

MUNICIPALITY OF CROWSNEST PASS

BY-LAW NO. 1189, 2024

Records Retention Bylaw

BEING a bylaw of the Municipality of Crowsnest Pass, in the Province of Alberta, to regulate the retention and disposal of records and documents of the Municipality of Crowsnest Pass, in the Province of Alberta.

AND WHEREAS, Section 214 (1) of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, provides that a Council may authorize the destruction of the original bylaws and minutes of Council meetings if the originals have been recorded by a method that will enable copies of the original to be made;

AND WHEREAS Section 214 (2) of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, provides that Council may pass a Bylaw respecting the destruction of other records and documents of the municipality;

AND WHEREAS the Council of the Municipality of Crowsnest Pass deems it necessary and appropriate to ensure that municipal records are retained and destroyed in a manner consistent with applicable statutes and regulations as well as legal and administrative requirements;

NOW THEREFORE the Council of the Municipality of Crowsnest Pass, duly assembled, enacts the following:

1. Citation

This bylaw may be cited as the "Records Retention Bylaw."

2. Definitions

- a) "Record" means a record of information in any form and includes books, documents, maps, letters, papers, and any other information that is written, recorded, photographed, or stored in any manner including electronically. It does not include software or mechanisms that produce records.
- b) "Substantive Record" means a record that is judged to hold Administrative, Legal, Fiscal or Research/Historical value and will be held in accordance with the records retention schedule.
- c) "Transitory Records" means records that have only short-term, immediate, or no value to your organization that you will not need in the future. Transitory records can include drafts, print outs from databases, post-it notes, invitations, announcements, brochures, opened envelopes (unless being kept for postmark), memos, photocopies, notes, and messages of short term value (either paper, voice or electronic.)

3. Provisions

- a) All Substantive Records will be retained and destroyed in accordance with Schedule "A" of this bylaw.

- b) Substantive Records are those that hold value to the Municipality and may be utilized in the future. Each record in the retention schedule kept based on the following needs:

Administrative Value- Records have value to the Municipality if they assist in the performance of current or future activities. These records lose their value over time.

Legal Value- These documents are typically required by legislation. The value of these documents does not diminish over time.

Fiscal Value- These records relate to financial transactions and are required for auditing and financial purposes.

Research/ Historical Value- Records that contain information on persons, places, and events as they relate to major milestones, history or development of the Municipality and its citizens.

- c) The Chief Administrative Officer or delegate is authorized to retain Records longer than the period provided for in Schedule "A" if the Records are or may be required for Administrative, Legal, Financial or Historic reasons.
- d) The Chief Administrative Officer or delegate will ensure that, if an individual's personal information is used by the municipality to make a decision that directly affects that individual, the municipality will retain the personal information for at least one year after using it so that the individual has a reasonable opportunity to gain access to it.
- e) Destruction of Records will require a written statement, attesting to which records were destroyed to be signed off by the Chief Administrative Officer or designate and the witness and retained on record as a permanent file.
- f) The Chief Administrative Officer or delegate may authorize the destruction of original documents in accordance with "Schedule A", including Council minutes or bylaws, providing the original has been recorded digitally on a system that will enable copies of the original to be made.
- g) The Chief Administrative Officer may authorize that pre-amalgamation records prior to January 1, 1979 be donated to the Provincial Archives of Alberta or another suitable public institution that will preserve and protect the records.

4. Exclusions

- a) Transitory Records are exempt from the provisions of this bylaw and may be confidentially discarded routinely. If there is any dispute as to whether a record is Substantive or Transitory the final decision shall be made by the Chief Administrative Officer or designate.
- b) Records that are produced from software and can be re-generated at any time can be discarded as transitory unless they have been produced as back up for another record or process, in which case they will maintain the retention period of that record.

5. Effective Date

- a) That Bylaw 1189, 2024 comes into full force and effect upon the third and final reading thereof.
- b) That Bylaw 981, 2017 and amendments thereto be repealed.

This Bylaw shall take effect and come into force as of the date of the Final reading thereof.

READ a **first** time in council this 28th day of May 2024.

READ a **second** time in council this 11th day of June 2024.

READ a **third and final** time in council this 11th day of June 2024.


