

DISTRICT OF LAKE COUNTRY

BYLAW 1135

A BYLAW TO PROVIDE FOR RECORDS MANAGEMENT FOR THE DISTRICT OF LAKE COUNTRY

NOW THEREFORE the Council of the District of Lake Country, in open meeting assembled, enacts as follows:

1. CITATION

1.1. This Bylaw may be cited for all purposes as “Records Management Bylaw 1135, 2020”

2. DEFINITIONS

2.1. In this Bylaw:

Corporate Officer means the person designated and authorized to act on behalf of the organization to manage and maintain the records management system, or his or her designate.

District means the organization of the **District** of Lake Country.

Record includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means but does not include a computer program or any other mechanism that produces records.

Records Management System includes a system used by the District of Lake Country to manage the records of the municipality from record creation through to record disposal.

Records Retention Schedule means the classification schema and retention schedules authorized by the Corporate Officer for all records.

3. RECORDS MANAGEMENT SYSTEM

3.1. The Records Management System currently used by the District is authorized.

4. COMPLIANCE WITH RECORDS MANAGEMENT SYSTEM

4.1. All records in the custody or control of employees, which are created or received in the context of their functional responsibilities, are the property of the District.

4.2. This bylaw does not apply to records:

- (a) created or received by a member of Council other than those created, received or used in their capacity as a member of Council;
- (b) of employees that are personal in nature, do not relate to the operations of the District and are not required for operations; or

- (c) of Council Committees, community associations or other organizations or entities which have an operating agreement with the District where records are not in the custody or control of the District.

5. MANUAL OF POLICY AND PROCEDURES

- 5.1. The Corporate Officer is authorized to create and maintain a manual of policy and procedures (the "Manual") based on the LGMA Records Management Manual for Local Government Organizations.
- 5.2. Records of the District are created, accessed, maintained and disposed of as provided by the Manual.

6. CORPORATE OFFICER

- 6.1. The Corporate Officer is authorized to manage, maintain, prepare, review and amend:
 - (a) the records management system for the District;
 - (b) the Manual;
 - (c) the Records Retention Schedule; and
 - (d) procedures, standards and guidelines necessary to the application of this bylaw
- 6.2. The Corporate Officer is authorized to delegate any duty, power or function assigned to the Corporate Officer under this bylaw except the delegation must be in writing and may be subject to conditions and restrictions as determined appropriate by the Corporate Officer.

7. INTEGRITY AND AUTHENTICITY MAINTAINED

- 7.1. The Records Management System must maintain the integrity and authenticity of records made or kept in the usual and ordinary course of business.

8. RECORDS RETENTION SCHEDULE

- 8.1. The District shall adhere to the Records Retention Schedule contained in the Manual. The Records Retention Schedule must:
 - (a) prescribe the period of time that records are kept to meet the operational, legal, regulatory, financial or other requirements of District Records; and
 - (b) provide instructions as to the manner and time of the disposition of a record.
- 8.2. The Information Technology Department is responsible for maintaining the systems on which electronic records can be stored, accessed and managed.

9. DISPOSITION OF RECORDS

- 9.1. In accordance with the Records Retention Schedule, the District will:
 - (a) appraise all records for retention and destruction;
 - (b) provide secure and appropriate disposition for records no longer required to be maintained.
- 9.2. The Corporate Officer may order records to be destroyed or otherwise disposed of in accordance with the Records Retention Schedule.

9.3. In the case of Records in electronic form, the Information Technology Department must ensure that destruction includes all copies, versions and backups of such records.

10. COMPLIANCE WITH LAW

10.1. The Records Management System must comply with the Manual, applicable laws and any provincial, national or international standards adopted for use and contained in the Manual.

11. SEVERABILITY

11.1. If any part of this Bylaw is for any reason held invalid by any court of competent jurisdiction, the invalid portion shall be severed and the severance shall not affect the validity of the remainder of this Bylaw.

12. REPEALS

12.1. Records Retention and Disposal Bylaw 627, 2007 and all amendments thereto are hereby repealed.

READ A FIRST TIME this 15th day of December, 2020
READ A SECOND TIME this 15th day of December, 2020
READ A THIRD TIME this 15th day of December, 2020

ADOPTED this 19th day of January, 2021.

Original signed by James Baker
Mayor

Original signed by Reyna Seabrook
Corporate Officer

I hereby certify the foregoing to be a true and correct copy of "Records Management Bylaw 1135, 2020" as adopted by Council on the 19th day of January, 2021.

Dated at Lake Country, B. C.

Corporate Officer