

**PARKLAND COUNTY
PROVINCE OF ALBERTA**

BYLAW NO. 2026-19

BEING A BYLAW TO REGULATE THE MANAGEMENT OF MUNICIPAL RECORDS IN ACCORDANCE WITH THE ACCESS TO INFORMATION ACT, THE PROTECTION OF PRIVACY ACT AND THE MUNICIPAL GOVERNMENT ACT

WHEREAS pursuant to the provisions of the Protection of Privacy Act, SA 2024 c P-28.5, Parkland County must protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or destruction; and

WHEREAS pursuant to Section 214 of the Municipal Government Act, RSA 2000 c M-26, Parkland County Council may pass a bylaw respecting the controlled destruction of records and documents of the municipality; and

WHEREAS pursuant to Section 214(3) of the Municipal Government Act, RSA 2000 c M-26, a bylaw required under Section 214(2) must provide that if an individual's personal information will be used by the municipality to make a decision that directly affects the individual, the municipality must retain the personal information for at least one year after using it so that the individual has a reasonable opportunity to obtain access to it; and

WHEREAS pursuant to Section 3 of the Access to Information Act, SA 2024 c A-1.4, does not prohibit the transfer, storage or destruction of any record in accordance with a bylaw, resolution or other legal instrument of a local government body; and

WHEREAS Section 69 of the Municipal Government Act, RSA 2000 c M-26, provides that a council may by bylaw authorize a designated officer to consolidate one or more bylaws of the municipality by incorporating all amendments to them into a single bylaw.

NOW THEREFORE the Council of Parkland County, in the Province of Alberta, duly assembled, hereby enacts the following:

TITLE

1. This Bylaw shall be known as the "Records Management Bylaw", may be cited as such, and will be referred to herein as "this Bylaw".

DEFINITIONS

2. The following definitions will apply to the corresponding words in this Bylaw:
 - 1) "CAO" means the designated Chief Administrative Officer as defined in the Act or their delegate;
 - 2) "County" means the municipality of Parkland County in the Province of Alberta;
 - 3) "Disposition" means the final stage of the record lifecycle, involving the authorized destruction, transfer, or permanent preservation of records once their retention period ends;
 - 4) "Legal Hold" means the process of preserving all records collected and maintained as relevant information specific to a pending or anticipated litigation;

- 5) "Electronic record" means a record that exists at the time a request for access is made or that is routinely generated by a public body that can be any combination of texts, graphics, data, audio, pictorial or other information represented in a digital form that is created, maintained, archived, retrieved or distributed by a computer system;
- 6) "Record" means information created or received in any form that provides evidence of business activity, and includes notes, images, audiovisual recordings, documents, maps, drawings, photographs, letters, and papers and any other information that is written, photographed, recorded or stored in any manner, but does not include transitory records, software or any mechanism that produces records;
- 7) "Records Management" means the discipline and organizational function of managing records to meet business needs, accountability requirements and community expectations;
- 8) "Records Management Program" means policies and procedures created and implemented that promote the County's compliance with its duties under the provisions of the Protection of Privacy Act, SA 2024, c P-28.5;
- 9) "Records Retention and Disposition Schedule" means an approved set of control documents that establish retention periods for County records, specify closure or triggering criteria for disposition, and identify the authorized categories or methods of disposition; and
- 10) "Transitory Record" means information that is not required to fulfill statutory obligations or sustain operational functions. Transitory records have short-term, immediate, or no value to the organization and do not record approvals, recommendations, opinions, decisions or transactions of the County.

INTERPRETATION

3. The headings in this Bylaw are for reference purposes only.

RECORDS RETENTION AND DISPOSITION

4. When records have reached their eligible destruction date, the Chief Administrative Officer or their delegate shall certify in writing the records that are to be destroyed in accordance with the Records Retention and Disposition Schedule. This certification shall form a permanent listing of those records that have been destroyed.
5. If the original records have been stored electronically in a system that enables copies of the original to be made, the Chief Administrative Officer may authorize the destruction of original records, including bylaws and minutes of council meetings, as permitted by the Municipal Government Act, RSA 2000 c M-26.
6. Records relevant to an audit, access to information request or legal hold shall be exempt from the destruction guidelines of the Records Retention and Disposition Schedule. Upon completion of the audit, access to information request, or legal hold, all exempt records must be retained as evidence of County business activity until the time limitation for legal matters has expired.
7. If an individual's personal information is used by the County to make a decision that directly affects the individual, the County must retain the personal information for at least one year after the decision is made so the individual has a reasonable opportunity to obtain access to it.
8. Election materials will be destroyed in accordance with the Local Authorities Election Act, RSA 2000 c L-21.

RECORDS MANAGEMENT

- 9. The Chief Administrative Officer or their delegate shall maintain a Records Management Program which includes a Records Retention and Disposition Schedule that shall be reviewed and amended as required to ensure County Records continue to be identified and managed.
- 10. All records shall be kept in a secure manner with appropriate administrative, physical and technical safeguards.

CONSOLIDATION OF BYLAWS

- 11. The Chief Administrative Officer, or a designated officer assigned in writing by the CAO, is hereby authorized to consolidate one or more bylaws of Parkland County by incorporating all approved amendments into a single bylaw.
- 12. A consolidated bylaw prepared under this authority must clearly state in the bylaw header that it is a "consolidated version" and must identify the original bylaw number and all amending bylaw numbers included in the consolidation.

SIGNING OF BYLAWS, POLICIES AND MEETING MINUTES

- 13. Council hereby authorizes the electronic signing of bylaws, policies and meeting minutes.

ENACTMENT/TRANSITION

- 14. Should any provision of this Bylaw be deemed invalid then such invalid provision will be severed from this Bylaw and such severance will not affect the validity of the remaining portions of this Bylaw, except to the extent necessary to give effect to such severance.
- 15. Bylaw 2015-33 and Bylaw 55-2003 are hereby repealed.
- 16. This Bylaw shall come into force and take effect on the day of third reading and signing thereof.

READ A FIRST TIME this _____ day of _____, 2026.

READ A SECOND TIME this _____ day of _____, 2026.

READ A THIRD TIME and finally passed this _____ day of _____, 2026.

SIGNED AND PASSED this _____ day of _____, 2026.

Mayor

Chief Administrative Officer