

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

BY-LAW NUMBER 030-2015

Being a by-law to repeal and replace By-law 131-1984, establishing a new Records Management and Retention Program for the Corporation

Recitals:

1. Subsection 254(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, (the "Act") obliges municipal government in Ontario to retain and preserve the Records of the Municipality in a secure and accessible manner.
2. Where a Municipality has a records retention by-law, Records may be destroyed only in accordance with that by-law in accordance with Subsection 255(2) of the Act.
3. The Corporation's existing Records retention by-law (By-law Number 131-1984) was passed more than thirty years ago and has not been amended since. Records have evolved over the past three decades with the advent of electronic technology and with new and different services and tasks being assumed by and/or assigned to municipal governments. Legal obligations for the Corporation have also evolved. As one example, the enactment of the Municipal Freedom of Information and Protection of Privacy Act (in 1989) placed new obligations on municipal government for the management and protection of confidential information.
4. The Council deems it necessary and appropriate to modernize the Records management and retention program for the Corporation to meet current needs and obligations.

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF NEEBING ENACTS AS FOLLOWS:

Section 1.00: Interpretation

- 1.01 **Definitions:** Where a word appears in the text of this By-law with its initial letters capitalized, the word is intended to be given the meaning assigned to it in the lettered paragraphs of this Section 1.01. Where a word appears in ordinary case, it is intended to have the meaning ordinarily ascribed to it in the English language.
- a) **Act:** The "Act" has the meaning set out for it in the first recital of this By-law.
 - b) **By-law:** The term "By-law" refers to this by-law, as amended from time to time, including its recitals and schedules, which are integral parts of the By-law.

When, however, the term is capitalized and followed by a number other than the number assigned to this By-law, then the term refers to the by-law that has been assigned the number referenced.

- c) **Clerk:** The "Clerk" is the person, regardless of his or her administrative title within the Corporation, who fulfils the role of municipal clerk as set out in the Act and appointed by Council for that purpose.
- d) **Corporation:** The term "Corporation" refers to The Corporation of the Municipality of Neebing, a municipal corporation incorporated and in good standing in accordance with the Act.
- e) **Council:** The "Council" is the elected municipal council for the Corporation.
- f) **Record:** A "Record" is a document, in any form (electronic or paper or otherwise) containing information relating to the business of the Corporation or received by the Corporation in connection with its business.
- g) **TOMRMS:** "TOMRMS" is an acronym for "The Ontario Municipal Records Management System".

1.02 **Interpretation Rules:**

- a) Wherever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.
- b) References to items in the plural include the singular, as applicable.
- c) The words "include" or "including" are not to be read as limiting the phrases or descriptions that precede or follow them.
- d) The division of this By-law into sections, and the assignment of titles to sections, subsections and/or paragraphs is intended for ease of reference and not to be used as interpretation aids to the meaning of the words in the sections, subsections and/or paragraphs.

1.03 **Statutes:** Specific references to laws in this Agreement are underlined and are meant to refer to the current laws applicable within the Province of Ontario as at the time the By-law was enacted. For Provincial laws, where the statute title does not include a year, the reference is to the relevant chapter of the R.S.O. 1990 edition, as amended from time to time. Where the statute title includes a year, the reference is to the Statutes of Ontario published in that year. In both

instances, the reference is to the legislation, as amended from time to time, including successor legislation.

- 1.04 **Severability:** If any section, clause or provision of this By-law, including anything contained in its schedules, is for any reason declared by a court or tribunal of competent jurisdiction to be invalid, the ruling shall not affect the validity of the By-law as a whole or any part of it other than the section, clause or provision so declared to be invalid. All the remaining sections, clauses and provisions of this By-law shall remain in full force and effect, despite the fact, in those circumstances, that one or more provisions has been declared to be invalid.

Section 2.00: Corporate Records Organization

- 2.01 **Primary Classification by Department Code:** All Records of the Corporation shall be assigned a primary classification based on the department or sub-department identified in the table set out in this section.

