

Town of Raymond

BY-LAW 896-02

RECORDS MANAGEMENT BY-LAW

WHEREAS, pursuant to section 214 of the *Municipal Government Act*, S.A. 1994, c. M-26.1, Council may pass a By-law respecting the destruction of records and documents of the municipality;

AND WHEREAS, pursuant to section 36 of the *Freedom of Information and Protection of Privacy Act*, S.A. 1994, c.F-18.5, the Head of the Town of Raymond must protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or destruction;

AND WHEREAS, the *Freedom of Information and Protection of Privacy Act* does not prohibit the transfer, storage or destruction of any record in accordance with a By-law of a local government body;

NOW THEREFORE THE TOWN OF RAYMOND, in Council assembled enacts:

PART I - PURPOSE, DEFINITIONS AND INTERPRETATION

- PURPOSE** 1 The purpose of this By-law is to provide a guideline for the management of the documents and records of the Town of Raymond regardless of their physical medium.
- DEFINITIONS** 2 In this By-law, unless the context otherwise requires:
- (a) **"Act"** means *the Freedom of Information and Protection of Privacy Act*, S.A. 1994, c. F-18.5;
 - (b) **"Town"** means the Town of Raymond;
 - (c) **"Department"** means the internal administrative division of the Town Administration headed by a General Manager, and for the purposes of Records Management, includes:
 - any board, committee, commission, panel, agency or corporation that is identified in Schedule "2" as being included within a department;

- (d) **"Disposition"** means;
 - (i) the destruction of records, or
 - (ii) the transfer of records of enduring value to the Town Archives for permanent retention;
- (e) **"Chief Administrative Officer"** means the person designated by Town Council as the Head of the Town for the purposes of the Act;
- (f) **"Outside Agency"** means an organization under a contract with the Town;
- (g) **"Record"** means a record of information in any form including books, documents, maps, drawings, photographs, letters, vouchers and papers, sound recordings, videotapes, electronic files, electronic mail transmissions, databases and spreadsheets, and any other information that is written, photographed, recorded or stored in any manner, but does include software or any mechanism that produces records (as per *Freedom of Information and Protection of Privacy Act*, definition);
- (h) **"Records Management"** means the application of systematic control over records throughout their life cycle, including but not limited to forms management, manuals management, records inventorying, filing systems development and implementation, file maintenance procedures development, filing equipment selection, correspondence and reports maintenance and records scheduling and disposition.
- (i) **"Records Schedule"** is a document approved by Town Council, which authorizes the length of time Town documents and records other than those listed in Schedule 1 to this By-law, are to be retained, the medium in which they are to be preserved and the method of disposition.

**RULES FOR
INTERPRETATION**

3

The marginal notes and headings in this By-law are for reference purposes only.

- (d) the Outside Agency is a consultant, and the record was created for the public body; or
- (e) the contract permits the Town to inspect, review, or copy the records produced, received or acquired.

PART III - TOWN RECORDS

CARE AND CUSTODY

- 6 (1) Records in the care and custody of Town Departments are the property of the Town.
- (2) Where records are in the possession of an Outside Agency, such records will be under the Town's control when:
 - (a) the record is specified in the contract as being under the control of the Town;
 - (b) the content of the record relates to the Town's mandate and functions;
 - (c) the Town has the authority to regulate the record's use and disposition;
 - (d) the Outside Agency is a consultant, and the record was created for the public body; or
 - (e) the contract permits the Town to inspect, review, or copy the records produced, received or acquired.

PART IV - GENERAL

EFFECTIVE DATE 7 This By-law comes into effect on **May 21, 2002.**

Read a first time May 7, 2002

Read a second time May 7, 2002

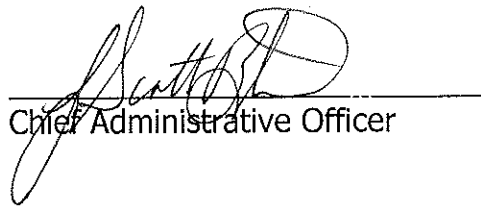
Read a third time May 21, 2002

SIGNED AND PASSED

TOWN OF RAYMOND



MAYOR



Chief Administrative Officer

SCHEDULE 1 – PERMANENT RECORDS OF THE TOWN OF RAYMOND

The following records of the Town of Raymond shall be retained permanently:

- Agreements, easements, and awards, affecting the Town
- Audit Reports
- Assessment rolls
- By-laws
- Cemetery records
- Council reports
- General ledger
- General journal
- Council Meeting Minutes
- Permits – building
- Plans – Town
- Reports – building inspection
- Subsidiary ledgers
- Tax sale records
- Tax rolls

SCHEDULE "2" – BOARDS, COMMITTEES AND AGENCIES

Name of Board Subject to FOIP
Development Appeal Board
Assessment Appeal Board
Disaster Services Committee
Development Authority
Council Committee