

MUNICIPALITY OF THE DISTRICT OF ARGYLE

BY-LAW #18

THE DESTRUCTION OF CERTAIN DOCUMENTS

1. The Council may, by Resolution which may be in the form as set out in Schedule “A” of this By-Law or to the like effect, cause the destruction of any documents or records of the Municipality after they are no longer required, provided that the Clerk submits to the Council his affidavit setting forth each of the documents or records to be destroyed and that he has personally examined each of the documents or records proposed to be destroyed and that there is nothing of value therein.
2. The affidavit of the Clerk setting out that he has personally examined each document on record and that there is nothing of value therein may be in the form as set out in Schedule “B” of the By-Law, or to the like effect.
3. Nothing in this By-Law shall authorize the destruction of the following documents:
 - a) Deeds, mortgages or other documents or records relating to the title of real property;
 - b) Court records;
 - c) Records required to be kept by any Statute;
 - d) Records less than five (5) years old;
 - e) Minutes, By-Laws or Resolutions of the Council;
 - f) Plans and surveying records, and
 - g) Affidavit of the Clerk made pursuant to this By-Law.

SCHEDULE "A"
MUNICIPALITY OF THE DISTRICT OF ARGYLE
RESOLUTION OF COUNCIL

WHEREAS the documents and records of the Municipality of the District of Argyle as set out in the Affidavit of _____, the Chief Administrative Officer/Municipal Clerk, sworn to the _____ day of _____, A.D., 20____ are no longer required;

AND WHEREAS according to the said Affidavit the said documents and records have been personally examined by the said Clerk and he has determined that there is nothing of value therein and that the said documents and records do not include any documents or records which are exempt from destruction pursuant to Section 3 of the Destruction of Documents By-Law;

BE IT THEREFORE RESOLVED that the said documents and records as set out in the said Affidavit of the said Clerk be forthwith removed and destroyed.

THIS IS TO CERTIFY that the foregoing is a true copy of the Resolution duly passed at a duly called meeting of the Municipal Council of the Municipality of the District of Argyle duly held on the _____ day of _____, A.D., 20____.

GIVEN UNDER the hand of the Chief Administrative Officer/Municipal Clerk and under the Corporate Seal of the Municipality this _____ day of _____, A.D., 20____.

Chief Administrative Officer/Municipal Clerk

SCHEDULE "B"
MUNICIPALITY OF THE DISTRICT OF ARGYLE
AFFIDAVIT

IN THE MATTER OF: THE MUNICIPAL ACT REVISED STATUTES OF NOVA SCOTIA,
1967, CHAPTER 192,

-and-

IN THE MATTER OF: The Destruction of Documents By-Law of the Municipality of the
District of Argyle.

I, _____, of _____
in the County of Yarmouth and Province of Nova Scotia, Clerk of the Municipality of the
District of Argyle, do make oath and say:

1. **THAT** I am the Municipal Clerk of the Municipality of the District of Argyle.
2. **THAT** I have personally examined each of the documents and records listed immediately below, pursuant to the Destruction of Documents By-Law of the Municipality of the District of Argyle which permits the destruction of documents and records which are no longer required.
 - (a)
 - (b)
 - (c)
 - (d)
 - (e)
3. **THAT** the aforesaid list does not contain any document or record exempt from destruction pursuant to Section 3 of the said By-Law.
4. **THAT** to the best of my knowledge and belief there is nothing of value contained therein.
5. **THAT** the said documents and records are no longer required by the said Municipal Council.

SWORN TO AT _____

In the County of _____

And Province of Nova Scotia, this _____ day of

_____ A.D., 20____, before me:

A Commissioner of the Supreme
Court of Nova Scotia

Chief Administrative Officer's Annotation for Official By-Law Book

Date of First Reading	
Date of Advertisement of Notice of Intent to Consider	
Date of Second Reading	
Date of Advertisement of Passage of By-Law	
Date of Mailing to Minister a Certified Copy of By-Law	
Effective Date of By-Law	
I certify that this Destruction of Certain Documents By-Law #18 was adopted by Council and published as indicated above.	
_____	_____
Warden	Date
_____	_____
Chief Administrative Officer	Date