00-General Governance & Corporate	16-Building Department
01-Administration	17-Committee of Adjustment
02-Council	18-Neebing Property files
03-Neebing Fire & Rescue	19-
04-Other Orders of Government	20-Utility Companies
05-Public Works	51-Capital Projects
06-Members of the Public	80-School Boards
07-Policing & Municipal Law Enforcement	81-Outside boards & agencies (other than school boards or other orders of government)
08-Waste Management	82-
09-Information Technology	83-
10-Cemetery	84-
11-Development & Planning	85-First Nations
12-Social & Family Services	86-
13-Reference Material & Research files	87-
14-Communications/newsletters	88-
15-Recreation	89-
	90-Transfers Between Funds

Numbers in the table that do not have a department or sub-department name beside them are reserved for future use and may be assigned through future amendments to this By-law.

- 2.02 **Secondary Classification by TOMRMS Code:** Once a Record has been assigned a departmental code in accordance with Section 2.01, it shall be assigned a

TOMRMS Code based on the table set out in Schedule One to this By-law. Every TOMRMS Code is assigned to one of four categories of files:

- a) Operational;
- b) Financial;
- c) Legal; or
- d) Historical.

Within each category, some Records will always be confidential while other Records may or may not be confidential. Schedule One indicates which TOMRMS Codes will identify Records that are always confidential.

- 2.03 **Tertiary (and further) Classification:** Records shall be further identified by numeric codes relevant to their origin. The numbers may represent account numbers, assessment roll numbers, dates, years, sequence of opening, or any other relevant and applicable numerical indicators as detailed in the file maintenance procedure established and kept current by the Clerk.
- 2.04 **Temporary File Codes:** The Clerk may assign temporary file codes to Records which will become part of a larger file Record in future to allow management of the file during a process or event. The temporary file code will be purged once the Records are re-united with the larger file.
- 2.05 **File Evolution and Cross Reference:** A cross-reference system will be used to identify inter-related Records. Files may be opened and assigned a particular TOMRMS Code, but as time passes and events occur, another TOMRMS Code may become applicable to the Record. In those cases, the original file and its TOMRMS Code identification shall be retained, and a new file opened with the new TOMRMS Code, and a cross-reference between the two files. Files may evolve in this fashion with more than two files being required to be opened and cross-referenced from time to time.

Section 3.00: Retention Schedules

- 3.01 **Schedule Two - Records, Files or Documents with no Retention Period:** Schedule Two to this By-law contains a list of Records and documents or files that do not constitute "Records" as defined in this By-law, but may be held on site by the Corporation. The Records, files and documents listed in the Schedule have no retention period and may be disposed of at the discretion of the Clerk without authorization from Council.
- 3.02 **Schedule Three - Records with a Retention Period of Two Years:** Schedule Three to this By-law contains a list of Records which are to be retained on site by the Corporation for a period of Two Years.

- 3.03 **Schedule Four - Records with a Retention Period of Five Years:** Schedule Four to this By-law contains a list of Records which are to be retained on site by the Corporation for a period of two years and then retained off site by the Corporation for a further period of three years, for a total retention period of five years.
- 3.04 **Schedule Five - Records with a Retention Period of Eight Years:** Schedule Five to this By-law contains a list of Records which are to be retained on site by the Corporation for a period of two years and then retained off site by the Corporation for a further period of six years, for a total retention period of eight years.
- 3.05 **Schedule Six - Records with a Retention Period of Ninety-Nine Years:** Schedule Six to this By-law contains a list of Records which are to be retained on site by the Corporation for the period specified in the By-law and then retained off site by the Corporation for a further period of time such that the Record is ultimately retained for a total period of ninety-nine years.
- 3.06 **Schedule Seven - Records with Varied Retention Periods:** Schedule Seven to this By-law contains a list of Records with varied retention periods and storage directions.
- 3.07 **Schedule Eight - Records to be Maintained Permanently:** Schedule Eight to this By-law contains a list of Records which are to be retained by the Corporation in perpetuity.
- 3.08 **Cross-Referenced Records:** Where a Record is cross-referenced to another Record, the retention period for all of the Records is considered to be the same and to be equal to the longest retention period among the cross-referenced Records.

