

**Rural Municipality of Victoria, PEI  
Records Retention Bylaw  
Bylaw #2020-01**

**BE IT ENACTED** by the Council of the Rural Municipality of Victoria as follows:

**1. Title**  
(1) This bylaw shall be known and cited as the "Records Retention Bylaw".

**2. Authority**  
(1) The *Municipal Government Act* R.S.P.E.I. 1988, Cap M-12.1, and related regulations require municipalities to manage and retain municipal records.

(2) Subsection 117(1) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap M-12.1, requires Council to provide, by bylaw, a schedule for the management and disposal of all records and other documents that are required to be retained by the municipality.

**3. Application**  
(1) This bylaw applies to members of Council, Council Committees, and municipal staff related to the creation, retention, management and disposal of records.

**4. Definitions**  
(1) "Act" means the *Municipal Government Act* R.S.P.E.I. 1988, Cap M-12.1  
(2) "Chief Administrative Officer" or "CAO" means the administrative head of the Municipality as appointed by council under subsection 86(2)(c) of the *Municipal Government Act*.  
(3) "Council" means the Mayor and other members of the Council of the Municipality.  
(4) "Councillor" means a member of the Council other than the Mayor.

- (5) "Municipality" means the Rural Municipality of Victoria.
- (6) "Permanent record" means a record of the Municipality is required to retain permanently.
- (7) "Record" means information in any form, including electronic form, but does not include a mechanism or system for generating, sending, receiving, storing, or otherwise processing information.
- (8) "Regulations" means the Records Retention Regulations pursuant to clause 261(1)(f) of the Act.
- (9) "Temporary record" means a record that the Municipality is required to maintain for a minimum period of time in accordance with the schedule in the Regulations.

**5. General**

- (1) The Municipality establishes under this bylaw a records retention schedule for maintenance and disposal of records as contained in Schedule 'A'
- (2) The CAO shall administer this bylaw and is responsible for ensuring that records are managed and retained in accordance with the Act and Regulations
- (3) Schedule 'A' may be amended by resolution as permitted in clause 135(2)(c) of the Act but shall comply with all legal requirements for records retention.

**6.**

**General Retention and Disposition Requirements**

- (1) Council shall ensure for each record, that
  - (a) the record is retained in accordance with the Regulations and this Bylaw
  - (b) where the record is not stored in the municipal office, the record is stored in a location and manner that is secure and will preserve the integrity of the record; and

(c) documentation, which provides details of the destruction of the record or its transfer to permanent storage, of the final disposition of the record is permanently maintained.

**7. Temporary Records**

(1) Council shall ensure temporary records

(a) shall be retained in the municipal office for a minimum of two years; and

(b) during this two year period, shall be accessible within 24 hours.

(2)

Temporary records may be moved at the of the retention period in 7(1)(a) to a storage facility outside the municipality for the remainder of the retention period specified in Schedule (A) if

(a) the storage facility meets the requirements of 6(1)(b); and

(b) is accessible within 3 business days.

**8. Destruction of Records**

(1) Council may,

(a) at the end of the retention period specified for a temporary record, provide for the secure destruction of the record;

(b) authorize the destruction of a duplicate copy of a record at any time, subject to the requirements for retention of duplicate copies in Schedule 'A'.

**9. Permanent Records**

(1) Council shall ensure permanent records

(a) are retained in the municipal office for a minimum period of five years and, during that period, are accessible within 24 hours; and

(b) are not destroyed.

(2) Council shall, as soon as reasonably possible after the end of the retention period specified in 9(1)(a), move a record to which subsection (1) applies

(a) to permanent storage in a secure facility that will preserve the integrity of the record; and

(b) ensure the record is accessible within three business days.

### 10. Electronic and Microfilm

(1) Council shall ensure electronic records

(a) are retained and retrievable for the minimum retention period; and

(b) in the case of permanent records, are copied to paper or microfilm for the purpose of transfer to permanent storage.

### 11. Protection of Records

(1) Council shall ensure that reasonable care is taken to protect records against damage, deterioration, unauthorized destruction, sale or other disposition or theft.

### 12. Schedule Adopted

(1) The schedule to this bylaw is adopted and forms part of this bylaw.

### 13. Effective Date

(1) This Records Retention Bylaw, Bylaw #2020-01, shall be effective on July 13, 2020.

