

ORDINANCE NO. 151

ORDINANCE OF THE TOWN OF MOUNT CARMEL AMENDING TITLE 1, MOUNT CARMEL CODE, BY INSERTING A NEW CHAPTER, "CHAPTER 5, DOCUMENTS AND RECORD RETENTION" TO ESTABLISH A RECORD RETENTION SCHEDULE TO PROVIDE GUIDELINES FOR THE PROPER PROCEDURE REGARDING THE DESTRUCTION OF PUBLIC RECORDS AND A SCHEDULE OF THE MINIMUM PERIOD OF THE TIME SUCH PUBLIC RECORDS MUST BE KEPT BEFORE BEING CONSIDERED FOR DISPOSAL.

WHEREAS, the Town finds that a problem has been created in regard to the storage of the ever increasing number of documents and records produced in conjunction with municipal government, and

WHEREAS, the Town finds that there is presently no efficient procedure for the administration of the retention and disposal of the public records and documents of the Town of Mount Carmel and

WHEREAS, the Town finds that in order to deal efficiently with administration of the retention and disposal of public documents it is necessary to establish for the municipal government of the Town of Mount Carmel a record retention schedule comprised of procedures and minimum time limits to be followed in regard to the retention and disposal of said public documents and records.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MOUNT CARMEL, TENNESSEE:

Section 1: GENERAL

A. That there be, and hereby is, established for the municipal government of the Town of Mount Carmel a record retention schedule, comprised of procedures and minimum time limits, as fully set out herein below. That said record retention schedule is to be codified and located within the Code of the Town of Mount Carmel under Title 1 as a new chapter, "Chapter 5 - Document and Records Retention".

Section 2: STATE LAW TO BE FOLLOWED:

A. The attached is a copy of the University of Tennessee Municipal Technical Advisory Service Document Retention Guide. Records may be destroyed after the particular retention period, provided that the procedures

mandated by Tenn. Code Anno. Sections 10-7-101 et seq. are complied with completely. Said records may be retained for longer periods when it would be advisable or otherwise helpful to do so.

B. Prior to expiration of the retention period, all except current records may be stored in available storage space in storage files, carton, or boxes. The storage containers or files shall be labeled with labels showing:

1. Itemized list of contents
2. Dates of contents
3. A notation showing the date when the contents may be destroyed similar to the following: "MAY BE DESTROYED AFTER 11/17/92"

C. After the retention period has expired, the records are to be disposed of as directed by the City Recorder. The records for disposal are to be listed on a "Certificate of Records Disposal". The person or department performing the disposal shall be accompanied by a witness designated by the City Recorder, and the signatures of both shall be affixed to all copies of the "Certificate of Records Disposal". The original of the completed "Certificate of Records Disposal" is to be filed in the Office of the City Recorder. One copy shall be retained and filed in the appropriate department.

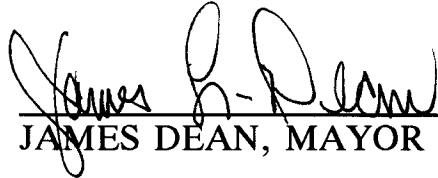
D. Should any procedure established by this ordinance be found in conflict with a statute or regulation of the State of Tennessee or the Federal Government, said statute or regulation of the State of Tennessee or Federal Government shall take precedence over the conflicting provision in this ordinance.

E. Should any of the minimum time limits established in this ordinance be found in conflict with the limitations established by statute, regulation, or case law of the State of Tennessee or the Federal Government, said statute, regulation, or court decision shall take precedence over the provision of this ordinance, provided that if the provision of this ordinance provides for a longer minimum retention period, said provision shall be followed exclusively.

SECTION 3: "PUBLIC RECORDS" AND "PUBLIC DOCUMENTS" DEFINED.

Public records and public documents within the Town of Mount Carmel shall be construed to mean all documents, papers, records, books of account, minutes, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by the Board of Mayor and Aldermen, or by any office, agency or department of the Town of Mount Carmel.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON PASSAGE,
THE PUBLIC WELFARE REQUIRING.

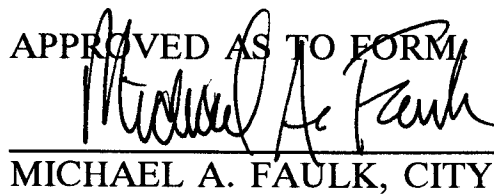

JAMES DEAN, MAYOR

ATTEST:


NANCY CARTER, CITY RECORDER

PASSED ON FIRST READING 4-28-94

PASSED ON SECOND READING 5-26-94

APPROVED AS TO FORM

MICHAEL A. FAULK, CITY ATTORNEY

DOCUMENT RETENTION GUIDE

1. Animal Control

Dog licenses-one year or until expiration of license
Pound records-until audited plus one year

2. Cemeteries

Deed books-permanent
Interment records-permanent
Maps and plats-permanent
Perpetual care records-permanent

3. Court

Docket-permanent
Litigation tax report (Department of Revenue Form RV-0440)-until audited plus one year
Motor vehicle enforcement report (Department of Revenue Form RV-1438)-until audited plus one year
Report of fines, fees, and costs (Department of Safety Form TDS-BGT-13)-until audited plus one year
Processes issued-three years after service

