

BYLAW NO. 5/2026
MUNICIPAL DISTRICT OF PEACE NO. 135
IN THE PROVINCE OF ALBERTA

A Bylaw of the Municipal District of Peace No.135, Province of Alberta, establishing regulations and procedures for the retention and disposal of Municipal records pursuant to the provisions of Section 214 of the MGA being Chapter M-26.1 Statutes of Alberta, 1994 as well as compliance with the *Access to Information Act*, Chapter A-1.4 and the *Protection of Privacy Act*, Chapter P-28.5 and amendments thereto.

WHEREAS, the Municipal District of Peace No.135 desires to provide regulations and procedures for the retention and disposal of municipal records, including, but not limited to: correspondence, vouchers, receipts, agendas, minutes, and any other records in the custody and control of the Municipal District of Peace No.135;

AND WHEREAS it is the desire of the Municipality to establish the necessary authority to release municipal records to the Alberta Archives or other Archival centers on a permanent loan or retention basis;

NOW THEREFORE, the Council of the Municipal District of Peace No.135, Province of Alberta, duly assembled, enacts as follows:

1. Title

- 1.1 This Bylaw is cited as the Records Retention and Disposition Bylaw of the Municipal District of Peace No.135.

2. Definitions

- 2.1 "Official" shall mean the Chief Administrative Officer (CAO), as defined by the MGA or designate duly appointed by the CAO of the Municipal District of Peace No.135.
- 2.2 "Records" shall mean all ledgers, receipts, vouchers, instruments, correspondence, maps, agendas, minutes, tax and assessment rolls, or any other information in the custody or control of the Municipal District of Peace No.135 in any form or format.
- 2.3 "Transitory Record" shall mean records that have short-term, immediate, or no value and will not be required for future reference.
- 2.4 "Confidential" shall mean any record which contains personal information about individuals, third-party commercial, financial, scientific, or technical information supplied either explicitly or implicitly in confidence, or other sensitive information as described in Sections 19-34 of the *Access to Information Act*.
- 2.5 "General Records" shall mean those records which are used in day-to-day operations and are required to formulate recommendations, are used for scheduling, and are used for information to assist in the operation of the Municipality.

3. Symbols

- 3.1 When used in this Bylaw and the schedules attached hereto, as well as in the operation of any Records Management System consistent with this Bylaw, the following symbols shall be used to designate the form of retention or disposal required:
- Destroy (D)
 - Selective Retention (SR)
 - Archives (A)
 - Transfer (T)
 - Permanent (P)

4. Retention and Destruction

- 4.1 All Transitory Records, which do not contain confidential information, shall be disposed of at any time when they no longer serve any valid purpose.
- 4.2 All Transitory Records containing potentially confidential information shall be disposed of in a manner so that the information contained therein is completely obliterated when they no longer serve any valid purpose.
- 4.3 All General Records of the Municipal District of Peace No.135 shall be destroyed as per Schedule "A".
- 4.4 Should individual personal information, as defined in Section 1 of the *Protection of Privacy Act* be used by the Municipal District of Peace No.135 to make a decision that directly affects the individual, the Municipal District of Peace No.135 shall retain the personal information for at least one (1) year from the date it was used to make the determination, so that the individual has a reasonable opportunity to obtain access to it.
- 4.5 Where in this Bylaw and Schedule "A" attached hereto, it is provided that particular records in the custody or control of the Municipal District of Peace No.135 shall be:

Destroyed (D)

Such records shall be destroyed so that the information contained therein is completely obliterated without any copy thereof being retained; and

Permanent (P)

Such original shall be preserved and never destroyed, excepting original records, which have been recorded on digital form; and

Archives (A)

Such records shall be released to either the Provincial Archives or other local archives upon decision and direction of the Council of the Municipal District of Peace No.135, and a copy of the transferred record index shall be permanently retained on file; and

Transfer (T)

Such records shall be transferred to the authority responsible for the records upon decision and direction of the Official when they are no longer under the authority or responsibility of the Municipal District of Peace No.135, and a copy of the transferred record index shall be permanently retained on file.

5. Discretion

- 5.1 The Official shall always have a discretion to retain records longer than the period provided for in this Bylaw and shall do so where the Official deems it appropriate, or where the Official has an indication that there is or may be any litigation involving any of said records.

6. Access to Information Act (ATIA) Requests

- 6.1 Where the Official has received an indication that there is or may be an ATIA request involving any records scheduled for destruction, the Official is obligated to retain said records for a period of one (1) year after the ATIA request has been made, and such decisions to retain the records longer than the period provided for herein shall be recorded in the record retention index.

7. Permanent Retention and Destruction

- 7.1 When records have been destroyed under the Bylaw, except for Transitory Records, the Official shall so certify in writing; such certification shall identify the records destroyed.

Destruction of all records shall be carried out in the presence of a witness. The person destroying the records shall provide a statement, in writing, attesting to the time and location of the destruction of the records, a list of the records destroyed, and the names of persons who witnessed the destruction. The statement of disposition shall be presented to Council and permanently filed in the M.D. of Peace office.

8. Record Retention Schedules

The attached Schedule "A" may be amended by resolution of Council.

9. Repeal

Bylaw No. 7/99 is hereby repealed.

10. Effective Date

This bylaw shall come into force and effect on the date of its final passing.

First reading given on the 26th day of May 2026.

Second Reading given on the 26th day of May 2026.

Given UNANIMOUS consent to go to third reading on the 26th day of May 2026.

Third Reading and Assent given on the 26th day of May 2026.


Robert Willing, Reeve


Brian Allen,
Chief Administrative Officer