

**BYLAW NO. 1041  
OF STARLAND COUNTY  
IN THE PROVINCE OF ALBERTA, CANADA**

A Bylaw of Starland County in the Province of Alberta, to establish Regulations and Procedures for the retention and disposal of County records.

**RECORDS RETENTION AND DISPOSITION BYLAW**

A Bylaw of Starland County in the Province of Alberta, establishing Regulations and Procedures for the retention and disposal of County 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 as well as compliance with the Freedom of Information and Protection of Privacy Act, being Chapter F-18.5 of the Statutes of Alberta, 1994 and amendments thereto.

**WHEREAS**, it is the desire of Starland County in the Province of Alberta, to provide regulations and procedures with respect to the retention and disposal of Records including, but not limited to: correspondence, records, vouchers, receipts, instruments and other records in the custody or control of Starland County; and

**WHEREAS**, it is the desire of the municipality to establish the necessary authority to release municipal records to the Alberta Archives or other Archival Centres on either a permanent loan or retention basis; and

**WHEREAS**, the authority for such regulations and authorities must be consistent with Federal or Provincial Statutes and Regulations,

**NOW THEREFORE**, the Council of Starland County , in the Province of Alberta, duly assembled, enacts as follows:

**PART I - TITLE, DEFINITIONS AND SYMBOLS:**

**Section 1**

- a) This Bylaw is cited as “**The Records Retention and Disposition Bylaw**” of Starland County.

**Section 2**

- a) In this Bylaw, unless the context otherwise requires, the word, term or expression:

“**Official**” shall mean the Chief Administrative Officer, as defined in the Municipal Government Act or delegate, duly appointed by the Chief Administrative Officer of Starland County.

“**Records**” shall mean all ledgers, receipts, vouchers, instruments, correspondence, maps, rolls, or other information in the custody or control of Starland County in any form or format.

“**Transitory Record**” shall mean records that have short-term, immediate or no value and will not be required for future reference.

“**Confidential**” shall mean any record which contains personal information about individuals, third-part, commercial, financial, scientific or technical information

supplied either explicitly or implicitly in confidence or other sensitive information as described in Section 15 - 28 of the Freedom of Information and Protection of Privacy Act.

“**General Records**” shall mean those records which are used in day to day operations and are required to formulate recommendations, are used for scheduling and as information to assist in the efficient operation of the County.

**Section 3**

a) When used in this Bylaw and the Schedules attached hereto, as well as, in the operation of any Records Management Systems established consistent with this Bylaw, the following symbols shall be used to designate the form of retention or disposal required:

- D Destroy
- P Permanent Retention
- A Permanently held in Alberta or other Archival Centre
- T Transfer to appropriate authority

**PART 2 - RECORD RETENTION AND DESTRUCTION:**

**Section 4 - Retention & Destruction**

- a) All Transitory Records, which do not contain confidential information, shall be disposed of at anytime, when they no longer serve any valid purpose.
- b) All Transitory Records containing potentially confidential information shall be disposed of in a manner so that the information contained therein is completely obliterated, at anytime, when they no longer serve any valid purpose.
- c) All General Records of Starland County shall be destroyed after five (5) years, except as otherwise provided for in Schedule “A”.
- d) Should an individual’s personal information be used by Starland county to make a decision that directly affects the individual, Starland County shall retain the personal information for at least one (1) year from the date it was used to make the determination, so that the individual has a reasonable opportunity to obtain access to it.
- e) Where, in this Bylaw and Schedule “A” attached hereto, it is provided that particular records in the custody or control of Starland County shall be:

**Destroyed (D)**

Such records shall be destroyed, so that the information contained therein is completely obliterated, without any copy thereof being retained; and

**Permanent (P)**

Such original records shall be preserved and never destroyed, excepting original records, which have been recorded on microfilm; and

**Permanently held in Archives (A)**

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 record index shall be permanently retained on file; and

**Transferred to an appropriate authority (T)**

Such records shall be transferred to the authority responsible for the records upon decision and direction of the Official, when they are no longer under the authority or responsibility of Starland County. A copy of the transferred record index shall be permanently retained on file.

