

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

BY-LAW NO. 2025 - 61

BEING A BY-LAW TO ESTABLISH A SCHEDULE OF RETENTION PERIODS FOR RECORDS, DOCUMENTS AND OTHER PAPERS FOR THE MAGNETAWAN FIRE DEPARTMENT

WHEREAS Section 254, of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, provides that a municipality shall retain and preserve the records of the Municipality and its local boards in a secure and accessible manner and, if a local board is a local board of more than one municipality, the affected municipalities are jointly responsible for complying with this subsection;

AND WHEREAS Section 255, of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, provides that a municipality may, subject to the approval of the Municipal Auditor, establish retention periods during which the records of the municipality and local boards of the municipality must be retained and preserved in accordance with Section 254;

NOW THEREFORE BE IT ENACTED BY THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN AS FOLLOWS:

1. This By-law maybe be referred to as "The Fire Department Retention By-law"

2. DEFINITIONS

"Auditor" means the person or firm appointed by the Council of the Municipality of Magnetawan from time to time to perform the annual audit of the records;

"Clerk" means the Municipal Clerk or their designate(s);

"Destroy" means the process of eliminating or deleting data, documents and records so that the recorded information no longer exists;

"Fire Chief" means the lead technical, administrative, and supervisory authority for the Magnetawan Fire Department. Responsible for planning, organizing, directing, and implementing fire prevention, suppression, and emergency medical services to prevent or minimize the loss of life and property by fire and emergency medical conditions. Also responsible for all Fire Department staff and volunteers.

"Municipal Record(s)" means recorded information in any format or medium that documents the municipality's business activities, rights, obligations or responsibilities or recorded information that was created, received, distributed, or maintained by the municipality in compliance with a legal obligation;

"Permanent", in relation to employee records, files, and/or records, means the lifetime of the employee until death plus two (2) years.

"Record(s)" also known as "Files" as defined in the *Municipal Act* means information, however recorded, or stored, whether in printed form, on film, by electronic means or otherwise, including documents, financial statements, minutes, accounts, correspondence, memoranda, plans, maps, drawings, photographs, film, architectural drawings, email, machine readable records, and any other documentary material regardless of physical form or characteristics, and including "official records" and "transitory records";

"Retention Schedule" means a control document that describes the municipality's records at a series level and indicates the length of time that each series shall be retained before its final disposition. It specifies those records to be preserve for their archival or legal values and authorizes on a continuing basis the destruction of the remaining records after the lapse of a specified retention period or the occurrence of specified actions or events. Records retention schedules serve as the legal authorization for the disposal of the municipality's records;

"Transitory Records" means records kept solely for convenience of reference and of limited value in documentation the planning or implementation of Municipal Policy or programs such as:

- a) Copies of miscellaneous notices or memoranda concerning routine administrative matters or other minor issues;
- b) Information copies of widely distributed materials, such as minutes, agendas and newsletters, unless the information copy has been annotated to reflect significant input or for other program purposes;
- c) Preliminary drafts of letters, memoranda or reports and other informal notes which do not represent significant steps in the preparation of a final document and which do not record decisions;
- d) Duplicate copies of documents in the same medium which are retained only for convenience or future distribution;
- e) Voice mail messages;
- f) Email messages and other communications that do not relate to Municipal business;
- g) Copies of publications, such as, published reports, administration manuals, telephone directories, catalogues, pamphlets or periodicals;
- h) Duplicate stocks of obsolete publications, pamphlets or blank forms;
- i) Unsolicited advertising materials, including brochures, municipal profiles and price lists.

3. RETENTION SCHEDULE

- a) The retention periods for the records of the Magnetawan Fire Department are stated in Schedule "A" which forms part of this By-law.
- b) The Fire Chief is responsible for administering this By-law and will ensure that the retention periods set out in Schedule 'A' attached hereto comply with all relevant legal requirements for records retention.

4. EMPLOYEE RESPONSIBILITIES

- a) All Fire Department employees who create, work with, or manage records, will:
 - i. Comply with the retention periods as specified in Schedule "A" attached hereto;
 - ii. Ensure that official records in their custody or control are protected from inadvertent destruction or damage; and
 - iii. Ensure the transitory records in their custody or control are destroyed when they are no longer needed for short-term reference.

5. That the Fire Chief of the Magnetawan Fire Department is hereby authorized to make any minor modifications or corrections of an administrative, numeric, grammatic, semantic or descriptive nature or kind to the By-law and Schedule(s) as may be deemed necessary after the passage of this By-law, where such modifications or corrections do not alter the intent of the By-law;

6. By-law 2007-29 and any previously conflicting By-laws are hereby repealed.

READ A FIRST, SECOND, AND THIRD TIME, passed, signed and the Seal of the Corporation affixed hereto, this 19 day of November 2025.

THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN

Mayor

Laura Brannalt

Clerk

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

SCHEDULE "A" TO BY-LAW 2025- (6)

RECORDS RETENTION SCHEDULE

If the record is not included in Schedule "A" it is considered to be a Transitory Record

FIRE CHIEF'S RECORDS	TRIGGER (T)	YEARS TO BE RETAINED
Fire Incident / Call Reports	Date of call (T)	T + Six (6) years Extend if under legal review
Fire Investigation Files	Closure of case (T)	T + Ten (10) years Archive for major incidents
Emergency Medical Response	Date of response (T)	T + Ten (10) years May be subject to health info legislation
EQUIPMENT LOGS / RECORDS	TRIGGER (T)	YEARS TO BE RETAINED
Apparatus Inspection Logs	Date of inspection (T)	T + Three (3) years
Equipment Maintenance Logs	Date of maintenance (T)	T + Six (6) years
HUMAN RESOURCES/PERSONNEL RECORDS	TRIGGER (T)	YEARS TO BE RETAINED
Firefighter Training Records	Separation of Employee (T)	Permanent
Employees Personal History Files (including ROE's)	Termination date (T)	Permanent
Grievances/Harassment/Violence (includes records detailing with grievance, harassment and/or violence complaints by or against employees of the Fire Department. It includes documents such as the complaint, investigation, reports, and final resolution)		Permanent
Health and Safety (includes records regarding the occupational health and safety of Staff. Includes accident reports, WSIB reports and information on Health and Safety Programs for Staff)		Permanent
Labour Relations – Employment Management (includes records regarding the relationship between labour and management. Includes collective bargaining, correspondence with unions and negotiations)		Permanent
W.S.I.B. Forms / Occupational Injury Reports	Resolution / closure (T)	Permanent