

**CORPORATION OF THE TOWNSHIP OF HORTON
BY-LAW No. 2014-17**

**BEING A BY-LAW TO ADOPT A RECORDS RETENTION BY-LAW TO
ESTABLISH A SCHEDULE OF RETENTION PERIODS FOR THE RECORDS
OF THE CORPORATION OF THE TOWNSHIP OF HORTON AND REPEAL
RECORDS RETENTION BY-LAW 88-18, AS AMENDED**

WHEREAS a Municipality may, subject to the approval of the municipal auditor, establish retention periods during which the records of the municipality or local boards of the municipality must be retained and preserved in accordance with Section 254, of the Municipal Act 2001 c.25, Section 255;

AND WHEREAS the Council of the Corporation of the Township of Horton deems it desirable to adopt a revised records retention by-law for the municipality by enactment of this by-law;

NOW THEREFORE the Council of the Corporation of the Township of Horton enacts as follows:

1. The Records Retention Bylaw is managed by the CAO/Clerk and includes two parts:

Schedule A - Introductory Notes, Definitions, Abbreviations and Terms
Schedule B - Records Retention – Paper and Other Physical Media

2. The CAO/Clerk has the authority to destroy all of the documents provided they have been retained until the retention period outlined in Schedule "B" of this by-law has expired.
3. The CAO/Clerk or designate shall make a record of those documents destroyed.
4. That any existing by-laws or provisions conflicting with this By-law are hereby repealed.
5. That this by-law shall not take effect until the Auditor(s) of the Corporation of the Township of Horton has/have approved this By-law.
6. That By-law 88-18 of the Corporation of the Township of Horton is hereby repealed.

Read a first and second time this 4th day of March 2014.

Read a third time and passed this 4th day of March 2014.

Approval

Approved by the auditors, MacKillican and Associates as of the 19 day of February, 2014.

 Signature

SCHEDULE "A"

INTRODUCTORY NOTES, DEFINITIONS, ABBREVIATIONS AND TERMS

1. Introductory Notes:

A. General

1. There are three major categories of records, defined as:
 - a. Paper Records (e.g. letters, reports, computer print-outs, photographs)
 - b. Physical Media Records (e.g. microfilm, video, audio tapes, CD, DVD)
 - c. Electronic Records (e.g. emails, databases, files, MS Word files, Adobe Acrobat files)

Records and information management encompasses the three categories of records listed above.

2. The Records Retention Official be the CAO/Clerk.
3. Retention for active and inactive retention periods in this by-law are in years, unless expressed otherwise. The inactive retention period of a record is the period during which a record is no longer required for current use but must be kept for legal, fiscal, operational or historical purposes. The final disposition of records not identified for permanent retention is destruction, unless otherwise noted (ie. review for archival purposes).
4. The retention period of an official record, in paper or physical format, is calculated from the close date of the record as entered in years unless otherwise noted.
5. This schedule does not apply to publications, reference material, and other non-records that have no documentary value to the Township.
6. The CAO/Clerk will provide assistance to determine if material is an official record, non-record or duplicate. If there is a dispute then the CAO/Clerk shall make the final determination.

B. Records Destruction

1. Official Records: Necessary approvals must be obtained by the CAO/Clerk in advance before destruction of any official records.
2. Duplicate Records: Duplicate records do not require formal approval for destruction. The retention period of a duplicate record is only a guideline. However, before premature destruction takes place necessary approvals from the CAO/Clerk must be obtained.
3. Litigation Records: Active records pertaining to existing or potential litigation cases should be retained and maintained within the department until the matter is resolved and kept in accordance with the retention period specified.
4. Non-records: Non-records can be destroyed by users without approval.

2. Definitions

- Active Records* This term refers to the time frame a record is actively used in the department and retained in the department.
- Archival Records* Archival records are records of enduring significance that have historical value for both the Township and individuals engaged in historical research. Some examples of archival records include: Council minutes, by-laws, Township Official Plans, financial statements, vital statistics, aerial photographs, Township publications, etc.
- Auditor* Means the person or firm appointed by the Council from time to time to perform the annual audit of the records of the Corporation.
- Computer Reports/ Printouts:* These records provide back up to information stored on systems and databases. Reports that can be easily reproduced are considered duplicate information and may be discarded when they have no operational value. Reports that capture a snapshot and that cannot be reproduced are considered “official records” for the department responsible for producing them. Copies distributed to other departments can be discarded at any time.
- Duplicate Record* A copy of a record containing information which is identical to that contained in the original record.
Examples include:
- Part of a multiple-part form
 - Extra copies of records retained solely for user
 - Convenience (also called convenience copies)
 - A photocopied document/report
 - A computer printout received from a department responsible for producing it
 - A reader file
 - A copy of a published report
 - A copy of microfilm
- Note: if information is added to a duplicate record, it is considered an official/original record and should be retained for the official record retention period. A duplicate record may replace an official/original record should the latter be lost, damaged or stolen.
- Official* Means the CAO/Clerk of the municipality who is responsible for the implementation of this By-law.
- Record* Means all of the receipts, vouchers, instruments, rolls, records, and papers or other documents of the Corporation.

