

Authority: Item 1, Audit, Finance & Administration
Committee Report 21-006 (FCS210034)
CM: April 28, 2021
Ward: City Wide

Bill No. 055

CITY OF HAMILTON

BY-LAW NO. 21-

TO AMEND BY-LAW NO. 11-040 TO ESTABLISH RETENTION PERIODS FOR RECORDS OF THE CITY OF HAMILTON

WHEREAS the Council of the City of Hamilton enacted by-law 11-040 being a By-law to Establish Retention Periods for Records of the City of Hamilton, on January 26, 2011, pursuant to section 255, of the *Municipal Act*, 2001;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 1 of Report 21-006 of the Audit, Finance & Administration Committee, at its meeting held on the 22nd day of April, 2021, recommended that Records Retention By-law 11-040 be amended as hereinafter provided;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule A to Records Retention By-law 11-040 be amended by adding and amending file classifications as provided in Schedule A to this by-law.
2. This By-law comes into force on the day it is passed.

PASSED this 28th day of April, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

Primary	Secondary	Tertiary	Series Title	Scope Notes	Active	Inactive	Total Retention	Vital Record	Archival Record	Responsible Department	Remarks
AD	01	03	Employee Certifications	Records relating to employee professional certifications which are kept by the employee's originating division.	T+2	3	T+5	N	N	Originating Department	T = Expiration of certification.
AD	01	04	Training Records	Records relating to employee training which are kept by the employee's originating division.	C	T+6 months	T+6 months	N	N	Originating Department	T = Termination of employment
AD	05		Office Equipment and Furnishings	Records associated with design, selection and maintenance of owned and leased office equipment and furniture. This record series may include inventories, specifications and repair work orders. Excludes: Service Agreements, Capital Assets and Insurance Policies	C+2	T	T	N	N	Originating Department	T = Disposal of item
AD	07	01	Posted Fire Safety Plan	Records relating to facility posted fire evacuation plans.	S	P	P	Y	N	Originating Department	
AD	13		Security Administration	Includes investigation files, requests, logs, request for access, and other records regarding the security and safety of offices / facilities, buildings, properties public / citizens and employees such as security passes and control of keys. Records include management tracking document data, statistical data, operational logs, operational briefs, tour of duty reports, run sheets, requests and operational resource assignments. Records include hardcopy and electronic incident report files and associated attachments (i.e. links, pictures). Records also include all digitally created Security CCTV video files that have been associated with an incident report file, and have been removed from the original source media and preserved for applicable use. Records may also contain supporting physical material and or evidence related to the incident.	T	6	T + 6	Y	N	Facilities Management	T = Investigation closed, or superseded.

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AD	13	01	Security Systems Management	Records include software and system activity database and archival database files. Electronic access control logs are limited by software at 365 days (1 Year), with active and archival files being held for a period up to 2 years. Applicable software and systems include CCTV administration (not CCTV Video Files), electronic access control, intrusion monitoring, key management, ID credential, environment sensors and duress notification.	C+2	0	N	Y	N	Facilities Management	
AD	13	02	Security CCTV Recording for Public Conveyance	Records relating to digitally created Security Closed Circuit Television Video (CCTV) video files or audio from public conveyance/ vehicle assets.	72 Hrs	-	72 Hrs	N	N	Facilities Management	
AD	13	03	Security CCTV Recording for Property or Facility	Records include digitally created Closed Circuit Television Video (CCTV) Security video files or audio from physical structure assets. Records may also contain supporting meta data material and/or evidence related to the incident.	31 Days	-	31 Days	N	N	Facilities Management	
AD	14		Building and Property Operations and Maintenance	Records relating to the operation and maintenance of city buildings, facilities, and structures including janitorial and cleaning services, grounds maintenance, and activities are pertaining to mechanical systems and utilities. Utility systems include air conditioning, ventilation, heating, other environmental control systems, lighting and electrical systems, water, and plumbing systems. Grounds maintenance includes the maintenance of the grounds around buildings and properties.	C+2	4	C+6	N	N	Facilities Management	
AD	14	01	Building and Property Inspections	Records relating to the inspection of leased and owned city buildings, facilities, structures, and properties.	C+2	P	P	N	N	Facilities Management	
AD	15		Facility Bookings	Records associated with the booking of facilities at municipal sites including permits for the use of City-owned parks and recreational facilities.	C+2		C+2	N	N	Facilities Management	
AD	17		Incident/Accident Reports	Records associated with accidents involving City personnel	T + 2	3	T+5	N	N	Originating	T=Completion of investigation and Corrective Actions