Section 4.00: Records Management

- 4.01 **Responsibility:** The Clerk is responsible for the administration of the Records Management program and this By-law.
- 4.02 **Electronic and Paper Records:** The rules set out in this By-law apply to all Records in whatever medium they are stored. Records that exist only in electronic format shall be saved in a format that will remain accessible over time, and shall be re-stored from time to time, if required to maintain accessibility.

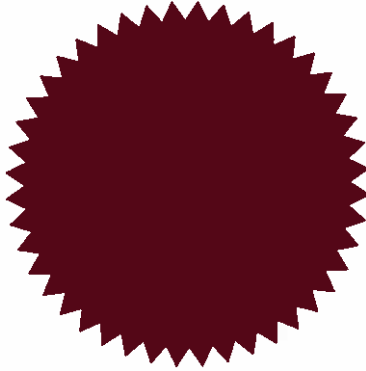
- 4.03 **Confidential Records**: Where confidentiality of a Record is not expressed as such through assignment of codes as set out in this By-law, the Clerk shall clearly mark as confidential all Records containing personal information or other confidential information as identified in the Municipal Freedom of Information and Protection of Privacy Act. Each member of the staff of the Corporation with access to Records shall sign a confidentiality agreement requiring him or her to maintain the confidentiality of all Records of the Corporation which are marked as "confidential".
- 4.04 **Annual Review and Purge**: The Clerk shall, at the end of each fiscal year, review all of the Records, with the exception of those listed in Schedules One or Two, and:
- a) remove from the Corporation's office those Records that are identified by the appropriate Schedule to this By-law for retention off-site, and securely store them off-site;
 - b) identify and list the off-site Records that may be destroyed in accordance with the Schedules to this By-law;
 - c) List any Records which should be destroyed in accordance with the Schedules to this By-law, but for which an exception is being sought, and describe the exception;
 - d) Report to Council for authority to destroy those Records identified by the process in Section 4.01(b) above, and for authority to retain those Records identified by the process in Section 4.01(c) above; and
 - e) Upon approval, arrange for those Records to be destroyed.

Section 5.00: General Provisions

- 5.01 **Effective Date**: This By-law shall come into force and take effect upon its approval by the Municipal Auditors.

5.02 **Repeal:** As of the effective date of this By-law, By-law Number 131-1984 is repealed.

ENACTED AND PASSED IN COUNCIL THIS 2nd day of September, 2015, as witnessed by the Corporate seal of the Corporation and the hands of its proper Officers duly authorized in that behalf.



**THE CORPORATION OF THE
MUNICIPALITY OF NEEBING**

L. Polkowski

Mayor

G. Salgado c/s

Solicitor-Clerk

Read for a first and second time this 2nd day of September, 2015

Read for a third time and passed this 2nd day of September, 2015

Schedules:

One: TOMRMS Codes

Two: Records, Files and Documents with No Retention Period

Three: Records to be Retained for Two Years

Four: Records to be Retained for Five Years

Five: Records to be Retained for Eight Years

Six: Records to be Retained for Ninety-nine Years

Seven: Records with Varied Retention Periods

Eight: Records to be Retained Permanently

Schedule One to By-law 030-2015
TOMRMS Codes and Classifications, and Confidentiality Identification

A: Administration

A01=Administration General	Operational	Public
A02=Government (general)	Operational	Public
A03=Organizations & associations	Operational	Public/Confidential mix
A04=Ceremonies/celebrations	Historical	Public
A05=Conferences/training	Operational	Public
A06=Consultants	Operational	Public
A07=Policies/procedures	Operational	Public
A08=Records Management & MFIPPA	Operational	Public/Confidential mix
A09=Travel/Accommodation	Operational	Public
A10=Security of Persons	Operational	Confidential
A11=Vendors & Suppliers	Operational	Public

