



***Tentative Agenda for Committee of  
Council Agenda***

***Monday, January 27, 2020 @ 6:30 PM***

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Kensington, PEI  
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***Please ensure all cell phones and other electronic devices are turned  
off or placed on non-audible mode during the meeting.***

**Town of Kensington  
Committee of Council Meeting  
Monday, November 25, 2019  
6:30 PM**

**Council Members Present:** Mayor, Rowan Caseley; Deputy Mayor, Coreen Pickering;  
Councillors: Spencer, Gallant, Toombs and Mann.

**Staff Members Present:** Chief Administrative Officer, Geoff Baker; Deputy  
Administrator, Wendy MacKinnon; Administrative  
Assistant, Kim Caseley.

**Regrets:** Councillor Bernard

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**1. Calling of Meeting to Order**

**1.1** Mayor Caseley called the meeting to order at 6:30 pm and welcomed Council members and staff.

**2. Adoption of Agenda**

**2.1** *Moved by Councillor Toombs, seconded by Councillor Gallant to approve the agenda for the November 2019 Committee of Council meeting. Unanimously carried.*

**3. Declaration of Conflict of Interest**

**3.1** Mayor Caseley discussed that Members of Committee of Council or staff who believe they may have a conflict of interest on any matter that will be discussed at this meeting should declare that potential conflict at this time, withdraw at the time of discussion and vacate the Council Chambers during deliberation and decision.

**4. Delegations, Special Speakers and Public Input**

**4.1** *Nil*

**5. Adoption of Previous Meeting Minutes**

**5.1** *Moved by Councillor Spencer, seconded by Councillor Toombs to approve the Committee of Council meeting minutes from October 28, 2019. Unanimously carried.*

**6. Business Arising from Minutes**

**6.1** *Nil.*

## **7. Staff Reports**

### **7.1 CAO's Report**

**7.1.1** *Moved by Councillor Toombs, seconded by Councillor Spencer to receive the November 2019 CAO's Report as prepared by CAO, Geoff Baker. Unanimously carried.*

**7.1.2** Councillor Spencer inquired if the placement of gravel/stone in the basement of the Train Station would be scheduled during the winter months. Mr. Baker will confirm and report to Council.

**7.1.3** Councillor Toombs inquired about the generator for the Emergency Reception Centre. Mr. Baker confirmed that the generator has not been transported to New Brunswick for the required modifications.

### **7.2 Fire Department Statistical Report**

**7.2.1** *Moved by Councillor Spencer, seconded by Councillor Toombs to recommend to Town Council the adoption of the October 2019 Fire Chief's Report as prepared by Fire Chief Hickey. Unanimously carried.*

### **7.3 Police Department Statistical Report**

**7.3.1** *Moved by Deputy Mayor Pickering, seconded by Councillor Toombs to recommend to Town Council the adoption of the October 2019 Police Statistical Report as prepared by Chief Sutherland. Unanimously carried.*

### **7.4 Development Permit Summary Report**

**7.4.1** *Moved by Councillor Spencer, seconded by Councillor Toombs to receive the November 2019 Development Permit Summary Report as prepared by Administrative Assistant, Kim Caseley. Unanimously carried.*

### **7.5 Financial Report (Summary Income Statement & Bills List)**

**7.5.1** *Moved by Councillor Mann, seconded by Councillor Spencer to recommend to Town Council the approval of the General Bills List for October 2019 in the amount of \$247,550.85. Unanimously carried.*

**7.5.2** *Moved by Councillor Mann, seconded by Councillor Toombs to recommend to Town Council the approval of the Water & Pollution Control Corporation Bills List for October 2019 in the amount of \$11,724.39. Unanimously carried.*

### **7.6 Summary Income Statement**

**7.6.1** *Moved by Councillor Mann, seconded by Deputy Mayor Pickering to recommend to Town Council the adoption of the Summary Income*

*Statements for October 2019, as prepared by Deputy Administrator, Wendy MacKinnon. Unanimously carried.*

**7.6.2** Councillor Mann requested a detailed breakdown of each Harvest Festival event showing revenue, expenses and sources of revenue/donations.

**7.6.3** Councillor Spencer requested that the Fitplex offer a Holiday membership incentive.

**7.7 Credit Union Centre Report**

**7.7.1** *Moved by Councillor Toombs, seconded by Councillor Spencer to recommend to Town Council the adoption of the Credit Union Centre Report for October 2019, as prepared by CUC Manager, Robert Wood. Unanimously carried.*

**7.7.2** Councillor Gallant inquired about the cancelation policy for ice rentals. Mr. Baker will confirm with Mr. Wood and report to Council.

**8. New Business**

**8.1 2019-2024 Capital Investment Plan Amendment – Seniors Centre Parking Area Paving - Malpeque Gas Tax Funds**

**8.1.1** *Moved by Councillor Gallant, seconded by Councillor Toombs that Committee of Council recommend to Town Council the following resolution:*

*WHEREAS the Municipality of Malpeque has agreed to transfer \$25,410.00 of their notional Gas Tax Funds to the Town of Kensington to assist in the paving of the Seniors Recreational Centre located at 25A Garden Drive (adjacent to Credit Union Centre) in the Town of Kensington;*

*AND WHEREAS the Town of Kensington is prepared to receive such funds and is committed to completing the project on behalf of both municipalities in 2020;*

*BE IT RESOLVED that Committee of Council recommend to Town Council that they authorize staff to make an application to amend their 2019-2024 Capital Investment Plan to include the Seniors Centre Paving project with the funds required to complete the project being transferred from the Municipality of Malpeque's Notional Gas Tax Funds in the amount of \$25,410.00. Town Council understands that they are responsible for all future operations and maintenance costs associated with the project.*

*Unanimously carried.*

## **8.2 Police Department Computer Replacement**

### **8.2.1 Moved by Councillor Spencer, seconded by Councillor Toombs**

*THAT Committee of Council recommend that Town Council award a contract to Combat Computers to replace nine computers in the Police department as per their quote dated October 1, 2019 in the amount of \$10,950.00 plus HST and ACES.*

*Unanimously carried.*

## **8.3 Police Study/Service Model Review – Discussion**

### **8.3.1 Moved by Deputy Mayor Pickering, seconded by Councillor Spencer to direct the CAO to proceed with drafting a Request for Proposals for a police study/service model review. Unanimously carried.**

## **9. Councillor Issues/Inquiries**

**9.1** Deputy Mayor Pickering expressed her appreciation to the Town for their donation to the Prince County Hospital in memory of her late Mother in-law.

**9.2** Mayor Caseley confirmed that the December 23 Committee of Council meeting would be cancelled, unless otherwise required.

## **10. Correspondence**

**10.1** A Thank You note from the family of the late George E. Stewart for the Towns donation to the Prince County Hospital in his memory.

**10.2** A donation request from the Kensington and Community Christmas Supper committee.

*Moved by Councillor Toombs, seconded by Councillor Spencer that Committee of Council recommend to Town Council a \$100.00 donation to the Kensington and Community Christmas Supper. Unanimously carried.*

**10.3** A donation request from the Kensington Pickleball Club in support of the 2020 Kensington Winter Carnival Tournament.

*Moved by Councillor Spencer, seconded by Deputy Mayor Pickering that Committee of Council recommend to Town Council a \$200.00 donation to the Kensington Pickleball Club, in support of their 2020 Kensington Winter Carnival Tournament. Unanimously carried.*

**10.4** An open house invitation to Lennon House on Sunday, December 15, 2019.

## **11. In-Camera (Closed Session)**

**11.1** *Moved by Deputy Mayor Pickering, seconded by Councillor Toombs to move into In-Camera at 7:57 PM. Unanimously carried.*

**11.2** *Moved by Deputy Mayor Pickering, seconded by Councillor Spencer to move out of In-Camera at 8:20 PM. Unanimously carried.*

**12. Adjournment**

**12.1** *Moved by Councillor Toombs, seconded by Councillor Spencer to adjourn the meeting at 8:20 pm. Unanimously carried.*

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Geoff Baker,  
CAO

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Rowan Caseley,  
Mayor

**Town of Kensington  
Committee of Council Meeting  
Monday – January 27, 2020 – 6:30 PM**

- 1. Call to Order**
- 2. Adoption of Agenda (Additions/Deletions)**
- 3. Declaration of Conflict of Interest**
- 4. Delegations, Special Speakers and Public Input**
- 5. Adoption of Previous Meeting Minutes – November 25, 2019**
- 6. Business Arising from Minutes – November 25, 2019**
- 7. Staff Reports**
  - a. Chief Administrative Officer's Report
  - b. Fire Department Statistical Report
  - c. Police Department Statistical Report
  - d. Development Permit Summary Report
  - e. Bills List – Town
  - f. Bills List – Water and Pollution Control Corporation
  - g. Summary Income Statement
  - h. Credit Union Centre Report
- 8. New Business**
  - a. COC Memo – Access to Information and Protection of Personal Information Bylaw
  - b. COC Memo - Records Retention Bylaw
  - c. COC Memo - Exempt Staff Wage Increase - 2020
- 9. Councillor Issues/Inquiries**
- 10. Correspondence**
- 11. In-Camera (Closed Session) - One Item of a Human Resources Nature - Section 119(1)(d) of the Municipal Government Act.**
- 12. Adjournment**





Police Department Occurrence Report Summary 2019														
Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD	% Total
911 Act	2		4		3	3	3	1		3	1	7	27	3.30%
Abandon Vehicle			1		1								2	0.24%
Abduction													0	0.00%
Alarms	2	1		4	2	2	7	2	10	4	4	2	40	4.88%
Animal Calls	1		1		1	1		1	2				7	0.85%
Arson													0	0.00%
Assault PO													0	0.00%
Assault with Weapon													0	0.00%
Assaults (Level 1)		2		1		1		1				1	6	0.73%
Assistance Calls	17	14	11	11	17	20	22	10	18	19	15	8	182	22.22%
Breach of Peace	1		1			1	1		1		1	1	7	0.85%
Breach of Recognizance						1							1	0.12%
Break and Enter (business)													0	0.00%
Break and Enter (other)									1				1	0.12%
Break and Enter (residence)		1						1	3	1		1	7	0.85%
Carry concealed weapon													0	0.00%
Child Pornography													0	0.00%
Child Welfare					2	2				1			5	0.61%
Coroner's Act	1		1	2			1						5	0.61%
Crime Prevention													0	0.00%
Criminal Harassment	1												1	0.12%
Dangerous Driving			2			1		1				1	5	0.61%
Disturbing the Peace			1	1								1	3	0.37%
Dog Act			1		1	2					1		5	0.61%
Driving while disqualified			1			2	1			1			5	0.61%
Drug Charges			2				1						3	0.37%
Excise Act													0	0.00%
Fail to Comply Probation	1									1	1		3	0.37%
Fail to comply undertaking									1				1	0.12%
Fail to remain at scene of accident											1	1	2	0.24%
Family Relations Act				2	1		1		1	1	1		7	0.85%
Fingerprints taken													0	0.00%
Fire Prevention Act	1							1					2	0.24%

Police Department Occurrence Report Summary 2019														
Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD	% Total
Firearm Act					1								1	0.12%
Forcible confinement													0	0.00%
Fraud	1		1	2	1	1				1			7	0.85%
Harrassing Phone Calls	1		1			2	1	1			2		8	0.98%
Impaired Driver	1			3	1	3	4	4	2		1	1	20	2.44%
Information Files				1			1			1			3	0.37%
Injury Accidents													0	0.00%
Liquor Offences				1					1	1			3	0.37%
Litter Act													0	0.00%
Lost and Found	1		2	3	2	2	7	4	1	1		5	28	3.42%
Luring Minors													0	0.00%
Mental Health Act	2	2		4	1	2	2	1	1	1	3	2	21	2.56%
Mischief	1		3	3	2	1	1	4		1	1		17	2.08%
Motor Vehicle Accidents	3	3		2		7	2	4		4	1	5	31	3.79%
Motor Vehicle Act	7	4	6	5	7	5	9	7	5	5	4	2	66	8.06%
Municipal Bylaws	2	1			1	1		1	2	1	1		10	1.22%
Off Road Vehicle Act	5		1		1								7	0.85%
Other Criminal Code							5	5	2		1	1	14	1.71%
Person Reported Missing		1		1			1						3	0.37%
Possession of restricted weapon											1		1	0.12%
Property Check			1						1			2	4	0.49%
Resist Arrest				1									1	0.12%
Roadside Suspensions							1						1	0.12%
Robbery													0	0.00%
Sexual Assaults / Interference				1	1								2	0.24%
STEP (Integrated Traffic Enforcement)						1	2		1	1			5	0.61%
Sudden Death													0	0.00%
Suspicious Persons / Vehicle	1	1	1		1		2	5	1	4	1		17	2.08%
Theft Of Motor Vehicle					1							1	2	0.24%
Theft Over \$5000							1	1	1				3	0.37%
Theft Under \$5000	1	2	4	2	4	1	2	4	4				24	2.93%
Traffic Offences													0	0.00%
Trespass Act	1	1	1	2	2		1		1	1			10	1.22%

[illegible]

## **Police Report December 2019**

KPS received 2 false alarms during the month.

December 1 @ 1757hrs – Kensington Liquor store, member attended.

December 18 @ 1331hrs – 46 Victoria St East, member did not attend.

## DECEMBER 2019

The Kensington Fire Department responded to 6 calls during the month of December and the average attendance for the fire calls was 14. Following is the breakdown of calls:

<b>Date</b>	<b>Call Details</b>	<b>Location</b>	<b># Firefighters</b>	<b># Trucks</b>
<b>Dec. 10</b>	<b>Vehicle Fire</b>	<b>Rte 2</b>	<b>17</b>	<b>2</b>
<b>Dec. 10</b>	<b>MVC – Single Vehicle</b>	<b>Schurman's Point</b>	<b>13</b>	<b>2</b>
<b>Dec. 16</b>	<b>MVC – 2 vehicles</b>	<b>Victoria St. K'Town</b>	<b>13</b>	<b>3</b>
<b>Dec. 20</b>	<b>Residential Fire Alarm</b>	<b>Woodleigh Dr.</b>	<b>Called off</b>	
<b>Dec. 24</b>	<b>Flue Fire</b>	<b>New Annan</b>	<b>12</b>	<b>3</b>
<b>Dec. 26</b>	<b>MVC – Single Vehicle</b>	<b>Rte 1A – N. Bedeque</b>	<b>14</b>	<b>3</b>

An Association meeting and Fire Department meeting was held on December 3 with 17 firefighters in attendance.

Training was held on December 17 with 23 firefighters participating. As part of training, we toured Cousins' Farm in Spring Valley and MacEwen Mews in Margate.

Three trucks participated in the Kensington Christmas Parade on December 1.

The Firemen's Association provided a Christmas supper for all firemen and their spouses at Family & Friends Restaurant on December 14.

Rodney Hickey  
Chief

Year To Date Approved Development Permits Summary Report  
2020

Development Permit Category	January	February	March	April	May	June	July	August	September	October	November	December		Total	
Other Commercial	1													1	
Total:	1													1	

Total Estimated Construction Value
\$10,000.00
<b>\$10,000.00</b>

DEVELOPMENT PERMITS REPORT  
For the period January 01, 2020 to January 24, 2020

Permit Number	Date Permit Issued	PID	Applicant's Name & Address	Telephone Number	Permit Status	Work Type	Type of Construction		Value	Estimated Start	Estimated Finish
			Property Address								
Commercial											
01-2020	01/14/2020	868646	Willow Bakery Cafe - 13 Commercial Street	306-737-3927	Approved	Other	Commercial		\$10,000.00	01/01/2020	03/01/2020
			13 Commercial Street				Description:	Convert space into bakery/cafe. Develop small kitchen area.			

