

Current Bylaw No. 2015-33	Recommendation, Municipal Comparisons and Notes	Bylaw 2026-19
PARKLAND COUNTY		PARKLAND COUNTY
PROVINCE OF ALBERTA		PROVINCE OF ALBERTA
BYLAW NO. 2015-33		BYLAW NO. 2026-XX
BEING A BYLAW TO REGULATE THE RETENTION AND DISPOSITION OF COUNTY RECORDS IN ACCORDANCE WITH THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY LEGISLATION AND THE ALBERTA MUNICIPAL GOVERNMENT ACT	Update legislation.	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 in Section 38, Part 2 of the Freedom of Information and Protection of Privacy Act, RSA 2000, Chapter F-25, Parkland County must protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or destruction; and	Update legislation.	WHEREAS pursuant to the provisions of the <i>Protection of Privacy Act</i> , 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(2) of the Municipal Government Act, RSA 2000, Chapter M-26 Parkland County Council may pass a bylaw respecting the controlled destruction of records and documents of the municipality; and	No change.	WHEREAS pursuant to Section 214 of the <i>Municipal Government Act</i> , 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, Chapter 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	No change.	WHEREAS pursuant to Section 214(3) of the <i>Municipal Government Act</i> , 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(e) of the Freedom of Information and Protection of Privacy Act, RSA 2000, Chapter F-25 does not prohibit the transfer, storage or destruction of any record in accordance with a bylaw of a local government body;	Update legislation.	WHEREAS pursuant to Section 3 of the <i>Access to Information Act</i> , 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 <i>Municipal Government Act</i> , 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:	No change.	NOW THEREFORE the Council of Parkland County, in the Province of Alberta, duly assembled, hereby enacts the following:
TITLE		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."	No change.	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		DEFINITIONS
2. The following definitions will apply to the corresponding words in this bylaw:	No change.	2. The following definitions will apply to the corresponding words in this Bylaw:
(1) "Chief Administrative Office" means the person appointed to the position under section 205 of the Municipal Government Act;	Housekeeping: aligning definition with other County bylaws	1) "CAO" means the designated Chief Administrative Officer as defined in the Act or their delegate;
(2) "County" means Parkland County;	Housekeeping: aligning definition with other County bylaws	2) "County" means the municipality of Parkland County in the Province of Alberta;
(3) "Disposition" means a range of approved processes associated with the retention, destruction, transfer, or archival preservation of County Records;	Updated for clarity.	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;	No change.	4) "Legal Hold" means the process of preserving all records collected and maintained as relevant information specific to a pending or anticipated litigation;
	Added definition from ATIA.	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;
(5) "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;	No change.	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;
(6) "Records Management" means the discipline and organizational function of managing records to meet business needs, accountability requirements and community expectations;	No change.	7) "Records Management" means the discipline and organizational function of managing records to meet business needs, accountability requirements and community expectations;
(7) "Records Management Program" means Parkland County's overarching scheme to administer corporate records throughout their lifecycle from creation or receipt, to active and semi-active use, to final disposition by way of destruction, permanent retention, transfer, or archival storage;	Update legislation.	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;
(8) "Records Retention and Disposition Schedules" means a collection of control documents that identify the length of time (retention period) that County records must be retained before disposal, the closure criteria that permits the disposal, the categories of disposition, and any applicable legal citations that support the records disposal;	Updated for clarity.	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
(9) "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.	No change.	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		INTERPRETATION
3. The headings in this bylaw are for reference purposes only.	No change.	3. The headings in this Bylaw are for reference purposes only.
RECORDS RETENTION AND DISPOSITION		RECORDS RETENTION AND DISPOSITION
4. The Chief Administrative Officer or delegate shall establish a Records Management Program which includes Records Retention and Disposition Schedules that shall be reviewed and amended as required to ensure County records continue to be identified and managed.	Section 4 of old bylaw is now captured in section 10 in new version of bylaw.	
DESTRUCTION OF RECORDS		
6. When records have reached their eligible destruction date, the Chief Administrative Officer or delegate shall provide written authorization to destroy the records in accordance with the Records Retention and Disposition Schedules.	Update legislation: Added this section per section 214(2) of the MGA which states: A council may pass a bylaw respecting the destruction of other records and documents of the municipality.	4. When records have reached their 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. The Chief Administrative Officer or delegate shall ensure that all County records are disposed of in accordance with the Records Retention and Disposition Schedules.	Reordered section within bylaw to chronological order.	
	Update legislation: Added this section per section 214(1) of the MGA which states 214(1) A council may authorize the destruction of the original bylaws and minutes of council meetings if the originals have been recorded by a method that will enable copies of the originals to be made.	5. If the original records have been stored electronically in a system that enables copies of the originals 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 <i>Municipal Government Act</i> , RSA 2000 c M-26.

7. 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 Schedules. Upon completion of the audit, access request, or legal hold, all exempt records must be retained as evidence of County business activity until the time limitation for court action has expired.	No change.	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.
8. 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 using it so that the individual has a reasonable opportunity to obtain access to it.	Update legislation: Added this section per section 214(3) of the MGA A bylaw under subsection (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.	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.
	Legislation: added destruction of election materials.	8. Election materials will be destroyed in accordance with the <i>Local Authorities Election Act</i> , RSA 2000 c L-21.
		RECORDS MANAGEMENT
	Clarity - moved from Section 4 of old bylaw to Section 10 under new title.	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.
	Updated legislation - commitment to Privacy Management Program management	10. All records shall be kept in a secure manner with appropriate administrative, physical and technical safeguards.
		CONSOLIDATION OF BYLAWS
	Added per MGA section 69.	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.
	Added per MGA section 69.	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
	Modernization: to address electronic and signatures within County as permitted by the Section 213(5) of the MGA.	13. Council hereby authorizes the electronic signing of bylaws, policies and meeting minutes.
		ENACTMENT/TRANSITION
9. 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.	No change.	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.
10. This bylaw shall come into force and take effect on the day of third reading and signing thereof	No change.	16. This Bylaw shall come into force and take effect on the day of third reading and signing thereof.
READ A FIRST TIME this 12th day of January 2016.		READ A FIRST TIME this ___ day of _____, 2026.
READ A SECOND TIME this 12th day of January 2016.		READ A SECOND TIME this ___ day of _____, 2026.
READ A THIRD TIME and finally passed this 12th day of January 2016.		READ A THIRD TIME and finally passed this ___ day of _____, 2026.