Blair Painter
Mayor


Patrick Thomas
Chief Administrative Officer



Bylaw 1189, 2024 Schedule A

	Description of Record	Format	Retention	Final Disp	Value to the
					Organization
General	Advertising	Digital	12 years	Destroy	Administrative, legal
	Agreements, Contracts or Leases	Digital and Paper	12 years unless superceded or obsolete	Destroy	Administrative, Legal, Fiscal
	Annexations and Amalgamation Order	Digital or Paper	Permanent	Archive	Administrative, Legal
	Assets	Digital or Paper	Life of the asset + 1 year	Destroy	Fiscal, Administrative
	Audio recordings of Council, Boards or Committee Meetings	Digital or other technology	12 years unless superceded or obsolete	Destroy	Administrative, legal
	Billing Batch Documentation generated from Accounting Software	Digital	7 years	Destroy	Fiscal, Administrative
	Board and Committee Minutes except MPC, SDAB	Digital or Paper	12 years	Archive	Historical, Administrative
	Budget Document and Backup	Digital	7 years	Destroy	Administrative, historical
	Budget Meeting Minutes	Digital	Permanent	Archive	Fiscal, Administrative
	Budget Working Papers	Digital	7 years	Destroy	Fiscal, Administrative
	Bylaws	Digital or Paper	Permanent	Archive	Historical, Administrative
	Complaints	Digital	12 Years	Destroy	Administrative, legal
	Council Meeting Minutes	Digital or Paper	Permanent	Archive	Historical, Administrative
	Council Meeting Packages	Digital or Paper	20 Years	Destroy	Administrative
	Destroyed Record Index	Digital	Permanent	Archive	Administrative
	Elections - Nominations/Ballet Box	Paper	As per the Local Authorities Elections Act	Destroy	Administrative, legal
	Enquiries from the public	Digital	3 years	Destroy	Admininstrative

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General	Description of Record	Format	Retention	Final Disp	Value to the Organization
	External Reviews/Studies	Digital	Permanent	Archive	Historical, Administrative
	FOIP Requests	Digital	10 years from completion date	Destroy	Administrative
	Grants - To the Municipality	Digital	7 years	Archive	Fiscal, Administrative
	Grants- From the Municipality	Digital	7 years	Archive	Fiscal, Administrative
	Insurance - Claims/Records After Settled	Paper or Digital	12 years	Destroy	Fiscal, Administrative
	Legal Opinions, proceedings and writs	Digital	12 years	Destroy	Administrative, Legal
	Municipal Census Reports	Digital	12 years	Archive	Historical, Administrative
	Petitions	Paper	10 Years	Destroy	Administrative
	Policies	Digital	5 years past superceded	Destroy	Administrative
	Public Input Surveys	Digital or Paper	7 years	Destroy	Historical

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	Description of Record	Format	Retention	Final Disp	Value to the Organization
Finance	Accounts Payables Records	Digital or Paper	7 years	Destroy	Fiscal, Administrative
	Cash- Receipts Journal/Disbursements Journal/Duplicate Receipts	Digital or Paper	7 Years	Destroy	Fiscal, Administrative
	Cheques - Cancelled/Register/Stubs	Paper	7 Years	Destroy	Fiscal, Administrative
	Credit Card Applications	Paper or Digital	Current credit card holders only.	Destroy	Fiscal, Administrative
	Deposit Books, Reconciliation, Statements, Deposit Slips	Paper or Digital	7 Years	Destroy	Fiscal, Administrative
	Emergency and Disaster Plans	Digital	Until superceded	Archive	Administrative
	Emergency Event Documentation	Digital	12 Years	Archive	Administrative
	Financial Statements- Final Year End	Digital	12 years	Archive	Fiscal, Administrative
	Non Asset related Equipment Records	Digital or Paper	Life of Equipment	Destroy	Fiscal, Administrative
	Pre-Authorized Payment Plans (Taxes or Utilities)	Digital or Paper	Termination + 2 Years	Destroy	Fiscal, Administrative
	Receipts - Books/Duplicate Cash/Registration	Digital or Paper	7 Years	Destroy	Fiscal, Administrative
	Requisitions	Digital or Paper	7 Years	Destroy	Fiscal, Administrative
	Tangible Capital Asset Files	Digital or Paper	As long as we retain the asset plus 7 years	Destroy	Fiscal, Administrative
	Tenders - Files/Quotes/Successful	Digital or Paper	12 years	Destroy	Fiscal, Administrative
	Tenders - Unsuccessful	Digital or Paper	12 years	Destroy	Fiscal, Administrative
	Trial Balances - Year End	Digital	7 Years	Destroy	Fiscal, Administrative
	Utility Account Forms	Digital or Paper	Until ownership changes	Destroy	Administrative

