

APPENDIX 'B'

Bill No.
2015

By-law No. A.- _____

A by-law to provide for the classification, retention and destruction of the records of The Corporation of the City of London and to repeal By-law No. A.-4640-291 being "A by-law to provide for the retention of documents and for the destruction of certain documents".

WHEREAS Section 254 of the *Municipal Act, 2001, S.O. 2001, Chapter 25*, as amended, requires municipalities to retain and preserve the records of the municipality and its local boards in a secure and accessible manner;

AND WHEREAS Section 255 of the *Municipal Act, 2001, S.O. 2001, Chapter 25*, as amended, permits municipalities and its local boards to destroy records if a retention period for the record has been established under this section and the retention period has expired or the record is a copy of the original record;

AND WHEREAS the City Auditor approved Schedule "A" attached to this By-law on October 13, 2015;

AND WHEREAS the Council of The Corporation of the City of London deems it expedient to retain, preserve and destroy municipal records:

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

SHORT TITLE: RECORDS CLASSIFICATION AND RETENTION BY-LAW

1. DEFINITIONS

In this by-law:

- a. "**Corporation**" means The Corporation of the City of London.
 - b. "**Functional**" refers to a classification method for organizing records based on the actual business function, activity or transaction type associated with the records. The Records Retention Schedule attached as Schedule A is the Corporation's functional classification system.
 - c. "**Record**" means information however recorded or stored, whether imprinted form, on film, by electronic means or otherwise, and includes documents, financial statements, minutes, accounts, correspondence, memoranda, plans, maps, drawing, photographs and films".
 - d. "**Transitory Record**" means records, regardless of format, that have temporary usefulness and are not required to meet statutory obligations, set policy, establish guidelines or procedures, certify a transaction, become a receipt or provide evidence of a legal, financial, operational or other decisions of the municipality.
2. The Corporation will classify, retain and destroy records in accordance with this by-law and the Records Classification & Retention Schedule attached as Schedule A.
 3. When records exist which fall outside of those listed in the Records Classification & Retention Schedule, functional classification based on an analysis of the Corporation's business activities and legislative responsibilities shall be the guiding principle for classifying, retaining, and destroying those records in cooperation with the Manager of Records and Information Services, or designate.

4. Electronic records may be stored in databases, shared drives, servers or SharePoint sites. Records classifications and retention periods indicated in the Records Classification & Retention Schedule apply equally to paper and electronic records.
5. All emails in the Microsoft Exchange system which have not already been deleted as transitory records and are older than 5 years from date of receipt or creation will automatically be permanently destroyed.
6. Unless otherwise specified in the Records Classification & Retention Schedule, or unless required for legal purposes or as otherwise provided by law, transitory records may be destroyed at any time.
7. By-law No. A.-4640-291 being "A by-law to provide for the retention of documents and for the destruction of certain documents" passed on the 5th day of July 1982 is hereby repealed.

PASSED in Open Council on _____.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First reading --
Second reading --
Third reading --