### First Reading:

This Records Retention Bylaw, Bylaw #2020-01, was read a first time at the Council Meeting held on the 8th day of June, 2020.

This Records Retention Bylaw, Bylaw #2020-01, was approved by a majority of Council members present at the Council meeting held on the 8th day of June, 2020.

**Second Reading:**

This Records Retention Bylaw, Bylaw #2020-01, was read a second time at the Council meeting held on the 13<sup>th</sup> day of July, 2020.

This Records Retention Bylaw, Bylaw #2020-01, was adopted by a majority of Council members present at the Council meeting held on the 13<sup>th</sup> day of July, 2020.

**Approval and Adoption by Council:**

This Records Retention Bylaw, Bylaw #2020-01, was adopted by a majority of Council members present at the Council meeting held on the 13<sup>th</sup> day of July, 2020.

**14. Signatures**

\_\_\_\_\_  
Mayor (signature sealed)

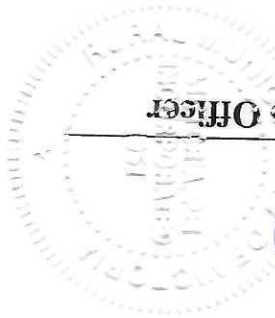
\_\_\_\_\_  
Chief Administrative Officer (signature sealed)

This Records Retention Bylaw adopted by the Council of the Rural Municipality of Victoria on the 13<sup>th</sup> day of July, 2020 is certified to be a true copy.

\_\_\_\_\_  
Chief Administrative Officer Signature

Date

June 17, 2020



**Schedule A:**

**RECORDS RETENTION SCHEDULE**

**Note:** The subject matter is listed alphabetically followed by a retention period. The retention period is identified either as "PERMANENT" or expressed as a number of years. Retention periods are labelled as:

(a) CY - a retention period that concludes after the end of a calendar year (i.e. after December 31st of a given year);

(b) FY - a retention period that concludes after the end of a fiscal year as established in section 149 of the *Municipal Government Act*;

(c) closed after information is superseded (replaced or take the place of) or obsolete (no longer in use) (S/O) in the event of a conflict between this schedule and the *Municipal Government Act Records Retention Regulations*, the Regulations shall apply.

SUBJECT	DESCRIPTION	RETENTION PERIOD (YEARS)	ENDS
Accountants	Working Papers	7	FY
Accounts	Paid (summary sheet)	7	FY
	Payable vouchers	7	FY
	Receivable duplicate invoices	7	FY
Administration	Reports (not part of Minutes)	7	CY
Advertising	Electoral	4	CY
	Other notices- MGA, other legislation	2	CY
Agendas	Part of Minutes	PERMANENT	
Agreement	General	12	S/O
	Development	12	S/O
	Major legal	12	S/O
	Minor legal	12	S/O
Annexations	Correspondence	7	CY
	Final Order	PERMANENT	
Annual Reports	Council, Boards, Commissions	5	CY
Applications	Site plan approval	2	CY
	Subdivision (after final approval)	3	CY
	Part-time employees (after end of employment)	1	CY
Appointments	Other than those in Minutes	3	FY
Assessment	Rolls	PERMANENT	

		Assessment review Board (ARB) Minutes		
		ARB work file	5	PERMANENT
FY		Appeals	12	
FY		ARB records	7	
FY		Duplicate roll	7	
FY		Review Court records	7	
		Assessment Appeal	5	
		Asset Management Inventory	20	
S/O		Records of surplus	7	
FY		Temporary files	2	
		Bank		
FY		Deposit books	7	
FY		Deposit slips	7	
FY		Memos (credit/debit)	7	
FY		Reconciliations	2	
FY		Statements	7	
		Boards		
S/O		Minutes		PERMANENT
CY		Authority & Structure	5	
CY		Correspondence	5	
		Briefings/Reports		
CY		To Council	7	
		Budgets		
		Operating (in minutes)		PERMANENT
		Capital (in minutes)		PERMANENT
FY		Working papers	3	
		Bylaws		
		All		PERMANENT
		Cash		
FY		Receipts journal	7	
FY		Disbursements journal	7	
FY		Duplicate receipts	7	
		Certificates		
		Of Title		PERMANENT
		Census		
CY		Reports	12	
		Cheques		
FY		Cancelled (paid)	7	
FY		Register	7	

