

## COUNTY OF ELGIN

### By-Law No. 01-21

#### **“BEING A BY-LAW TO ESTABLISH THE MANDATE AND ACTIVITIES OF THE ELGIN COUNTY ARCHIVES”**

WHEREAS by Subsection 45 of Section 207 of the Municipal Act, being Chapter M.45 of the Revised Statutes of Ontario, 1990, a council of a municipality may pass by-laws for appointing such officers and employees as may be necessary for the purposes of the corporation; and

WHEREAS the County did appoint an archivist in May 2001; and

WHEREAS it is deemed necessary to establish the mandate and activities of the archives under the management of said position.

NOW THEREFORE BE IT RESOLVED THAT:

1. The archives shall be called the ELGIN COUNTY ARCHIVES (herein referred to as the archives) and shall be administered by the Library Services Department.
2. The archives strives to be a comprehensive resource for records documenting the County's economic, political, geographic and social development. The mandate of the archives with respect to acquisition is therefore as follows:
  - a) to act as the repository for all inactive records in all formats of the County's executive, management and administrative functions and related agencies that are designated for permanent retention according to legislative requirements and/or the County's records retention by-law (see Schedule "A" attached to and forming part of this by-law for a glossary of terms);
  - b) to establish policies for the management of active and semi-active records within all County departments, including authority for the destruction of all corporate records as well as maintenance of the County's records retention by-law;
  - c) to enter into transfer agreements for the management of inactive records of the County's former and current local municipalities;
  - d) to acquire archival records from private sources that have bearing upon the history of the County of Elgin as appraised by the archivist and in accordance with an acquisition policy approved by Council. It is generally understood that such donations are the property of the archives upon completion of a donation agreement unless otherwise stated;
  - e) to enter into agreements pending Council approval for the management of records of other agencies and levels of government.
3. The archives exists to ensure the long-term preservation of records under its care. The mandate of the archives with respect to preservation is therefore as follows:
  - a) to maintain the records in a suitable repository wherein temperature, relative humidity, lighting and air quality are all controlled according to archival preservation standards as defined by the Canadian Conservation Institute and the archivist;
  - b) to promote the security of records against potential hazards such as fire, water damage and theft;
  - c) to promote responsible care and handling of the records at all times;

- d) to engage in active conservation treatment of records when necessary, either in-house under the direction of the archivist or under contract to a qualified conservator as warranted;
  - e) to engage in reproduction of records by various means in order to preserve their evidence or reduce their care and handling.
4. The archives exists to provide access to the records to the general public, County staff and officials in order to promote accountability, efficient delivery of County services and historical research. The archives mandate with respect to access is therefore as follows:
- a) to offer access to holdings at a minimum of five days per week and at all reasonable hours, with an adequate number of professional, technical and clerical staff on duty during these hours. Ample space will be provided in the archives to conduct this research;
  - b) to ensure that records are adequately arranged and described according to archival principles to facilitate their efficient retrieval and use;
  - c) to permit reproduction of records for research purposes according to established fees and within bounds of Canadian copyright law. The archivist reserves the right to prohibit such reproductions should this be deemed harmful to the originals;
  - d) to abide by pertinent legislation with regards to access and privacy, specifically the *Municipal Freedom of Information and Protection of Privacy Act* ;
  - e) to respect the privacy of donors and their records when applicable and as stipulated in donation agreements;
  - f) to establish fees from time to time for research services provided by staff at the archives on behalf of patrons;
  - g) to engage in community outreach and public awareness activities, including promotion of local tourism and economic development.
5. This mandate shall be carried out by the archivist in accordance with the Employee Code of Ethics as established by County Council and the professional Code of Ethics as established by the Association of Canadian Archivists.

READ a first and second time this 26<sup>th</sup> day of June, 2001.

READ a third time and finally passed this 26<sup>th</sup> day of June, 2001.

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M.G. McDonald,  
Chief Administrative Officer.

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J. R. Wilson  
Deputy Warden.

**Schedule "A"**  
**By-Law No. 01-21**

**GLOSSARY OF TERMS**

**Records:**

Information, however recorded, on paper, on film, by electronic means or otherwise possessing identifiable authorship and having integrity as evidence of a transaction;

**Archival Records:**

Primary records (generally unpublished) in all formats permanently preserved because they possess enduring evidential, administrative or cultural value;

**Active records:**

Records in all formats that continue to be maintained in their place of origin and are regularly used to conduct the business of a department or institution.

**Semi-active records:**

Records in all formats required less frequently in the conduct of current business resulting in their transfer from offices to a records centre or other holding area, pending their ultimate disposition and review by the archivist.

**Inactive records:**

Records in all formats no longer needed for current business and transferred to the archives for disposition.