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AD	18		COVID-19 Symptom Screening Assessments	Records associated with employee and visitor COVID-19 symptom screening assessments completed prior to entering City of Hamilton facilities or City of Hamilton sanctioned events. Includes paper or electronic assessment results.	30 days		30 days	N	N	Originating	

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CO	02		Council Agendas, Minutes and Original Supporting Documents	Records associated with Council agendas, minutes and original supporting documents to agendas and minutes. This records series includes communications, committee reports, original motions/notices of motion, Council Communication Updates and Closed Session minutes and documentation.	P	P	P	Y	Y	Clerks	
CO	03		Council Standing Committees and Supporting Documents	Records associated with Standing Committee of Council including Committee of the Whole (COW) and Board of Health agendas, minutes, reports and original supporting documents. This records series includes communications, delegation requests, staff reports, staff presentations, original motions/notices of motion, and Closed Session minutes and documentation.	P	P	P	Y	Y	Clerks	
CO	06		Meeting Recordings	Records associated with audio and visual recordings of Council Meetings, Standing Committee Meetings, and Subcommittee Meetings - maintained as a resource tool only - not considered the official records of Council/Committee proceedings. Excludes recordings of Citizen Advisory Committees, which are livestreamed to meet the open meeting requirements under the <i>Municipal Act</i> , but are otherwise considered transitory records.	T		P	N	Y*	Clerks	T=Term of Office *Only applied to Inaugural Meeting of Council Subject to archival review at end of term of Council

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CO	09	02	Vital Statistics - Documentation	Includes records of vital events including marriage applications, voided marriage licenses and death registration paperwork (including Form 17s). This series does not include Marriage and Death Registers.	C	3	C+3	N	N	Clerks	

Primary	Secondary	Tertiary	Series Title	Scope Notes	Active	Inactive	Total Retention	Vital Record	Archival Record	Responsible Department	Remarks
DP	07		Official Plan - Former Municipalities	Records associated with the official plans from the former 7 municipalities - Ancaster, Dundas, Flamborough, Glanbrook, Hamilton, Stoney Creek and Regional Municipality of Hamilton Wentworth.	C+1	P	P	Y	Y	Planning	
DP	08		Official Plan Amendments - Former Municipalities	Records associated with official plan amendments for various official plans from the 7 former municipalities - Ancaster, Dundas, Flamborough, Glanbrook, Hamilton, Stoney Creek and Regional Municipality of Hamilton Wentworth.	T+1	49	T+50	Y	Y	Planning	T=Final Decision
DP	13	05	Provincial Planning Legislation - LPAT Reform	Records associated with provincial legislation related to LPAT reform.	C+5	P	P	N	Y	Planning	
DP	16		Severances	Records associated with the division of parcels of land. This series includes applications, background information, appeals and decisions of the Local Planning Appeal Tribunal.	T	P	P	Y	Y	Planning	T=Final Decision
DP	17		Site Plan Control	Records associated with the approval procedure of providing services to buildings and individual land sites. This records series includes information on access, sewers, water, utilities, appeals and decisions of the Local Planning Appeal Tribunal.	T	49	T+50	Y	Y	Planning	T=Final Decision

Primary	Secondary	Tertiary	Series Title	Scope Notes	Active	Inactive	Total Retention	Vital Record	Archival Record	Responsible Department	Remarks
DP	19		Variances	Records associated with the approval of applications for variances or the expansion of non-conforming uses of land under the zoning by-law. This series includes notices, reports and necessary documents including appeals and decisions of the Local Planning Appeal Tribunal.	T	3	T+3	Y	Y	Planning	T=Final Decision
DP	20	01	Zoning	Records associated with the development of standards to designate zones of land for specific purposes. This records series includes applications for zoning and rezoning, reports, notices, approvals, reviews, appeals, Development Agreement comments and decisions of the Local Planning Appeal Tribunal.	P	P	P	Y	Y	Planning/Building	
DP	21		Easements	Records associated with the municipality's interest in maintaining public services such as water and sewer on privately owned property and constructing a right-of-way road or erecting utility structures, for example.	T	7	T+7	N	N	Public Works	T= Discharge of the right in the land registry office.
DP	37	03	Landscape Drawings and Specifications	Records relating to the production, use, and storage of master copies of landscape drawings. Landscape drawings demonstrate design solutions and define construction materials and standards.	S	P	P	Y	Y	Originating Department	Current version is Vital.

