



EXPLANATORY MEMO

RECORDS MANAGEMENT BYLAW, 2023

NO. 3231

PURPOSE:

The purpose of Bylaw No. 3231 is to replace the City's outdated Retention and Destruction of Records Policy, 1982, Bylaw No.1206 with a new Records Management Bylaw to formally authorize the City's current records management system and to designate and authorize the Corporate Officer to act on behalf of the City to manage and maintain the records management system.

BACKGROUND:

The City adopted Retention and Destruction of Records Policy, Bylaw 1206 in 1982.

In 2006, the City implemented software to manage departments' electronic records and introduced a new records classification and retention schedule based on the Local Government Management Association's (LGMA) file classification and retention schedule.

The LGMA file classification and retention schedule was created specifically for local governments and reflects legal and statutory records retention requirements for both hard copy and electronic records.

In order to comply with current applicable legislation:

1. The records management system that is currently being used by the City must be authorized by Council;
2. The City must designate a specific person, with express authority, to take responsibility to manage and maintain the records management system.

Accordingly, it is recommended that Bylaw No. 1206 be repealed and replaced by new Records Management Bylaw No. 3231 that formally authorizes the use of the LGMA file classification and retention schedule and authorizes the Corporate Officer to act on behalf of the City to manage and maintain the file classification and retention schedule as part of the City's records management system.



RECORDS MANAGEMENT BYLAW, 2023

BYLAW NO. 3231

A bylaw to establish the City's records management system and to designate and authorize a City of Langley Officer to act on behalf of the City to manage and maintain the records management system.

The Council of the City of Langley in open meeting assembled enacts as follows:

1. CITATION

This bylaw may be cited as "Records Management Bylaw, 2023, No. 3231".

2. DEFINITIONS

In this Bylaw:

Designated Officer means the individual assigned the responsibility for corporate administration for the City of Langley under the *Community Charter*;

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 City of Langley to manage the records of the City of Langley from record creation through to records disposal and includes use of the file classification and retention schedule, as amended from time to time, created by the Local Government Management Association for local governments' use.

3. RECORDS MANAGEMENT SYSTEM AUTHORIZED

The Records Management System currently used by the City of Langley is authorized.

4. COMPLIANCE WITH RECORDS MANAGEMENT SYSTEM

All records in the custody and control of the employees of the City of Langley are the property of the City of Langley. All records of the City of Langley must comply with the Records Management System and this bylaw. All employees, management, service providers and volunteers of the City of Langley must comply with this bylaw.

5. DESIGNATED OFFICER

The Designated Officer is responsible for the management and maintenance of the Records Management System. The Designated Officer is authorized to manage and maintain the Records Management System.

6. MANUAL OF PROCEDURES AND POLICY

The Designated Officer is authorized to create and maintain a manual of procedures and policy (the "Manual"). Records of the City of Langley are created, accessed, maintained, and disposed of only as provided by the Manual.

7. INTEGRITY AND AUTHENTICITY MAINTAINED

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

8. AUTHORIZATION TO AMEND MANUAL

The Designated Officer is authorized to amend the Manual.

9. COMPLIANCE WITH LAW

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.

10. REPEAL

City of Langley Retention and Destruction of Records Policy, 1982, No. 1206 and its amendments are repealed.

11. SEVERABILITY

If any provision of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

READ A FIRST, SECOND AND THIRD TIME this sixteenth day of January, 2023.

FINALLY ADOPTED this day of , 2023.

MAYOR

CORPORATE OFFICER