Sub Total: \$10,000.00

Total: \$10,000.00

## Town of Kensington Bills List December 2019

Amalgamated Dairies Limited	4919340021	\$34.64
Amalgamated Dairies Limited	4919347019	\$25.53
Amalgamated Dairies Limited	4919361021	\$43.45
Amalgamated Dairies Limited	4919355013	\$6.75
Amalgamated Dairies Limited	4919355012	\$49.83
ADL Foods	2408436	\$497.41
ADL Foods	2408657	\$819.01
ADL Foods	4919340021	\$34.64
ADL Foods	2409891	\$430.09
ADL Foods	2409358	\$963.48
Aliant	7378383	\$30.48
Aliant	7375727	\$230.63
Andrew Griffin	DEC 2019 RRSP	\$557.60
Andrew Griffin	DEC 3 TRAINING MEALS	\$30.00
Bell Mobility	2-389927	\$201.25
AL Bell Ltd	2553	\$118.16
Bev Semple	DEC 2019 CROSSWALK	\$60.00
Biggar Overhead Doors	6575	\$156.40
Bill & Bev Hardy	2019 CHRISTMAS DECOR	\$40.00
Brenda MacIsaac	DEC 2019 RRSP	\$289.80
Building Blocs Home Improvements	2203	\$855.32
Capital "T" Electric	745	\$131.31
CFCY 95.1	15007/6127/6547	\$401.58
Christine & Gerald MacDonald	2019 CHRISTMAS DECOR	\$40.00
Combat Computer Inc	58258	\$706.36
Combat Computer Inc	58330	\$1,291.74
Combat Computer Inc	58261	\$562.05
Combat Computer Inc	58262	\$237.19
Combat Computer Inc	58263	\$129.38
Combat Computer Inc	59134	\$165.88
Commercial Construction	DEC 2019	\$3,323.50
Community Christmas Supper	DEC 2019 DONATION	\$100.00



Connect Hearing	0568343	\$140.00
Controls & Equipment	47138	\$543.95
Cummins Sales and Service	36235	\$353.03
Canadian Union of Public Employees	DEC 2019 UNION DUES	\$561.08
D.W Mechanical	1745	\$603.75
D.W Mechanical	1743	\$120.75
D.W Mechanical	1742	\$201.25
D.W Mechanical	1741	\$563.50
DV8 Consulting	DV-19-K08	\$5,060.00
Eastlink	10585839	\$101.14
Eastlink	10750160	\$97.69
Eastlink	10750429	\$23.00
Eastlink	10749827	\$756.83
Eastlink	10821959	\$145.94
Elizabeth Hubley	DEC 2019 RENT	\$805.00
Family & Friends	09	\$1,441.13
Family & Friends	DEC 11, 19 VICKI'S	\$370.30
Family & Friends	DEC 19, 19 PARTY	\$145.48
Family & Friends	DEC 2019 CHRISTMAS	\$121.41
Fluff "N" Tuck	27	\$1,112.00
Fluff "N" Tuck	26 AUG 2019	\$325.00
Fluff "N" Tuck	24 AUG 2019	\$290.00
Fluff "N" Tuck	25	\$625.00
Freda Woodside	2019 CHRISTMAS DECOR	\$40.00
Friends & Flowers	0076	\$396.59
Frito Lay Canada	43757867	\$111.70
Frito Lay Canada	43758092	\$148.26
Frontline Outfitters	45304	\$126.01
Geo Net Technologies Inc	2486	\$5,750.00
Holland College	0000012157	\$329.92
Ideal Auto Parts Ltd	126129	\$33.29
Irving Oil	33224965	\$150.88
Irving Oil	749471	\$174.89
Irving Oil	748568	\$234.65

Irving Oil	33202826	\$472.33
Irving Oil	725502	\$498.98
Irving Oil	750032	\$496.78
Irving Oil	748568A	\$234.65
Irving Oil	749471A	\$174.89
Irving Oil	771547	\$155.94
Irving Oil	449003	\$178.07
Irving Oil	425702	\$417.46
Irving Oil	73804	\$192.85
Irving Oil	217325	\$542.23
Irving Oil	33231442	\$6,610.29
Irving Oil	422742	\$434.25
Irving Oil	724685	\$95.46
Irving Oil	736027	\$605.23
Irving Oil	21446	\$508.70
Irving Oil	812565	\$235.82
Irving Oil	123261	\$163.54
Irving Oil	327624	\$387.50
Irving Oil	545134	\$275.39
Irving Oil	521297	\$708.42
Irving Oil	839491	\$168.93
Irving Oil	51713	\$679.64
Irving Oil	33238331	\$157.48
Island First Aid Service	S1-1566	\$46.00
Island Petroleum	9550	\$313.68
Island Petroleum	9551	\$221.91
Island Petroleum	9556	\$200.46
Island Petroleum	9555	\$340.36
Island Petroleum	9559	\$247.39
Island Petroleum	9558	\$289.33
Island Petroleum	9557	\$345.29
Island Petroleum	9554	\$197.33
Island Petroleum	9553	\$214.13
Island Petroleum	9552	\$192.12

Jack Spencer	DEC 2019 CROSSWALK	\$60.00
Jamie Perry	DEC 2019 CROSSWALK	\$140.00
Joseph & Vanessa Laviotette	2019 CHRISTMAS DECOR	\$40.00
Kays Wholesale	Z03305	\$674.34
Kensington PickleBall Club	DEC 2019 DONATION	\$200.00
Kent Building Supplies	1216889	\$30.76
Kent Building Supplies	1215796	\$37.23
Kent Building Supplies	1214966	\$44.99
Kent Building Supplies	1215204	\$42.18
Kent Building Supplies	1214865	\$10.34
Kent Building Supplies	1216350	\$14.74
Kent Building Supplies	1216684	\$18.39
Kent Building Supplies	1216863	\$5.97
Kent Building Supplies	1219283	\$10.52
Kim Mullett	DEC 3 MILEAGE/MEAL	\$30.98
K'Town Auto Parts	24512/5	\$4.89
K'Town Auto Parts	24308/5	\$46.92
K'Town Auto Parts	24375/5	\$31.97
Lewis Sutherland	DEC 2019 RRSP	\$640.76
Lewis Sutherland	DEC 2019 MILEAGE	\$140.06
Lotus Garden Restaurant	DEC 19, 2019	\$92.58
Maritime Electric	FIRE HALL DEC 2019	\$413.53
Maritime Electric	PW SHOP DEC 2019	\$171.72
Maritime Electric	CUC BALLFIELD DEC 19	\$28.26
Maritime Electric	CUC RINK DEC 2019	\$9,584.78
Maritime Electric	CUC SIGN DEC 2019	\$114.82
Maritime Electric	SENIOR CENTRE DEC 19	\$224.76
Maritime Electric	TOWN HALL DEC 2019	\$1,455.74
Maritime Electric	LIBRARY DEC 2019	\$239.59
Maritime Electric	TRAIN STN DEC 2019	\$736.43
Maritime Electric	ART CO-OP DEC 19	\$519.40
Maritime Electric	EVK POOL DEC 2019	\$90.03
Maritime Electric	CAR CHARGER DEC 2019	\$36.39
Maritime Electric	SPEED RADAR DEC 2019	\$105.13

Mary's Bake Shoppe	DEC 2019 PARADE	\$210.00
Mary's Bake Shoppe	DEC 13, 2019 POL TEL	\$32.00
Malpeque Bay Credit Union	DEC 2019 RRSP	\$1,607.98
MDC	4011052	\$275.56
Medacom Atlantic Inc	011388	\$251.16
Minister of Finance	OCT - DEC 2019	\$6,900.00
Minister of Finance	313925	\$86.25
MJS Marketing & Promotions	2683009	\$51.75
MJS Marketing & Promotions	2683020	\$316.25
MJS Marketing & Promotions	2681011	\$51.75
MJS Marketing & Promotions	2681020	\$86.25
MJS Marketing & Promotions	2681026	\$747.50
MJS Marketing & Promotions	2681034	\$97.75
MJS Marketing & Promotions	2684028	\$747.50
Moase Plumbing & Heating	31047	\$57.50
Orkin Canada	9769400	\$44.28
Orkin Canada	9769100	\$28.75
Orkin Canada	9769103	\$73.03
Pepsico	48506753	\$1,017.61
Peter & Debbie Brighty	2019 CHRISTMAS DECOR	\$40.00
Petty Cash	DEC 2019	\$105.26
Pitney Bowes	3201302642	\$33.53
Pitney Bowes	3201302641	\$161.01
Princess Auto	1005082	\$206.99
Provincial Auto Parts Ltd	996-567112	\$55.13
Robert Wood	DEC 2019 MILEAGE	\$131.60
Rogers Plumbing & Heating	13516	\$74.75
Rowan Caseley	DEC 2019 MILEAGE	\$49.35
Saltwire Network	27121	\$172.50
Saltwire Network	SM00027194	\$262.20
Saltwire Network	SM00026949	\$235.75
Saunders Equipment Ltd	78417	\$276.24
Saunders Equipment Ltd	78391	\$242.88
Mikes Independent	419913	\$34.14

Mikes Independent	01 6479	\$42.66
Mikes Independent	01 9450	\$57.69
Mikes Independent	01 0281	\$36.96
Mikes Independent	01 9797	\$67.84
Mikes Independent	03 6572	\$34.14
Scotia Securities	DEC 2019 RRSP	\$438.34
Scotiabank Visa	DEC 19, 2019 DECORAT	\$130.61
Scotiabank Visa	ANNUAL FEE DEC 2019	\$75.00
Scotiabank Visa	CHARM DIAMOND	\$191.73
Scotiabank Visa	BLOOM HOUSE FLOWERS	\$46.00
Scotiabank Visa	BLOOM HOUSE	\$63.75
Scotiabank Visa	MARY'S BAKE SHOPPE	\$210.00
Spring Valley Building Centre Ltd	210270	\$60.72
Spring Valley Building Centre Ltd	210532	\$30.36
Spring Valley Building Centre Ltd	K10460	\$91.08
Spring Valley Building Centre Ltd	210585	\$30.36
Subway	DEC 19, 2019	\$20.00
Suncor Energy Products Partnership	DEC 2019	\$611.75
Superior Sanitation	694909	\$80.50
Superior Sanitation	694910	\$184.00
Superior Sanitation	694912	\$207.00
Superior Sanitation	694911	\$230.00
T & K Fire Safety Equipment Ltd	251374	\$430.10
T & K Fire Safety Equipment Ltd	251566	\$137.38
Telus	DEC 2019	\$740.20
Tessa MacKinnon	DEC 3 MILEAGE/MEALS	\$61.96
The Home Place	2019 CHRISTMAS DECOR	\$40.00
Thompson Well Drilling Ltd	3819	\$437.00
Traci Campbell	NOV & DEC 2019 CLASS	\$598.00
Vail's Fabric Services Ltd	343327	\$215.46
Vistaprint	JC7PM-M5A28-1P5	\$153.64
Water & Pollution Control Corporation	DEC 2019	\$200.83
Waugh's Construction Ltd	21475	\$12,362.50
Wayne Sherry	DRIVERS MEDICAL NOV	\$75.00

Wet n' Wild Car Wash	DEC 2019 CAR WASH	\$100.00
Yellow Pages Group	19-7718099	\$23.17
Yellow Pages Group	19-7681414	\$17.65
Subtotal		<u>\$100,905.49</u>

Payroll		\$121,986.26
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#### Capital Purchases

Carpenters Inc	135	\$28,226.69
Toombs Plumbing & Heating Ltd	62019	\$8,105.53
WSP Canada Inc	191-14830-00	\$3,926.54
Subtotal Capital		<u>\$40,258.76</u>

<b>Total Bills</b>		<u><b>\$263,150.51</b></u>
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## Water and Pollution Control Corporation Bills List December 2019

Christine Hume	003208	\$3.20
Aliant	7377847	\$129.04
Aliant	7343254	\$138.46
Atlantic Purification Systems Ltd	206676	\$3,194.40
Campbell's Concrete Ltd	254392	\$2,636.46
Campbell's Concrete Ltd	254624	\$27.46
Campbell's Concrete Ltd	254357	\$885.13
Corrosion Service Company Limited	86604	\$1,834.25
Curran & Briggs Ltd	00044454	\$4,869.17
Curran & Briggs Ltd	003212	\$5,832.87
Curran & Briggs Ltd	44459	\$963.70
Envirosystems Incorporated	93026307	\$17,463.70
Envirosystems Incorporated	93026306	\$448.50
Kensington Country Store	02810087137	\$113.75
Kensington Septic Service	3902	\$517.50
Maritime Electric	PUMP EAST 2 DEC 2019	\$213.18
Maritime Electric	WATER TOWER DEC 19	\$160.54
Maritime Electric	PUMP CNT BLDG DEC 19	\$254.43
Maritime Electric	STREET LIGHTS DEC 19	\$2,912.80
Maritime Electric	SEWER TREAT DEC 2019	\$464.36
Maritime Electric	WELL #3 DEC 2019	\$653.72
Maritime Electric	PUMP WEST #1 DEC 19	\$585.44
Maritime Electric	LIFT STN DEC 2019	\$415.16
Maritime Electric	SEWER PUMP DEC 2019	\$232.68
Minister of Finance	191203052	\$685.40
MPWWA	8170	\$136.92
PowerGrid Partners Ltd	2019-0328	\$553.00
Scotiabank Visa	AIRBNB MARCUS FORD	\$1,226.38
Terence McGeown	W&S REFUND CHEQUE	\$48.14
Xylem Water Solutions	3558328805	\$632.50
<b>Total W&amp;S Bills</b>		<b>\$48,232.24</b>

**TOWN OF KENSINGTON**

### Income Statement Comparison of Actual to Budget for Dec 2019

	Current Month			Year to Date				
GENERAL REVENUE	Actual	Budget	Variance	Actual	YTD Budget	Variance	Annual Budget	% Full Year
General Revenues	\$111,722.41	\$107,537.00	\$4,185.41	\$870,979.38	\$853,413.00	\$17,566.38	\$1,125,834.00	77%
Police Service	\$2,599.60	\$3,000.00	-\$400.40	\$21,778.70	\$27,000.00	-\$5,221.30	\$36,000.00	60%
Town Hall Rent	\$7,608.58	\$7,813.00	-\$204.42	\$71,916.53	\$73,217.00	-\$1,300.47	\$96,656.00	74%
Recreation	\$0.00	\$0.00	\$0.00	\$5,395.00	\$3,750.00	\$1,645.00	\$3,750.00	144%
Sales of Service	\$33,759.47	\$37,000.00	-\$3,240.53	\$343,142.47	\$333,000.00	\$10,142.47	\$444,000.00	77%
Subtotal Revenue	\$155,690.06	\$155,350.00	\$340.06	\$1,313,212.08	\$1,290,380.00	\$22,832.08	\$1,706,240.00	77%
GENERAL EXPENSES								
Town Hall	\$13,174.00	\$14,085.00	-\$911.00	\$115,630.44	\$121,671.00	-\$6,040.56	\$162,934.00	71%
General Town	\$57,908.84	\$40,593.00	\$17,315.84	\$387,426.67	\$380,495.00	\$6,931.67	\$579,955.00	67%
Police Department	\$52,404.00	\$44,929.00	\$7,475.00	\$367,586.08	\$333,219.00	\$34,367.08	\$458,961.00	80%
Public Works	\$19,332.34	\$18,275.00	\$1,057.34	\$150,357.33	\$148,972.00	\$1,385.33	\$205,465.00	73%
Train Station	\$2,515.92	\$2,680.00	-\$164.08	\$24,927.35	\$24,145.00	\$782.35	\$31,940.00	78%
Recreation & Park	\$6,078.34	\$1,545.00	\$4,533.34	\$69,140.09	\$66,650.00	\$2,490.09	\$75,785.00	91%
Sales of Service	\$15,572.14	\$17,125.00	-\$1,552.86	\$145,216.06	\$136,812.00	\$8,404.06	\$190,071.00	76%
Subtotal Expenses	\$166,985.58	\$139,232.00	\$27,753.58	\$1,260,284.02	\$1,211,964.00	\$48,320.02	\$1,705,111.00	77%
Net Income (Deficit)	-\$11,295.52	\$16,118.00	-\$27,413.52	\$52,928.06	\$78,416.00	-\$25,487.94		
Credit Union Centre								
Credit Union Centre Revenue	\$36,609.56	\$36,100.00	\$509.56	\$262,229.36	\$278,300.00	-\$16,070.64	\$397,700.00	66%
Credit Union Centre Expenses	\$40,358.23	\$36,044.00	\$4,314.23	\$267,519.46	\$278,454.00	-\$10,934.54	\$397,408.00	67%
Net Income (Deficit)	-\$3,748.67	\$56.00	-\$3,804.67	-\$5,290.10	-\$154.00	-\$5,136.10		
Fire Department								
Fire Revenues	\$20,834.50	\$20,772.00	\$62.50	\$187,521.50	\$186,948.00	\$573.50	\$249,264.00	75%
Fire Department Expenses	\$22,263.66	\$18,477.00	\$3,786.66	\$170,021.72	\$190,843.00	-\$20,821.28	\$249,264.00	68%
Net Income (Deficit)	-\$1,429.16	\$2,295.00	-\$3,724.16	\$17,499.78	-\$3,895.00	\$21,394.78		
Consolidated Net Income (Deficit)	-\$16,473.35	\$18,469.00	-\$34,942.35	\$65,137.74	\$74,367.00	-\$9,229.26		
							\$1,421.00	
Water and Pollution Control Corporation								
Water & Sewer Revenue	\$49,998.56	\$49,222.00	\$776.56	\$443,648.37	\$442,998.00	\$650.37	\$593,079.00	75%
Water & Sewer Expenses	\$78,202.39	\$48,215.00	\$29,987.39	\$468,174.52	\$445,835.00	\$22,339.52	\$590,480.00	79%
Water & Sewer Net Income (Deficit)	-\$28,203.83	\$1,007.00	-\$29,210.83	-\$24,526.15	-\$2,837.00	-\$21,689.15		
							\$2,599.00	



