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Introduced by: John Davis
Date: October 31, 1978
Hearing: December 5, 1978
Vote: Unanimous
Action: Enacted as Amended

KENAI PENINSULA BOROUGH

ORDINANCE 78-58
(Substitute)

PROVIDING A COMPREHENSIVE SYSTEM OF RECORDS MANAGEMENT,
RETENTION AND DISPOSAL.

WHEREAS, the Borough collects, uses and retains many types of recorded information; and

WHEREAS, it is sound administrative practice that the Borough devise a systematic plan inventory and microfilming of all records and a method for the destruction of unnecessary records; and

WHEREAS, certain state and federal laws require the Borough to retain certain records for specific periods of time; and

WHEREAS, it is desirable that the Borough adopt a comprehensive system for the collection, management, use and retention of Borough records before the volume of these records makes analysis and organization too difficult to achieve;

NOW THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That the Kenai Peninsula Borough Code of ordinances is hereby amended by adding a new chapter to be numbered 2.52, which shall read as follows:

2.52.010 Short Title--Purpose. This ordinance is intended to provide the Kenai Peninsula Borough with a comprehensive system for the creation, acquisition, use, preservation, security, maintenance, transmission, retention, dissemination and disposal of Borough information contained

in any record medium.

2.52.020 Definitions.

A. RECORD. The term record includes all recorded information acquired or stored by the Borough for future use or preservation, including any document, paper, book, letter, photograph, microfilm, map, drawing, chart, card, magnetic media or computer print-out.

B. RECORD SERIES. A record series is any group of identical or related records which are normally used and filed as a unit and which permit evaluation as a unit for retention scheduling purposes. Each record series shall be segregated according to series and the year of acquisition.

C. VITAL RECORDS. Vital records are those records necessary to assure continuance of essential governmental operations to protect the legal and financial operation of the Borough in the event of disaster or catastrophic loss of the Borough's records.

D. LEGAL VALUE. A record has legal value if it relates to current or possible legal action by or against the borough, and records relating to land, construction, legislative and judicial actions of the Kenai Peninsula Borough Assembly, or potential court claims.

E. HISTORICAL VALUE. A record series has historical value if it will be useful at a later date in reconstructing a general history of the development and government of the Borough.

2.52.030. Management of Public Records.

A. The Borough Clerk shall have the primary responsibility for the development, maintenance and operation of the borough's record management system and shall supervise the Records Manager.

B. The Borough Clerk shall take and maintain an inventory of the borough's records. The inventory shall be reviewed and revised annually and shall set forth each record series being developed, used, stored, or scheduled for disposal by the Borough.

C. The Borough Clerk shall cause records stored in computer memory device systems to be reviewed, stored, and destroyed in the same manner and at the same time as

if the records were maintained in written, printed or photographic form.

D. The Records Manager shall develop and provide each department with a records classification and procedures manual listing a description of all records series maintained by the Borough. All record systems shall conform to the classification manual to the greatest extent possible.

E. The records Manager, under the direction of the Borough Clerk, shall develop a general schedule for the annual relocation of inactive records to a centralized storage location in the borough vault and/or for micro-filming. Wherever possible, only one copy of documents duplicated in the records series of several departments shall be retained. Among duplicates kept by several departments only one record shall be kept and shall be certified by each department as being a true and accurate copy.

F. The assembly shall adopt by resolution a schedule setting forth minimum time schedules for the retention of particular types of records series relocated to the centralized inactive storage. Records series shall be reviewed and updated quarterly by the Records Manager with appointed custodians of each department to ensure that all active records series kept and maintained by the Borough are adequately described, to provide for necessary changes, additions and deletions to the manual, and to ensure compliance with state and federal law.

G. The Records Manager shall develop a schedule for the destruction or other disposal of obsolete records at the end of the retention period established for that type of record series. This schedule shall not apply to records of vital, historical, legal or financial value. Thirty days prior to destruction of any record the Records Manager shall circulate to all department heads for comment a detailed listing of all records series to be destroyed, and to obtain his recommendations as to which relocated records may be of historical, vital, legal or financial significance and which records shall be of sufficient importance as to warrant continued storage of a certified duplicate and/or microfilm. The Records Manager shall maintain a permanent log of all records which have been destroyed. The Borough Clerk shall report to the Borough Assembly by March 31 of each year a detailed description of all records series to be removed from active departmental files to the centralized records center. The Borough Clerk shall also inform the Assembly of all obsolete records destroyed during the preceding year.

H. Certification of any record, record series or record duplicate by the Records Manager or by a departmental records custodian shall constitute evidence that the stored or duplicated record is a true and accurate copy of that record or record series as maintained by each of the borough's several departments. At the beginning of each reel of microfilm, the microfilm operator shall certify that the duplicates are true and accurate copies of the records contained therein. The Records Manager's log of destroyed records or record series shall be evidence that all records contained within that series have been destroyed in accordance to state, federal and borough administrative regulations, except as otherwise noted.

I. The Records Manager shall have the authority to provide for the microfilming of records as designated by the Borough Clerk. The Records Manager shall provide the department head with an estimate of the comparative cost of storing the original document as compared to the cost of microfilming and storing of each microfilmed record series.

J. Records considered to be of vital, historical, legal or financial value to the Borough shall be duplicated on microfilm and deposited with the State Archivist or in a secure bonded vault physically removed from the Borough Administration Building.

K. The Borough Clerk shall provide for the physical security of all microfilmed and inactive borough records. Each departmental records custodian shall provide for the security of that department's records.

L. The Records Manager shall provide to all borough departments and to the general public all retrieval, duplication and distribution of all records stored within the Records Manager's custody unless restricted or confidential.

M. The Records Manager shall prescribe standards of clarity and reproduction for all borough records. The Borough Clerk may replace any original record which is lost, worn or damaged by a certified copy of that record and the replacement shall be considered an original record for all purposes.

2.52.040 Regulations. The Mayor may adopt regulations to effectuate this ordinance. The Borough Clerk's office shall submit recommendations for regulations and procedures to the Mayor to carry out the proposed purposes as set forth in this ordinance.

2.52.050 Duties of borough departments. Each department shall establish and maintain file systems in compliance with the records management manual and with prescribed standards of clarity, documentation and organization. The creation and cross-referencing of new records systems and classifications may be authorized only by the Borough Clerk or Records Manager.

2.52.060 Data Collection/Forms Management

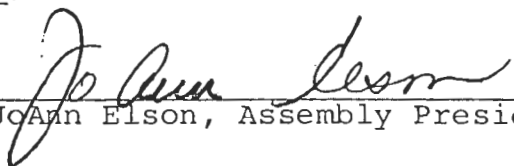
A. The purpose of this section is to provide for an efficient and economic system of coordinating the data collection efforts of each department and to reduce the burden on both citizens and businesses by minimizing the number of forms which each shall be required to complete and return to the Borough.

B. The Records Manager shall establish procedures to economically combine, simplify or eliminate Borough forms to the extent possible without compromising administrative efficiency and shall consult with each department head to determine informational needs of each department. The Borough Clerk shall control the creation and use of forms which members of the general public are required to complete.

Section 2. This ordinance is intended to provide guidelines for freedom of information and reasonable access to public records in the conduct of public business; it is not intended to establish standards of conduct to support claims against the Borough, its employees, or its agents, in the dissemination of public information.

Section 3. This ordinance shall be effective immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
THIS 5th DAY OF December, 1978.


JoAnn Elson, Assembly President

ATTEST:


Borough Clerk

