

**THE CORPORATION OF THE UNITED TOWNSHIPS OF HEAD,  
CLARA & MARIA**

**BY-LAW NUMBER 2009-11**

**BEING** a by-law to establish backup and record management procedures and schedules of retention periods for documents, records, and other papers of the municipality.

**WHEREAS** Section 254 of the *Municipal Act*, R.S.O. 2001, as amended provides that the Council of a municipality may establish schedules of retention periods during which the receipts, vouchers, instruments, rolls and other documents, records and papers must be kept by the municipality;

**AND WHEREAS** Section 255 (3) provides that a municipality may, subject to the approval of the municipal auditor, establish retention periods during which the records of the municipality and local boards of the municipality must be retained and preserved in accordance with section 254;

**NOW THEREFORE** the Council of the Corporation of the United Townships of Head, Clara & Maria hereby enacts as follows:

1. **THAT** the retention periods for the records of the Corporation of the United Townships of Head, Clara & Maria as outlined in Schedule "A" attached hereto and forming part of this by-law, are hereby adopted and established as the retention periods for each such record.
2. **THAT** the schedule attached hereto as Schedule "A" is hereby approved and adopted.
3. **DEFINITIONS**

**THAT** for the purposes of this by-law and the attached Schedule the terms, definitions and symbols shall mean the following:

- P - Permanent Record
    - Such records shall be recorded electronically in their entirety, the electronic document shall be in duplicate and one copy thereof shall be stored apart from the other in a place of safe and suitable storage. The original records shall be preserved, never destroyed but retained for safe keeping.
4. **THAT** the Clerk or designate has the authority to destroy all of the documents listed provided the documents have been retained until the retention period as outlined in Schedule "A" of this by-law has expired.
  5. **THAT** when records have been destroyed under this by-law, the Clerk shall so certify in writing. Such log shall refer to the relevant schedule and item of this by-law and shall identify the records. The clerk shall keep an index of:
    - Records recorded electronically;
    - Whether electronic document is in duplicate;
    - Where each copy of the electronic document is stored;
    - Details of storage of original documents, where appropriate;
    - Records destroyed.
    - When records are destroyed under this by-law, the proper and complete destruction thereof is the responsibility of the clerk. When records are recorded electronically, the clerk shall ensure that such electronic documents are properly prepared, identified and indexed.
  6. **THAT** If any provision of this By-law is declared invalid for any reason by a court of competent jurisdiction the remainder of this By-law shall still continue in force.
  7. **THAT** this by-law shall not take effect until the Auditor of the Corporation has approved this bylaw by endorsing his name at the end thereof.

**READ** a first and second time this 3<sup>rd</sup> day of April 2009.

**READ** a third time short and passed this 17<sup>th</sup> day of April 2009.

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TAMMY STEWART, REEVE

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MELINDA REITH, CLERK

Approved and Endorsed by Auditors for the United Townships of Head, Clara & Maria:

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PETER HARRINGTON, WELCH AND ASSOCIATES

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Date