

CITY OF YORKTON BYLAW NO. 42/2003

A BYLAW OF THE CITY OF YORKTON IN THE PROVINCE OF SASKATCHEWAN TO AUTHORIZE AND REGULATE RECORDS RETENTION AND DISPOSAL

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CITY OF YORKTON
SASKATCHEWAN

BYLAW NO. 42/2003

**A BYLAW OF THE CITY OF YORKTON IN THE PROVINCE OF SASKATCHEWAN
TO AUTHORIZE AND REGULATE RECORDS RETENTION AND DISPOSAL**

WHEREAS Section 90 of *The Cities Act*, provides that a Council shall establish a Records Retention and Disposal Schedule, and all documents of the City of Yorkton must be dealt with in accordance with that Schedule;

AND WHEREAS City Council desires to regulate the retention and provide for the destruction of certain documents of The City of Yorkton;

The Council of the City of Yorkton in the Province of Saskatchewan in Council assembled enacts:

1. Title

This bylaw may be cited as “The Records Retention and Disposal Bylaw No. 42/2003”.

2. Purpose

The purpose of this bylaw is to provide the method of authorization of destruction of certain records from time to time in accordance with *The Records Retention and Disposal Schedule*, identified as Schedule ‘A’ attached hereto and forming part of this bylaw.

3. Definitions

- (a) “City” means the municipal corporation of the City of Yorkton;
- (b) “City Clerk” means the person appointed as the City Clerk for the City of Yorkton or his/her duly authorized representative or designate;
- (c) “Department Head” means the City Manager, the City Clerk, the Director of Leisure Services, the Director of Planning and Engineering, the Director of Finance, Fire Chief and any other persons so designated by the City Manager;
- (d) “document” means any typed, written or inscribed document, and any information recorded or stored by means of any device, regardless of the medium, and includes reports, maps, plans, surveys, books of account and machine readable information;
- (e) “historical documents” means any records, photographs, books, diaries or any other document possessing an historical value as determined by the City Clerk;

4. Preservation of Documents of the Municipality

- 1) Subject to this bylaw, all documents created by or received in the administration of the City, regardless of the medium in which they were created or were received, may be preserved in the form in which they were created or received, as the case may be, in accordance with this Bylaw.
- 2) The Office of The City Clerk, through the Archivist and the Municipal Heritage Commission will coordinate the retention of all historical documents.

5. Documents Not Requiring a Retention Period

Notwithstanding any other provisions of this Bylaw, the following documents have no retention period and may be disposed of or destroyed, from time to time, at the absolute discretion of the City:

- (a) documents wholly unrelated to the administration of the City;
- (b) draft versions of internal working papers, documents or reports used in the preparation of a document of the City;
- (c) photocopies of bylaws or agreements of the City unless such copies contain new information or notes or unless such copies form part of a document of the City;
- (d) information received from other agencies or jurisdictions by the City for research purposes (such as copies of contracts, engineering drawings, etc. from other municipal corporations) provided:
 - (i) such information is no longer required by the City; and
 - (ii) such information does not form part of a document of the City, in which case, such information shall be retained and may not be destroyed except upon the expiration of the retention period for the document of which it forms a part;
- (e) magazines, books and other publications received by the City from other agencies or organizations;
- (f) advertising, catalogues, price lists and other junk mail received by the City;
- (g) telephone messages; and
- (h) outdated and unused blank forms.

6. Destruction of Documents

- 1.) Subject to subsection (2), the documents set forth in Schedule 'A' may be destroyed upon the expiration of the retention period set out in Schedule 'A'.
- 2.) No document or series of documents may be destroyed unless:
 - (a) the Department Head having custody of the document or series of documents is satisfied that the document or documents are not longer required by the City and are of no historical, archival or legal value;
 - (b) such destruction has been approved by the City Clerk; and
 - (c) the form, "Affidavit As To Destruction of Records", as provided by the City Clerk, has been completed and filed with the City Clerk.

- 3.) Any document set forth in Schedule 'A' may be retained for any period longer than the retention period set out in Schedule 'A' at the discretion of the Department Head having custody of the document.
- 4.) The current year is not included in calculating the retention period of the document.

7. Destruction of Informational Copies of Documents

Notwithstanding any other provisions of this Bylaw, informational copies of any of the documents set forth in Schedule 'A' may be destroyed if:

- (a) in the case of documents created by the City for internal use, the original has been retained by the department having custody of the document in accordance with this Bylaw and the department creating the document has retained a file copy; or
- (b) in all other cases, the original has been retained by the department having custody of the document in accordance with this Bylaw.

8. Destruction of Electronic Documents

Notwithstanding any other provision of this Bylaw, documents created in an electronic medium for internal or external correspondence (such as internet or email documents) may be destroyed after one (1) month if a printed copy of the documents has been produced and retained and such printed copy shall be retained and may only be disposed of in accordance with the provisions of this Bylaw.

9. Repealing of Bylaw

Bylaw 18/1997, and all amendments thereto are hereby repealed.

10. Effective date of Bylaw

This bylaw shall come into force and take effect on the day of final passing thereof.

MAYOR

CITY CLERK

Introduced and read a first time this 8th day of December, A.D., 2003.

Read a second time this 8th day of December, A.D., 2003.