3. Retention Periods

That the retention periods for the records of the Corporation of the Township of Horton as outlined in Schedule “B” attached hereto and forming part of this By-law are hereby adopted and established as the retention periods for each such record.

4. **Record Retention**

It is provided that particular records of the Corporation or a local board thereof shall be:

- (i) Destroyed – such records shall be destroyed without any copy therefore being retained.
- (ii) Permanent – such original records shall be preserved and never destroyed.
- (iii) Discretion – the official shall always have discretion to retain records longer than the period provided by this by-law and shall do so where they deem it appropriate.

SCHEDULE "B"
RETENTION SCHEDULE

1. Retention periods are in years unless otherwise noted.
2. **Legend:**
 - C - Current
 - P - Permanent
 - T - Termination of Event
 - S - Superseded (replaced by updated record)
 - A - Archival (Historical Value)
3. **To minimize duplication, the CAO/Administration section contains elements, which may be equally applied to other departments.**

Note: The following records are not covered by this retention by-law :

- Duplicate copies of records, including correspondence ;
- Published materials and its copies;
- Phone message slips
- Early versions or drafts of reports (unless there is added information from senior management or member of Council);
- Copies of information of a general nature

Records not covered by this retention by-law, as above, can be treated as having a retention value of "kept until no longer needed" by the creator or user of this information. None of this material should see its way into a semi-active or inactive records storage area.

<u>Record Name</u>	<u>Retention</u>
<i>CAO/Administration</i>	
Agreements	P
Annexation Files	P
Animal Control Files	7
Asset Management	P
By-laws (Originals)	P
By-law Enforcement Files	P
Census Report	P
Committee Meetings & Council Minutes (rough notes)	2
Contracts (not part of by-law & after termination)	7
Correspondence (miscellaneous)	3
Council Packages (Electronic)	7
Court Decisions	7
Death/Birth Register	P
Deeds (not part of by-law)	P
Destroyed Records Files	P
Disclosure Statements- Pecuniary Interest.....	7
Drainage Records	P
Easements (if not part of by-law)	7
Election:	
Candidates Financial Statements	Election Act
D.R.O. Statements	Election Act
Election Ballots	Election Act
Nomination Papers	Election Act
Registration of Candidates	Election Act
Voters List	Election Act
Employee Personnel Files	T +50
Employment Equity Records.....	P
Employment Files (applications) for specific jobs	1
Engineer/Architect – Drawings – Buildings/Parks	P
Engineering Drawings and Plans	P
Grant Applications	7

Harassment Complaints	T +50
Inventory Records	7
Job Applications of those not hired	1
Job Descriptions	S
Job Postings.....	7
Land Deeds	P
Land Surveys.....	P
Lease Agreements	P
Legal: Opinions	P
Notice of Claims	P
Prosecution Files	P
Licenses and Permits.....	7
Line Fences Application/Awards/Files	P
Livestock – Claims Records	7
Local Improvement Charges.....	T +7
Lottery Licenses	7
Marriage Register	P
Minutes and Agendas (Originals)	P
Municipal Freedom of Information – Access Reports/Requests	P
Notices of Change of Land Titles	7
Occupational Health & Safety Records	7
Official Plan Files	P
O.M.B. Records	P
Petitions.....	P
Press Releases	2
Property: Sales, Acquisition, Easements.....	P
Real Estate Files	6
Registered Letters	6
Records Disbursement File	P
Reports.....	7
Resolutions	2
Road Openings, Dedications, Closings, Widening's, Encroachment Agreements & One Foot Reserves	P
Site Plans / Files	P
Street Closing Files	P
Subdivision Agreements / Files	P
Tenders – actual contract & all tender documents	7
Township Owned Properties and Records	P
Vital Statistics Records (birth/death)	P
Zoning By-law Amendments	P
 <i>Fire/Emergency Services</i>	
Apparatus Files (life of apparatus).....	S
Building Fire Reports	P
Emergency Plan	S
Equipment Inventory Files	S
Equipment Maintenance Reports	7
Fire Marshall's Reports.....	P
Fire Prevention Inspection Reports	P
Fire Protection Agreements with other Municipalities	S
Highway Traffic Accident Reports	P
Station Log Books	7
Tour Reports	7
Truck Inspection Reports	7
Vehicle Accident Reports	7
Volunteer Staff Employee Records:.....	P
 <i>Recreation and Parks</i>	
Accident Reports	P
Boat Launch Payment Reports	7
Boat Launch Tracking of Fines	7
Events Files.....	7

