

CITY OF WEST KELOWNA

BYLAW NO. 0123

A BYLAW TO REGULATE THE CITY OF WEST KELOWNA'S RECORDS MANAGEMENT PROGRAM

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

1. Title

This bylaw may be cited for all purposes as the "City of West Kelowna Records Management Program Bylaw No. 0123, 2016".

2. Definitions

In this bylaw:

"City Clerk" means the Corporate Officer assigned responsibility for corporate administration under Section 148 of the *Community Charter*;

"City" means the City of West Kelowna;

"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" means the system used by the City to manage the records of the City from record creation to final disposition;

"Records Schedule" means the records classification and retention schedule implemented by the City Clerk for the identification, grouping, retrieval, management and disposition of City records.

3. Establishment of a Records Management Program

3.1 The Records Management Program is established and authorized 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, maintain, and amend policies and procedures for managing records in accordance with their lifecycle, from creation or receipt, through to final disposition, including but not limited to:
- a) Custody and control of records;
 - b) Creation and 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;
 - h) Vital records; and
 - i) Any other matter(s) the City Clerk authorizes to be included.

4. Compliance

- 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 must ensure that all records in the custody and control of their respective departments are classified and scheduled in accordance with the records schedule.

5. Severability

- 5.1 If a court of competent jurisdiction holds any portion of this bylaw invalid, then that invalid portion shall be severed and the remainder of this bylaw shall be deemed to have been adopted without the severed portion.

READ A FIRST, SECOND AND THIRD TIME THIS 24TH DAY OF MAY, 2016
ADOPTED THIS 12TH DAY OF JULY, 2016

Mayor

City Clerk