B: Buildings & Property

B01=Buildings & properties general	Operational	Public
B02=Building maintenance or renovation	Historical	Public
B03=Building construction	Historical	Public
B04=Utilities (installation/records)	Historical	Public
B05=Purchases & Sales	Legal	Public/Confidential mix
B06=Quarries	Operational	Public
B07=Landfill Sites & buffer property	Legal	Public/Confidential mix
B08=Cemeteries	Legal	Public/Confidential mix
B09=Parks	Operational	Public
B10=Security of buildings & property	Operational	Confidential
B11=Private Property	Historical	Public/Confidential mix

C: Council

C01=Council – general	Operational	Public
C02=By-laws	Historical	Public
C03=Minutes	Historical	Public/Confidential mix
C04=Committee of the Whole meetings	Historical	Public/Confidential mix
C05=Council meetings	Historical	Public/Confidential mix
C06=Elections	Historical	Public
C07=Reports to Council	Operational	Public/Confidential mix
C08=Intergovernmental affairs (incl. resolution endorsements)	Operational	Public/Confidential mix
C09=Clerk's notes	Historical	Public/Confidential mix
C10=Committees (of Council or reporting to Council)	Historical	Public/Confidential mix

D: Development

D01=General	Operational	Public
D02=Approaches to Council for partnerships	Operational	Public/Confidential mix
D03=Info on Development Property	Operational	Public/Confidential mix
D04=subdivisions	Historical	Public
D05=plans, official plans	Historical	Public
D06=Comprehensive Zoning By-law	Historical	Public
D07=Studies and Consultant Reports	Historical	Public
D08=Economic Development	Operational	Public/Confidential mix

E: Environmental Services/Management (excl. Waste Management)

E01=General	Operational	Public
E02=Climate Change	Operational	Public
E03=Endangered Species	Operational	Public
E04=Nutrient Management/Livestock	Operational	Public
E05=Contaminated Site Remediation	Historical	Public/Confidential mix
E06=Drainage, flooding, flood control & remediation	Operational	Public

F: Finance

F01=General	Operational	Public
F02=Accounts Payable	Fiscal	Public
F03=Accounts Receivable (including write-offs)	Fiscal	Public/Confidential mix
F04=Audits; Audited Financial Statements	Historical	Public
F05=Banking	Operational	Public
F06=Budgets	Historical	Public
F07=Assets and Asset Management	Fiscal	Public
F08=Debt/Borrowing	Fiscal	Public
F09=Financial Statements	Historical	Public
F10=General Ledgers & Journals	Historical	Public/Confidential mix
F11=Grants	Fiscal	Public
F12=Investments	Fiscal	Public
F13=Payroll	Fiscal	Confidential
F14=Purchase orders	Fiscal	Public
F15=Quotations, Tenders & Requests for Proposal	Fiscal	Public/Confidential mix
F16=MPAC/Property Assessment	Operational	Public/Confidential mix
F17=OPTA/Property Taxation	Operational	Public
F18=Trust Accounts	Historical	Public
F19=Working Papers	Fiscal	Public
F20=Year End Financial Reports	Fiscal	Public
F21=Insurance	Fiscal	Public/Confidential mix
F22=Reserve Funds	Fiscal	Public
F23=Property Taxation & related revenue	Fiscal	Public
F24=Revenue other than Property Taxation	Fiscal	Public
F25=HST and other Taxes levied on Neebing	Fiscal	Public
F26=Annual Assessment Rolls	Historical	Public

H: Human Resources

H01=General (includes scheduling)	Operational	Public
H02=Benefits	Operational	Public/Confidential mix
H03=WSIB/Health & Safety	Operational	Public/Confidential mix
H04=Employee Records (includes timesheets)	Historical	Public/Confidential mix
H05=Incident Reports involving injuries to persons	Legal	Public/Confidential mix
H06=Job Descriptions & organizational charts	Operational	Public
H07=Labour Relations (includes negotiations; grievances; labour disputes)	Operational	Public/Confidential mix
H08=OMERS	Fiscal	Public/Confidential mix
H09=Recruitment and Succession Planning	Operational	Public/Confidential mix
H10=Training & Development	Operational	Public/Confidential mix

I: Information Systems (Paper or Electronic)