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	Description of Record	Format	Retention	Final Disp	Value to the Organization
Taxation	Encroachment Agreements	Paper and Digital	Permanent unless obsolete	Archive	Fiscal, Administrative
	Mortgage Journal Reports or Correspondence	Digital	7 years	Destroy	Fiscal, Administrative
	Seniors Tax Rebate Application Forms	Digital or Paper	7 years	Destroy	Fiscal, Administrative
	Tax Assessment Review Board Minutes	Digital	Permanent	Archive	Fiscal, Administrative
	Tax Assessment Review Court Records	Digital or Paper	7 years	Destroy	Fiscal, Administrative
	Tax Assessments	Digital or Paper	Permanent	Destroy	Fiscal, Administrative
	Tax Certificates and Search Request Letters	Digital	1 year	Destroy	Fiscal, Administrative
	Tax Roll	Digital or Paper	Permanent * Unless specific documents have other retention periods	Archive	Fiscal, Administrative
	Tax Roll- Appeals	Digital or Paper	12 years	Destroy	Fiscal, Administrative
	Tax Roll- Tax Recovery Records	Digital or Paper	Permanent	Archive	Fiscal, Administrative
	Taxes - Certificates of Title (Municipal Property)	Digital or Paper	Permanent	Archive	Fiscal, Administrative
	Taxes - Sale Deeds	Digital or Paper	Permanent	Archive	Fiscal, Administrative

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	Description of Record	Format	Retention	Final Disp	Value to the Organization
Human Resources	Benefit and Pension enrollment forms	Paper	Until superceded	Archive	Administrative
	Benefit Overage Student Declarations	Digital or Paper	Until dependent remains ineligible for benefits	Destroy	Administrative
	Discipline	Paper	As per Collective Bargaining Agreement if applicable,	Destroy	Administrative
	Doctor's notes or certificates of illness not related to Long Term disability or WCB.	Digital or Paper	2 years	Destroy	Administrative
	Employment Competitions	Digital	2 years	Destroy	Administrative
	Garnishees (in personnel file)	Paper	3 years from completion	Destroy	Administrative
	Grievance correspondence (Employee specific)	Digital or Paper	10 years after grievance has been resolved	Destroy	Administrative
	Grievance correspondence (Policy)	Digital or Paper	10 years after grievance has been resolved	Destroy	Administrative
	Individual Earnings Records	Digital	7 years	Archive	Administrative
	Investigation Files	Digital or Paper	Close + 12 years	Destroy	Administrative
	Job Descriptions	Digital	Until superceded	Destroy	Administrative
	Organizational Charts	Digital	Until superceded	Destroy	Administrative
	Personnel Files- Councillors	Paper	3 years from end of term.	Destroy	Administrative, legal
	Personnel Files- Fire Rescue Members	Paper	3 years from separation of employment	Destroy	Administrative, legal

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Human Resources	Description of Record	Format	Retention	Final Disp	Value to the Organization
	Personnel Files- Permanent Employees	Paper	10 years from separation of employment unless terminated.	Archive	Administrative, legal
	Personnel Files- Summer Students, STEP, Pool and Ski Hill seasonal temporary	Paper or Digital	5 years from separation of employment	Destroy	Administrative, legal
	Personnel Files- Temporary or Casual	Paper	10 years from separation of employment unless terminated.	Archive	Administrative, legal
	Personnel Files- Terminations	Paper or Digital	Permanent	Archive	Administrative, legal
	Receipts for reimbursement paid through payroll (HWSA, tool, boot, clothing)	Digital or paper	7 years	Destroy	Administrative
	Records of Employment	Paper	7 years	Destroy	Administrative
	Seniority Lists	Digital	Until superceded	Destroy	Administrative
	T4s	Digital	7 years	Destroy	Administrative
	TD1s	Paper	Until superceded	Destroy	Administrative
	Timesheets	Digital or Paper	Permanent	Archive	Administrative
	Training Certificates	Digital or paper	Until superceded or expired longer than 2 years	Destroy	Administrative
	WCB Claims	Digital or Paper	7 years	Destroy	Administrative

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	Description of Record	Format	Retention	Final Disp	Value to the Organization
Community Services, Pool and Ski Hill	FCSS Funding Agreements or Grants to Community Organizations	Digital or Paper	7 years	Destroy	Administrative, Fiscal
	Lease agreements	Digital or Paper	11 years from expiry, when superceded or obsolete	Destroy	Administrative, legal
	Lift, Pool and Maintenance Logs	Digital or Paper	12 years	Destroy	Administrative, legal
	Participant Waivers- Adult	Digital or Paper	12 Years	Destroy	Administrative, legal
	Participant Waivers- Minor under 18 years old	Digital or Paper	Participant's 18th birthday+ 11 years	Destroy	Administrative, legal
	Rental Agreements	Digital or Paper	11 years from expiry, when superceded or obsolete	Destroy	Administrative, legal
	Season Pass Registration	Digital or Paper	12 years	Destroy	Administrative, legal
Health and Safety	Accident/Incident Reporting, Investigations and First Aid Reports- Employees and Members of the Public	Paper and Digital	11 years (Unless Minor is involved in which case retention period starts on 18 birthday)	Destroy	Administrative
	External Health & Safety Audits	Digital	Completion + 10 Years	Destroy	Administrative
	Employee Reporting- Tool Box Meetings, Field Level Hazard Assessments, New Concerns, Confined Space, Fall Protection Plans	Paper and Digital	7 years	Destroy	Administrative
	Formal Hazard Assessments, identification and Control	Digital	7 years	Destroy	Administrative
	Health and Safety Manual	Digital	Until superceded	Destroy	Administrative
	Safe Work Procedures	Digital	Until superceded	Destroy	Administrative
	Safety Meeting Minutes	Digital	7 years	Destroy	Administrative