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ES	01		Operational - Water, Storm and Waste Water	Records relating to the ongoing operation, inspection, maintenance, service programs of water infrastructure which may include but is not limited to: sewers, resevoirs, towers, water treatment plants, water mains, pumping stations, CSO infrastructure and other assets in the distribution system.	C + 5	P	P	Y	N	Public Works	
ES	01	01	Preventative Maintenance - Water, Storm and Waste Water	Records relating to the preventative maintenance of water infrastructure.	C + 5	P	P	N	N	Public Works	
ES	04	01	Urban Forestry Planning and Management	Records relating to the management and preservation of trees and forests located in City of Hamilton parks, cemeteries and Right-of-Way. This includes information relating to the planting, maintenance, protection, and removal of trees. May also include information on mineral deposits, tree diseases, soil analysis, pesticide spraying, pruning, and planting regimens.	T+2	18	T + 20	N	N	Public Works	T = End of life of asset
ES	08	01	Garbage Collection and Routes	Records relating to solid waste garbage collection and route pick-ups within the City of Hamilton. This includes garbage collection from residential, commercial, and industrial sites.	C+1	9	C+10	N	Y	Public Works	

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ES	08	02	Waste Disposal and Landfill Areas	Records relating to the maintenance and use of landfills for disposal of routine and hazardous waste materials. Landfills are ground depressions which accommodate wastes and isolate them from the surrounding environment. Also includes information on disposal user fees for commercial, industrial, and restaurant organizations, waste disposal statistics and reports, and correspondence.	C+2	P	P	N	Y	Public Works	
ES	08	03	Resource Recovery Centres	Records relating to the provisions and operation of Resource Recovery Centres. These facilities accept and process solid waste materials, remove contaminants, and recover recyclable materials wherever possible.	C+2	P	P	N	Y	Public Works	
ES	08	04	Composting	Records relating to the composting of food waste, leaves and other organic wastes. Composting refers to the decomposition of plant remains, and other once-living materials, to form organic plant nutrients. Includes information on residential backyard composting and use of composter equipment.	T	15	T+15	N	N	Public Works	T = Completion of statistical reporting.
ES	08	05	Waste Recycling	Records relating to the reduction, reuse, and recycling of solid and liquid waste materials. Includes the recycling of newspapers, cardboard, other curb side materials, automobile tires, white goods, scrap metal, and soil. May also include information about recycling operations at transfer stations.	C+1	9	C+10	N	Y	Public Works	

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ES	08	06	Household Hazardous Wastes	Records relating to the collection and processing of household hazardous wastes that pose a health and safety hazard, such as paint, batteries, antifreeze, and adhesives.	C+1	9	C+10	N	Y	Public Works	
ES	08	07	Transfer Stations Operations	Records relating to the operations of transfer stations, which serve as drop-off points for waste haulers. .	C+2	P	P	N	Y	Public Works	
ES	12		Water Quality	Records relating to the testing, control, and monitoring of drinking water quality. Water Quality testing is required by the SDWA and its Regulations, an approval, municipal drinking water licence or order, including an OWRA approval or OWRA order.	T+2	13	T+15	N	N	Public Works	
ES	12	01	Water Supply	Records relating to the City's supply of potable water for drinking and commercial purposes.	T+2	13	T+15	N	N	Public Works	
ES	12	02	Spill Investigations	Records relating to water quality investigations of spills that occur within the City of Hamilton	T	16	T+16	N	Y	Public Works	T = Completion of investigation.
ES	13		Corporate Energy Policy	Records relating to the development of the Corporate Energy Policy.	S	10	S+10	Y	Y	Public Works	
ES	13	01	Energy and Commodity Contracts	Records relating to the purchase, sale, delivery and storage of Energy Commodities and the consideration of price hedging for Energy Commodities.	S	P	P	Y	N	Public Works	
ES	13	02	Energy and Commodity Data	Records relating to energy usage spending and baseline tracking.	C+10	P	P	N	N	Public Works	Baseline tracking begins in 2005.

