



BYLAW NO. 2025/02/A

Name of Bylaw: Records and Information Management

WHEREAS 214(1) of the *Municipal Government Act*, R.S.A. 2000, c M-26, and any amendments thereto, provides that a Council may authorize the destruction of original bylaws and minutes of Council meetings if the originals have been recorded by a method that will enable copies of the original to be made;

WHEREAS Section 214(2) of the *Municipal Government Act*, R.S.A. 2000, c. M-26, and any amendments thereto, provides that Council may pass a bylaw respecting the destruction of records and documents of the municipality;

WHEREAS Section 214(3) of the *Municipal Government Act*, R.S.A. 2000, c M-26, and any amendments thereto, provides that if an individual's personal information will be used by the municipality to make a decision that directly affects the individual, the personal information must be retained for at least one year after using it so that the individual has a reasonable opportunity to obtain access to it;

WHEREAS Section 38 of the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c F-25, and any amendments thereto, requires the public bodies to protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure, or destruction;

WHEREAS Section 2 of the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c F-25, and any amendments thereto, allows any person a right of access to records in the custody or under the control of a public body subject to limited and specific exemptions as set out in the Act;

AND WHEREAS Council acknowledges that records management plays an essential role in effective public governance by supporting policy formation and managerial decision-making while protecting the interests of the organization, the rights of third parties, the public, and employees, and enables the Town of Drayton Valley to adhere to legislative and regulatory requirements and helps preserve the Town's history;

NOW THEREFORE the Council of the Town of Drayton Valley, duly assembled, hereby enacts as follows:

1. TITLE

- 1.1 This Bylaw may be cited as the "Records and Information Management Bylaw" of the Town of Drayton Valley.

2. DEFINITIONS

In this Bylaw, unless the context otherwise requires, the word, term or expression:

- (a) **“Act”** means the *Municipal Government Act*, R.S.A. 2000, c M-26, as amended, repealed, or replaced.
- (b) **“Bylaw”** means the Records and Information Management Bylaw.
- (c) **“CAO”** means the Chief Administrative Officer or their delegate.
- (d) **“Confidential”** means any record that contains personal information about individuals, third-party, commercial, financial, scientific, or technical information supplied either explicitly or implicitly in confidence or other sensitive information as described in Sections 15-28 of the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c F-25.
- (e) **“Disposition”** means the formal, structured process of determining what happens to records at the end of their required retention period, including the destruction or transfer of Records of enduring value to Archives.
- (f) **“FOIP”** means the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25, as amended, repealed or replaced.
- (g) **“Legal Hold”** means the process to temporarily preserve all forms of potentially relevant records when litigation is reasonably anticipated or underway.
- (h) **“Life Cycle of Information”** means the stages of planning, collecting, creating or generating information and its organization, retrieval, use, accessibility and transmission.
- (i) **“Permanent Record”** means the information of enduring value that may or may not be required for the ongoing administrative purposes but is retained for the life of the organization because of its legal, fiscal, evidentiary, informational, cultural, historic or aesthetic value.
- (j) **“Personal Information”** means personal information as defined in the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25, as amended, repealed, or replaced.
- (k) **“Record”** means a record of information in any form and includes notes, images, audiovisual recordings, x-rays, books, documents, maps, drawings, photographs, letters, vouchers and papers and any other information that is written, photographed, recorded or stored in any

manner, but does not include software or any mechanism that produces records.

- (l) **"Records and Information Management Program"** means the Town of Drayton Valley's systematic practices, procedures, and standards for maintaining and protecting Records throughout the Life Cycle of Information.
- (m) **"Retention Period"** means the total length of time a Record must be kept before final Disposition is implemented according to the Retention Schedule.
- (n) **"Retention Schedule"** means the timetable that identifies the Retention Period during which a Record must be retained before Disposition, as is set forth in Schedule "A" attached to and forming part of this Bylaw.
- (o) **"Substantive Record"** means the records that holds future administrative, legal, fiscal, operational, research or historical value.
- (p) **"Town"** means the Town of Drayton Valley.
- (q) **"Transitory Record"** means the records that have only short-term, immediate, or no value and will not be required for future reference and includes telephone messages, routing slips, post-it notes, opened envelopes, memos, notes, and messages (either paper, voice or electronic).

3. PURPOSE

- 3.1 The purpose of this Bylaw is to provide regulations and procedures for the retention, disposal, and release of the Town of Drayton Valley's Records. Municipal records are managed as a resource and asset of the organization as a whole and not the property of individuals, groups, or departments of the Town of Drayton Valley.

4. RECORDS AND INFORMATION MANAGEMENT

- 4.1 All records in the possession or under control of the Town must be managed in accordance with the Town's Records and Information Management Policy and will be retained and destroyed in accordance with Schedule A of this Bylaw.
- 4.2 All records authorized for disposition should be physically destroyed in the presence of a witness. A written statement, attesting to which records were destroyed, should be signed by the Department Head and the witness and shall retained on file as a permanent record. An audit trial shall be conducted for

records that were destroyed, permanently retained, or transferred to Provincial or Federal Archives.

- 4.3 For situations that may occur where litigation or potential litigation affects the Town, all records relating to that situation shall be placed on a legal hold and all disposition processes are suspended until the threat of litigation has passed.
- 4.4 Transitory Records are exempt from the provisions of this Bylaw and may be confidentially and routinely discarded. For any disputes as to whether a record is substantive or transitory, the final decision shall be made by the CAO.

5. INTERPRETATION

- 5.1 Words used in the singular include the plural and vice-versa.
- 5.2 Words used in the present tense include the other tenses and derivative forms.

6. SEVERABILITY

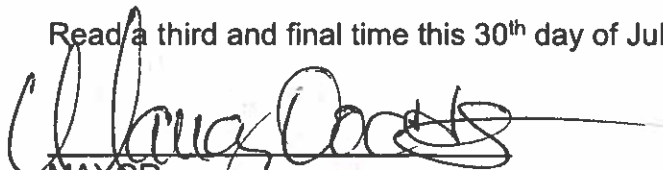
- 6.1 If any provision of this Bylaw is held be invalid by a court of competent jurisdiction, that decision will not affect the validity of the remaining provisions of the Bylaw

AND THAT this Bylaw shall rescind Bylaw No. 99/16, the Record Retention and Disposition Bylaw, of the Town of Drayton Valley and shall have force and come into effect from and after the date of third reading thereof.

Read a first time this 2 day of July 2025, A. D.

Read a second time this 30th day of July 2025, A. D.

Read a third and final time this 30th day of July 2025, A. D.


MAYOR


CHIEF ADMINISTRATIVE OFFICER