

## **ORDINANCE NO. 2022-11**

**AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS, PROVIDING FOR A RECORDS MANAGEMENT PLAN, OFFICER, AND SCHEDULES; REPEALING AND REPLACING ORDINANCE 2016-10; AND CONTAINING RELATED PROVISIONS.**

**WHEREAS**, the Texas Local Government Records Act (Title 6, Subtitle C, Local Government Code), provides that each local government must establish an active and continuing records management program; and

**WHEREAS**, the City of Iowa Colony, Texas desires to adopt a plan to prescribe policies and procedures consistent with the Local Government Records Act and in the interests of cost-effective and efficient recordkeeping; and

**WHEREAS**, the City of Iowa Colony desires to update its records retention ordinance to remain consistent with the guidelines of the Texas State Library and Archives Commission;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:**

### **SECTION 1. DEFINITION OF RECORDS OF THE CITY**

All documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other information-recording media, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by the City or any of its officers or employees pursuant to law or in the transaction of public business, are declared to be the records of the City of Iowa Colony, Texas ("the City") and shall be created, maintained, and disposed of in accordance with the provisions of this ordinance or procedures authorized by it and in no other manner.

### **SECTION 2. RECORDS DECLARED PUBLIC PROPERTY**

All records as defined in Sec. 1 of this ordinance are declared to be the property of the City. No official or employee of the City has, by virtue of his or her position, any personal or property right to such records even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

### **SECTION 3. POLICY**

It is declared to be the policy of the City to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all records of this office through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Local Government Records Act and accepted records management practice. This policy shall apply to all employees, agents, independent contractors, and volunteers of the City.

#### **SECTION 4. RECORDS MANAGEMENT OFFICER**

The person holding the office of City Secretary and the successive holders of that office will serve as Records Management Officer for the City as provided by law and will develop policies and procedures to ensure that the maintenance, preservation, security, destruction, electronic storage, and other disposition of the records of this office are carried out in accordance with the requirements of the Local Government Records Act. As provided by state law, each successive holder of the office shall file his or her name with the director and librarian of the Texas State Library within thirty days of the initial designation or of taking up the office, as applicable.

#### **SECTION 5. RECORDS CONTROL SCHEDULES**

Appropriate records control schedules issued by the Texas State Library and Archives Commission shall be adopted by the Records Management Officer for use in the City, as provided by law. The Records Management Officer shall prepare amendments to the schedules as needed to reflect new records created or received by this office, or revisions to retention periods established in a records retention schedule issued by the Commission. Any destruction of records of the City will be in accordance with these schedules and the Local Government Records Act.

#### **SECTION 6. REPEAL OF PRIOR RECORDS MANAGEMENT ORDINANCE**

Ordinance No. 2016-10, the former records management ordinance of the City, is hereby repealed and replaced. All other ordinances of the City shall remain in full force and effect.

#### **SECTION 7. SEVERANCE CLAUSE**

If any part of this ordinance, of whatever size, is ever declared invalid or unenforceable for any reason, the remainder of this ordinance shall remain in full force and effect.

#### **SECTION 8. EFFECTIVE DATE**

This ordinance shall be effective immediately upon its passage, approval, and adoption.

**PASSED AND APPROVED ON THE FIRST READING ON JULY 18, 2022.**

**PASSED, APPROVED, AND ADOPTED ON THE SECOND READING ON AUGUST 15, 2022.**

**CITY OF IOWA COLONY, TEXAS**

By:   
**MICHAEL BYRUM-BRATSEN,**  
**MAYOR**

**ATTEST:**



**KAYLEEN ROSSER,**  
**CITY SECRETARY**

**IOWA COLONY/RECORDS RETENTION ORDINANCE 7-18-2022**

