

City of Burlington By-law 5-2015

Description

A by-law to establish a new records retention schedule for the City of Burlington and to repeal By-law 97-2005 and amending By-law 62-2013. File: 180-04 (CL-1-15)

Preamble

Whereas section 254(1) of the Municipal Act, 2001, S. O. 2001, c.25, requires that a municipality shall retain and preserve the records of the municipality and its local boards in a secure and accessible manner; and

Whereas section 255(1) of the Municipal Act, 2001, S. O. 2001, c.25, provides that, except as otherwise provided, a record of a municipality or local board may only be destroyed in accordance with that section; and

Whereas section 255(2) of the Municipal Act, 2001, S. O. 2001, c.25, provides that a record of a municipality or a local board may be destroyed if a retention period for the record has been established under section 255 (3) of the Municipal Act and the retention period has expired OR the record is a copy of the original record; and

Whereas section 255(3) of the Municipal Act, 2001, S. O. 2001, c.25, 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. 2001, c.25; and

Whereas the City Clerk and municipal auditor have reviewed and approved the records retention schedule attached to this By-law.

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

Content

1. Record Series and Retention Schedule

- (a) City of Burlington employees will describe, retain and destroy records in accordance with this by-law and attached Records Retention Schedule (Schedule "A").

The Corporation of the City of Burlington By-law 5-2015

- (b) The record series descriptions, retention periods and final dispositions in the attached Records Retention Schedule apply to paper and electronic records equally, regardless of format.
- (c) The retention periods established by this by-law will apply retroactively to corporate records created before this 26th day of January, 2015.
- (d) Inactive physical records shall be stored with the City of Burlington's third party storage provider until the expiry of prescribed retention periods.
- (e) Inactive electronic records shall be stored on the City of Burlington internal network until the expiry of prescribed retention periods.
- (f) All destruction of records will occur with the prior approval of departmental Directors or the City Clerk.

2. Repeal of By-laws

By-law 97-2005 and its Schedules 1-20, and amending by-law 62-2013 and its Schedules 2, 5 and 18 are hereby repealed.

3. Related Legislation and Standards

Municipal Act, 2001

Municipal Freedom of Information and Protection of Privacy Act

ARMA International Generally Accepted Recordkeeping Principles

City of Burlington Corporate Policy, General – Records Management

Enactment

Enacted and passed this 26th day of January, 2015.

Mayor Rick Goldring _____

Deputy Clerk Angela Morgan _____

Online version of this document does not contain signatures. Please contact City Clerk to obtain a copy of the signed original.

Schedule “A”

Schedule “A” includes the City of Burlington Records Retention Schedule dated January 2015. To obtain a copy of Schedule “A”, please contact the City of Burlington Clerk’s Department.