Facility Maintenance Records	P
Facility Rentals.....	7
Plan Files (blueprints, drawings, maps, base plans)	P
Community Centre – Files	7
 Building & Planning Department	
All Building Files: Commercial, Industrial or Institutional Development	P
Building Compliance Letters	P
Building/Demolition Permits (issued)	P
Building Department:	
Building Inspection Correspondence	P
Building Inspection Files & Reports	P
Building & Septic Applications	P
Occupancy Permits	P
Consent and Minor Variance Correspondence	P
Consent and Minor Variance Decisions and Applications	P
Development Study (charges & information)	S +10
Nutrient Management Plans	P
Ontario Home Renewal Program Files	P
Permits (contract documents & specs)	P
Plans, maps, drawings & surveys	P
Planning Committee minutes.....	P
Property Standards Complaints/Contravention	7
Subdivision Plans/Agreements.....	P
Zoning Certificates	P
 Public Works/Waste Management Departments	
Accident Reports	7
Account Records	7
Bond Insurance	P
Claims Records	7
Contracts - correspondence	P
Contracts – as built data	P
Contracts – Including Inspection Reports	7
Certificates of Approval (Ministry of Environment)	P
Civic Address Applications.....	P
Drainage Records	P
Design Files	P
Engineering Drawings & Plans	P
Erosion Records	P
Environmental Services	10
Excavation Permit Files – General	P
Expropriation Files (as per Act)	15
Maintenance Management Reports	7
Needs Studies (Bridge & Structure; Roads)	P
Paving Permits	7
Railway Files	P
Roads Construction Records	P
Septage Reports/Lime Stabilization Project.....	P
Street Lighting Records	P
Tile Drainage	P
Vehicle Accident Report	P
Vehicles / Equipment / Supplies Files	7
Vehicle Records (after disposal of vehicles)	T +2
Waste Management Files (Solids & Liquids)	P
 Finance Department	
Annual Reports	P
Accounts Payable Records	7
Accounts Receivable Records	7
Assessment Appeals	7

Assessment Rolls	P
Assessment Review Board Decisions/minutes/settlement	P
Audited Financial Statements incl. working papers	P
Bank Deposit Books	7
Bank Reconciliation Statements	7
Bank Statements	7
Budget Records.....	7
Cheques – Register, Voided, Cleared, Returned.....	7
Capital Purchases	P
Cash Disbursement Ledger	7
Cash Receipts Books / Computer Printed Receipt	7
Cash Receipts Ledger	7
Closed Claims	7
Debenture/Bond Records	T +7
Deposit Slips/Books	7
Debenture Register Sheets Expired	3
E.I. Records	7
Employee Attendance Records/Time Cards	7
Employee Files	T + 50
Employee Earnings Records	P
Employees – Prov & Fed Income Tax/Health Tax/EI CPP – Deductions and Files	7
Employees – OMERS Enrolment Forms	P
Employee – TD1 Records	S
Employee – T-4 & Summaries	P
Financial Information Return	P
Garnishees / Employees	7
General Ledger	P
Insurance	7
Investment Files	7
Leave Request (Vacation, Sick Leave, etc.).....	7
LTD Claims	T +50
Mileage Records	7
Mortgage Files	7
Motor Vehicle Liability Claims	7
Receivables	7
Payable Vouchers.....	7
Journal Entry Vouchers	7
Pay Changes	7
Payroll Journal	7
Payroll Time Sheets.....	7
Petty Cash Records	7
ROE's	7
School Support Changes & Lists	7
Subsidy /Tax Rebate Applications	7
Tax Bill Receipts	7
Tax Collector's Rol/Treasurers Certificate	7
Tax Sale Records & Deeds	P
Tile Drainage (after completion of debenture)	P
Trial Balance	7
Yearly Work Diaries	7
WSIB Claims.....	T +50
 General	
Advertisements	7
By-law Infractions	P
Computer Systems	S
Dog Control Records	7
Policy Manual	S
Property Standards	P