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ES	14		Energy Retrofit Projects	Records relating to the design and construction of retrofit projects.	T+2	4	T+6	N	Y	Public Works	T = End of Warranty Period.

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HR	13		Employee Terminated Records	Records associated with employment terminations other than retirement	T	20	T+20	N	N	Human Resources	T=last day of employment

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LA	01		Appeals and Hearings (including LPAT & Property Standards)	Records associated with appeals, hearings and decisions from legal proceedings, documentation and transcripts.	T	6	T + 6	Y	Y	Legal	T=Resolution of appeal

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PC	03	01	Cemetery Burial Plot Records	Records relating to burial permits, contracts, cremation certificates, maps, plot ownership records (deeds), lot cards, interment registers, and indexes for municipal cemeteries and abandoned cemeteries, land registry.	C	P	P	N	Y	Cemeteries	
PC	04	01	Park and Cemetery Maintenance	Records relating to the maintenance and routine operation of municipal cemeteries, parkland, playgrounds, and open spaces. May include information on staffing requirements, timesheets, conditions, facility statistics, and suggested improvements, such as path paving and lighting.	C+2	18	C+20	N	N	Parks & Recreation & Cemeteries	

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PE	01	02	By-law Enforcement - Other	Records associated with inspections for enforcement of the zoning by-law, property standards by-law, licensing by-law, heat by-law, noise by-law, yard waste and maintenance by-law and vital services by-law. This record series includes Order to Comply and Notices of Violation issued under the authority of municipal by-laws and legal action resulting from enforcement of these by-laws and Action Requests received by the municipality.	2	6	8	N	Y	Originating Department	
PE	01	03	Mobile Sign Permits	Records associated with the issuance of mobile sign permits granted to a business or an individual.	T	25	T+25	N	N	Originating Department	T= Termination of permit
PE	02		Hazardous Materials Transportation and Storage	Records relating to the handling, transportation and storage of hazardous materials. Hazardous materials are any substance or material which may result in health injuries, destruction of life and environmental conditions, and facility damage. This includes toxic, flammable, corrosive, and explosive materials.	C+1	2	C+3	N	N	Originating Department	
PE	06		Investigations	Records associated with protection and enforcement services investigations (NOT including Human/Animal Contact Exposure Investigations, see PE 06 01)	C+2	8	10	N	Y	Originating Department	

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PE	06	01	Human/Animal Contact Exposure Investigations	Records associated with Human/Animal Contact Exposure Investigations, including officer notes, Amanda files, and officer investigation documents.	T+2	4	T+6	N	N	Animal Control	
PE	07	01	Licences/Permits - Trade, Establishment, Mobile	Records associated with licences issued or denied to citizens and businesses, excluding marriage licences. This record series includes expired licences. This record series also includes the records of staff at Residential Care Facilities and applications for licences.	T	25	T+25	N	Y	Parking & By-law Services	T=termination and/or expiry of licence, or date of denial
PE	07	02	Licencing Inspections	Records associated with inspections for establishment and mobile licences including insurance records, and certificates of safety. This series also includes inspection reports from the Traffic Department, Public Health Services (Public Health Inspectors and Nursing Inspectors, Fire Prevention and Community Services - Subsidy and Hostels and MLE Inspectors. NOTE: Does not include Taxi/Vehicle Inspections (see PE 07 04)	C+2	15	C+17	N	N	Parking & By-Law Services	
PE	07	03	Licencing - Lotteries	Records associated with charities licenced or denied to run municipal lotteries	4	3	7	N	N	Licencing	
PE	07	04	Taxi/Vehicle Inspection and Enforcement	Records associated with vehicle inspections for licensed taxis, etc., including orders to comply, officer investigation notes, Amanda files, and orders filed with the court.	T	25	T+25	N	N	Licencing	T=Termination of investigation/order/court order