I01=General	Operational	Public
I02=Historical/Archival records	Historical	Public
I03=Mail/postal/courier	Operational	Public
I04=Visual Identity	Operational	Public
I05=Telecommunications	Operational	Public
I06=Filing Systems	Operational	Public

L: Legal Affairs

L01=Tribunal hearings	Legal	Public/Confidential mix
L02=Claims by Neebing	Legal	Public/Confidential mix
L03=Claims against Neebing	Legal	Public/Confidential mix
L04=Agreements & Contracts (incl. leases)	Legal	Public/Confidential mix
L05=Legal opinions	Legal	Confidential
L06=Deeds to Property	Historical	Public
L07=Risk Management	Operational	Public/Confidential mix

M: Mapping and Surveying

M01=Maps involving Neebing or part of Neebing	Historical	Public, subject to Copyright
M02=Maps outside of Neebing	Historical	Public, subject to Copyright
M03=Surveys and Reference Plans	Historical	Public, subject to Copyright

P: Protection & Enforcement

P01=General	Operational	Public
P02=Municipal law Enforcement	Legal	Public/Confidential mix
P03=Emergency Planning	Operational	Public/Confidential mix
P04=Emergency Services	Operational	Public
P05=Licenses/permits issued BY Neebing	Operational	Public/Confidential mix
P06=Licenses/permits issued TO Neebing	Operational	Public

P07=incident reports involving damage to property	Legal	Public/Confidential mix
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R: Recreation & Culture

R01=General	Operational	Public
R02=Library	Operational	Public
R03=Blake Hall (programming and management)	Operational	Public
R04=Parks (programming and management)	Operational	Public

S: Social Services & Health Care

S01=General	Operational	Public
S02=Social Assistance Programs	Operational	Public
S03=Cemetery Records	Historical	Public/Confidential mix
S04=Cemetery Operation	Operational	Public
S05=Health Programs in Neebing	Operational	Public/Confidential mix

T: Transportation/Public Works

T01=General	Operational	Public
T02=Bridges & Culverts	Operational	Public
T03=Road System (design, construction & maintenance)	Operational	Public
T04=Signs	Operational	Public
T05=Aggregate	Operational	Public
T06=Streetlights	Operational	Public
T07=parking	Operational	Public
T08=Driving controls (speed limits; stop/yield, etc.)	Operational	Public

V: Vehicles, Equipment and Supplies

V01=General	Operational	Public
V02=Equipment	Operational	Public
V03=Furniture & Fixtures	Operational	Public
V04=Information technology equipment & software	Operational	Public
V05=Vehicles	Operational	Public

Schedule Two to By-law 030-2015
Records, Files and Documents with No Retention Period

The items and Records listed in this Schedule may be disposed of at any time at the discretion of the Clerk.

1. Any information items on hand that do not meet the definition of "Record" in this By-law.
2. Advertisements or notices for training or events that were not attended and for which the date to attend has passed.
3. Advertisements for products or services that the Corporation does not require for its business.
4. Email messages which are entirely repeated in subsequent email messages.
5. Email messages which were written solely for the purpose of scheduling a meeting or a telephone call may be disposed of at any time after the meeting or telephone call which was the subject matter of the email messages has been held or has been cancelled without being re-scheduled.
6. Original telephone messages for which the carbon copy is retained in the message book in accordance with this By-law.
7. The sender's copy of an email sent from one internal workstation to another internal workstation.
8. Rough notes or draft documents which have been superseded by the next draft or a final document.
9. Duplicate copies of Records that are otherwise retained in accordance with this By-law, provided they are exact duplicates.
10. Out of date research materials.

**Schedule Three to By-law 030-2015
Records to Be Retained for Two Years**

Subject to authorization by Council under Section 4.04(d), and/or Schedule Seven of this By-law, Records that shall be retained on site at the Municipal Office for a total retention period of two years are all Records with the TOMRMS Codes that follow:

- a) A03; A05; A06; A11;
- b) C01; C07; C08;
- c) D01; D02;
- d) E01;
- e) F01; F15; F16; F17;
- f) H01; H02;
- g) I01; I03;
- h) P01;
- i) R01; R02;
- j) S01; S04; S05;
- k) T01; and
- l) V01.