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**TOWN OF KENSINGTON – MEMORANDUM**

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**TO:** MAYOR AND TOWN COUNCIL, CAO  
**FROM:** ROBERT WOOD, CUC MANAGER  
**SUBJECT:** DECEMBER 2019 CREDIT UNION CENTRE REPORT  
**DATE:**  
**ATTACHMENT:** STATISTICAL REPORT

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**December 2019**

**Fitplex**

Programming: Aerobics\Fitness Classes Programming

Mondays 9:00 am Darcey Busch  
Tuesdays 6:30 pm Traci Campbell  
Wednesdays 8:30 am Darcey Busch  
Thursday 6:30 pm Traci Campbell  
Saturday 8:30 am Traci Campbell

Sundays 4:00 pm Peewee Matrix

Mondays 6:30 pm Kensington Wild  
Wednesdays 6:30 pm Kensington Wild

Hours

Key FOB Entry 5:30 AM – 12:00 Midnight Daily  
Staffed 4:00 PM – 8:00 PM Monday – Thursday

New bathroom counter tops installed in the Fitplex locker rooms.

**Arena**

3 Wild home games and 3 Vipers home games in December.

## **Kensington Cash**

November, 2019	\$210.00
	\$216.00
	\$214.00
	<u>\$214.00</u>
<b>Total</b>	<u><b>\$854.00</b></u>

## **Ball Fields**

## **Senior Center**

### **Activities at the senior center on a weekly basis**

- Exercise classes
- Story Board
- Leather working
- Meetings
- Painting
- Touch therapy

## **Upcoming Events**

- Midget A David Martin Memorial Jan 17-19, 2020
- Bedford Exchange Jan 24-26, 2020
- Kensington Wild Hockey Tournament Feb 15-16, 2020
- Initiation Jamboree Feb 17, 2020
- ADL Ice Competition Feb 22, 2020
- Kensington Figure Skating Ice Show March 6, 2020
- Aaron Doyle Mardi Gras Tournament March 26-29, 2020
- KISH High School Hockey Tournament March 30-April 4, 2020
- Shane Cormier Memorial Tournament Pee wee 'A' April 3-5, 2020

# Town of Kensington Credit Union Centre Monthly Statistical Data 2019

Category	January	February	March	April	May	June	July	August	September	October	November	December	YTD
Fitplex													
Total Members	270	262	258	250	242	230	218	215	226	245	255	260	2931
Attendance	1525	1420	1200	1140	1080	950	875	820	1011	1225	1350	1300	13896
Day Passes Sold	26	18	20	22	20	22	20	15	21	25	24	20	253
Memberships Sold	44	32	25	22	20	21	18	19	22	37	24	30	314
Monthly Payment Memberships	54	53	52	53	51	52	50	49	50	51	52	52	619
Arena													
Hours Rented	149	144	135	110	0	0	0	0	58	158	175	140	1069
Preschool (Free)	4	4	3	0	0	0	0	0	0	0	4	4	19
Adult Skate	4	4	3	0	0	0	0	0	0	0	4	4	19
Donated Ice Time	0	10	0	7	0	0	0	0	0	0	0	0	17
Total Hours Rented	157	162	141	117	0	0	0	0	58	158	183	148	1124
Storm Days (no rentals)	2.5	2	1	1	0	0	0	0	11	0	0	0	17.5

## 2018

[illegible]

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**TOWN OF KENSINGTON - MEMORANDUM**

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**TO:** COMMITTEE OF COUNCIL

**FROM:** GEOFF BAKER, CHIEF ADMINISTRATIVE OFFICER

**SUBJECT:** ACCESS TO INFORMATION AND PROTECTION OF PERSONAL INFORMATION BYLAW

**DATE:** 2020-01-24

**ATTACHMENTS:** DRAFT ACCESS TO INFORMATION AND PROTECTION OF PERSONAL INFORMATION BYLAW

**ACCESS TO INFORMATION AND PROTECTION OF  
PERSONAL INFORMATION REGULATIONS –  
PROVINCE OF PEI**

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### **Background**

Under the *Municipal Government Act (MGA)*, certain bylaws are required by all municipalities. Other bylaws are only required if the municipality decides to provide the service or regulate an activity. One of the Bylaws required by the MGA (for all municipalities) is the *Access to Information and Protection of Personal Information Bylaw*. The Bylaw is required to be passed by Town Council by February 28, 2020.

### **Legislative Authority**

Division 5 (Sections 147 and 148) of the MGA provides for the authority (and mandate) for a Council to, by Bylaw, regulate access to information and protection of personal information. Division 5 states:

#### ***147. Access to information***

*(1) A council shall, within 12 months after the coming into force of this section, enact and maintain a bylaw that provides for access in accordance with the regulations to information that was created or collected on and after the coming into force of this section by or otherwise under the control of the municipality, including but not limited to information in relation to the following matters:*

- (a) assessment information;*
- (b) approved financial plans;*
- (c) approved annual financial statements;*
- (d) auditor reports;*

- (e) minutes of all meetings of the council and council committees;*
- (f) bylaws or proposed bylaws which have received first reading;*
- (g) resolutions of the council and council committees passed at open meetings of the council or council committee together with any relevant information that was taken into consideration in the decision to pass the resolution;*
- (h) permits which have been issued;*
- (i) approvals which have been granted;*
- (j) all grants, contributions and donations, with the name of each recipient;*
- (k) all contracts, except a contract*
  - (i) in respect of which the release of information could jeopardize an individual's safety or security, or*
  - (ii) the disclosure of which could reasonably be expected to harm significantly the competitive position or interfere significantly with the negotiating position of a municipality;*
- (l) all compensation, expenses and other payments made annually to each council member pursuant to section 82;*
- (m) strategic plans;*
- (n) all policies;*
- (o) all documents that have been tabled or adopted at open meetings of the council or council committees that*
  - (i) are not included in clauses (a) to (n),*
  - (ii) do not fall within the scope of subsection 119(1), and*
  - (iii) are not subject to solicitor–client privilege.*

### ***Personal information***

*(2) No personal information, except a person's address, that is included in any of the types of information listed in clauses (1)(a) to (o) shall be disclosed except in accordance with the regulations and*

- (a) to the person whose personal information it is;*
- (b) to a person authorized by the person referred to in clause (a); or*
- (c) in accordance with a bylaw made under section 148.*

### ***Personal information, defined***

*(3) In this section and in clause 119(1)(c) and section 148, "personal information" means personal information as defined in clause 1(i) of the Freedom of Information and Protection of Privacy Act R.S.P.E.I. 1988, Cap. F-15.01.*

### ***New municipality***

*(4) The council of a municipality established after the coming into force of this section shall comply with subsection (1) within 12 months after the date of the order of the Lieutenant Governor in Council that established the municipality. 2016,c.44,s.147.*

### ***148. Protection of privacy***

*(1) A council shall, within 12 months after the coming into force of this section, enact and maintain a bylaw that protects the personal information collected by the municipality and provides rules in accordance with the regulations respecting*

- (a) what personal information may be collected by the municipality;*
- (b) the purposes for which the personal information may be collected;*
- (c) how the personal information may be used; and*
- (d) who may have access to the personal information.*

### ***Correction of personal information***

*(2) A bylaw made under subsection (1) shall provide for access by an individual to the individual's personal information for the purpose of verifying and, if necessary, correcting the personal information.*

### ***Notice to individual***

*(3) A council shall ensure that, when an individual's personal information is collected by the municipality, the individual is informed of the purposes for which the information is being collected, how the personal information may be used and who may have access to the personal information.*

### ***Application***

*(4) This section applies in respect of personal information in a record or document created on and after the coming into force of this section.*

### ***New municipality***

*(5) The council of a municipality established after the coming into force of this section shall comply with subsection (1) within 12 months after the date of the order of the Lieutenant Governor in Council that established the municipality. 2016, c.44,s.148.*

**Recommendation**

That Committee of Council review the draft “Access to Information and Protection of Personal Information Bylaw” and recommend that first reading be given to the Bylaw at the February regular meeting of Town Council.



**ACCESS TO INFORMATION AND PROTECTION OF PERSONAL  
INFORMATION BYLAW  
BYLAW 2020-01**

**BE IT ENACTED** by the Council of the Town of Kensington as follows:

**1. Title**

- (1) This bylaw shall be known and cited as the “Access to Information and Protection of Personal Information Bylaw.”

**2. Definitions**

- (1) “Act” means the Municipal Government Act.
- (2) “Applicant” means a person applying for access to information under the Act or this bylaw.
- (3) “Chief Administrative Officer” or “CAO” means the administrative head of the municipality as appointed by council under subsection 86(2)(c) of the *Municipal Government Act*.
- (4) “Coordinator” means an Access to Information and Protection of Privacy Coordinator appointed by Council in accordance with the Regulations and this bylaw.
- (5) “Council” means the Mayor and Councillors for the Municipality
- (6) “Development” means development as defined in the *Planning Act* R.S.P.E.I. 1988, Cap P-8.
- (7) “Law enforcement” means
  - (a) policing, including criminal intelligence operations,
  - (b) a police, security or administrative investigation, including the complaint giving rise to the investigation, that leads or could lead to a penalty or sanction, including a penalty or sanction imposed by the body conducting the investigation or by another body to which the results of the investigation are referred, or
  - (c) proceedings that lead or could lead to a penalty or sanction, including a penalty or sanction imposed by the body conducting the



proceedings, or by another body to which the results of the proceedings are referred.

- (8) “Municipality” means the Town of Kensington.
- (9) “Personal information” means personal information as defined in clause 1(i) of the *Freedom of Information and Protection of Privacy Act* R.S.P.E.I., 1988, Cap. F-15.01, but does not include a person’s address.
- (10) “Record” means any information that a municipality is required to provide access to under subsection 147(1) of the *Municipal Government Act*.
- (11) “Regulations” mean the Access to Information and Protection of Personal Information Regulations under the Act.
- (12) “Third party” means a person, a group of persons or an organization other than an applicant or a municipality.

### **3. General**

- (1) Records shall be available for public inspection at the office of the municipality.
  - (a) During regular office hours.
- (2) Schedule ‘1’ may be amended by resolution as permitted in clause 135(2)(c) of the Act but shall comply with all legal requirements for the access to information and protection of personal information.
- (3) Council shall not appoint a person to act as the Coordinator who is
  - (a) a member of Council; or
  - (b) the CAO of another municipality.
- (4) The Coordinator’s duties shall include
  - (a) accepting and processing applications for access to information;
  - (b) clarifying and responding to access to information applications, including deciding whether to grant or refuse the application for access to information;
  - (c) providing education and training to members of council and employees of the municipality with respect to the bylaw and the Act as it applies to access to information and the protection of personal information;
  - (d) assisting municipal staff in conducting searches in response to access to information applications;
  - (e) preparing fee estimates;
  - (f) appointing a Coordinator replacement in the instance of their temporary absence, i.e. vacation, sick; and

- (g) providing a written annual report to the council of the municipality which includes, at a minimum,
  - (i) the number of applications for access to information,
  - (ii) the number of applications where access to information was granted, and the number of applications where access to information was denied.

#### **4. Application process for access to information**

- (1) An application for access to information shall be made by the applicant, in writing, to the Coordinator.
- (2) An application for access to information shall
  - (a) provide sufficient detail to enable the Coordinator to identify the information sought, and
  - (b) indicate whether the applicant is requesting a photocopy of the information or to examine the information.
- (3) An application for access to information made under subsection 4(1) may be made by an application in electronic format where the Coordinator consents to receiving the application by electronic means.
- (4) Subsequent communications between an applicant and the Coordinator may be by electronic means where both the Coordinator and the applicant consent to communicate by that means.
- (5) The Coordinator may exempt an applicant from the requirement for requests to be made in writing for requests to access the records referred to in subsection 6(2) of this bylaw.

#### **5. Entitlement to access**

- (1) Subject to subsection 5(2) of this bylaw and subsection 6(3) of the regulations, an applicant is entitled to access records and the Coordinator shall provide records that were created or collected by the municipality which, at a minimum, includes access to the types of information referred to in subsection 147(1) of the Act.
- (2) An application for access to information that contains personal information of another individual or information of a third party, or information not referred to in subsection 6(2) of this bylaw shall be made to the Coordinator in accordance with the requirements of section 4.

#### **6. Records available for inspection**

- (1) Subject to the restrictions on information set out in subsection 6(3) of the Regulations, access to information includes, but is not limited to, records in relation to the following matters:
  - (a) assessment information;

- (b) approved financial plans;
  - (c) approved annual financial statements;
  - (d) auditor reports;
  - (e) minutes of all meetings of the council and council committees;
  - (f) bylaws or proposed bylaws which have received first reading;
  - (g) resolutions of the council and council committees passed at open meetings of the council or council committee together with any relevant information that was taken into consideration in the decision to pass the resolution;
  - (h) permits which have been issued;
  - (i) approvals which have been granted;
  - (j) all grants, contributions and donations, with the name of each recipient;
  - (k) all contracts, except a contract
    - (i) in respect of which the release of information could jeopardize an individual's safety or security, or
    - (ii) the disclosure of which could reasonably be expected to harm significantly the competitive position or interfere significantly with the negotiating position of a municipality;
  - (l) all compensation, expenses and other payments made annually to each council member pursuant to section 82 of the Act;
  - (m) strategic plans;
  - (n) all policies;
  - (o) all documents that have been tabled or adopted at open meetings of the council or council committees that
    - (i) are not included in clauses (a) to (n),
    - (ii) do not fall within the scope of subsection 119(1) of the Act, and
    - (iii) are not subject to solicitor-client privilege.
- (2) The following records shall be available within two business days upon request:
- (a) current approved financial plans,
  - (b) current approved annual financial statements,
  - (c) audited financial reports,
  - (d) approved minutes of all council and council committee meetings,

- (e) resolutions contained in the register referred to in clause 93(3)(i) of the Act
  - (f) current strategic plans,
  - (g) all policies,
  - (h) bylaws or proposed bylaws that have received first reading,
  - (i) all compensation, expenses and other payments made annually to each council member, council committee member and all members of any boards or other bodies established by council for the previous year.
- (3) For records not included in subsection 6(2) of this bylaw to which access is authorized by the Act, the bylaw or any other Act; and where the information is reasonably accessible to the municipality, the Coordinator shall, within 30 days of the application for access to information,
- (a) provide the applicant with a written estimate of any fees that may be charged for copies of the record or document containing the information; and
  - (b) subject to the payment of any fees required under section 20 of this bylaw, allow the applicant access to the information.
- (4) Where, in the opinion of the Coordinator, the requested information cannot reasonably be accessed within 30 days of the date of receipt of the application, the Coordinator
- (a) shall inform the applicant, in writing, when the information will be accessible; and
  - (b) shall provide the applicant with a written estimate of any fees that will be charged for copies of the record or document containing the information.
- (5) Where the Coordinator refuses the application for access to information, the Coordinator shall provide the applicant with written notification of the reasons for the refusal and the provision of the Act or bylaw on which the refusal is based.

