

THE CORPORATION OF THE  
TOWN OF PELHAM  
BY-LAW #1853 (1996)

Being a by-law to provide periods of retention for  
and to provide for the destruction of receipts,  
vouchers, instruments, rolls or other documents,  
records and papers.

WHEREAS Section 116 of the Municipal Act, R.S.O. 1990, Chapter M.45  
provides for the establishment of schedules of retention periods during which the receipts,  
vouchers, instruments, rolls or other documents, records and papers must be kept by the  
municipality or local board;

AND WHEREAS Section 116 of the Municipal Act, R.S.O. 1990, Chapter  
M.45 states that a municipality or a local board thereof, as defined in the Municipal Affairs Act,  
except a school board, shall not destroy any of its receipts, vouchers, instruments, rolls or other  
documents, records and papers except:

- (a) after having obtained the approval of the Ministry; or,
- (b) in accordance with a by-law passed by the municipality and approved  
by the auditor of the municipality establishing schedules of retention  
periods during which the receipts, vouchers, instruments, rolls or other  
documents, records and papers must be kept by the municipality or local  
board.

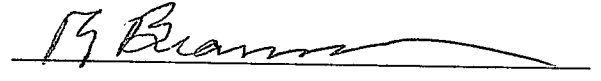
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE  
TOWN OF PELHAM ENACTS AS FOLLOWS:

- (1) All receipts, vouchers, instruments, rolls or other documents, records and  
papers shall be retained in reasonably safe and secure locations for a period according to the  
"Schedule of Retention and Destruction of Records" appended hereto.
- (2) That any or all receipts, vouchers, instruments, rolls or other documents,  
records and papers may be destroyed after expiry of the retention period described in the  
"Schedule of Retention and Destruction of Records" appended hereto.
- (3) That the retention of any or all receipts, vouchers, instruments, rolls or  
other documents, records and papers may be by means of photographing onto approved archival  
quality microfilm, after the testing of which process the original documents may be destroyed.

(4) That this by-law is to be construed as permissive and not mandatory. In the event of any conflict between this by-law and any statute or regulation of the Government of Canada, Government of the Province of Ontario or other government or agency having jurisdiction and without limiting the generality of the foregoing to include the Income Tax Act, R.S.O. 1990, Chapter I.2, the Employment Standards Act, R.S.O. 1990, Chapter E.14 and the Municipal Elections Act, R.S.O. 1990, Chapter M.53, such statute or regulation shall prevail. If changes in the act or other factors cause the retention of any documents or records beyond the period stipulated in this by-law to be required or to be expedient, then such documents or records shall be retained according to such requirements or according to their importance or significance.

(5) That By-law #777 (1982) as amended, be and the same is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME  
AND FINALLY PASSED BY COUNCIL THIS  
4TH. DAY OF NOVEMBER, 1996 A.D.

  
MAYOR

  
CLERK