**THE CITY OF WINNIPEG**

**BY-LAW NO. 195/2007**

A By-law of THE CITY OF WINNIPEG
to amend the Records Management
By-Law No. 166/2003.

**THE CITY OF WINNIPEG**, in Council assembled, enacts as follows:

1. The Records Management By-law No. 166/2003 is amended:

(1) in Section 1.04 of Schedule B by deleting “areas” and substituting “arenas”’

(2) in Schedule C:

(i)

(a) in the second paragraph by deleting “B” and substituting “C”;

(b) in the **LIST OF RECORDS CLASSIFICATIONS**:

(A) by deleting the list under 21.00 ELECTIONS and substituting:

“21.00 ELECTIONS
21.01 Ballots and Election Materials
21.02 Candidate Registration Files
21.03 Elections Payroll Records
21.04 Elections Personnel Records
21.05 Elections Project Files
21.06 Voters List – Official Lists
21.07 Nomination Papers
21.08 Senior Election Official’s Records
21.09 Voter’s Notice Records”

(B) by adding at the end of 40.00 “40.03 Civic Charities Permit Records”;

(C) by adding at the end of 49.00 “49.02 Employment Insurance Records”;

(D) by adding at the end of 63.00 “63.04 Assessment Appeal Files”;

(E) in 80.01 by deleting “Burial” and substituting “Interment”;

(F) in 91.00 be deleting 91.07 and 91.09 and substituting respectively: “91.07 Legal Survey Monument Index” and “91.09 Miscellaneous Plans”;

(G) by adding at the end of 120.00 “120.03 Criminal Record Check Files”;

(H) in 127.03 by deleting "Fatal/Serious" and substituting "Serious";

(I) by adding at the end of 127.00:
"127.11 Fatal Motor Vehicle Accident Files".

(ii) in Section 18.11 by deleting "10" and substituting "2";

(iii) by deleting subsection 18.18;

(iv) by deleting subsections 21.01 and substituting:
"**21.01 Ballots and Election Materials**
**Function:** To provide a record of voting for each civic election voting station. **Description:** Ballots and other documents and materials related to an election or vote on a question as specified under *The Municipal Councils and School Boards Elections Act*.
**Retention & Disposition:** Destroy 6 months after the election results are declared subject to an application to challenge the results or a court order";

(v) in subsection 21.02 by deleting "By-law 5550/90" and substituting "By-law 20/2006";

(vi) by deleting subsections 21.06 and 21.07;

(vii) in subsection 21.08 by deleting the heading and substituting "**Voters List – 0ffical Lists**" and by deleting the Description and substituting:
"**Description:** Voters lists established by the Senior Election Official under *The Municipal Councils and School Boards Elections* Act";

(viii) in subsection 21.09 by deleting "Returning Officer" wherever it appears and substituting "Senior Election Official";

(ix) by deleting subsection 21.10 and substituting:
"**Senior Election Official's Records**
**Function:** To provide a record of civic elections and election proceedings as administered by the Senior Election Official.
**Description:** Correspondence, reports, agreements, legal opinions, policies and procedures and other documents related to the discharge of the Senior Election Official's duties as set out under *The Municipal Councils and School Boards Elections Act*.
**Retention & Disposition**: Archival";

(x) by deleting subsection 21.11;

(xi) by deleting subsection 21.12 and substituting:
"**Voter's Notice Records**
**Function:** To record the dispatch of notice of where to vote to eligible voters.
**Description:** Mailing lists, returned mail, receipts, correspondence and other documents related to mailing and distribution of voter notices to eligible voters on the voters list.

**Retention & Disposition:** Destroy 6 months after election results are declared subject to an application to challenge the results or court order";

(xii) in section 40 by adding at the end thereof:
"**40.03 Civic Charities Permit Records**
**Function:** To maintain a record of the issue and revocation of civic charities permits.
**Description:** Applications, supporting documents, criminal record checks, letters of permission, fundraising reports, correspondence and other records related to the issue and revocation of civic charities permits.
**Retention & Disposition:** Destroy 6 years after file closure";

(xiii) in section 49 by adding at the end thereof:
"**49.02 Employment Insurance Records**
**Function:** To maintain a record of the provision of employment insurance benefits.
**Description:** Records of Employment and other documents related to the determination of eligibility for employment insurance benefits.
**Retention & Disposition:** Destroy 6 years after file closure";

(xiv) in subsections 50.04 and 50.05 by deleting "Destroy 2 years after obsolete or superceded" and substituting "Destroy after 30 years";

(xv) in subsection 50.06 by deleting "1" and substituting "6";

(xvi) in subsection 50.08 by deleting "60 years after file closure" and substituting "after 6 years";

(xvii) after subsection 52.04, by deleting the heading "**Corporate Information Technology Department**" and the two following paragraphs and substituting:
"**INTERNAL SERVICES DEPARTMENT**
Records related to the activities and responsibilities of the Director of Internal Services including records related to policy and strategic advice and administrative leadership with respect to the City's corporate information program and services, human resource program and services, and other specialized internal services and initiatives. Includes records related to the Internal Services Department and its respective service responsibilities, records related to supporting public service delivery and furthering the interests of the City through provision of administrative leadership for the information stewardship program and policy development support, specialized expertise/consultation and services to all political and administrative units within the organization in the areas of information management, information technology, human resource management, legal services, communication production services, corporate planning and other strategic internal services and initiatives as determined by the Chief Administrative Officer or Council";