## **7. Application of bylaw**

- (1) This bylaw applies to information that was created or collected on and after the coming into force of the Act by or otherwise under the control of the municipality.
- (2) This bylaw also applies to information that was created or collected prior to the coming into force of the Act by or otherwise under the control of the municipality, where that information was required to be public under previous legislation, including but not limited to:
  - (a) minutes of all meetings of council;

- (b) audited financial statements;
- (c) approved budgets;
- (d) bylaws; and
- (e) any information required to be shared publicly under section 23.1 of the *Planning Act*.

## **8. Inspection of records or documents**

- (1) The inspection of records or documents containing the information requested by an applicant shall be made under the supervision of an employee of the municipality.
- (2) Subject to any fees that may be charged, copies of records or documents shall be provided by the municipality to an applicant on the request by the applicant as a photocopy of the record or document or by an electronic version of the record or document if available.

## **9. Records not available**

- (1) Notwithstanding anything contained in this bylaw, no person, other than members of council or staff authorized by the CAO, shall have the right to inspect or obtain a copy of any record that:
  - (a) is subject to solicitor-client privilege;
  - (b) is a record of a closed meeting of council or a council committee where the matters discussed related to:
    - (i) commercial information which, if disclosed, would likely be prejudicial to the municipality or parties involved;
    - (ii) information received in confidence which, if disclosed, would likely be prejudicial to the municipality or parties involved;
    - (iii) personal information, other than a person's address, that is protected under the Act;
    - (iv) relates to confidential human resource matters relating to specific employees;
    - (v) is a matter still under consideration, on which the council has not yet publicly announced a decision, and about which discussion in public would likely prejudice a municipality's ability to carry out its negotiations;
    - (vi) relates to the conduct of existing or anticipated legal proceedings;
    - (vii) relates to the conduct of an investigation under, or enforcement of, an Act or bylaw; or
    - (viii) is information which, if disclosed, could prejudice security and the maintenance of the law.

- (2) The minutes of a closed meeting shall be made available to the public and shall be restricted to
  - (a) the date of the meeting;
  - (b) the type of matter under subsection 119(1) of the Act that was discussed during the meeting; and
  - (c) who was present at the meeting.
- (3) The municipality shall make public, when confidentiality is no longer required, any matter which has been considered at a council or council committee meeting closed to the public pursuant to subsection 119(4) of the Act.

#### **10. Personal information contained within records**

- (1) No personal information, except a person's address, that is included in any of the types of records listed in subsection 6(2) of this bylaw shall be disclosed except
  - (a) to the person whose personal information it is;
  - (b) to a person authorized in writing by that person; or
  - (c) in accordance with this bylaw.
- (2) A person's address shall only be disclosed where the person's address is pertinent to the matter being considered by council, including matters such as:
  - (a) an application made pursuant to an official plan and bylaw where the address is the subject of the application;
  - (b) a matter dealing with the enforcement of a bylaw where the address is the subject of the discussion.

#### **11. Authority to collect personal information**

- (1) No personal information may be collected unless
  - (a) the collection of that information is expressly authorized by or under an enactment of Prince Edward Island or Canada or a bylaw of the municipality;
  - (b) the information relates directly to and is necessary for operating a program or activity of the municipality; or
  - (c) the information is collected for the purposes of law enforcement.

#### **12. Manner of collection of personal information**

- (1) All personal information shall be collected directly from the individual to whom it relates unless
  - (a) the information may be disclosed to the municipality under the *Freedom of Information and Protection of Privacy Act*;

- (b) another method of collection is authorized by that individual or by an enactment or bylaw referred to in clause 12(1)(a);
  - (c) the information is necessary to determine the eligibility of an individual to participate in a program of or receive a benefit, product or service from the municipality and is collected in the course of processing an application made by or on behalf of the individual the information is about, or to verify the eligibility of an individual who is participating in a program of or receiving a benefit, product or service from the municipality and is collected for that purpose;
  - (d) the information is collected for the purpose of collecting a fine or a debt owed to the municipality;
  - (e) the information is collected for the purpose of managing or administering personnel of the municipality;
  - (f) the information concerns an individual who is designated as a person to be contacted in an emergency, or other specified circumstances;
  - (g) the information is collected for the purpose of determining suitability for an honour or award; or
  - (h) the information is collected for the purpose of law enforcement.
- (2) Where personal information is collected directly from an individual under subsections 11(1) or 12(1), the individual is to be informed of
- (a) the purpose for which the information is collected;
  - (b) the specific legal authority for the collection; and
  - (c) the contact information of an employee of the municipality who can answer the individual's questions about the collection.

### **13. Use of personal information**

- (1) Where an individual's personal information is used by the municipality, the municipality shall
- (a) make every reasonable effort to ensure that the information is accurate and complete; and
  - (b) retain the personal information in accordance with the records retention bylaw of the municipality.
- (2) For greater certainty, a reference in this section and in sections 14, 16 and 17 to the collection, use or disclosure of personal information by the municipality includes the collection, use or disclosure of the personal information by
- (a) an employee of the municipality;
  - (b) a volunteer, including a volunteer firefighter;

- (c) a person appointed to conduct an inquiry under subsection 217(2) of the Act;
- (d) a supervisor appointed under subsection 219(2) of the Act; and
- (e) an official trustee appointed under subsection 220(1) of the Act.

#### **14. Correction to personal information**

- (1) An individual has the right to request that the coordinator correct personal information where the individual believes there is an error or omission in the individual's personal information.
- (2) The coordinator is prohibited from correcting or otherwise altering an opinion included in an individual's personal information, including a professional or expert opinion.
- (3) A request for a correction to personal information shall be made in writing by the individual whose personal information it is, or by an authorized person on that individual's behalf.
- (4) A request for a correction to personal information shall provide sufficient detail to enable the coordinator to identify the personal information that is the subject of the request.
- (5) A request in writing may be satisfied by a request in electronic format where the coordinator consents to receiving the request by electronic means.
- (6) Subsequent communications between an individual making a request for correction and the coordinator may be by electronic means where both the coordinator and the individual consent to communicate by that means.
- (7) The coordinator shall make the correction requested in accordance with the procedure specified in section 15 unless prohibited by law from doing so.

#### **15. Record of a request to correct personal information**

- (1) Following a request to correct personal information
  - (a) where a correction is made in response to a request under subsection 14(1), the coordinator shall make a notation either on the record or document in question or attached to it that a correction has been requested and made; or
  - (b) where no correction is made in response to a request under subsection 14(1), or a correction is prohibited under subsection 14(2), the coordinator shall make a notation that there was a request to make a correction to the individual's personal information either on the record or document in question or attached to it.
- (2) Within 60 days after the request under subsection 14(1) is received, the coordinator shall give written notice to the individual that
  - (a) the correction has been made under clause 15(1)(a); or



- (b) no correction has been made under clause 15(1)(b).
- (3) The coordinator shall notify any third party to whom personal information has been disclosed within the preceding year that a request to correct that personal information has been made and the decision that was made in response to the request.
- (4) Notwithstanding subsection (3), the Coordinator may dispense with notifying a third party as required in that subsection if
  - (a) in the opinion of the Coordinator, the request to correct the personal information and the decision that was made is not material; and
  - (b) the individual who requested the correction is advised and agrees in writing that notification is not necessary.
- (5) Where the personal information that is the subject of a request for correction was collected by another party or another party created the record or document containing the personal information, the coordinator may, within 30 days from receiving the request to correct the personal information under section 14, transfer the request to that party.
- (6) Where a request is transferred under subsection 15(5), the Coordinator shall notify the individual of the transfer as soon as possible.

#### **16. Protection of personal information**

- (1) The CAO shall ensure that personal information is protected by making reasonable security arrangements to prevent unauthorized access, collection, use, disclosure, disposal or destruction of personal information
- (2) In order to ensure that personal information is protected, the municipality may use personal information only:
  - (a) for the purpose for which the information was collected or compiled or for a use consistent with that purpose;
  - (b) if the individual to whom the information pertains has identified the information and consented, in writing, to the use;
  - (c) for a purpose for which that information may be disclosed by the municipality under section 17; or
  - (d) to the extent necessary to enable the municipality to carry out its purpose in a reasonable manner.

#### **17. Disclosure of personal Information**

- (1) The municipality may disclose personal information only:
  - (a) for the purpose of complying with the Act or the bylaw;
  - (b) for the purpose of complying with an enactment of Prince Edward Island or Canada;

- (c) for the purpose for which the information was collected or compiled or for a use consistent with that purpose;
  - (d) if the individual the information is about has identified the information and consented, in writing, to the disclosure;
  - (e) for determining an individual's suitability or eligibility for a program or benefit, including determining if an individual remains eligible or suitable for a program or benefit that individual is already participating in;
  - (f) if the information is necessary for the delivery of a program or service of the municipality;
  - (g) for the purpose of managing or administering personnel of the municipality or to a representative of a bargaining agent who has been authorized, in writing, by the employee to whom the information pertains to make an inquiry; or
  - (h) to a law enforcement agency in Canada to assist in an investigation
    - (i) undertaken with a view to a law enforcement proceeding, or
    - (ii) from which a law enforcement proceeding is likely to result.
- (2) The municipality may disclose personal information about an individual
- (a) when the information is available to the public;
  - (b) if the information is of a type that is routinely disclosed in a business or professional context and the disclosure is
    - (i) limited to the individual's name and business contact information, including business title, address, telephone number, facsimile number and email address, and
    - (ii) does not reveal other personal information about the individual or personal information about another individual; or
  - (c) if the CAO believes, on reasonable grounds, that the disclosure will avert or minimize an imminent danger to the health or safety of any person.
- (3) For the purposes of sections 16 and 17, a use or disclosure of personal information is consistent with the purpose for which the personal information was collected or compiled if the use or disclosure
- (a) has a reasonable and direct connection to that purpose; and
  - (b) is necessary for performing the statutory duties of, or for operating an authorized program of, the municipality that uses or discloses the personal information.
- (4) Notwithstanding any other provision of this bylaw in relation to the protection of personal information

- (a) the municipality may disclose personal information in an individually identifiable form for a research purpose, including statistical research, only if
    - (i) the research purpose cannot reasonably be accomplished unless that information is provided in individually identifiable form,
    - (ii) the provision of information is not harmful to the individual the information is about and the benefits to be derived from the provision of information are clearly in the public interest,
    - (iii) the CAO has approved conditions relating to the following:
      - (A) security and confidentiality,
      - (B) the removal or destruction of individual identifiers at the earliest reasonable time, and
      - (C) the prohibition of any subsequent use or disclosure of the information in individually identifiable form without the express authorization of the council; and
  - (b) the person to whom the information is disclosed has signed an agreement to comply with the approved conditions, the Act, the bylaw and any other bylaws, policies and procedures of the municipality relating to the confidentiality of personal information.
- (5) The only personal information that a municipality shall disclose to an applicant in relation to a third party is information authorized to be disclosed under the Act or the bylaw made in accordance with the Regulations.
- (6) The Coordinator may refuse to disclose to an applicant
- (a) information, including personal information about the applicant, if the disclosure could reasonably be expected to
    - (i) threaten anyone else's safety or mental or physical health, or
    - (ii) interfere with public safety;
  - (b) personal information about the applicant if, in the opinion of a physician, psychologist, psychiatrist or any other appropriate expert depending on the circumstances of the case, the disclosure could reasonably be expected to result in immediate and grave harm to the applicant's health or safety; and
  - (c) information in a record or document that reveals the identity of an individual who has provided information to the municipality in confidence about a threat to an individual's safety or mental or physical health.

## **18. Complaints**

- (1) An individual who believes that the individual's personal information has been collected, used or disclosed, or has not been corrected, in contravention

of the Act or the bylaw may, in writing, file a complaint with the council of the municipality and request that a review of the matter be conducted.

## **19. Adjudicator**

- (1) Upon receiving a complaint and a request for a review of the matter referred to in subsection 18(1), the council of the municipality shall, by resolution and as soon as practicable, appoint an adjudicator.
- (2) The adjudicator referred to in subsection 19(1) shall be an independent third party.
- (3) All costs associated with the review of the complaint by the adjudicator, including the fees and expenses of the adjudicator, shall be the responsibility of the municipality.
- (4) The adjudicator has authority to decide all questions of fact and law arising during the course of the review.
- (5) The individual requesting the review and the municipality shall be given the opportunity to make representations to the adjudicator.
- (6) No person, other than the individual who requested the review and the municipality is entitled to be present during, to have access to or to comment on representations made to the adjudicator, except with the written consent of both parties.
- (7) The adjudicator has the authority to decide whether the representations may be made orally, in writing or both.
- (8) The individual who requested the review and the municipality may be represented by legal counsel or an agent.
- (9) The adjudicator's review shall be completed within 90 days after the council of the municipality receives the request unless the adjudicator
  - (a) notifies the individual who requested the review and the municipality that the adjudicator is extending that period; and
  - (b) provides an anticipated date for the completion of the review.
- (10) Upon completion of the review, the adjudicator shall issue a decision, in writing, including reasons for the decision, ordering one or more of the following:
  - (a) that the municipality not correct the personal information of the individual who requested the review;
  - (b) that the municipality correct the personal information of the individual who requested the review;
  - (c) that the municipality stop collecting, using or disclosing personal information in contravention of the Act or the bylaw;

- (d) that the CAO destroy personal information collected in contravention of the Act or the bylaw;
  - (e) that the complaint be dismissed.
- (11) In addition to the order referred to in subsection 19(10), the adjudicator may make other recommendations that the adjudicator determines appropriate.
- (12) The adjudicator shall provide a copy of the decision
  - (a) to the person who requested the review;
  - (b) to the CAO of the municipality concerned; and
  - (c) to the council of the municipality concerned.
- (13) The municipality shall comply with the decision not later than 40 days after being given a copy of a decision of the adjudicator except
  - (a) the municipality shall not take any steps to comply with the decision of the adjudicator until the end of the period for bringing an application for judicial review of the decision under the *Judicial Review Act* R.S.P.E.I. 1988 Cap. J-3; and
  - (b) if an application for judicial review is made before the end of the period referred to in clause (a), the decision of the adjudicator is stayed until the application is dealt with by the court.
- (14) The adjudicator may, at any time during the review, attempt to informally resolve the complaint referred to in section 18.

## **20. Fees**

- (1) At no time shall an applicant be charged fees that exceed the actual cost of the services and materials provided by the Municipality.
- (2) An applicant requesting a record or document shall pay to the Municipality the fees set out in Schedule 1 for the purpose of
  - (a) locating, retrieving and producing the record;
  - (b) preparing the record for disclosure;
  - (c) shipping and handling the record;
  - (d) supervising the examination of records; and
  - (e) providing copies of the record.
- (3) Notwithstanding any other provision of this Bylaw, fees do not apply to requests for an applicant's own personal information, except for photocopying fees.
- (4) An applicant may, in writing, request that the coordinator waive all or part of the fee for a specified request, and

- (a) the Coordinator may waive all or part of the fee, if in the coordinator's opinion
  - (i) the applicant cannot afford to pay the fee or for any reason it is appropriate, or
  - (ii) the record or document containing the information relates to a matter of public interest, including public health, safety or environment

## **21. Effective Date**

- (1) This Access to Information and Protection of Personal Information Bylaw, Bylaw # 2020-01, shall be effective on April 1, 2020.