**Schedule Four to By-law 030-2015
Records to Be Retained for Five Years**

Subject to authorization by Council under Section 4.04(d), and/or Schedule Seven of this By-law, Records that shall be retained on site at the Municipal Office for a period of two years, and then transferred to storage off-site for a period of three years (for a total retention period of five years) are all Records with the TOMRMS Codes that follow:

- a) C06, excepting any records relating to the election that are required by the Municipal Elections Act, 1996 to be destroyed;
- b) D03;
- c) E02; E03; and E04.

**Schedule Five to By-law 030-2015
Records to Be Retained for Eight Years**

Subject to authorization by Council under Section 4.04(d), and/or Schedule Seven of this By-law, Records that shall be retained on site at the Municipal Office for a period of two years, and then transferred to storage off-site for a period of six years (for a total retention period of eight years) are all Records with the TOMRMS Codes that follow:

- a) A01; A02; A08; A09; A10;
- b) B01; B06; B09;
- c) D08;
- d) E06;
- e) F02; F03; F05; F06; F11; F13; F14; F19; F20; F23; F24; F25;
- f) H03; H07; H08; H09; H10;
- g) I05;
- h) P03; P04;
- i) R03; R04;
- j) S02;
- k) T04; T05; T07 and T08.

**Schedule Six to By-law 030-2015
Records to Be Retained for Ninety-Nine Years**

Subject to authorization by Council under Section 4.04(d), and/or Schedule Seven of this By-law, Records that shall be retained on site at the Municipal Office for a period of two years, and then transferred to storage off-site for a period of ninety-seven years (for a total retention period of ninety-nine years) are all Records with the TOMRMS Codes that follow:

- a) A04;
- b) B05;
- c) F21;
- d) H04; H05;
- e) M02; and
- f) P07.

Schedule Seven to By-law 030-2015
Records With Varied Retention Periods

1. Records with TOMRMS Code A03 (Organizations and Associations) for organizations or associations with which the Corporation has an ongoing relationship shall be maintained on site at the Municipal Office for as long as the Corporation has a relationship with the organization or association in question. When that relationship ends or when the organization or association dissolves, the Record shall be transferred off site for a retention period of five years, commencing at the time of the termination of the relationship or dissolution of the organization or association.
2. Records with TOMRMS Code A07 (Policies/Procedures) shall be maintained on site at the Municipal Office for as long as the policy or procedure in question is operational. When a policy or procedure is either discontinued or superseded, the Records relating to it shall be transferred off site for a retention period of two years, commencing at the time of the discontinuance of the application of the policy or procedure.
3. Records with TOMRMS Codes B02 (building maintenance/renovation); B03 (building construction); B04 (utility installation) or B10 (security of buildings and property) shall be maintained on site at the Municipal Office for as long as the building, utility or security system which is the subject matter of the Record remains in existence and owned or operated by the Corporation. When a building is demolished or when a utility installation or security system is removed, the Records relating to it shall be transferred off site for a retention period of two years, commencing at the time of the demolition of the building or removal of the utility installation or security system.
4. Records with TOMRMS Code D07 (Studies and Consultants Reports) shall be maintained on site at the Municipal Office for as long as the business or matter for which the study or report was prepared remains operational. When the business or matter is either discontinued or superseded, the Records relating to it shall be transferred off site for a retention period of two years, commencing at the time of the discontinuance of the application of the business or matter.
5. Records with TOMRMS Code F07 (Assets and Asset Management) shall be maintained on site at the Municipal Office for as long as the asset which is the subject matter of the Record is owned by the Corporation. When the asset is destroyed, disposed of or replaced, the Records relating to it shall be transferred off site for a retention period of two years, commencing at the time of the destruction, disposal or replacement.

