



**TOWN OF CLARESHOLM  
PROVINCE OF ALBERTA  
BYLAW #1817**

**A Bylaw of the Town of Claresholm, in the province of Alberta, to regulate the retention and disposal of records and documents.**

**WHEREAS** Section 214 (1) of the *Municipal Government Act*, RSA 2000, Chapter M-26 and amendments thereto, provides that a Council may authorize the destruction of the original bylaws and minutes of Council meetings if the originals have been recorded on microfiche or on other system that will enable copies of the original to be made;

**AND WHEREAS** Section 214 (2) of the *Municipal Government Act*, RSA 2000, Chapter M-26 and amendments thereto, provides that Council may pass a Bylaw respecting the destruction of other records and documents of the municipality;

**AND WHEREAS** pursuant to Section 38 of the *Freedom of Information and Protection of Privacy Act*, RSA 2000, Chapter F-25 and amendments thereto public bodies must protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure, or destruction;

**AND WHEREAS** the Council of the Municipality of the Town of Claresholm deems it necessary and appropriate to ensure that municipal records are retained and destroyed in a manner consistent with applicable statutes and regulations as well as legal and administrative requirements.

**NOW THEREFORE, THE COUNCIL OF THE TOWN OF CLARESHOLM, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:**

**SECTION 1 TITLE**

- 1.1 This Bylaw may be cited as the **“RECORDS MANAGEMENT AND RETENTION BYLAW”**

**SECTION 2 DEFINITIONS**

- 2.1 In this Bylaw, unless the context otherwise requires:
- 2.1.1 **“Act”** is the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, or any legislation in replacement or substitution thereof.
- 2.1.2 **“Bylaw”** is a bylaw of the Town of Claresholm.
- 2.1.3 **“Chief Administrative Officer (CAO)”** is the person appointed by Council under Section 205 of the Municipal Government Act and is the administrative head of the municipality.
- 2.1.4 **“Confidential”** shall mean any records which contains personal information about individuals, third-parties, commercial, financial, scientific, or technical information supplies either explicitly or implicitly in confidence or other sensitive information as described in the Freedom of Information and Protection of Privacy Act.
- 2.1.5 **“Disposition”** means the disposal of records via destruction or transfer of records of enduring value to archives (Provincial Archives of Alberta or the Claresholm and District Museum Archives).
- 2.1.6 **“Record”** means a record of information in any form and includes books, documents, maps, letters, papers, and any other information that is written, recorded, photographed or stored in any manner including electronically.
- 2.1.7 **“Substantive Record”** means a record that is judged to hold Administrative, Legal, Fiscal, or Research/Historical value and will be held in accordance with the records retention schedule.
- 2.1.8 **“Town”** means the Town of Claresholm.
- 2.1.9 **“Transitory Record”** means any recording of information required for routine or short-term transactions, and contains little or no information of ongoing value including:

- i. Temporary Information: Records required for specific activities but having no further value once the activity has been completed (eg. Phone messages, post-it notes, invitations, some cover sheets, meeting announcements, announcements of employees' absences or schedules, changes in telephone numbers of office locations, meeting arrangements);
- ii. Duplicates: Exact reproductions of a master document. Note that if duplicate records have been annotated or altered in any way, a new record has been created that may have continuing value.
- iii. Publications: Records produced by external organizations, and generally routinely or publicly available (eg. books, articles, newspapers, brochures, manuals).
- iv. Direct mail: Solicited or unsolicited information received from organizations advertising their products or services (eg. Advertisements, brochures, promotional materials).
- v. Blank Information Media: Anything created for the purpose of collecting or storing information but which has not been used and which is obsolete (eg. Blank forms, blank disks, blank videos, or blank tapes).
- vi. Draft Documents and Working Materials: Including source materials used in preparation of documents and earlier versions of final documents. Extra caution is required for the following draft documents which may need to be stored as an Official Record: legal agreements, policies, standards, guidelines, scientific studies.