### **First Reading:**

This Access to Information and Protection of Personal Information Bylaw, Bylaw #2020-01, was read a first time at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

This Access to Information and Protection of Personal Information Bylaw, Bylaw #2020-01 was approved by a majority of Council members present at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

### **Second Reading:**

This Access to Information and Protection of Personal Information Bylaw, Bylaw #2020-01, was read a second time at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

This Access to Information and Protection of Personal Information Bylaw, Bylaw #2020-01 was approved by a majority of Council members present at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

### **Approval and Adoption by Council:**

This Access to Information and Protection of Personal Information Bylaw, Bylaw #2020-01, was adopted by a majority of Council members present at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Signatures:

\_\_\_\_\_  
Rowan Caseley, Mayor

\_\_\_\_\_  
Geoff Baker, CAO

This Access to Information and Protection of Personal Information Bylaw, Bylaw #2020-01 adopted by the Council of the Town of Kensington on \_\_\_\_\_  
is certified to be a true copy of the original as seen by me.

\_\_\_\_\_  
Geoff Baker  
Chief Administrative Officer  
Town of Kensington  
55 Victoria Street East  
Kensington, PE  
C0B 1M0  
(902) 836-3781

### Schedule 1 – Fees for accessing or copies of records

Type of information	Timeframe	Photocopying/ printing	Services/Time
Category I – available on demand  (bylaw subsection 6(2))	Office hours/as agreed to between applicant and Coordinator if no office hours	Max \$0.08 per page	No charge.
Category II – readily available but not necessarily on hand – (bylaw subsection 6(3)) or available on demand under 6(2) but older than two years	30 days from application to when the fee estimate and access to records or copies if requested must be provided to applicant	Max \$0.08 per page	<p>Charged at \$20.00 per hour for Administration staff.</p> <p>Charged at \$45.00 per hour for senior staff.</p> <p>Any legal fees charged at cost.</p> <p>Coordinator to provide cost estimate prior to beginning search/retrieval process.</p> <p>Such cost estimate shall not be exceeded without the prior written consent of the applicant.</p>
Category III – Information that cannot reasonably be accessed within 30 days of the application (Bylaw subsection 6(4))	30 days from application the estimate of time and the written estimate of fees must be provided to applicant	Max \$0.08 per page	<p>Charged at \$20.00 per hour for Administration staff.</p> <p>Charged at \$45.00 per hour for senior staff.</p> <p>Any legal fees charged at cost.</p> <p>Coordinator to provide cost estimate prior to beginning search/retrieval process.</p> <p>Such cost estimate shall not be exceeded without the prior written consent of the applicant.</p>



Category IV – applicant’s own personal information (subsection 10(3) of the Regulations)		Max \$0.08 per page	No charge
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**SECTION 6** specifies the insurance coverage that a council must ensure is maintained pursuant to section 249 of the Act.

**SECTION 7** provides for the commencement of the regulations.

Certified a true copy,

Paul T. Ledwell

Clerk of the Executive Council and Secretary to Cabinet

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**EC2019-696**

**MUNICIPAL GOVERNMENT ACT  
ACCESS TO INFORMATION AND PROTECTION OF  
PERSONAL INFORMATION REGULATIONS**

(Approved by Her Honour the Lieutenant Governor in Council dated October 8, 2019.)

Pursuant to sections 147 and 148 and clause 261(1)(g) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1, Council made the following regulations:

**1. In these regulations,**

Definitions

- (a) “Act” means the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1; Act
- (b) “applicant” means a person applying for access to information under the Act or the bylaw; applicant
- (c) “bylaw” means an Access to Information and Protection of Personal Information Bylaw made by a council of a municipality pursuant to sections 147 and 148 of the Act; bylaw
- (d) “Coordinator” means an Access to Information and Protection of Privacy Coordinator appointed by the council of a municipality pursuant to the bylaw; Coordinator
- (e) “development” means development as defined in the *Planning Act* R.S.P.E.I. 1988, Cap P-8; development
- (f) “law enforcement” means law enforcement
- (i) policing, including criminal intelligence operations,
- (ii) a police, security or administrative investigation, including the complaint giving rise to the investigation, that leads or could lead to a penalty or sanction, including a penalty or sanction imposed by the body conducting the investigation or by another body to which the results of the investigation are referred, or

(iii) proceedings that lead or could lead to a penalty or sanction, including a penalty or sanction imposed by the body conducting the proceedings, or by another body to which the results of the proceedings are referred;

third party (g) “third party” means a person, a group of persons or an organization other than an applicant or a municipality.

Application **2.** (1) The bylaw made pursuant to the Act and in accordance with this regulation applies to  
 (a) access to information referred to in section 147 of the Act; and  
 (b) the protection of personal information pursuant to section 148 of the Act.

Effect of bylaw on existing information (2) For greater certainty, the bylaw shall not prohibit a municipality from providing access to information, other than personal information,  
 (a) that was collected by the municipality prior to the coming into force of the Act;  
 (b) that is in the custody or under the control of the municipality; and  
 (c) to which the municipality would have provided access prior to the making of the bylaw.

## PART 1 - ACCESS TO INFORMATION

Accessibility **3.** (1) The bylaw shall provide that information referred to in subsection (2) and in subsection 6(3), subject to the limitations specified in that subsection, that is under the control of the municipality shall be accessible to any person  
 (a) if the municipality has established an office, at the office of the municipality during either  
 (i) regular office hours, or  
 (ii) if there are no regular office hours, at a time agreed to between the person and the Coordinator; or  
 (b) if the municipality has no office, at a time and place agreed to between the person and the Coordinator.

Public documents (2) The bylaw shall include a provision requiring the municipality to promptly make available for public inspection the following information:  
 (a) current approved financial plans;  
 (b) current approved annual financial statements;  
 (c) audited financial reports;  
 (d) minutes of all meetings of the council and council committees;  
 (e) resolutions contained in the register referred to in clause 93(3)(i) of the Act;  
 (f) bylaws or proposed bylaws which have received first reading;  
 (g) all compensation, expenses and other payments made annually to each council member for the previous fiscal year;

- (h) all compensation, expenses and other payments made annually to council committee members and all members of any boards or other bodies established by council for the previous fiscal year;
- (i) current strategic plans;
- (j) all policies.

4. (1) The bylaw shall provide that the council of a municipality shall appoint an Access to Information and Protection of Privacy Coordinator whose duties shall include

Coordinator to be appointed

- (a) accepting and processing applications for access to information;
- (b) clarifying and responding to access to information applications, including deciding whether to grant or refuse the application for access to information;
- (c) providing education and training to members of council and employees of the municipality with respect to the bylaw and the Act as it applies to access to information and the protection of personal information;
- (d) assisting municipal staff in conducting searches in response to access to information applications;
- (e) preparing fee estimates; and
- (f) providing a written annual report to the council of the municipality which includes, at a minimum,
  - (i) the number of applications for access to information,
  - (ii) the number of applications where access to information was granted, and
  - (iii) the number of applications where access to information was denied.

(2) The bylaw shall provide that the following persons are not eligible to be appointed as the Coordinator for the municipality:

Ineligible persons

- (a) a person who is appointed or employed as the chief administrative officer of another municipality;
- (b) a member of council.

5. (1) The bylaw shall establish rules in relation to applications for access to information including that

Application for access to information

- (a) an application for access to information shall be made by the applicant, in writing, to the Coordinator; and
- (b) an application for access to information shall
  - (i) provide sufficient detail to enable the Coordinator to identify the information sought, and
  - (ii) indicate whether the applicant is requesting a photocopy of the information or to examine the information.

(2) The bylaw shall provide that the requirement in subsection (1) for an application to be in writing may be satisfied by an application in electronic format where the Coordinator consents to receiving the application by electronic means.

Form of written communication

Subsequent communications, electronic means	(3) The bylaw shall provide that subsequent communications between an applicant and the Coordinator may be by electronic means where both the Coordinator and the applicant consent to communicate by that means.
Entitlement to access	<b>6.</b> (1) The bylaw shall provide that, subject to subsections (2) and (3), an applicant is entitled to access to information and the Coordinator shall provide access to information that was created or collected by the municipality which, at a minimum, includes access to the types of information referred to in subsection 147(1) of the Act.
Written application required	(2) The bylaw shall provide that an application for access to information that contains personal information of another individual or information of a third party, or information not referred to in subsection 3(2), shall be made to the Coordinator in accordance with the requirements of section 5.
Limited access	<p>(3) Where the information requested by an applicant under subsection (2) contains personal information of another individual or information of a third party, the applicant shall only be entitled to access to the information identified with respect to each of the following clauses of the Act:</p> <ul style="list-style-type: none"> <li>(a) clause 147(1)(a), the information contained in the assessment list as defined in clause 1(1)(c) of the Regulations under the <i>Real Property Assessment Act</i> R.S.P.E.I. 1988, Cap. R-4, or a portion of that list;</li> <li>(b) clause 147(1)(h), <ul style="list-style-type: none"> <li>(i) the nature of the permit application, together with only the name and address of the applicant for the permit, and</li> <li>(ii) if the application was for a development permit, <ul style="list-style-type: none"> <li>(A) any maps or site plans provided as part of the development application delineating the location of the proposed development,</li> <li>(B) a summary of the public notification process,</li> <li>(C) a summary of the responses received as a result of the public notification process,</li> <li>(D) staff reports in relation to the application, and</li> <li>(E) the minutes of Planning Board in relation to the application;</li> </ul> </li> </ul> </li> <li>(c) clause 147(1)(i), the name of the person to whom the approval has been granted and a general description of the approval;</li> <li>(d) clause 147(1)(j), the name of the recipient and the amount and purpose of the grant, contribution or donation to the recipient;</li> <li>(e) clause 147(1)(k), the name of the person to whom the contract has been awarded, the amount of the contract and a general description of the goods or services that are to be provided under the contract.</li> </ul>
Duties of Coordinator	<b>7.</b> (1) The bylaw shall provide that where access to the record or information requested is authorized by the Act, the bylaw or any other Act, and the information is reasonably accessible to the municipality, the

Coordinator shall, within 30 days of the application for access to information,

- (a) provide the applicant with a written estimate of any fees that may be charged for copies of the record or document containing the information; and
- (b) subject to subsection 10(6), allow the applicant access to the information.

(2) The bylaw shall provide that where, in the opinion of the Coordinator, the requested information cannot reasonably be accessed within 30 days of the date of receipt of the application, the Coordinator

Notification by  
Coordinator

- (a) shall inform the applicant, in writing, when the information will be accessible; and
- (b) provide the applicant with a written estimate of any fees that will be charged for copies of the record or document containing the information.

(3) The bylaw shall provide that where the Coordinator refuses the application for access to information, the Coordinator shall provide the applicant with written notification of the reasons for the refusal and the provision of the Act or bylaw on which the refusal is based.

Notification of  
refusal

**8.** The bylaw shall provide that no person, other than a member of council or staff of the municipality authorized by the chief administrative officer in the performance of the person's duties, shall have the right to have access to information that is subject to solicitor-client privilege.

Information not  
available

**9.** (1) The bylaw shall establish rules in relation to the inspection of records or documents that, at a minimum, include that the inspection of records or documents containing the information requested shall be made under the supervision of an employee of the municipality.

Inspection of  
records or  
documents

(2) Subject to section 10, copies of records or documents shall be provided by the municipality to an applicant, on request by the applicant, as

Copies of records or  
documents

- (a) a photocopy of the record or document; or
- (b) an electronic version of the record or document, if available.

**10.** (1) The bylaw may establish a schedule of fees setting out the amounts that the municipality may charge an applicant for the following services:

Fees

- (a) for a photocopy of a record or document referred to in subsection 3(2), an amount not to exceed 8 cents per page, where the request is made within 2 years from the date the information was made available for public inspection;
- (b) for all other records or documents to which a right of access to the information is established pursuant to subsection 147(1) of the Act, fees in accordance with subsection (5) for
  - (i) locating, retrieving and producing the information,
  - (ii) preparing the information for disclosure,

- (iii) supervising the examination of information;
- (c) for a record or document referred to in clause (b), providing photocopies of the record or the document containing the information at a rate not to exceed 8 cents per page.

Fee for electronic versions

(2) The bylaw may provide in the schedule of fees a fee for providing a record or document referred to in subsection (1) in an electronic format, if available.

Exception

(3) Where the bylaw establishes a schedule of fees in accordance with subsection (1), the bylaw shall clearly provide that the fees do not apply to a request for the applicant's own personal information, except for the cost of producing a photocopy, if requested.

Request for waiver of fees

(4) Where the bylaw establishes a schedule of fees in accordance with subsection (1), the bylaw may provide that

(a) an applicant may, in writing, request that the Coordinator excuse the applicant from paying all or part of a fee for a specified service; and

(b) the Coordinator may excuse an applicant from paying all or part of the fee for the specified service if, in the opinion of the Coordinator,

(i) the applicant cannot afford to pay the fee or for any other reason it is appropriate to waive payment of the fee, or

(ii) the record or document containing the information relates to a matter of public interest, including the environment or public health or safety.

Maximum fees

(5) Where the bylaw establishes fees in relation to the costs of services and materials referred to in subsection (1), the bylaw shall include that the total amount of the fees charged shall not exceed the actual cost to the municipality of the services and materials provided by the municipality.

Advance payment, deposit

(6) The bylaw may include provisions stating that either or both of the following apply:

(a) all fees associated with the request for access to information shall be paid before the release of copies of the records or the documents containing the information;

(b) a deposit of 50 per cent of the estimated fees shall be paid to the municipality before any search for the information requested shall be commenced.

## PART II – PROTECTION OF PERSONAL INFORMATION

Authority to collect information

**11.** The bylaw shall provide that no personal information may be collected by or for a municipality unless

(a) the collection of that information is expressly authorized by or under an enactment of Prince Edward Island or Canada or a bylaw of the municipality;

- (b) the information relates directly to and is necessary for an operating program or activity of the municipality; or
- (c) the information is collected for the purposes of law enforcement.

**12.** The bylaw shall provide that personal information shall be collected directly from the individual to whom it relates unless

Manner of collection

- (a) the information may be disclosed to the municipality under the *Freedom of Information and Protection of Privacy Act*;
- (b) another method of collection is authorized by that individual or by an enactment or bylaw referred to in clause 12(a);
- (c) the information is necessary
  - (i) to determine the eligibility of an individual to participate in a program of or receive a benefit, product or service from the municipality and is collected in the course of processing an application made by or on behalf of the individual the information is about, or
  - (ii) to verify the eligibility of an individual who is participating in a program of or receiving a benefit, product or service from the municipality and is collected for that purpose;
- (d) the information is collected for the purpose of collecting a fine or a debt owed to the municipality;
- (e) the information is collected for the purpose of managing or administering personnel of the municipality;
- (f) the information concerns an individual who is designated as a person to be contacted in an emergency, or other specified circumstances;
- (g) the information is collected for the purpose of determining suitability for an honour or award; or
- (h) the information is collected for the purpose of law enforcement.

**13.** Where personal information is collected directly from an individual under section 11 or 12, the bylaw shall establish rules ensuring that the individual is informed of

Right to be informed

- (a) the purpose for which the information is collected;
- (b) the specific legal authority for the collection; and
- (c) the contact information of an employee of the municipality who can answer the individual's questions about the collection.

**14.** (1) Where an individual's personal information will be used by a municipality, the bylaw shall establish rules which, at a minimum, require the municipality to

Accuracy of personal information

- (a) make every reasonable effort to ensure that the information is accurate and complete; and
- (b) retain the personal information in accordance with the records retention bylaw of the municipality.

(2) For greater certainty, a reference in this section and in sections 15, 18, 19, 20, 21 and 22 to the collection, use or disclosure of personal

Reference to municipality



information by a municipality includes the collection, use or disclosure of the personal information by

- (a) an employee of the municipality;
- (b) a volunteer, including a volunteer firefighter;
- (c) a person appointed to conduct an inquiry under subsection 217(2) of the Act;
- (d) a supervisor appointed under subsection 219(2) of the Act; and
- (e) an official trustee appointed under subsection 220(1) of the Act.

Right to request a correction to personal information

**15.** (1) The bylaw shall establish rules in relation to the correction of personal information collected by the municipality that, at a minimum, shall

- (a) allow an individual to request that the Coordinator correct personal information where the individual believes there is an error or omission in the individual's personal information; and
- (b) prohibit the Coordinator from correcting or otherwise altering an opinion included in an individual's personal information, including a professional or expert opinion.