(xviii) by deleting subsection 53.01 and substituting:
"**53.01 Information Technology Files**
**Function:** To provide a record of the general administration of the City's information program and services as carried out by the Director of Internal Services.
**Description**: Correspondence, reports, agreements, directives, minutes and other documents related to the management, direction and control of the City's corporate information program and services and special initiatives.
**Retention & Disposition**: Archival";

(xix) after subsection 57.03 by deleting the heading "**CORPORATE SERVICES DEPARTMENT**" and the following two paragraphs;

(xx) in section 58 by deleting the heading and substituting: "**INTERNAL SERVICES**";

(xxi) by deleting subsection 58.01 and substituting:
**"58.01 Internal Services Director's Files**
**Function:** To provide a record of the general administration of the Internal Services Department as carried out by the Director.
**Description:** Correspondence, reports, agreements, directives, minutes and other documents related to the management, direction and control of the Internal Services Department.
**Retention & Disposition:** Archival";

(xxii) by deleting the title "Human Resource Management" and section 59 and substituting:
**"59.00 HUMAN RESOURCE MANAGEMENT**
**59.01 Human Resource Files**
**Function:** To maintain a record of the development and administration of policy regarding the management of the City's human resources as carried out by the Director of Internal Services.
**Description:** Records of all policies, administrative guidelines, protocols and procedures that the City has developed in relation to Human Resource issues as well as records related to the development and administration of major corporate education, staff training and development, corporate safety, employee assistance, occupational health, equity and diversity and labour relations and compensation programs and initiatives.
**Retention & Disposition:** Archival";

(xxiii) in subsection 63.03 by adding after "City of Winnipeg" the words "except as otherwise prescribed";

(xxiv) by adding at the end of section 63:
"**63.04 Assessment Appeal Files**
**Function:** To maintain a record of assessment appeal proceedings that involve the City Solicitor.
**Description:** Appeal cases include correspondence with legal counsel, applicants, the City Assessor, the Board of Revision, the Municipal Board,

court officials, appeal briefs, appraisal reports, maps, memos, photographs, Board orders, notices of appeal, notices of hearing, hearing transcripts, and transcripts of court proceedings.
**Retention & Disposition:** Destroy 10 years after file closure";

(xxv) by deleting subsection 80.01 and substituting:
"**Interment Records**
**Function:** To provide a record of public cemetery interments and graves.
**Description:** Correspondence, cemetery deeds, interment orders, plans, and other records related to interment sites, the sale of lots, memorial marker permits, cremated remains, interment services and perpetual maintenance of interment sites.
**Retention & Disposition:** Archival";

(xxvi) in subsection 80.02 by deleting the Description and substituting:
"**Description:** Correspondence, fee schedules, routine reports and other records related to the general management of a public cemetery. Includes records related to the collection of fees and charges, the preparation of future interment sites, maintenance of interment plots, cemetery grounds and roadways";

(xxvii) in subsection 81.01 by deleting "John Blumberg, Harbour View, Crescent Drive, Kildonan and Windsor Park";

(xxviii) in subsection 91.03 by deleting the Description and substituting:
"**Description:** Copies of original plans that have been registered with the Winnipeg Land Titles Office";

(xxix) in subsection 91.07 under the sub heading Function by inserting "legal" before "survey";

(xxx) in subsection 91.08 by inserting "control" after "geodetic";

(xxxi) by deleting subsection 91.09 and substituting:
"**91.09 Miscellaneous Plans**
**Function:** To maintain a record of miscellaneous survey sketches and plans prepared by a Manitoba Land Surveyor.
**Description:** Miscellaneous plans and sketches for legal surveys signed by a Manitoba Land Surveyor.
**Retention & Disposition:** Archival";

(xxxii) by adding at the end of section 120:
"**120.03 Criminal Record Check Files**
**Retention & Disposition:** Archival.
**Function:** To maintain a record of criminal record checks conducted on behalf of individuals or agencies.
**Description:** Applications, responses, copies of certificates and related correspondence and communications.
**Retention & Disposition:** Destroy 2 years after file closure";

(xxxiii) in subsection 122.03 be deleting "40" and substituting "7";

(xxxiv) in subsection 122.04 by deleting “after 40 years” and substituting “1 year after expiry of Order”;

(xxxv) in subsection 122.05 be deleting “20” and substituting “7”;

(xxxvi) in subsection 122.06 by deleting “30” and substituting “7”;

(xxxvii) in subsection 122.07 by deleting “10” and substituting “2”;

(xxxviii) in subsection 122.09 by deleting “15” and substituting “7”;

(xxxix) in subsection 122.11 by deleting “50” and substituting “7”;

(xxxx) in subsection 126.02 by deleting “5” and substituting “10”;

(xxxxi) by deleting subsection 127.03 and substituting:

“**127.03 Serious Motor Vehicle Accident Files**

**Function:** To maintain a record of investigations of serious motor vehicle accidents for use in Court proceedings.

**Description:** Investigative and analytical reports, witness statements, medical examiner information, correspondence, court briefs, photographs and drawings.

**Retention & Disposition:** Destroy 3 years after file closure”;

(xxxxii) by adding at the end of section 127:

“**127.11 Fatal Motor Vehicle Accident Files**

**Function:** To maintain a record of investigations of fatal motor vehicle accidents for use in Court proceedings.

**Description:** Investigative and analytical reports, witness statements, medical examiner information, correspondence, court briefs, photographs and drawings, and other documents related to the investigation of a fatal motor vehicle accident.

**Retention & Disposition:** Destroy 7 years after file closure”.

**DONE AND PASSED**, in Council assembled, this day of , 2007.

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Mayor

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City Clerk

Approved as to form:

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for City Solicitor/Manager of
Legal Services

Certified as to content:

_____
City Clerk