

# CITY OF KELOWNA

## BYLAW NO. 10400

### CORPORATE RECORDS AND INFORMATION MANAGEMENT PROGRAM BYLAW NO. 10400

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The Municipal Council of the City of Kelowna, in open meeting assembled, hereby enacts as follows;

#### PART 1 - GENERAL

- 1.1 This bylaw may be cited for all purposes as City of Kelowna "Corporate Records Management Program Bylaw No. 10400".

#### PART 2 - INTERPRETATIONS

- 2.1 In this Bylaw:

"City" means the corporation of the City of Kelowna;

"City Clerk" means the Corporate Officer assigned responsibility for corporate administration under s.148 of the *Community Charter*; or their Council appointed Deputy;

"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 and Information Management Program" a program used by the City to manage the life-cycle records of the City from record creation through to final disposition;

"Records Schedule" means the records classification and retention schedule prepared under Part 3, as amended from time to time.

- 2.2 The definitions contained in Schedule 1 of the *Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996 Chapter 165*, as amended from time to time, shall apply to this bylaw except where the context requires otherwise.

#### PART 3 - RECORDS and INFORMATION MANAGEMENT PROGRAM ESTABLISHED

- 3.1 The records and information management program is established under the direction of the City Clerk to provide for the systematic control of the creation, use, maintenance, storage, security, retrieval, and disposition of records created or received by the City in the conduct of its operations.

- 3.2 **Records** of the **City** are created, accessed, maintained and disposed of only as provided by the **records schedule**.
- 3.3 The **City Clerk** is authorized to create and maintain a manual of policy and procedures that provides for the management of the records of the **City** and includes those related to the **records schedule** for:
- a) Custody & Control of **records**;
  - b) Creation or Receipt of **records**;
  - c) Access to **records**;
  - d) Disclosure of **records**;
  - e) Retention, Security and Storage of **records**;
  - f) Disposition of **records**;
  - g) Preservation of **records**; and
  - h) **Vital records**;
  - i) Any other matter(s) the **City Clerk** authorizes to be included in the manual.

#### **PART 4 - COMPLIANCE WITH RECORDS MANAGEMENT PROGRAM**

- 4.1 All **records** in the *custody and control* of the employees of the **City**, members of Council, and Committees of Council which are created or received in the context of their functional responsibilities are the property of the **City**.
- 4.2 All departments of the **City** shall ensure that all **records** in the custody and control of their respective departments are classified and scheduled in accordance with the **records schedule**.
- 4.3 Any contract between an outside agency or contractor and the **City**, for the provision of goods or services, must specify the conditions for the custody and control of the records resulting from such contract.

#### **PART 5 - AMENDMENT OF RECORDS MANAGEMENT PROGRAM**

- 5.1 The **City Clerk** is authorized to review and amend the **records and information management program** as required.

#### **PART 6 - EFFECTIVE DATE**

- 6.1 This bylaw comes into force and takes effect on the date of adoption.

Read a first, second and third time by the Municipal Council this 7<sup>th</sup> day of February, 2011.

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk