

PROPOSED

C2023-1045
ATTACHMENT 1

BYLAW NUMBER 54M2023

BEING A BYLAW OF THE CITY OF CALGARY FOR THE RETENTION AND DISPOSITION OF THE CITY OF CALGARY'S RECORDS

WHEREAS Council has considered C2023-1045 and has decided to pass this bylaw;

AND WHEREAS section 214(1) of the *Municipal Government Act*, RSA 2000 c. M-29 provides that a Council may authorize the destruction of original bylaws and minutes of Council if the originals have been recorded by a method that will enable copies of the originals to be made;

AND WHEREAS section 214(2) of the *Municipal Government Act*, provides that a Council may pass a bylaw respecting the destruction of other records and documents of the municipality;

AND WHEREAS section 203 of the *Municipal Government Act*, provides that Council may delegate any of its powers, duties or functions to a designated officer of the City and section 212 further provides that a designated officer may further delegate those powers, duties or functions;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

Short Title

1. This Bylaw may be cited as "The City of Calgary Records Retention and Disposition Bylaw".

Interpretation and Definitions

2. (1) In this Bylaw, unless context otherwise requires:
 - (a) "City" means the municipal corporation of The City of Calgary;
 - (b) "City Clerk" means the designated officer under Bylaw 73M94;
 - (c) "record" means information, data or other document that is written, photographed, recorded, or stored in any manner or form, and includes notes, images, audiovisual recordings, x-rays, books, documents, maps, drawings, photographs, letters, vouchers and papers and any other information; and
 - (d) "retention schedule" means the Corporate Records Classification and Retention Schedule established by the City Clerk under this Bylaw that classifies and lists corporate records maintained by all or part of the City, together with the agreed upon lengths of time they must be retained.

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- (2) Where this Bylaw cites or refers to any act, regulation, code or other bylaw, the citation or reference is to the act, regulation, code or other bylaw as amended, whether amended before or after the commencement of this Bylaw, and includes reference to any act, regulation, code or other bylaw that may be substituted in its place.

Retention and Disposition

3. (1) The *City Clerk* may:
 - (a) make and approve *City records retention schedules*; and
 - (b) subject to subsections (2) and (3) destroy *City records* in accordance with approved records *retention schedules*.
- (2) If a *City record* contains an individual's personal information used to make a decision that directly affects that individual, the *City* must retain the personal information for at least one year after using it so that the individual has a reasonable opportunity to obtain access to it.
- (3) The *City Clerk* may destroy original bylaws and minutes of Council meetings in accordance with section 214(1) of the *Municipal Government Act*, RSA 2000 c. M-29.

Transitional

4. Bylaw 53M99 is hereby repealed.

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Coming into Force

5. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____