WHEREAS Section 254(1) of the Municipal Act, S.O. 2001, as amended, states 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(2) of the Municipal Act, S.O. 2001, as amended, states that despite Section 254, a record of a municipality or a local board may be destroyed if a retention period for the record has been established under this section and,

(a) The retention period has expired; or
(b) The record is a copy of the original record;

AND WHEREAS Section 255(3) of the Municipal Act, S.O. 2001, as amended, states 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;

AND WHEREAS the Council of the Corporation of the Township of Norwich deems it desirable to establish retention periods for the records of the municipality by enactment of this by-law;

AND WHEREAS the Council of the Corporation of the Township of Norwich deems it desirable to repeal By-law No. 50-2012 and to establish retention periods for the records of the Municipality by enactment of this by-law;

NOW THEREFORE the Council of the Corporation of the Township of Norwich enacts as follows:

1. DEFINITIONS

1.1 ARCHIVAL SELECTION – shall mean to evaluate and appraise a record for permanent retention due to its historical value.

1.2 AUDITOR – shall mean the person(s) or firm appointed by the Council of the Corporation of the Township of Norwich to perform the annual audit of the records.

1.3 CLASSIFICATION – (as in records classification) shall mean the systematic identification and arrangement of records into categories according to logically structured conventions, methods and procedural rules, represented in a classification system.

1.4 CORPORATE RECORDS – shall mean information, however recorded or stored, whether in printed form, on film, by electronic means or otherwise, including correspondence, memorandum plans, maps, drawings, graphic works, photographs film, microfilm, microfiche, sound records videotapes, LaserFiche, email, machine readable records and any other documentary material regardless of physical form or characteristics.
1.5 PERMANENT – a file with this retention limit is never destroyed

1.6 RETENTION PERIOD – shall mean the retention period indicated according to Schedule “A” forming part of this by-law

1.7 SUPERSEDED – a file with this retention limit is transferred or destroyed when it has been replaced

1.8 TRANSITORY RECORDS – shall mean records kept solely for convenience of reference and of limited value in documenting the planning or implementation of Township of Norwich policy or programs, such as:
   a) Copies of miscellaneous notices or memoranda concerning routine administrative matters or other minor issues
   b) Information copies of widely distributed materials, such as minutes, agendas and newsletters, unless the information copy has been annotated to reflect significant input or for other program purposes;
   c) Preliminary drafts of letters, memoranda or reports and other information notes which do not represent significant steps in the preparation of a final document and which do not record decisions
   d) Duplicate copies of documents in the same medium which are retained only for convenience or future distribution
   e) Voice mail messages
   f) Email messages and other communications that do not relate to municipal business;
   g) Copies of publications, such as published reports, administration manuals, telephone directories, catalogues, pamphlets or periodicals
   h) Duplicate stocks of obsolete publications, pamphlets or blank forms
   i) Unsolicited advertising materials, including brochures, company profiles and price lists

A transitory record may be deleted or otherwise destroyed on the same day the transitory record was created or received

1.9 VITAL RECORD – shall mean a record of any form or format, containing information that is essential to continue the immediate operation of the Township and that is necessary to recreate its legal and financial position and to preserve its claims and rights and those of its stakeholders.

2. GENERAL PROVISIONS

2.1 All corporate records, regardless of their format or location, are the property of the Corporation, and shall be incorporated into the Records Management system and assigned a Retention Period subject to Schedule ‘A’ of this by-law.

2.2 Forming part of this by-law, it is provided that particular records shall be:

   2.2.1 Destroyed – such records shall be destroyed without any copy thereof being retained;
   2.2.2 Permanent – such original records shall be preserved and never destroyed.

2.3 No person shall alter, conceal or destroy a record, or cause any other person to do so, with the intention of denying a right under this Act to access the record or the information contained in the record.
3. **EMPLOYEE RESPONSIBILITIES**

   All Township of Norwich employees who create, work with or manage records shall;

   3.1 comply with the retention periods as specified in Schedule ‘A’ attached hereto;
   3.2 Ensure that official records in their custody or control are protected from inadvertent destruction or damage; and
   3.3 Ensure that transitory records in their custody or control are destroyed when they are not longer need for short-term reference.

4. **APPROVAL OF BY-LAW**

   This by-law shall take effect upon approval by the Township auditor.

5. **CITING OF THIS BY-LAW**

   This by-law shall be known as the “Records Retention By-law”


____________________________________
MAYOR
LARRY MARTIN

____________________________________
CAO / CLERK
KYLE KRUGER