

BYLAW NO. 4239

A BYLAW OF THE CITY OF MEDICINE HAT to provide for the management, retention and disposition of municipal records and documents.

WHEREAS pursuant to section 214(2) of the Municipal Government Act, R.S.A. 2000, c. M-26, as amended, a council may pass a bylaw respecting the destruction of records and documents of the municipality.

AND WHEREAS section 38 of the Freedom of Information and Protection of Privacy Act, R.S.A. 2000, c.F-25, as amended, requires the head of a public body to protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or destruction.

AND WHEREAS all records in the custody and control of the employees of the City of Medicine Hat, members of Council, and committees of Council which are created or received in the context of their functional responsibilities, are the property of the City of Medicine Hat.

NOW THEREFORE THE MUNICIPAL CORPORATION OF THE CITY OF MEDICINE HAT, IN COUNCIL ASSEMBLED, ENACTS AS FOLLOWS:

1. TITLE

This Bylaw may be cited as the "Records Management Bylaw".

2. DEFINITIONS

- (a) **City** means the municipal corporation of Medicine Hat.
- (b) **Disposition** means the destruction, permanent retention or transfer for archival preservation of a City Record once it has reached the end of its life cycle.
- (c) **Personal Information** means personal information as that term is defined in the Freedom of Information and Protection of Privacy Act, R.S.A. 2000, c. F-25, as amended or replaced.
- (d) **Record** means any information, however recorded, regardless of its form or characteristics. Records include, but are not limited to: correspondence, memoranda, books, maps, plans, photographs, drawings, diagrams, pictorial or graphic works, microforms, email, messages, etc. which can be in paper and/or electronic format.

3. RECORDS RETENTION AND DESTRUCTION POLICY

- (a) The City Clerk is hereby authorized to:
 - (i) Develop a Records Management Policy to provide for the systematic control of the creation, use, maintenance, storage, security, retrieval, and disposition of records created or received

by the City in the conduct of its operations, and present the policy to Council for approval.

(ii) Create a Records Management Manual (RMM) that provides procedures for:

(1) the management of documents and records of the City, including the creation of a classification and retention schedule that identifies the retention period during which documents and records must be retained before Disposition; and

(2) the destruction of documents and records of the City;

and present it to Administrative Committee for approval.

(b) All Records in the custody of the City are the property of the City and must be managed in accordance with the Records Management Policy and RMM.

4. PERSONAL INFORMATION

If the City uses an individual's Personal Information to make a decision that directly affects the individual, the City must retain the Personal Information in accordance with the classification and retention schedule, which in any event, will not be less than one year.

5. COMING INTO FORCE

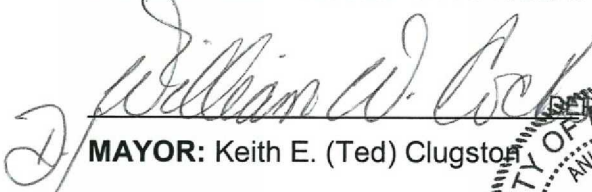
This Bylaw shall come into force at the beginning of the day that it is passed.


READ A FIRST TIME in open Council on November 3, 2014.

READ A SECOND TIME in open Council on November 3, 2014.

READ A THIRD TIME in open Council on November 3, 2014.

SIGNED AND PASSED on November 4, 2014.


MAYOR: Keith E. (Ted) Clugston


CITY CLERK: Angela Cruickshank