Read a third time and adopted this 8th day of December, A.D., 2003.

AFFIDAVIT AS TO DESTRUCTION OF RECORDS

PROVINCE OF
SASKATCHEWAN
TO WIT

As per Section 90 of *The Cities Act* and Section 112 of *The Local Government Election Act* the following records marked as Exhibit 'A' have been destroyed in accordance with the Records and Retention and Disposal Schedule as provided for in Bylaw No. 42/2003 of the City of Yorkton's Bylaw Registry.

I, _____, of the City of Yorkton, in the Province of Saskatchewan,
(Name)
_____ make oath and say:
(Title)

- 1) That I am the _____ for the City of Yorkton, and as such have
(Title)
knowledge of the matters set forth and marked Exhibit "A" to this my Affidavit.
- 2) That the facts, matters and things set forth in the Exhibit 'A' are true in substance and in fact, to the best of my knowledge, information and belief.

Sworn before me in and at the _____)
City of Yorkton, in the Province _____)
of Saskatchewan, this _____ day _____)
of _____, A. D. 200_. _____)
_____)
_____)
_____)
_____)
A Commissioner for Oaths in and _____)
for the Province of Saskatchewan. _____)
My Commission expires _____. _____)

SCHEDULE 'A'

Alphabetical Listing of Municipal Records and Their Suggested Retention Periods

Accounting

Retention Period (In Years)

Accounts Receivable Ledger Cards	7
Annual Financial Statements	Permanent
Bank Passbooks and Statements	7
Bank Reconciliation Statements	7
Cash Payment Books	7
Cash Receipt Books	7
Cash Register Tapes	7
Cheque Stubs/Duplicates	7
Cheques (Cancelled)	7
Daily Cash Reports and Summaries	7
Debenture Registers (After Final Payment)	7
Local Improvement Assessment Roll (After completion of project)	7
Deposit Books	7
Federal/Provincial Remittance Forms	7
General Ledgers/Journals	7
Investment Records (After maturity)	7
Invoices	7
Ledgers (Subsidiary)	7
Monthly Financial Statements	7
Receipts (Duplicate)	7
Requisitions/Purchase Orders	7
Sewer and Water Cards or Ledgers	7
Tax Roll/Assessment Roll	Permanent
Vouchers	7

Administration

Appeals under <u>The Planning and Development Act, 1983</u> (After final decision)	7
Assessment Appeals	7
Assessor's Valuation Records (After superseded by new assessment or obsolete)	3
Change of Ownership Documents	7
Insurance Policies (After Policy Expires or cancelled)	7
Insurance Policies – Liability Insurance	Permanent
Licenses (After expiration/termination of rejection of license – includes supporting documentation)	7

Retention Period
(In Years)

Permits (not related to land)	3
Building permits (after rejection of permit or life of building)	+10
Development permits (after superseded)	25
Development permits (denied)	10
Development permits (register)	Permanent
Photographs	Permanent
Tax Certificates	7
Tax Enforcement Records (After Tax Title Property is Sold)	7
Tax Lien Withdrawal Forms	7
Utility Documents	7

Agreements and Contracts

Agreements and Supporting Documentation	Permanent
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Correspondence

Correspondence	7
Petitions	7

Employee – Employer

Employee Records (After Termination)	10
Income Tax	7

Legal

Minister's Orders	Permanent
Notices of Claim (after settlement)	10
Statements of Claim (after settlement)	10
Writs (After expiration or completion)	10

Minutes and Bylaws

Bylaws	Permanent
Minutes	Permanent

Miscellaneous

Cemetery Records	Permanent
Disclosures of Holdings (After Last Date of Appointment/Term)	7
Vital Statistics	7
Historical, including bequests to the City	Permanent

Plans

Retention Period (In Years)

Architect's Drawings (Buildings, Park Sites)

Lifetime of Facility
Plus one (1) year

Land Survey Certificates
Municipal Maps and Plans

7
Permanent

Road Surveys

7

Reports

Board and Committee Reports not Forming Part of Council Minutes
(If a report forms part of the Minutes, it is kept
permanently as part of the Minutes).

7

Elections

Amended
By
Bylaw No.
2/2017

Contents of Ballot Boxes*	60 Days
Nomination Forms and Receipt Forms	60 Days
Oaths of Office	Term of Office
Poll Maps	60 Days
Poll by Poll Election Results	60 Days
Returning Officer's Summary of Results	Permanent
Voters' Lists	3 Years
Disclosure of Holdings	7 Years

~~* The destruction of the contents of ballot boxes requires two witnesses (Subsection 112(2) of
The Local Government Election Act)~~

Contents of Ballot Boxes pursuant to sections 137
and 138 of *The Local Government Elections Act, 2015**
Nomination Forms **

-3 months
-duration of the term of office
for which the election was
held for.

Oaths of Office

-12 years after the term of
office is completed.

Declaration of Results

-permanently

Disclosure of Holdings

-12 years after the term of
office is completed.

*The destruction of the Ballot Boxes requires two witnesses (Section 142(2)(b) and 142(6) of
The Local Government Elections Act, 2015.

*The destruction of the Nomination Forms requires two witnesses (Section 142(5) and 142(6)
of *The Local Government Elections Act, 2015*.