4. Engineering

As-built plans-life of structure or improvement
Assessment records (improvements)-until all are paid
Easements-permanent
Maps and plats-permanent
Plans and specifications-life of structure or improvement
Right-of-way agreements-permanent
Survey records-permanent

5. Finance

Accounts payable-five years
Accounts receivable-five years
Audit reports-25 years
Bank reconciliations-five years
Bank statements-five years
Bond registers-until all bonds are retired and audited
Budgets-five years
Canceled bonds and coupons-until all bonds are retired and audited
Canceled checks-five years
Certificates of deposit-until maturity plus two years
Check registers-until audited plus three years
Check stubs-until audited plus three years

Deposit slips-until audited plus three years
Financial statements-five years
General ledgers-five years
Journal vouchers-five years
Subsidiary ledgers-five years
Trial balances-until audited plus three years

6. Fire

Inspection reports-five years
Radio and telephone logs-five years
Training reports-five years
Vehicle and equipment maintenance records-life of vehicle or equipment

7. General Administration

Accident reports (owned vehicles)-seven years
Alcoholic Beverage Commission applications-until license expires
Applications for beer licenses-until license expires
Applications for business tax licenses-one year and audited by state
Beer licenses-until license expires
Budget files-five years
Business license-until license expires and audited by state
Business tax report-five years
Certificates of Publication-five years
Charter-permanent
Codes-until repealed or superseded
Deeds-until property is sold or disposed of
Insurance policies/surety bonds-until expired plus six years
Litigation files-10 years after hearing
Minute books-permanent
Ordinance books-permanent
Personal property inventory-until superseded
Petitions-five years or until resolution of issue
Real property inventory-until superseded
Resolutions-permanent

8. Inspections

Applications for permits-life of structure or improvement
Certificates of occupancy-10 years
Inspection records-life of structure or improvement
Permits-life of structure or improvement

9. Payroll

Annual wage and tax statements (W-2s)-seven years

Canceled payroll checks-five years
Employee earnings history-until presumption of death (70 years)
Garnishments-until released plus three years
Payroll fund bank statements-five years
Payroll journals-five years
Payroll earnings and deduction registers-until presumption of death (70 years)
Quarterly tax report-seven years
Time cards-until audited plus three years
Time sheets-until audited plus three years
Withholding allowance certificates (W-4s)-until inactive or superseded

10. Parks and Recreation

Contracts and agreements (facility use)-until expired plus five years
Minutes of boards-permanent

11. Personnel

Affirmative action plans-permanent
Employment applications-hires, employee file; non-hires, three years
Employment examinations-hires, employee file; non-hires, three years
Individual employee files-until presumption of death (70 years)
Pay plans-until superseded
Performance evaluations-employee file
Physical/psychological exams-employee file
Position descriptions-until obsolete or superseded
Workers' compensation claims-employee file

12. Planning and Zoning

Board of Appeals requests-20 years
Minutes of commissions and boards-permanent
Reports/recommendations to governing body-five years
Request for zoning changes-20 years
Studies and reports-permanent or until superseded
Zoning map and ordinance-permanent

13. Police

Arrest reports-until presumption of death (70 years)
Breath tests-five years
Crime report-five years
Dispatching logs-five years
Processes served-three years after last entry
Property receipts-until property released or disposed of plus three years
Radio and telephone logs-five years
Reports to state and federal agencies-five years

Stolen property reports-five years
Traffic accident reports-three years
Traffic citations-three years

14. Purchasing

Bid advertisements-until audited plus one year
Bid specifications-until audited plus one year
Bid tabulations-until audited plus one year
Formal bids-successful, seven years; unsuccessful, one year
Paid invoices-until audited plus three years
Purchase agreements-three years or until agreement expires
Purchase orders-until audited plus three years
Requisitions-until audited plus three years
Telephone quotes-until audited plus one year
Written quotes-until audited plus one year

15. Utilities (Billing and Collecting for Service)

Billing registers-five years
Customer deposit ledger-permanent
Customer deposit receipts-five years
Customer ledgers-five years after last entry
Meter readings-five years
Paid bill stubs-until audited plus three years

16. Utilities (Operation and Maintenance)

As-built plans-life of structure or improvement
Maintenance records-permanent
Meter records-until removed from service
Plans and specifications-life of structure or improvement
Plant operation records-five years
Reports to regulatory agencies-20 years
System maps-permanent

17. Property Tax

Application for tax relief-one year
Assessment roll-three years
Delinquent tax records-three years or until collected (10-year maximum)
Notices to taxpayers (tax bill)-one year
Tax receipts-five years
Tax roll-permanent

18. Miscellaneous (Common to All Functions)

Activity reports (monthly)-one year
Activity reports (annual)-five years
Audio/video recordings-10 years or until superseded
Contracts and agreements-until expiration plus seven years
Daily cash reports-until audited plus three years
Departmental correspondence-10 years
Executive correspondence-10 years
Plans and specifications-life of structure or improvement
Routine correspondence-three years
Radio and telephone logs (other than fire and police)-two years
Receipts-until audited plus three years