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PE	08	02	Building Plans and Specifications	Records associated with the issuance of Building Permits issued under the Building Code Act. This record series includes plans, specifications, and other correspondence.	C+2	P	P	N	N	Building	
PE	08	05	Building Permits Plans and Specifications, Other	Records associated with the issuance of permits issued under authority other than the Building Code Act. This record series includes plans, specifications, and other correspondence.	C+2	P	P	N	N	Building	
PE	13		Animal Control	Records associated with animal control. This records series includes licensing, files associated with the investigation of animal abuse, animal adoptions, animal confiscation, notices to comply with an order, and notices to pet owners.	C+2	4	C+6	N	N	Animal Control	
PE	14	01	Protective Equipment	Records relating to protective equipment used by various departments. Also includes maintenance and history files on equipment.	T	2	T+2	N	N	Originating Depart	T = Disposal of equipment.
PE	15		Taxicab Driver/Owner Training Courses	Records associated with taxicab driver/owner training courses. Records include taxi licences, driver records, driver photos, owner information, and classes attended by drivers for the purpose of driving a taxi.	T	25	T+25	N	N	Licencing	T=Termination of taxicab licence

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PE	16		Provincial Offences Investigations	Records associated with Provincial Offences Act Investigations by Municipal Law Enforcement, including orders to comply, officer investigation notes, Amanda files, and orders filed with the court.	T+2	5	T+7	N	N	Parking & By-law Services	T=Termination of investigation/order/court order

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TS	01	01	Lighting Installation and Maintenance	Records relating to the types and maintenance of lighting devices used to illuminate streets and pedestrian crossovers.	T+2	13	T+15	N	N	Public Works	T = Removal of Asset.
TS	03		Public Transit Operations	Records relating to the operation of public transit	C+2	7	C + 9	N	N	Public Works	
TS	03	02	Transit Customer Experience and Innovation	Records related to accessible transit service (ATS) and public consultation	C+1	10	C+11	N	N	Public Works	
TS	03	03	Transit Revenue	Records relating to fare and revenue collection	C+1	6	C+7	N	N	Public Works	
TS	03	04	Public Transportation Planning	Records relating to public transportation route planning.	C+2	10	C+12	N	N	Public Works	
TS	03	05	Public Transportation Scheduling	Records relating to public transportation scheduling	C+2	10	C+12	N	N	Public Works	
TS	03	06	Public Transportation Infrastructure	Records relating to public transportation infrastructure	C+2	17	C+19	Y	N	Public Works	
TS	04	01	Infrastructure Design and Construction	Records relating to the design and construction of horizontal and vertical infrastructure including roads, bridges, sidewalks, cycling paths, landfills, sanitary and storm sewers, waterfront, parks, trails.	T+2	13	T+15	N	Y	Public Works	T = End of Warranty Period or completion of construction, whichever is longer. Planning comments are maintained until project is undertaken and completed.

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TS	06		Road Maintenance - Regular Maintenance	Records relating to the maintenance of roads that includes culverts, minor road surface repairs, curbs, medians, sidewalks, etc. It also includes ploughing, grading, salting and the removal of snow from the City main roadway, bike lanes and sidewalks, which are undertaken to ensure public safety.	T + 2	13	T+15	Y	N	Public Works	T=Completion of project/Maintenance and repairs completed.
TS	06	01	Roads Maintenance - Water/Wastewater/Storm water Assets	Records relating to the maintenance of City roads. This includes the ongoing maintenance of culverts, catch basins, storm sewers, water mains, curbs, and medians. May include information on grading, minor road surface repairs, and securing safe use of manholes.	T+2	3	T+5	N	N	Public Works	T = Life of Asset
TS	06	02	Roads Inventory Management	Records relating to the management of roads inventory and classification data, which list road names and areas. These data document the status and condition of City roads, including both major arterial roads and minor roads.	S	P	P	N	N	Public Works	
TS	06	02	Road Maintenance Standards and Reports	Records relating to the inspection and reporting on the maintenance standards within the road right-of-way, specified by the municipal act, or standards modified by council approval. Including but not limited to maintenance standards for lighting, sidewalks, bike lanes, roadways, traffic signs and signals, bridges deck spalls, winter patrol regulatory signs, weather monitoring.	S + 2	13	S + 15	Y	Y	Public Works	