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	Description of Record	Format	Retention	Final Disp	Value to the Organization
Peace Officer Program	Proscutions, appeals, investigations, warnings, orders, violations, complaints including traffic under Municipal bylaws, provincial offenses including court appearance, reminders, notices of trial, violation tickets, issuance execution of warrants, coversation records, correspondence, complaint investigation reports, photos, officer notes notebooks, witness lists, statements, subpoenas, summonses, court briefs, decision appeals, bylaw clean up and weed control records.	Digital or Paper	12 years	Destroy	Administrative, legal
Weed Control	Weed Control Programs and Service Records	Digital or Paper	12 years	Destroy	Administrative
	Violation tickets and enforcement	Digital or Paper	12 years	Destroy	Administrative
Fire Rescue	Member Training Records	Digital or Paper	Until superceded or expired +2 years	Destroy	Administrative
	Fire/Emergency Statistics and Data	Digital or Paper	12 Years	Destroy	Administrative
	Fire Investigations	Digital or Paper	12 Years	Destroy	Administrative
	Response Call Records	Digital or Paper	12 Years	Destroy	Administrative

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Planning and Dev	Description of Record	Format	Retention	Final Disp	Value to the Organization
	Business License Applications & Supporting Documents	Digital or Paper	7 years	Destroy	Administrative
	Compliance Letters	Digital or Paper	Permanent	Archive	Administrative
	Development Permit	Digital or Paper	Permanent	Archive	Administrative
	Heritage Inventory	Digital or Paper	Permanent	Archive	Administrative
	Large Format Plan Drawings for Non-Municipal Buildings (supporting documents	Digital or Paper	12 years	Destroy	Administrative
	Municipal Planning Commission and Subdivision and Development Appeal	Digital or Paper	Permanent	Archive	Administrative
	Permit/Development Stop Orders and Warnings	Digital or Paper	Permanent	Archive	Administrative
	Permits - Electrical/Plumbing/Gas/PSDS	Digital or Paper	Permanent	Archive	Administrative
	Plans - Official/Amendments/Subdivision	Digital or Paper	Permanent	Archive	Administrative
	Site Plan Approval	Digital or Paper	Permanent	Archive	Administrative
	Subdivision (after final approval)	Digital or Paper	Permanent	Archive	Administrative
	Subdivision and Development Appeals	Digital or Paper	Permanent	Archive	Administrative

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	Description of Record	Format	Retention	Final Disp	Value to the Organization
	Cemetery Internments/ Promissary Notes	Digital or Paper	Permanent	Archive	Administrative, historic
	Cemetery Structures/Improvements	Digital or Paper	12 Years	Destroy	Administrative
	Communications Equipment - Maintenance, Repair, Installation	Digital or Paper	Life of the Asset + 1 year	Destroy	Administrative
	Engineering Drawings (Projects, Subdivisions etc.)	Digital or Paper	Permanent	Archive	Fiscal, Administrative
	Engineering Drawings Municipal Buildings	Digital or Paper	Permanent unless obsolete	Archive	Administrative
	Facilities - General Operating and Maintenance Records	Digital	Life of the Asset + 1 year	Destroy	Administrative
	Fleet - Non Asset Maintenance Records	Digital or Paper	Life of the Asset + 1 year	Destroy	Administrative
	Fleet- Vehicle Logs	Paper	3 years	Destroy	Administrative
	Local Improvement Records	Digital	Permanent	Archive	Administrative
	Plot records, plans, log books etc.	Digital and Paper	Permanent	Archive	Administrative
	Capital Project Files	Digital or Paper	7 Years	Destroy	Administrative
	Storm Water Management - Non asset related	Digital or Paper	7 years	Destroy	Administrative
	Street Sign Inventories	Digital or Paper	Permanent	Archive	Administrative
	Wastewater Management Records (non-asset)	Digital or Paper	7 years	Destroy	Administrative
	Water Treatment and Distribution Records (non-asset)	Digital or Paper	7 years	Destroy	Administrative