6. Records with TOMRMS Code F08 (Debt/Borrowing) shall be maintained on site at the Municipal Office for as long as any portion of the debt remains outstanding and payable. When the debt has been fully repaid, the Records relating to it shall be transferred off site for a retention period of eight years, commencing at the time of the transfer off-site.
7. Records with TOMRMS Code F12 (investments) shall be maintained on site at the Municipal Office for as long as the investment which is the subject matter of the Record is maintained. When the investment is liquidated, the Records relating to it shall be transferred off site for a retention period of eight years, commencing at the time of the transfer off site.
8. Records with TOMRMS Codes F18 (Trust Accounts) or F22 (Reserve Funds) shall be maintained on site at the Municipal Office for as long as the Trust Account is active. When the account is closed, the Records relating to it shall be transferred off site for a retention period of eight years, commencing at the time of the transfer off-site.
9. Records with TOMRMS Codes H06 (job descriptions and organizational charts), I04 (visual identity) and I06 (filing systems) shall be maintained on site at the Municipal Office until they are superseded. When they are superseded, the Records shall be transferred off site for a retention period of two years, commencing at the time of the transfer off-site.
10. Records with TOMRMS Code L04 (Agreements and Contracts) shall be maintained on site at the Municipal Office for as long as the agreement which is the subject matter of the Record is in force, including any time period relating to after-termination obligations in accordance with the terms and conditions of the agreement or contract. When the obligations under the agreement have concluded, the Records relating to it shall be transferred off site for a retention period of eight years, commencing at the time of the transfer off-site.
11. Records with TOMRMS Code L06 (deeds to property) or P07 (incident reports involving damage to property) shall be maintained on site at the Municipal Office for as long as the property which is the subject matter of the Record is owned by the Corporation. When the property is disposed of, the Records relating to it shall be transferred off site for a retention period of five years, commencing at the time of the destruction, disposal or replacement.
12. Records with TOMRMS Codes P05 (licenses/permits issued by Neebing) or P06 (licenses/permits issued to Neebing) shall be maintained on site at the Municipal Office for as long as the permit or license is operational. When the permit or license expires, the Records relating to it shall be transferred off site for a retention period of five years, commencing at the time of the transfer off site.

13. Records with TOMRMS Codes T02 (bridges and culverts), T03 (road systems), T06 (streetlights), V02 (equipment), V03 (furniture & fixtures), V04 (information technology equipment and software) and V05 (vehicles) shall be maintained for the entire useful life of the asset to which they pertain. When the asset is disposed of or sold, or the road is closed, the relevant records shall be transferred off site for a retention period of five years, commencing at the time of the transfer off site. When the purchaser of an asset wishes to receive relevant records pertaining to that asset, the originals shall be transferred with the asset, with a copy placed in the relevant file.
14. Where legal action is threatened or taken against or by the Corporation, all Records that are relevant to that legal action shall be collected and maintained securely on site at the Municipal Office for the entire period of time in which the action is active and until all possible avenues of appeal have been exhausted. At that point in time, the Records may be transferred off site, and then retained for the period specified in the relevant Schedule to this By-law for off-site retention.
15. Provincial or Federal legislation that requires Records to be maintained for periods of time and/or in a manner differently than as set out in this By-law shall be maintained in accordance with the Provincial or Federal legislation and not as set out in this By-law.
16. All rules set out in this Schedule Seven, with the exception of Rule 13, are subject to change in individual circumstances through authorization by Council under Section 4.04(d) of this By-law.

**Schedule Eight to By-law 030-2015
Records to Be Retained Permanently**

1. Subject to authorization by Council under Section 4.04(d), and/or Schedule Seven of this By-law, Records that shall be retained permanently are all Records with the TOMRMS Codes that follow:
 - a) B07; B08; B11;
 - b) C02; C03; C04; C05 C09; C10;
 - c) D04; D05; D06;
 - d) E05;
 - e) F04; F09; F10; F26;
 - f) I02;
 - g) L01; L02; L03; L05; L06;
 - h) M01; M03;
 - i) P02; and
 - j) S03.
2. The location for permanent Records shall be at the Municipal Office unless Council determines otherwise through amendment to this By-law.