**Section 5 - Discretion**

- a) 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 said records. Such decisions to retain the records longer than the period provided for herein shall be recorded in the record retention index.

**Section 6 - FOIP Requests**

- a) Where the Official has received an indication that there is or may be a FOIP request involving any records scheduled for destruction, the Official is obligated to retain said records for a period of one (1) year after the FOIP request has been made. Such decisions to retain the records longer than the period provided for herein shall be recorded in the record retention index.

**Section 7 - Permanent Retention and Destruction**

- a) When records have been destroyed under this Bylaw, with the exception of records destroyed under Section 4 a) and b), 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.
- b) The Official shall keep an index of:
  - i) Records Destroyed
  - ii) Records Transferred to Archives
  - iii) Records Transferred to Another Authority
- c) Where records are destroyed under this Bylaw, the proper and complete destruction thereof is the responsibility of the Official.
- d) When records are recorded on microfilm, the Official shall ensure that such microfilm is properly prepared, identified and indexed.
- e) 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 location 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 presented to Council and permanently filed in the Starland County office.
- f) Election material that has been locked in ballot boxes may be destroyed in accordance with the provisions of the Local Authorities Election Act, R.S.A. 1983 c.L-27.5.

**Section 8 - Retention Audit**

- a) The official will ensure that the retention schedule attached shall be adhered to and that annual audits of the records will be conducted to ensure compliance with this Retention and Disposition Bylaw.

**PART 3 - GENERAL**

**Section 9 - Record Retention Schedules**

- a) The attached Schedule "A" is hereby adopted. It may be amended by resolution of Council upon the recommendation of the Official.

**Section 10 - Storage and Security**

- a) It shall be the responsibility of the Official to provide for the adequate storage and security of all Starland County records.

**PART 4 - ENACTMENT**

- a) This Bylaw shall come into force and have effect upon it being read a third time and passed.

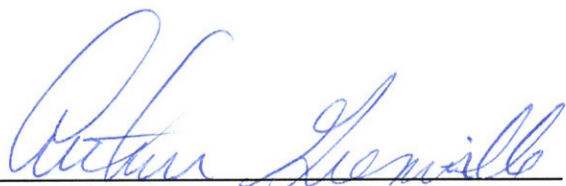
FIRST reading on motion of Deputy Reeve Thompson. Carried unanimously.

SECOND reading on motion of Councillor Wilson. Carried unanimously.

THIRD and FINAL READING on motion of Reeve Grenville. Carried unanimously.

DONE and PASSED in Council this 14<sup>th</sup> day of September, A.D. 1999.

**STARLAND COUNTY:**

  
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REEVE

  
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MUNICIPAL ADMINISTRATOR

FILE TYPE	SPECIFICS	RETENTION
<b>GENERAL RECORDS</b>	Quotes Price lists Product/service info Course/conference materials Information packages Associations (AAMD&C, etc.) Day timers Reports for council or administration, etc.	Destroy after 5 years
	Reference materials	Review relevance <b>annually</b> (discard if superceded)
Working documents	Lab reports (water treatment plant, etc.) Test results (effluent) Inventories Maintenance records - all Etc.	Discard after 11 years
	General correspondences (see below)	
<b>TRANSITORY</b>	Meeting notes Telephone messages Drafts Fax cover sheets Etc.	Routinely discard (without permission)
<b>LEGAL</b> Short-term contracts	Permits (other than building) Licences Notices Etc.	Destroy 11 years after contract expires
Land related	Building/development permits Easements Road allowance licences Grazing leases Crown land leases	Permanent (after 5 years transfer to land files)
Long-term contracts	Service agreements Government agreements Government approvals Mutual aid Etc.	Destroy 11 years after contract expires
<b>CORRESPONDENCE</b> General correspondence	Announcements General information Associations (AAMD&C, etc.) Newsletters Solicitations/requests Requests for support of action Etc.	Destroy after 5 years *(except FCSS see below)
Policy/bylaw related	Complaints Actions Petitions Amendments Etc.	Destroy after 5 years (keep for 11 years if suspect legal action)

