. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of the bylaw is deemed valid.
- 5.2. Bylaw 91-12 shall be rescinded.
- 5.3. This bylaw shall come into effect on the day of third reading.

READ a first time this 20th day of November 2023

READ a second time this 11th day of December 2023

READ a third time this 11th day of December 2023.



Mayor Carnahan



CAO Losier

SCHEDULE A

RECORDS RETENTION SCHEDULE

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		5-7
Annual Reports	Local Boards	5-7
Applications	Site Plan approval	2
	Subdivision (after final approval)	3
	Part-time Employees (after end of employment)	1
Appointments	Other Than Those in Minutes	3
Assessment	Rolls	P
	Assessment Review	
	Board (ARB) Minutes	P
	ARB Work File	5

Subject	Description	Suggested Retention Period In Years
	Appeals	12
	ARB Records	7
	Duplicate roll	7
	Review Court Records	7
Assessment 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

Subject	Description	Suggested Retention Period In Years
	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) Local Authorities Election Act
	Ballot Box Contents	Sec 101 Local Authorities Election Act
Engineering	Drawings	P
Employee Benefits	A.H.C., Blue Cross, Dental, etc.	5
	W.C.B. Claims	4-5
Employees	Job applications (hired)	3
	Job Application (not hired)	1

Subject	Description	Suggested Retention Period In Years
	Job Descriptions	3 (after position abolished)
	Oaths of Office	1 (after position vacated)
	Personnel File	1 (after cessation of employment or 6 years after dismissal (FYI – The GOA keeps any pension contribution information for 70 years.))
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	12 (after settled)
	Records (after expiration)	12
Land	Appraisals	1 (after sold)
Leases	After Expiration	7 S/O
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

Subject	Description	Suggested Retention Period In Years
Municipal Affairs	Annual Reports	5
Organization	Structure & Records	2-5 S/O
Payroll	Garnishees	3 (after garnish is removed)
	Individual Earning Records	6
	Journal	6
	Time Cards	4-6
	Time Sheets - Daily	5
	- Overtime - Weekly	5 5
	Employment Insurance Records	5 (after cessation of employment)
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		Until sold +10
Prosecution	All	12 S/O
Publications	Local Reports	3
Purchase	Land	Until 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

Subject	Description	Suggested Retention Period In Years
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	12
	Municipal Credits	7
	Receipts	7
	Rolls	P
	Sale Deeds	P
Termination	Employees	P
Tenders	Files	12
	Successful	12
	Purchase Quotations	12
	Unsuccessful	10 (FYI - The GOA keeps all unsuccessful tenders for 10 years in case of civil litigation.)
Traffic	Streets	7
Training and Development Files		5
Trail Balances	Monthly	3
	Year End	7
Vendors	Acknowledgments To	2
	Contracts	12
	Suppliers Files	12
Vouchers	Duplicate	7
Writs		12
Weed Control Reports	Until updated	1
Zoning	Bylaws	P
	Bylaw Enforcement	5

LEGEND

Superseded or Obsolete **S/O**

Permanent **P**