

THE CORPORATION OF THE
TOWN OF PELHAM
BY-LAW #2297 (2001)

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 "Records Retention Schedule/Citation Table" appended hereto and marked as Schedule "A"..
- (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 "Records Retention Schedule/Citation Table" appended hereto and marked as Schedule "A".
- (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.

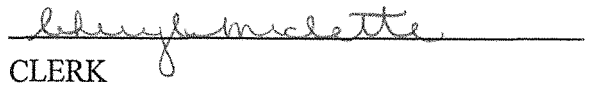
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(4) That this by-law is to be construed as permissive and not mandatory. In the event of any conflict between this by-law and any statute or regulation of the Government of Canada, Government of the Province of Ontario or other government or agency 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 #1853 (1996) be and the same is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
18th. DAY OF JUNE, 2001 A.D.


MAYOR


CLERK