### **SECTION 3 RECORDS RETENTION AND DESTRUCTION**

- 3.1 All transitory records, which do not contain confidential information, shall be disposed of at any time, when they no longer serve any valid purpose.
- 3.2 All transitory records containing potentially confidential information shall be disposed of in a manner so that the information contained within it is completely obliterated, at any time, when they no longer serve any valid purpose.
- 3.3 All substantive records of the Town shall be destroyed in accordance with "Schedule A".
- 3.4 Should an individual's personal information be used by the Town to make a decision that directly affects the individual, the Town shall retain the personal information for at least one (1) year from the date it was used to make the determination, so that the individual has a reasonable opportunity to obtain access to it.
- 3.5 Where, in this Bylaw and "Schedule A" and "Schedule B" attached hereto, it is provided that particular records in the custody or control of the Town shall be:
  - Destroyed (D): Such records shall be destroyed, so that the information contained in it is completely obliterated, without any copy being retained: and
  - Permanent (P): Such original records shall be preserved and never destroyed.
  - Archived (A): Such records shall be released to either the Provincial Archives or the Claresholm and District Museum upon decision and direction of the CAO or designate. A copy of the transferred record index shall be permanently retained on file: and
  - Reviewed (R): Such records are those where retention or destruction cannot be determined at the time the record originated. These records will be retained for a period of 2 years then reviewed for a final retention or destruction decision.
- 3.6 The CAO shall always have the discretion to retain records longer than the period provided for in this Bylaw and shall do so where the CAO deems it appropriate. Such decisions to retain the records longer than the period provided for herein, shall be recorded in the records management index.
- 3.7 Where the CAO has received an indication that there will be litigation involving any records scheduled for destruction, the CAO is obligated to retain the said records until such litigation is complete. Such decisions to retain the records longer than the period provided for herein, shall be recorded in the records management index.

- 3.8 Where the CAO has received an indication that there is or may be a FOIPP request involving any record scheduled for destruction, the CAO is obligated to retain said records for a period of one (1) year after the FOIPP request has been made. Such decisions to retain the records longer than the period provided for herein, shall be recorded in the records management index.
- 3.9 When records have been destroyed under this Bylaw, with the exception of records destroyed under Section 3.1 and 3.2, the CAO shall so certify in writing. Such certification shall refer to the relevant schedule and item of this Bylaw and shall identify the records destroyed.
- 3.10 The CAO shall keep an index of records destroyed and of records transferred to archives.
- 3.11 Where records are destroyed under this Bylaw, the proper and complete destruction is the responsibility of the CAO.
- 3.12 Destruction of all records shall be carried out in the presence of a witness. The person destroying the records shall sign the records management index attesting to the date of the destruction of the records together with a list of records destroyed. The person who witnessed the destruction of records shall also sign the records management index. The records management index shall be a permanent record of the Town
- 3.13 Election material that has been locked/sealed in ballot boxes may be destroyed in accordance with the provisions of the Local Authorities election Act, RSA.
- 3.14 All substantive records, those records held in the general filing system of the Town (excluding rolls, receipts, vouchers, invoices, any financial ledgers of this means) shall be stamped or tagged electronically "Retain To":
  - 3.14.1 The records to be retained as outlined in "Schedule A" shall also illustrate the date in which it is to be retained to.
  - 3.14.2 All records to be permanently retained shall have no date but shall indicate (P) - Permanent Retention.
  - 3.14.3 All records to be permanently retained by transfer to Archives shall have no date but shall indicate (A) - Archival Transfer, or shall have a date to indicate when it should be transferred.
  - 3.14.4 All records where retention or destruction cannot be determined shall illustrate a date two (2) years from origination and shall indicate (R) - Review.

**SECTION 4 GENERAL**

- 4.1 The attached "Schedules A and B" are hereby adopted and may be amended from time to time by resolution of Council upon the recommendation of the CAO.
- 4.2 It shall be the responsibility of the CAO to provide for the adequate storage and security of all Town records.

**SECTION 5 PASSAGE OF BYLAW**

- 5.1 This Bylaw shall come into effect upon passage of Third Reading.

Read a first time in Council this      day of      2025.

Read a second time in Council this      day of      2025.

Read a third time in Council and finally passed in Council this      day of      2025.

---

**Brad Schlossberger, Mayor**

---

**Abe Tinney, CAO**