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TS	06	03	Road Assumptions and Reversions	Records relating to issues and decisions concerning road assumptions and reversions. Road assumptions concern roads for which the City assumes responsibility for maintenance, whereas road reversions concern roads for which non-municipal organizations assume maintenance responsibility (e.g. roads running through private property).	T	15	T+15	N	Y	Public Works	T = Completion of case.
TS	07		Traffic Signs and Signals Equipment	Records relating to the manufacture, installation, and inspections of traffic signs and signals equipment.	T+2	13	T + 15	N	N	Public Works	T = Removal of Asset.
TS	08		Traffic Control Signals, Pedestrian Crossovers, and Turn Lanes/Intersections	Records relating to the investigative and analytical decision-making processes used to determine the need to install, improve, or remove traffic control signals (TCS), pedestrian crossovers (PXO), and turn lanes at intersections.	T + 2	13	T + 15	Y	N	Public Works	T = End of life of asset
TS	09	01	Temporary Road and Lane Closures	Records relating to temporary road closures for purposes of construction and events such as parades and movie filming.	T	15	T+15	N	N	Public Works	T = Expiration of granted order.
TS	10	01	Bridge Maintenance	Records relating to the routine and ongoing maintenance and repairs of City bridges.	T+2	13	T+ 15	Y	Y	Public Works	T = Maintenance and repairs completed.
TS	13		Sidewalk Maintenance	Records relating to the sidewalk inspection program, sidewalk maintenance, temporary and permanent repairs of City sidewalks. Excludes winter maintenance (see TS 06)	T+2	13	T+15	N	N	Public Works	T = Maintenance or orders completed, or until next inspection cycle.

Primary	Secondary	Tertiary	Series Title	Scope Notes	Active	Inactive	Total Retention	Vital Record	Archival Record	Responsible Department	Remarks
TS	14		Motor Vehicle Accident Investigations	Records relating to motor vehicle accident reports and investigations including road conditions, lighting, etc. as well as investigative and analytical decision-making processes used to determine the need to install, improve, or remove traffic control signals (TCS), pedestrian crossovers (PXO), and turn lanes at intersections.	T	4	T+4	N	N	Public Works	T=completion of investigation and Corrective Actions
TS	15		Engineering Drawings and Specifications	Records relating to the production, use, and storage of master copies of engineering drawings. Engineering drawings demonstrate design solutions and define instrumentation requirements.	S	P	P	Y	Y	Public Works	
TS	15	01	Engineering Business Planning Programs	Records relating to citywide or large geographic area studies, material reviews, program specific consulting and business planning records	C+2	P	P	Y	Y	Public Works	
TS	15	02	Engineering Standards, Policies and Quality Assurance	Records relating to standards, policies, and quality assurance for engineering projects	S	P	P	Y	Y	Public Works	

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VE	01		Fleet Management	Records relating to the management and maintenance of leased or owned city vehicles. May include cars, trucks, vans, garbage collection vehicles, snow removal vehicles, street cleaning vehicles, busses etc.	T	2	T+2	N	N	Public Works	T = Life of asset.
VE	02		Transportable and Mobile Equipment	Records relating to transportable equipment (equipment not intended to be carried by a person nor intended for fixed installation) and mobile equipment.	T	2	T+2	N	N	Fleet Services	T=Life of Equipment
VE	05		Garage Management	Records relating to the management of City vehicle garages including inspections and maintenance.	C	1	C+1	N	N	Fleet Services	
VE	05	03	Vehicle Inspections	Records relating to vehicle inspections conducted by the City and other organizations.	C	2	T + 2	N	N	Fleet Services	T=Termination of asset/vehicle
VE	05	04	Vehicle Fuel Records	Records relating to fuel usage records for City vehicles. Notes: Liquid Fuels Handling Code – Document Ref. No.: FS-235-18 1. Clause 1.2.4 is revoked and the following substituted: 1.2.4. Except for section 3.2.2, any record required to be created, maintained or retained by this Code shall be kept for seven years.	C	6	C + 6	N	N	Fleet Services	