		Subs				FY
		Notice of		12		S/O
		Statements of		12		S/O
	PERMANENT	Minutes				
		Records		10		FY
		Contracts				
		Files (completion of)		12		S/O
		Forms		12		FY
		Major legal		12		S/O
		Minor legal		12		S/O
		Minutes				
	PERMANENT	Court Cases		12		S/O
	PERMANENT PERMANENT	Destroyed Records				
		Index				
		Signed destroyed				
		records statements				
		Documents				
		Not part of bylaws		12		S/O
		Agreements, major legal		12		S/O
		Agreements, minor legal		12		S/O
		Contracts legal		12		S/O
		Easements		12		S/O
		Leases (after expiration)		12		S/O
		Notices of change of land titles		12		S/O
		Elections				
		All election documents other than ballot box contents				
		Ballot box contents		4		CY
		In accordance with the MGA				CY
		Engineering				
		Drawings				
		Employee Benefits				
		Health, Dental, WCB Claims, etc.		5		CY
		Employees				
		Job applications (hired)		3		CY
		Job application (not hired)		1		CY
		Job descriptions				CY
		Oaths of Office				CY
		1 (after position vacated)				CY
		3 (after position abolished)				CY



	Personnel file		3 (after cessation of employment) or 6 (after dismissal)	CY
Financial Statements	Interim		10	FY
	Working papers		7	FY
	Final		12	FY
Franchises		PERMANENT		
Income Tax	Deductions		7	FY
	TDI		7	FY
	T4		7	FY
	T4 Summaries		7	FY
Inquiries	From the public		3	CY
	Claims		12 (after settled)	FY
Insurance	Records (after expiration)		12	FY
	Appraisals		1 (after sold)	
Leases	After expiration		7	S/O
Legal	Opinions		12	S/O
	Proceedings		12	S/O
	Acts (after superseded)		1	CY
Licenses	Applications		3	CY
	Business (after expired)		5	CY
	Literature		2	CY
Local Improvements	Records		PERMANENT	
	Base (original)		PERMANENT	
Maps	Contour		PERMANENT	
			PERMANENT	
Maintenance Reports			12	CY
Minutes	Council		PERMANENT	
	Boards		PERMANENT	
	Committees		PERMANENT	
Monthly Reports	Road		5	FY
Municipal Affairs	Annual reports		5	FY
Organization	Structure and records		2	S/O

Payroll	Garnishesheets	7 (after garnish is removed)	FY
	Individual earning records	7	FY
	Journal	7	FY
	Time cards	7	FY
	Time sheets - daily	7	FY
	Time sheets -	7	FY
	Overtime	7	FY
	Time sheets - weekly	7	FY
	Employment Insurance	5 (after cessation of employment)	FY
Permits	Development	12	S/O
Petitions		10	CY
Plans	Official	PERMANENT	
	Amendments	PERMANENT	
	Subdivision	PERMANENT	
Policy	After superseded	5	CY
Progress Reports	Project	5	CY
	Under contract (final payment)	7	S/O
Property Files		Until sold +10	FY
Prosecution	All	12	S/O
Publications	Local reports	3	CY
Purchase	Land	Until Sold +12	FY
Receipts	Books	7	FY
	Duplicate cash	7	FY
	Registration	7	FY
Receptions & Special Events (non-historic)		3	CY
Reports	Accident	12	S/O
	Accident statistics	12	S/O
	Field	12	S/O
Requisitions	Copies	2	FY
	Duplicate	7	FY

Paid		7	FY
Resolutions	Minutes	PERMANENT	
Subdivision	After Final Approval	12	CY
Street	Sign Inventory Register	PERMANENT	
Tax Recovery	Records	PERMANENT	
Taxes	Arrears	7	FY
	Final Billing	12	FY
	Municipal Credits	7	FY
	Receipts	7	FY
	Rolls	PERMANENT	
	Sale Deeds	PERMANENT	
Termination	Employees	7	CY
Tenders	Files	12	FY
	Successful	12	FY
	Purchase Quotations	12	FY
	Unsuccessful	10	FY
Traffic	Streets	7	CY
Training and Development Files			
		5	CY
Trial Balances	Monthly	5	FY
	Year End	7	FY
Vendors	Acknowledgments To	2	FY
	Contracts	12	FY
	Suppliers Files	12	FY
Vouchers	Duplicate	7	FY
Weed Control Reports	Until updated	1	CY
Zoning	Bylaws	PERMANENT	
	Bylaw Enforcement	5	CY