Written request

(2) The bylaw shall establish rules in relation to a request for a correction to personal information, including that

- (a) a request for a correction to personal information shall be made in writing by the individual whose personal information it is, or by an authorized person on that individual's behalf; and
- (b) the request for a correction to personal information shall provide sufficient detail to enable the Coordinator to identify the personal information that is the subject of the request.

Form of written request

(3) The bylaw shall provide that the requirement in subsection (2) for a request to be in writing may be satisfied by a request in electronic format where the Coordinator consents to receiving the request by electronic means.

Subsequent communications, electronic means

(4) The bylaw shall provide that subsequent communications between an individual making a request for correction and the Coordinator may be by electronic means where both the Coordinator and the individual consent to communicate by that means.

Making correction to personal information

(5) The bylaw shall provide that the Coordinator shall make the correction requested in accordance with the procedure specified in section 16 unless prohibited by law from doing so.

Record of request to correct to personal information

**16.** (1) The bylaw shall provide that where

- (a) a correction is made in response to a request under clause 15(1)(a), the Coordinator shall make a notation either on the record or document in question or attached to it that a correction has been requested and made; or
- (b) no correction is made in response to a request under clause 15(1)(a), or a correction is prohibited under clause 15(1)(b), the Coordinator shall make a notation that there was a request to

make a correction to the individual's personal information either on the record or document in question or attached to it.

(2) The bylaw shall provide that within 60 days after the request under clause 15(1)(a) is received, the Coordinator shall give written notice to the individual that

Notice to individual

- (a) the correction has been made under clause (1)(a); or
- (b) no correction has been made under clause (1)(b).

(3) The bylaw shall provide that the Coordinator shall notify any third party to whom personal information has been disclosed within the preceding year that a request to correct that personal information has been made and the decision that was made in response to the request.

Notice to third party

(4) Notwithstanding subsection (3), the coordinator may dispense with notifying a third party as required in that subsection if

Exception

- (a) in the opinion of the Coordinator, the request to correct the personal information and the decision that was made is not material; and
- (b) the individual who requested the correction is advised and agrees in writing that notification is not necessary.

(5) The bylaw shall provide that where the personal information that is the subject of a request for correction was collected by another party or another party created the record or document containing the personal information, the Coordinator may, within 30 days from receiving the request to correct the personal information under section 15, transfer the request to that party.

Transfer of request

(6) The bylaw shall provide that where a request is transferred under subsection (5), the Coordinator shall notify the individual of the transfer as soon as possible.

Notice of transfer

**17.** The bylaw shall establish rules in relation to the protection of personal information that, at a minimum, require the chief administrative officer to ensure that personal information is protected by making reasonable security arrangements to prevent unauthorized access, collection, use, disclosure, disposal or destruction.

Security of personal information

**18.** (1) The bylaw shall, in order to ensure that personal information is protected, establish rules in relation to the use of personal information which, at a minimum, include that a municipality may use personal information only

Use of personal information by municipality

- (a) for the purpose for which the information was collected or compiled or for a use consistent with that purpose;
- (b) if the individual to whom the information pertains has identified the information and consented, in writing, to the use; or
- (c) for a purpose for which that information may be disclosed by the municipality under sections 19 and 20.

Extent of use	(2) The bylaw shall provide that the municipality may use personal information only to the extent necessary to enable the municipality to carry out its purpose in a reasonable manner.
Disclosure of personal information by municipality	<p><b>19.</b> (1) The bylaw shall establish rules in relation to the disclosure of personal information which, at a minimum, include that a municipality may disclose personal information only</p> <ul style="list-style-type: none"> <li>(a) for the purpose of complying with the Act or the bylaw;</li> <li>(b) for the purpose of complying with an enactment of Prince Edward Island or Canada;</li> <li>(c) for the purpose for which the information was collected or compiled or for a use consistent with that purpose;</li> <li>(d) if the individual the information is about has identified the information and consented, in writing, to the disclosure;</li> <li>(e) for determining an individual's suitability or eligibility for a program or benefit, including determining if an individual remains eligible or suitable for a program or benefit that individual is already participating in;</li> <li>(f) if the information is necessary for the delivery of a program or service of the municipality;</li> <li>(g) for the purpose of managing or administering personnel of the municipality or to a representative of a bargaining agent who has been authorized, in writing, by the employee to whom the information pertains to make an inquiry; or</li> <li>(h) to a law enforcement agency in Canada to assist in an investigation <ul style="list-style-type: none"> <li>(i) undertaken with a view to a law enforcement proceeding, or</li> <li>(ii) from which a law enforcement proceeding is likely to result.</li> </ul> </li> </ul>
Permitted disclosure	<p>(2) The bylaw shall provide that a municipality may disclose personal information about an individual</p> <ul style="list-style-type: none"> <li>(a) when the information is available to the public;</li> <li>(b) if the information is of a type that is routinely disclosed in a business or professional context and the disclosure is <ul style="list-style-type: none"> <li>(i) limited to the individual's name and business contact information, including business title, address, telephone number, facsimile number and email address, and</li> <li>(ii) does not reveal other personal information about the individual or personal information about another individual; or</li> </ul> </li> <li>(c) if the Chief Administrative Officer believes, on reasonable grounds, that the disclosure will avert or minimize an imminent danger to the health or safety of any person.</li> </ul>
Use or disclosure consistent with purpose	<p><b>20.</b> For the purposes of clauses 18(1)(a) and 19(1)(c), a use or disclosure of personal information is consistent with the purpose for which the personal information was collected or compiled if the use or disclosure</p> <ul style="list-style-type: none"> <li>(a) has a reasonable and direct connection to that purpose; and</li> </ul>

(b) is necessary for performing the statutory duties of, or for operating an authorized program of, the municipality that uses or discloses the personal information.

**21.** The bylaw shall establish rules in relation to the protection of personal information that, at a minimum, include that

Disclosure for  
research or  
statistical purposes

(a) a municipality may disclose personal information in an individually identifiable form for a research purpose, including statistical research, only if

- (i) the research purpose cannot reasonably be accomplished unless that information is provided in individually identifiable form,
- (ii) the provision of information is not harmful to the individual the information is about and the benefits to be derived from the provision of information are clearly in the public interest,
- (iii) the chief administrative officer has approved conditions relating to the following:

- (A) security and confidentiality,
- (B) the removal or destruction of individual identifiers at the earliest reasonable time, and
- (C) the prohibition of any subsequent use or disclosure of the information in individually identifiable form without the express authorization of the council; and

(b) the person to whom the information is disclosed has signed an agreement to comply with the approved conditions, the Act, the bylaw and any other bylaws, policies and procedures of the municipality relating to the confidentiality of personal information.

**22.** The bylaw shall provide that the only personal information that a municipality shall disclose to an applicant in relation to a third party is information authorized to be disclosed under the Act or the bylaw made in accordance with these regulations.

Disclosure of  
personal  
information to  
applicant

**23.** The bylaw shall establish rules in relation to the disclosure of information, including personal information, which, at a minimum, include that the Coordinator may refuse to disclose to an applicant

Refuse to disclose  
information where  
threat to health or  
public safety

(a) information, including personal information about the applicant, if the disclosure could reasonably be expected to

- (i) threaten anyone else's safety or mental or physical health, or
- (ii) interfere with public safety;

(b) personal information about the applicant if, in the opinion of a physician, psychologist, psychiatrist or any other appropriate expert depending on the circumstances of the case, the disclosure could reasonably be expected to result in immediate and grave harm to the applicant's health or safety; and

(c) information in a record or document that reveals the identity of an individual who has provided information to the municipality in confidence about a threat to an individual's safety or mental or physical health.

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Complaint and review	<b>24.</b> The bylaw shall provide that an individual who believes that the individual's personal information has been collected, used or disclosed, or has not been corrected, in contravention of the Act or the bylaw may, in writing, file a complaint with the council of the municipality and request that a review of the matter be conducted.
Response by council	<b>25.</b> (1) The bylaw shall provide that on receiving a complaint and a request for a review of the matter referred to in section 24, the council of the municipality shall, by resolution and as soon as practicable, appoint an adjudicator as specified in subsection (2).
Appointment of adjudicator	(2) The bylaw shall provide that the adjudicator referred to in subsection (1) shall be an independent third party.
Costs of investigation	(3) The bylaw shall provide that all costs associated with the review of the complaint by the adjudicator, including the fees and expenses of the adjudicator, shall be the responsibility of the municipality.
Adjudicator's process	<b>26.</b> (1) The bylaw shall provide the process to be followed by the adjudicator in reviewing the complaint, including authorizing the adjudicator to decide all questions of fact and law arising during the course of the review.
Opportunity to make representations	(2) The bylaw shall provide that the individual who requested the review and the municipality shall be given the opportunity to make representations to the adjudicator.
Persons entitled to be present, etc.	(3) The bylaw shall provide that no person other than the individual who requested the review and the municipality is entitled to be present during, to have access to or to comment on representations made to the adjudicator, except with the written consent of both parties.
Method of making representation	(4) The bylaw shall authorize the adjudicator to decide whether the representations may be made orally, in writing or both.
Right to counsel	(5) The bylaw shall provide that the individual who requested the review and the municipality may be represented by legal counsel or an agent.
Time limit	(6) The bylaw shall provide that the adjudicator's review shall be completed within 90 days after the council of the municipality receives the request unless the adjudicator (a) notifies the individual who requested the review and the municipality that the adjudicator is extending that period; and (b) provides an anticipated date for the completion of the review.
Decision of adjudicator	<b>27.</b> (1) The bylaw shall provide that on completing a review under section 26, the adjudicator shall issue a decision, in writing, including reasons for the decision, ordering one or more of the following:

- (a) that the municipality not correct the personal information of the individual who requested the review;
- (b) that the municipality correct the personal information of the individual who requested the review;
- (c) that the municipality stop collecting, using or disclosing personal information in contravention of the Act or the bylaw;
- (d) that the chief administrative officer destroy personal information collected in contravention of the Act or the bylaw;
- (e) that the complaint be dismissed.

(2) The bylaw shall provide that, in addition to the order referred to in subsection (1), the adjudicator may make other recommendations that the adjudicator determines appropriate. Recommendation of adjudicator

(3) The bylaw shall require the adjudicator to provide a copy of the decision Notice of decision

- (a) to the person who requested the review;
- (b) to the chief administrative officer of the municipality concerned;
- and
- (c) to the council of the municipality concerned.

**28.** The bylaw shall provide that Effect of decision

- (a) subject to clause (b), not later than 40 days after being given a copy of a decision of the adjudicator, the municipality shall comply with the decision;
- (b) the municipality shall not take any steps to comply with the decision of the adjudicator until the end of the period for bringing an application for judicial review of the decision under the *Judicial Review Act* R.S.P.E.I. Cap. J-3; and
- (c) if an application for judicial review is made before the end of the period referred to in clause (b), the decision of the adjudicator is stayed until the application is dealt with by the court.

**29.** The bylaw shall provide that the adjudicator may, at any time during the review, attempt to informally resolve the complaint referred to in section 24. Informal resolution

**30.** These regulations come into force on April 1, 2020. Commencement

## EXPLANATORY NOTES

**SECTION 1** establishes definitions for the purposes of the regulations.

**SECTION 2** establishes the application of the bylaw for the purposes of sections 147 and 148 of the Act and clarifies the application of the bylaw to information that was collected by a municipality prior to the coming into force of the Act.

**SECTION 3** provides that the bylaw shall establish the time at which and place where a person can have access to the information specified in section 147 of the Act.

**SECTION 4** provides that the bylaw must require the council of a municipality to appoint an Access to Information and Protection of Privacy Coordinator and specify the Coordinator's duties. The chief administrative officer of another municipality, or a member of council, is not eligible to be appointed as the Coordinator.

**SECTION 5** requires the bylaw to establish the specified rules in relation to applications for access to information.

**SECTION 6** requires the bylaw to provide access as specified to the listed types of information in the control of the municipality.

**SECTION 7** requires the bylaw to set out the process to be followed by the Coordinator in providing or refusing applications for access to information.

**SECTION 8** requires the bylaw to protect information that is subject to solicitor-client privilege, subject to the specified exceptions.

**SECTION 9** requires the bylaw to establish minimum rules as specified in relation to the inspection of records or documents.

**SECTION 10** authorizes the bylaw to establish a schedule of fees that the municipality may charge an applicant for the specified services.

**SECTION 11** requires the bylaw to limit the collection of personal information by or for a municipality as specified.

**SECTIONS 12 and 13** require the bylaw to establish the specified rules for the collection of personal information.

**SECTION 14** requires the bylaw to establish minimum rules regarding the accuracy, completeness and proper records management of personal information to be used by a municipality. The section also clarifies that in this section and the other specified sections, the collection, use or disclosure of personal information by a municipality includes the collection, use or disclosure of that personal information by an employee of the municipality.

**SECTION 15** requires the bylaw to establish minimum rules as specified relating to the correction by an individual of the individual's personal information.

**SECTION 16** requires the bylaw to specify the procedure to be followed by the Coordinator in response to a request for the correction of personal information.

**SECTION 17** requires the bylaw to establish minimum rules respecting the protection of personal information as specified.

**SECTION 18** requires the bylaw to establish minimum rules respecting the use of personal information as specified.

**SECTION 19** requires the bylaw to establish minimum rules respecting the disclosure of personal information as specified.

**SECTION 20** clarifies what shall be considered a use or disclosure of personal information that is consistent with the purpose for which the personal information was collected or compiled.

**SECTION 21** requires the bylaw to establish minimum rules respecting the protection of personal information as specified.

**SECTION 22** requires the bylaw to restrict the disclosure of personal information in respect of a third party as specified,

**SECTION 23** requires the bylaw to establish rules respecting the refusal by the Coordinator to disclose information, including personal information.

**SECTION 24** requires the bylaw to provide a process for an individual to file a complaint that his or her personal information has been collected, used or disclosed in contravention of the Act or the bylaw.

**SECTION 25** requires the bylaw to provide a process as specified for the chief administrative officer to receive and deal with a complaint referred to in section 24.

**SECTION 26** requires the bylaw to set out the process to be followed by the adjudicator in reviewing the complaint and to provide the adjudicator with the required authority to decide the matter.

**SECTION 27** requires the bylaw to specify the form of the adjudicator's decision and the orders it may include. The section also requires the bylaw to provide that the adjudicator may also make recommendations as the adjudicator considers appropriate.

**SECTION 28** requires the bylaw to specify the effect of the adjudicator's decision and the municipality's obligations regarding it.



**SECTION 29** requires the bylaw to provide that the adjudicator may at any time during the review attempt to informally resolve the complaint.

**SECTION 30** provides for the commencement of the regulations.

Certified a true copy,

Paul T. Ledwell

Clerk of the Executive Council and Secretary to Cabinet

**EC2019-697**

**MUNICIPAL GOVERNMENT ACT  
RECORDS RETENTION REGULATIONS**

(Approved by Her Honour the Lieutenant Governor in Council dated October 8, 2019.)

Pursuant to section 117 and clause 261(1)(f) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1, Council made the following regulations:

Definitions	<b>1.</b> In these regulations,
Act	(a) “Act” means the <i>Municipal Government Act</i> R.S.P.E.I. 1988, Cap. M-12.1;
permanent record	(b) “permanent record” means a record that a municipality is required to retain permanently;
record	(c) “record” means a record of information in any form, including electronic form, but does not include a mechanism or system for generating, sending, receiving, storing or otherwise processing information;
temporary record	(d) “temporary record” means a record that a municipality is required to retain for a minimum period of time in accordance with the Schedule to these regulations.
General retention and disposition requirements	<b>2.</b> A council shall ensure in respect of each record, that (a) the record is retained by the municipality in accordance with these regulations and the Schedule to these regulations; (b) where the record is not stored in the municipal office, the record is stored in a location and a manner that the council has determined is secure and will preserve the integrity of the record; and (c) documentation of the final disposition of the record is maintained by the municipality which provides details of the destruction of the record or its transfer to permanent storage, as the case may be.