FILE TYPE	SPECIFICS	RETENTION
Government correspondence	Other municipalities Provincial ministries/agencies Federal ministries/agencies	Destroy after 5 years
Correspondence With historical value	First of's Anniversaries Celebrations Awards Events	Permanent or transfer to archives
<b>REPORTS/STUDIES</b>	Produced for Starland County	Permanent
	Prepared for other jurisdictions (Reference)	5 years (retain only as long as relevant)
<b>CORPORATE DOCUMENTS</b>		
Agenda packages	Council	Permanent (retain 1 copy <b>only</b> as "official" record)
	Committees Boards FCSS ASB Etc.	Destroy after 5 years
Minutes	Council Committees Boards FCSS ASB Etc.	Permanent (retain 1 copy <b>only</b> as "official" record)
	Bylaws Policies Acts/legislation Organizational meetings Electoral boundaries Census, etc.	Permanent (retain 1 copy <b>only</b> as "official" record)
Insurance	All	Destroy 11 years after expiry
Insurance	Accident reports	Destroy 11 years after claim
Warranties		Destroy 1 year after warranty expires
<b>FINANCE</b>		
General financial documents	Receipts Vouchers Invoices Purchase orders Cancelled cheques Bank statements Gravel hauling cards Etc.	Destroy after 7 years
Investments/financing	Debentures, loans, leases, investments	Destroy 7 years after expiry

FILE TYPE	SPECIFICS	RETENTION
"Official" financial documents	Year end print-outs: G/L A/P A/R C/R P/Y Annual reports/ financial statements	Permanent
<b>PAYROLL</b>	Time sheets Payroll check lists T4 copies Etc.	7 years
<b>REMITTANCE RECORDS</b>	<b>All</b> but pension information	Destroy 5 years after termination
	Pension - summary of years of service <b>only</b>	Permanent
<b>PERSONNEL RECORDS</b>	Employee files	Destroy 5 years after termination
	Applications/resumes	Destroy <b>rejected</b> applications/resumes after 1 yr.  Destroy applications/resumes for <b>hired</b> applicants 5 years after termination
	Job descriptions/advertisements Salary ranges/surveys	Destroy after 5 years
<b>ASSESSMENT</b>	General roll files Industrial roll files Pipeline roll files	Destroy after 11 years
	Grants in lieu RAP Penalty balances Closed accounts Tax arrears Tax arrears on properties for sale Tax arrears notifications Tax cancellations Assessment audit Assessment balance Oil well licences Leases on crown land Gov't grants to pay taxes on behalf Sale of property binders Land leases on county properties	Destroy after 11 years
	Review board decisions Court of revision	Destroy 5 years after decision
	Complaint withdrawals	Destroy after 5 years

FILE TYPE	SPECIFICS	RETENTION
"Official" assessment documents	Year end printouts Mill rates Equalized assessments Forfeited land records Historical assessment ledger Pipeline assessment report	Permanent (retain 1 copy <b>only</b> as "official" record)
"Official" assessment documents	Public auctions	Permanent (after 1 year transfer to land files)
<b>LAND</b>	Land files <b>all</b> Land titles Subdivision files Bridge files Construction projects Road/highway files Utility right of ways Sign locations Industrial	Permanent (after 5 years transfer to land files)
	Oil company sites	Destroy 11 years after removal
	Aerial photographs	Permanent (retain 1 copy of each series)
Maps	County maps Construction projects Engineering Signs Bridge locations	Permanent (Retain 1 copy of each series)
<b>BUILDING INSPECTION</b> Permits	Development permits Building permits Electrical, plumbing, gas, psd Compliance certificates	Permanent (Transfer to land files after 5 years)
Correspondence - QMPS/SCO - enforcement	As per CORRESPONDENCE	Destroy after 5 years
Contracts - QMPS/SCO	As per LEGAL	Destroy after 11 years
<b>FCSS</b> Personnel files	As per PERSONNEL	Destroy 5 years after termination
Client files	Community counselling Etc.	Destroy 11 years after termination
Agenda packages	As per CORPORATE DOCUMENTS	Destroy after 5 years
Minutes	As per CORPORATE DOCUMENTS	Permanent (1 copy only)
Contracts	As per LEGAL	Destroy 11 years after expires
Accounts/payment vouchers	As per FINANCE	Destroy after 7 years