

**TOWN OF RAINBOW LAKE
PROVINCE OF ALBERTA
BYLAW NO. 2008-01**

A BYLAW OF THE TOWN OF RAINBOW LAKE, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING GUIDELINES FOR THE RETENTION AND DESTRUCTION OF ITS RECORDS AND DOCUMENTS.

WHEREAS, the Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26 empowers the Council to pass a bylaw respecting the retention and destruction of the records and documents of the municipality.

AND

WHEREAS, the Council of the Town of Rainbow Lake, in the Province of Alberta, deem it necessary to pass such a bylaw.

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

1. This bylaw shall provide regulations and procedures for the retention and disposal of all records and documents of the Town of Rainbow Lake.
2. The Chief Administrative Officer (CAO) shall be responsible for administering this bylaw.
3. The authority established in this bylaw must be consistent with Federal and Provincial Statutes and Regulations.
4. The CAO shall always have the discretion to retain records longer than the period provided for in the bylaw, and shall do so where the CAO deems it appropriate, and shall do so where the CAO has received any indication that there is or may be any civil action involving any of the said records. Such decisions to retain the records longer than the period provided for therein shall be recorded in the records retention file.
5. Records of Retention and Disposal:
 - a) When records have been destroyed under this Bylaw, the CAO shall so certify in writing. Such certificates shall refer to the relevant schedule and item of this bylaw and shall identify the records destroyed.
 - b) The CAO shall keep an index of:
 - i. Records destroyed;
 - ii. Records referred to Archives; and
 - iii. Town records held at other archival centres.

- c) Where records are destroyed under this bylaw, the CAO shall ensure the proper and complete destruction thereof.
 - d) All records destroyed shall be authorized by the CAO and the destruction shall be carried out in the presence of witnesses. The person destroying the records shall provide a statement in writing attesting to the time and place of the destruction of the records, a detailed list of records destroyed, and names of the witnesses to the destruction of the records. This statement shall be permanently filed in the office records.
 - e) Election materials may be destroyed in accordance with the provisions of the Local Authorities Election Act.
6. The following terms shall be used in interpreting the method of retention or destruction of municipal records:
 - a) Destroyed - such records shall be destroyed without any copy thereof being retained.
 - b) Permanent - such original records shall be preserved and never destroyed.
 7. When an individual's personal information records have been used by the municipality to make a decision that directly affects the individual, the municipality must be retain the personal information records for at least one year after using it so that the individual has a reasonable opportunity to obtain access to the records.
 8. It is the responsibility of the CAO to provide for policies regarding security and storage of all municipal documents.
 9. The attached Schedule "A" is hereby adopted and shall be used to determine the retention and disposal requirements for all records of the Town of Rainbow Lake and of any local Boards accountable to the Town of Rainbow Lake . Schedule "A" to this bylaw may be amended by a resolution of the Council of the Town of Rainbow Lake upon recommendation from the CAO.
 10. THAT, this bylaw shall come into force and effect upon the third and final reading thereof.

READ for a FIRST time this ____ day of _____ A.D., 2007.

Mayor

CAO

READ for a SECOND time this ____ day of _____ A.D., 2007.

Mayor

CAO

READ for a THIRD and final time this ____ day of _____ A.D., 2008.

Mayor

CAO