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**TOWN OF KENSINGTON - MEMORANDUM**

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**TO:** COMMITTEE OF COUNCIL  
**FROM:** GEOFF BAKER, CHIEF ADMINISTRATIVE OFFICER  
**SUBJECT:** RECORDS RETENTION BYLAW  
**DATE:** 2020-01-24  
**ATTACHMENTS:** DRAFT RECORDS RETENTION BYLAW  
RECORDS RETENTION REGULATIONS – PROVINCE  
OF PEI

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### **Background**

Under Section 117 of the *Municipal Government Act (MGA)*, all municipalities are required to, by Bylaw, establish a records retention and disposal schedule that provides for the management and disposal of all records and other documents in the municipality. The Bylaw is required to be passed by Town Council by February 28, 2020.

### **Legislative Authority**

Section 117 of the MGA provides for the authority (and mandate) for a Council to regulate records management, including retention and disposal. Section 117 states:

#### ***117. Management and disposal of records***

*(1) Subject to this section, a council shall by bylaw, within 12 months after the coming into force of this section, establish a records retention and disposal schedule that provides for the management and disposal of all records and other documents in the municipality.*

#### ***Retention***

*(2) Minutes, bylaws, policies and resolutions of a council and records that are required by this or another enactment to be retained shall be retained in accordance with the enactment and the regulations.*

#### ***Idem***

*(3) A council may, by bylaw, specify further classes of records that shall not be destroyed or that shall be retained for specified time periods.*

#### ***Certifying copies***

*(4) The chief administrative officer may, where*

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**TOWN OF KENSINGTON - MEMORANDUM**

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**TO:** COMMITTEE OF COUNCIL  
**FROM:** GEOFF BAKER, CHIEF ADMINISTRATIVE OFFICER  
**SUBJECT:** EXEMPT STAFF 2020 WAGE INCREASE  
**DATE:** 2020-01-24  
**ATTACHMENTS:**

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**Background & Recommendation**

Typically, Town Council approves a wage increase for exempt staff according the consumer price index for PEI. The 2019 CPI increase, as indicated by Statistics Canada, is 2.3%.

As such, it is recommended that Committee of Council recommend that Town Council approve a wage increase for all exempt staff (CAO, Deputy Administrator, Administrative Assistance, Police Chief, Public Works Supervisor and Credit Union Centre Manager) in the amount of 2.3%.

*(a) a municipal record referred to in subsection (2) or specified by a council pursuant to subsection (3) is inadvertently destroyed, certify a copy that has been made by photographic, photostatic or electronic means of a reproduction of the original document that is part of the records of the municipality; and*

*(b) an original municipal record is not available to be produced in court, certify a copy of the original municipal record that has been made by photographic, photostatic or electronic means, and the certified copy is admissible in evidence to the same extent as the reproduction or original municipal record and is, in the absence of proof to the contrary, proof of the record.*

#### ***New municipality***

*(5) The council of a municipality established after the coming into force of this section shall comply with subsection (1) within 12 months after the date of the order of the Lieutenant Governor in Council that established the municipality. 2016,c.44,s.117.*

#### **Recommendation**

That Committee of Council review the draft “Records Retention Bylaw” and recommend that first reading be given to the Bylaw at the February regular meeting of Town Council.



## **A BYLAW TO MANAGE AND DISPOSE OF RECORDS**

### **BYLAW 2020-02**

**BE IT ENACTED** by the Council of the Town of Kensington as follows:

#### **1. Title**

- (1) This bylaw shall be known and cited as the “Records Retention Bylaw.”

#### **2. Authority**

- (1) The *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., and related regulations require municipalities to manage and retain municipal records.
- (2) Subsection 117(1) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., requires council to provide, by bylaw, a schedule for the management and disposal of all records and other documents that are required to be retained by the municipality.

#### **3. Application**

- (1) This bylaw applies to members of Council, Council Committees, and municipal staff related to the creation, retention, management and disposal of records.

#### **4. Definitions**

- (1) “Act” means the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1.
- (2) “Chief Administrative Officer” or “CAO” means the administrative head of the Municipality as appointed by council under subsection 86(2)(c) of the *Municipal Government Act*.
- (3) “Council” means the Mayor and other members of the Council of the Municipality.
- (4) “Councillor” means a member of the Council other than the Mayor.
- (5) “Municipality” means the Town of Kensington.
- (6) “Permanent record” means a record the Municipality is required to retain permanently.

- (7) “Record” means information in any form, including electronic form, but does not include a mechanism or system for generating, sending, receiving, storing, or otherwise processing information.
- (8) “Regulations” means the Records Retention Regulations pursuant to clause 261(1)(f) of the Act.
- (9) “Temporary record” means a record that the Municipality is required to maintain for a minimum period of time in accordance with the schedule in the Regulations.

## **5. General**

- (1) The Municipality establishes under this bylaw a records retention schedule for maintenance and disposal of records as contained in Schedule ‘A’
- (2) The CAO shall administer this bylaw and is responsible for ensuring that records are managed and retained in accordance with the Act and Regulations.
- (3) Schedule ‘A’ may be amended by resolution as permitted in clause 135(2)(c) of the Act but shall comply with all legal requirements for records retention.

## **6. General Retention and Disposition Requirements**

- (1) Council shall ensure for each record, that
  - (a) the record is retained in accordance with the Regulations and this bylaw;
  - (b) where the record is not stored in the municipal office, the record is stored in a location and manner that is secure and will preserve the integrity of the record; and
  - (c) documentation, which provides details of the destruction of the record or its transfer to permanent storage, of the final disposition of the record is permanently maintained.

## **7. Temporary Records**

- (1) Council shall ensure temporary records
  - (a) shall be retained in the municipal office for a minimum of two years; and
  - (b) during this two-year period, shall be accessible within 24 hours.
- (2) Temporary records may be moved at the end of the retention period in 7(1)(a) to a storage facility outside the municipality for the remainder of the retention period specified in Schedule ‘A’ if
  - (a) the storage facility meets the requirements of 6(1)(b); and
  - (b) is accessible within three business days.

## **8. Destruction of Records**

- (1) Council may,
  - (a) at the end of the retention period specified for a temporary record, provide for the secure destruction of the record;
  - (b) authorize the destruction of a duplicate copy of a record at any time, subject to the requirements for retention of duplicate copies in Schedule 'A.'

## **9. Permanent Records**

- (1) Council shall ensure permanent records
  - (a) are retained in the municipal office for a minimum period of five years and, during that period, are accessible within 24 hours; and
  - (b) are not destroyed
- (2) Council shall, as soon as reasonably possible after the end of the retention period specified in 9(1)(a), move a record to which subsection (1) applies
  - (a) to permanent storage in a secure facility that will preserve the integrity of the record; and
  - (b) ensure the record is accessible within three business days.

## **10. Electronic and Microfilm**

- (1) Council shall ensure electronic records
  - (a) are retained and retrievable for the minimum retention period; and
  - (b) in the case of permanent records, are copied to paper or microfilm for the purpose of transfer to permanent storage.
- (2) Microfilm applications of permanent records shall conform to industry-accepted technical standards and established preparation and documentation procedures.

## **11. Protection of Records**

- (1) Council shall ensure that reasonable care is taken to protect records against damage, deterioration, unauthorized destruction, sale or other disposition or theft.

## **12. Schedule Adopted**

- (1) The schedule to this bylaw is adopted and forms part of this bylaw.

## **13. Effective Date**

- (1) This Records Retention Bylaw, Bylaw# 2020-02, shall be effective on April 1, 2020.

**First Reading:**

This Records Retention Bylaw, Bylaw #2020-02, was read a first time at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

This Records Retention Bylaw, Bylaw #2020-02. was approved by a majority of Council members present at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**Second Reading:**

This Records Retention Bylaw, Bylaw #2020-02, was read a second time at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

This Records Retention Bylaw, Bylaw #2020-02, was approved by a majority of Council members present at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**Approval and Adoption by Council:**

This Records Retention Bylaw, Bylaw #2020-02, was adopted by a majority of Council members present at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.



## Schedule A

### RECORDS RETENTION SCHEDULE

**Note:** The subject matter is listed alphabetically followed by a retention period. The retention period is identified either as “PERMANENT” or expressed as a number of years. Retention periods are labelled as:

- (a) CY - a retention period that concludes after the end of a calendar year (i.e. after December 31st of a given year).
- (b) FY - a retention period that concludes after the end of a fiscal year as established in section 149 of the *Municipal Government Act*.
- (c) closed after information is superseded (replaced or take the place of) or obsolete (no longer in use) (S/O)

In the event of a conflict between this schedule and the *Municipal Government Act* Records Retention Regulations, the Regulations shall apply.

SUBJECT	DESCRIPTION	RETENTION PERIOD (YEARS)	ENDS
<b>Accountants</b>	Working Papers	7	FY
<b>Accounts</b>	Paid (summary sheet)	7	FY
	Payable vouchers	7	FY
	Receivable duplicate invoices	7	FY
<b>Administration</b>	Reports (not part of Minutes)	7	CY
<b>Advertising</b>	Electoral	4	CY
	Other notices- MGA, other legislation	2	CY
<b>Agendas</b>	Part of Minutes	PERMANENT	
<b>Agreement</b>	General	12	S/O
	Development	12	S/O
	Major legal	12	S/O
	Minor legal	12	S/O
<b>Annexations</b>	Correspondence	7	CY
	Final Order	PERMANENT	
<b>Annual Reports</b>	Council, Boards, Commissions	5	CY
<b>Applications</b>	Site plan approval	2	CY
	Subdivision (after final approval)	3	CY
	Part-time employees (after end of employment)	1	CY
<b>Appointments</b>	Other than those in Minutes	3	FY
<b>Assessment</b>	Rolls	PERMANENT	
	Assessment Review Board (ARB)		
	Minutes	PERMANENT	
	ARB work file	5	FY
	Appeals	12	FY
	ARB records	7	FY

	Duplicate roll	7	FY
	Review Court records	7	FY
<b>Assessment Appeal</b>	Board file	5	FY
<b>Assets</b>	Asset Management Inventory	20	S/O
	Records of surplus	7	FY
	Temporary files	2	FY
<b>Bank</b>	Deposit books	7	FY
	Deposit slips	7	FY
	Memos (credit/debit)	7	FY
	Reconciliations	2	FY
	Statements	7	FY
<b>Boards</b>	Minutes	PERMANENT	S/O
	Authority & Structure	5	CY
	Correspondence	5	CY
<b>Briefings/Reports</b>	To Council	7	CY
<b>Budgets</b>	Operating (in minutes)	PERMANENT	
	Capital (in minutes)	PERMANENT	
	Working papers	3	FY
<b>Bylaws</b>	All	PERMANENT	
<b>Cash</b>	Receipts journal	7	FY
	Disbursements journal	7	FY
	Duplicate receipts	7	FY
<b>Certificates</b>	Of Title	PERMANENT	
<b>Census</b>	Reports	12	CY
<b>Cheques</b>	Cancelled (paid)	7	FY
	Register	7	FY
	Stubs	7	FY
<b>Claims</b>	Notice of	12	S/O
	Statements of	12	S/O
<b>Committee</b>	Minutes	PERMANENT	
<b>Compensation</b>	Records	10	FY
<b>Contracts</b>	Files (completion of)	12	S/O
	Forms	12	FY
	Major legal	12	S/O
	Minor legal	12	S/O
<b>Council</b>	Minutes	PERMANENT	
<b>Court Cases</b>		12	S/O
<b>Destroyed Records</b>	Index	PERMANENT	
	Signed destroyed records statements	PERMANENT	
<b>Documents</b>	Not part of bylaws	12	S/O

	Agreements, major legal	12	S/O
	Agreements, minor legal	12	S/O
	Contracts legal	12	S/O
	Easements	12	S/O
	Leases (after expiration)	12	S/O
	Notices of change of land titles	12	S/O
<b>Elections</b>	All election documents other than ballot box contents	4	CY
	Ballot box contents	In accordance with the MGA	CY
<b>Engineering</b>	Drawings	PERMANENT	
<b>Employee Benefits</b>	Health, Dental, WCB Claims, etc.	5	CY
<b>Employees</b>	Job applications (hired)	3	CY
	Job application (not hired)	1	CY
	Job descriptions	3 (after position abolished)	CY
	Oaths of Office	1 (after position vacated)	CY
	Personnel file	3 (after cessation of employment) or 6 (after dismissal)	CY
<b>Financial Statements</b>	Interim	10	FY
	Working papers	7	FY
	Final	12	FY
<b>Franchises</b>		PERMANENT	
<b>Income Tax</b>	Deductions	7	FY
	TD1	7	FY
	T4	7	FY
	T4 Summaries	7	FY
<b>Inquiries</b>	From the public	3	CY
<b>Insurance</b>	Claims	12 (after settled)	FY
	Records (after expiration)	12	FY
<b>Land</b>	Appraisals	1 (after sold)	
<b>Leases</b>	After expiration	7	S/O
<b>Legal</b>	Opinions	12	S/O
	Proceedings	12	S/O
<b>Legislation</b>	Acts (after superseded)	1	CY
<b>Licenses</b>	Applications	3	CY
	Business (after expired)	5	CY
	Literature	2	CY
<b>Local Improvements</b>	Records	PERMANENT	
<b>Maps</b>	Base (original)	PERMANENT	

	Contour	PERMANENT	
<b>Maintenance Reports</b>		12	CY
<b>Minutes</b>	Council Boards Committees	PERMANENT PERMANENT PERMANENT	
<b>Monthly Reports</b>	Road	5	FY
<b>Municipal Affairs</b>	Annual reports	5	FY
<b>Organization</b>	Structure and records	2	S/O
<b>Payroll</b>	Garnishees	7 (after garnish is removed)	FY
	Individual earning records	7	FY
	Journal	7	FY
	Time cards	7	FY
	Time sheets - daily	7	FY
	Time sheets - Overtime	7	FY
	Time sheets - weekly	7	FY
	Employment Insurance	5 (after cessation of employment)	FY
<b>Permits</b>	Development	12	S/O
<b>Petitions</b>		10	CY
<b>Plans</b>	Official Amendments Subdivision	PERMANENT PERMANENT PERMANENT	
<b>Policy</b>	After superseded	5	CY
<b>Progress Reports</b>	Project	5	CY
	Under contract (final payment)	7	S/O
<b>Property Files</b>		Until sold +10	FY
<b>Prosecution</b>	All	12	S/O
<b>Publications</b>	Local reports	3	CY
<b>Purchase</b>	Land	Until Sold +12	FY
<b>Receipts</b>	Books	7	FY
	Duplicate cash	7	FY
	Registration	7	FY
<b>Receptions &amp; Special Events (non-historic)</b>		3	CY
<b>Reports</b>	Accident	12	S/O
	Accident statistics	12	S/O

	Field	12	S/O
<b>Requisitions</b>	Copies	2	FY
	Duplicate	7	FY
	Paid	7	FY
<b>Resolutions</b>	Minutes	PERMANENT	
<b>Subdivision</b>	After Final Approval	12	CY
<b>Street</b>	Sign Inventory Register	PERMANENT	
<b>Tax Recovery</b>	Records	PERMANENT	
<b>Taxes</b>	Arrears	7	FY
	Final Billing	12	FY
	Municipal Credits	7	FY
	Receipts	7	FY
	Rolls	PERMANENT	
	Sale Deeds	PERMANENT	
<b>Termination</b>	Employees	7	CY
<b>Tenders</b>	Files	12	FY
	Successful	12	FY
	Purchase Quotations	12	FY
	Unsuccessful	10	FY
<b>Traffic</b>	Streets	7	CY
<b>Training and Development Files</b>		5	CY
<b>Trial Balances</b>	Monthly	5	FY
	Year End	7	FY
<b>Vendors</b>	Acknowledgments To	2	FY
	Contracts	12	FY
	Suppliers Files	12	FY
<b>Vouchers</b>	Duplicate	7	FY
<b>Weed Control Reports</b>	Until updated	1	CY
<b>Zoning</b>	Bylaws	PERMANENT	
	Bylaw Enforcement	5	CY

**SECTION 29** requires the bylaw to provide that the adjudicator may at any time during the review attempt to informally resolve the complaint.

**SECTION 30** provides for the commencement of the regulations.

Certified a true copy,

Paul T. Ledwell

Clerk of the Executive Council and Secretary to Cabinet

## EC2019-697

### MUNICIPAL GOVERNMENT ACT RECORDS RETENTION REGULATIONS

(Approved by Her Honour the Lieutenant Governor in Council dated October 8, 2019.)

Pursuant to section 117 and clause 261(1)(f) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1, Council made the following regulations:

Definitions	<b>1.</b> In these regulations,
Act	(a) “Act” means the <i>Municipal Government Act</i> R.S.P.E.I. 1988, Cap. M-12.1;
permanent record	(b) “permanent record” means a record that a municipality is required to retain permanently;
record	(c) “record” means a record of information in any form, including electronic form, but does not include a mechanism or system for generating, sending, receiving, storing or otherwise processing information;
temporary record	(d) “temporary record” means a record that a municipality is required to retain for a minimum period of time in accordance with the Schedule to these regulations.
General retention and disposition requirements	<b>2.</b> A council shall ensure in respect of each record, that <ul style="list-style-type: none"> <li>(a) the record is retained by the municipality in accordance with these regulations and the Schedule to these regulations;</li> <li>(b) where the record is not stored in the municipal office, the record is stored in a location and a manner that the council has determined is secure and will preserve the integrity of the record; and</li> <li>(c) documentation of the final disposition of the record is maintained by the municipality which provides details of the destruction of the record or its transfer to permanent storage, as the case may be.</li> </ul>

- 
- 3.** (1) A council shall ensure that each temporary record of a type specified in the Schedule to these regulations is
- Requirements for temporary records
- (a) retained in the municipal office for a minimum of two years; and
- (b) during that period, is accessible within 24 hours.
- (2) A council may, at the end of the retention period specified in clause (1)(a), move a record to which subsection (2) applies to a storage facility outside the municipality for the remainder of the retention period specified in the Schedule to these regulations in respect of that record, if
- Off-site storage
- (a) the storage facility meets the requirements of clause 2(b); and
- (b) the record is accessible within three business days.
- 4.** (1) A council shall ensure, in respect of each permanent record, that the record
- Permanent records
- (a) is retained in the municipal office for a minimum of five years;
- (b) during that period, is accessible within 24 hours; and
- (c) is not destroyed.
- (2) A council shall, as soon as reasonably possible after the end of the retention period specified in clause (1)(a), move a record to which subsection (1) applies to permanent storage in a facility that the council has determined is secure and will preserve the integrity of the record.
- Transfer to permanent storage
- (3) A council shall ensure that, while in permanent storage, the record referred to in subsection (2) is accessible within three business days.
- Accessibility
- 5.** (1) A council may, at the end of the retention period specified in respect of a temporary record, provide for the secure destruction of the record.
- Authorized destruction of temporary records
- (2) Subject to the requirements for retention of duplicate copies specified in the Records Retention Schedule set out in the Schedule to these regulations, a council may destroy or authorize the destruction of a duplicate copy of a record at any time.
- Duplicate copies, destruction
- (3) A council shall ensure in respect of each record that reasonable care is taken to protect the record against damage, deterioration, unauthorized destruction, sale or other disposition, or theft.
- Protection of records
- 6.** (1) A council that retains a record in electronic form shall ensure that the record is retained and retrievable for the minimum retention period.
- Retention in electronic form
- (2) A council that retains a permanent record in electronic form shall copy the record to paper or microfilm for the purpose of transfer to permanent storage.
- Copies required
- (3) Microfilm applications of permanent records shall conform to industry-accepted technical standards and established preparation and documentation procedures.
- Requirements for microfilm storage

- Schedule adopted **7.** The Schedule to these regulations is adopted and forms part of these regulations.
- Commencement **8.** These regulations come into force on April 1, 2020.

## SCHEDULE

### RECORDS RETENTION SCHEDULE

**Note:** The subject matter is listed alphabetically followed by a retention period. The retention period is identified either as “PERMANENT” or expressed as a number of years. Retention periods are labelled as:

- (a) CY - a retention period that concludes after the end of a calendar year (i.e. after December 31st of a given year).
- (b) FY - a retention period that concludes after the end of a fiscal year as established in section 149 of the *Municipal Government Act*.
- (c) closed after information is superseded (replaced or take the place of) or obsolete (no longer in use) (S/O)

SUBJECT	DESCRIPTION	RETENTION PERIOD (YEARS)	ENDS
<b>Accountants</b>	Working Papers	7	FY
<b>Accounts</b>	Paid (summary sheet)	7	FY
	Payable vouchers	7	FY
	Receivable duplicate invoices	7	FY
<b>Administration</b>	Reports (not part of Minutes)	7	CY
<b>Advertising</b>	Electoral	4	CY
	Other notices- MGA, other legislation	2	CY
<b>Agendas</b>	Part of Minutes	PERMANENT	
<b>Agreement</b>	General	12	S/O
	Development	12	S/O
	Major legal	12	S/O
	Minor legal	12	S/O
<b>Annexations</b>	Correspondence	7	CY
	Final Order	PERMANENT	
<b>Annual Reports</b>	Council, Boards, Commissions	5	CY
<b>Applications</b>	Site plan approval	2	CY
	Subdivision (after final approval)	3	CY
	Part-time employees (after end of employment)	1	CY
<b>Appointments</b>	Other than those in Minutes	3	FY



<b>Assessment</b>	Rolls	PERMANENT	
	Assessment review Board (ARB) Minutes	PERMANENT	
	ARB work file	5	FY
	Appeals	12	FY
	ARB records	7	FY
	Duplicate roll	7	FY
	Review Court records	7	FY
<b>Assessment Appeal</b>	Board file	5	FY
<b>Assets</b>	Asset Management Inventory	20	S/O
	Records of surplus	7	FY
	Temporary files	2	FY
<b>Bank</b>	Deposit books	7	FY
	Deposit slips	7	FY
	Memos (credit/debit)	7	FY
	Reconciliations	2	FY
	Statements	7	FY
<b>Boards</b>	Minutes	PERMANENT	S/O
	Authority & Structure	5	CY
	Correspondence	5	CY
<b>Briefings/Reports</b>	To Council	7	CY
<b>Budgets</b>	Operating (in minutes)	PERMANENT	
	Capital (in minutes)	PERMANENT	
	Working papers	3	FY
<b>Bylaws</b>	All	PERMANENT	
<b>Cash</b>	Receipts journal	7	FY
	Disbursements journal	7	FY
	Duplicate receipts	7	FY
<b>Certificates</b>	Of Title	PERMANENT	
<b>Census</b>	Reports	12	CY
<b>Cheques</b>	Cancelled (paid)	7	FY
	Register	7	FY
	Stubs	7	FY

<b>Claims</b>	Notice of	12	S/O
	Statements of	12	S/O
<b>Committee</b>	Minutes	PERMANENT	
<b>Compensation</b>	Records	10	FY
<b>Contracts</b>	Files (completion of)	12	S/O
	Forms	12	FY
	Major legal	12	S/O
	Minor legal	12	S/O
<b>Council</b>	Minutes	PERMANENT	
<b>Court Cases</b>		12	S/O
<b>Destroyed Records</b>	Index	PERMANENT	
	Signed destroyed records statements	PERMANENT	
<b>Documents</b>	Not part of bylaws	12	S/O
	Agreements, major legal	12	S/O
	Agreements, minor legal	12	S/O
	Contracts legal	12	S/O
	Easements	12	S/O
	Leases (after expiration)	12	S/O
	Notices of change of land titles	12	S/O
<b>Elections</b>	All election documents other than ballot box contents	4	CY
	Ballot box contents	In accordance with the MGA	CY
<b>Engineering</b>	Drawings	PERMANENT	
<b>Employee Benefits</b>	Health, Dental, WCB Claims, etc.	5	CY
<b>Employees</b>	Job applications (hired)	3	CY
	Job application (not hired)	1	CY
	Job descriptions	3 (after position abolished)	CY
	Oaths of Office	1 (after position vacated)	CY
	Personnel file	3 (after cessation of employment) or 6 (after dismissal)	CY
<b>Financial Statements</b>	Interim	10	FY
	Working papers	7	FY
	Final	12	FY

<b>Franchises</b>		PERMANENT	
<b>Income Tax</b>	Deductions	7	FY
	TD1	7	FY
	T4	7	FY
	T4 Summaries	7	FY
<b>Inquiries</b>	From the public	3	CY
<b>Insurance</b>	Claims	12 (after settled)	FY
	Records (after expiration)	12	FY
<b>Land</b>	Appraisals	1 (after sold)	
<b>Leases</b>	After expiration	7	S/O
<b>Legal</b>	Opinions	12	S/O
	Proceedings	12	S/O
<b>Legislation</b>	Acts (after superseded)	1	CY
<b>Licenses</b>	Applications	3	CY
	Business (after expired)	5	CY
	Literature	2	CY
<b>Local Improvements</b>	Records	PERMANENT	
<b>Maps</b>	Base (original)	PERMANENT	
	Contour	PERMANENT	
<b>Maintenance Reports</b>		12	CY
<b>Minutes</b>	Council	PERMANENT	
	Boards	PERMANENT	
	Committees	PERMANENT	
<b>Monthly Reports</b>	Road	5	FY
<b>Municipal Affairs</b>	Annual reports	5	FY
<b>Organization</b>	Structure and records	2	S/O
<b>Payroll</b>	Garnishees	7 (after garnish is removed)	FY
	Individual earning records	7	FY
	Journal	7	FY
	Time cards	7	FY
	Time sheets - daily	7	FY
	Time sheets -	7	FY
	Overtime		
	Time sheets - weekly	7	FY
	Employment Insurance	5 (after cessation of employment)	FY

<b>Permits</b>	Development	12	S/O
<b>Petitions</b>		10	CY
<b>Plans</b>	Official Amendments Subdivision	PERMANENT PERMANENT PERMANENT	
<b>Policy</b>	After superseded	5	CY
<b>Progress Reports</b>	Project Under contract (final payment)	5 7	CY S/O
<b>Property Files</b>		Until sold +10	FY
<b>Prosecution</b>	All	12	S/O
<b>Publications</b>	Local reports	3	CY
<b>Purchase</b>	Land	Until Sold +12	FY
<b>Receipts</b>	Books Duplicate cash Registration	7 7 7	FY FY FY
<b>Receptions &amp; Special Events (non-historic)</b>		3	CY
<b>Reports</b>	Accident Accident statistics Field	12 12 12	S/O S/O S/O
<b>Requisitions</b>	Copies Duplicate Paid	2 7 7	FY FY FY
<b>Resolutions</b>	Minutes	PERMANENT	
<b>Subdivision</b>	After Final Approval	12	CY
<b>Street</b>	Sign Inventory Register	PERMANENT	
<b>Tax Recovery</b>	Records	PERMANENT	
<b>Taxes</b>	Arrears Final Billing Municipal Credits Receipts Rolls Sale Deeds	7 12 7 7 PERMANENT PERMANENT	FY FY FY FY
<b>Termination</b>	Employees	7	CY
<b>Tenders</b>	Files	12	FY

	Successful	12	FY
	Purchase Quotations	12	FY
	Unsuccessful	10	FY
<b>Traffic</b>	Streets	7	CY
<b>Training and Development Files</b>		5	CY
<b>Trial Balances</b>	Monthly	5	FY
	Year End	7	FY
<b>Vendors</b>	Acknowledgments To	2	FY
	Contracts	12	FY
	Suppliers Files	12	FY
<b>Vouchers</b>	Duplicate	7	FY
<b>Weed Control Reports</b>	Until updated	1	CY
<b>Zoning</b>	Bylaws	PERMANENT	
	Bylaw Enforcement	5	CY

### EXPLANATORY NOTES

**SECTION 1** establishes definitions for the purposes of the regulations.

**SECTION 2** establishes general rules that apply to the retention of records by a council of a municipality.

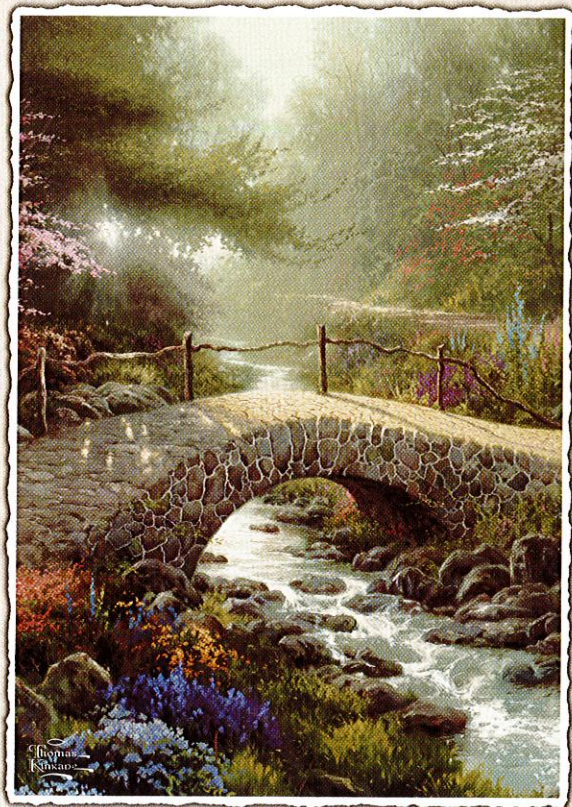
**SECTION 3** specifies requirements that apply to records that are required to be retained for specified periods of time according to the Schedule to the regulations, including requirements respecting storage and accessibility.

**SECTION 4** specifies requirements that apply to records that are required to be permanently retained by a municipality, including requirements respecting storage and accessibility.

**SECTION 5** specifies requirements that apply to the destruction of temporary records and duplicate copies.

**SECTION 6** specifies requirements for the retention and storage of records in electronic format.

**SECTION 7** adopts the Schedule to the regulations and provides that it forms part of the regulations.



Town of Kensington  
Mayor, Council & Staff

Thank you so much  
for the beautiful floral  
arrangement in memory  
of mom.

She would have been  
pleased to see so many  
town representatives  
in attendance.

We appreciate your  
thoughtfulness.

During a time  
like this  
we realize how much  
our friends and relatives  
really mean  
to us....

Your expression  
of sympathy will always  
be remembered

Love Patricia, Pam  
& Families

thanks!



Town of Keasington

Thankyou so  
much for your donation.

It was a great  
turnout and a huge  
success.

Hope to see you  
next year.

The Christmas

Community

Supper

Amanda

Bonnel



January 21<sup>st</sup>, 2020

Mayor Rowan Caseley  
Town of Kensington  
P.O. Box 418  
Community Center  
Kensington, PE C0B 1M0

Dear Mayor Caseley:

Last year marked the fifteenth anniversary of the Prince County Hospital opening in its new location. During the intervening years you have been a part of great growth at PCH through your support of the Foundation. It was at your hospital that Minimally Invasive Surgery was first performed on PEI in 2005. The Island's first Digital Mammography machine was installed here in 2009. In 2012, Dialysis was brought under the umbrella of PCH. Ambulatory Care at PCH was the first unit of its kind on PEI and has been such a success that expansion was necessary; phase one of this expansion was opened in December of 2019.

Throughout all of this growth, the patients have benefited greatly from your support. You have played a large part in making all of this possible. You've seen the growth in patient care reflected in our increasingly ambitious campaign goals to fulfill the greatest medical equipment needs at PCH. It's been challenging, but you have helped us rise to meet every challenge that has come our way. This past year was no different.

We are pleased to report that we will be able to purchase every item on the \$2.2 million 2019 Vital Signs Appeal. Many of the pieces of technology listed in the appeal have already been purchased and are helping patients daily. Phase one of the Cardiac Monitoring replacement plan is now complete. We are looking forward to phase two which will encompass the replacement of those vital tools in the remaining areas including the Maternal Child Care Unit, Surgical Services, and more.

Once again, none of this is possible without partners like you. Our caring communities have ensured PCH is vibrant and viable for the past 107 years and we hope you will continue to support your hospital for many years to come.

Sincerely

Liz Maynard,  
PCH Foundation President