

BOARD OF COMMISSIONERS
FOR THE
TOWN OF UPPER MARLBORO



ORDINANCE: 06-04
SESSION: Regular
DATE: October 10, 2006

AN ACT TO establish the length of time during which records will be retained by the Town of Upper Marlboro.

SECTION I.

Be it enacted and ordained by the Board of Town Commissioners for the Town of Upper Marlboro, that Ordinance 06-04 be and hereby is, enacted and shall read as follows:

SECTION II.

"A. DEFINITIONS

Records Retention is defined as:

- (1) *Nonrecord* shall mean the types of materials defined as nonrecord by section 179, article 41, of the Annotated Code of Maryland, 1957.
- (2) *Photographs* shall mean photographs, photocopies, or micro-photographs.
- (3) *Record* shall mean any book, paper, photograph, map or other documentary material, regardless of physical form or characteristic, created or received by any department in pursuance of law or in connection with the transaction of public business, and preserved or deemed appropriate for preservation by that agency or its legitimate successor as evidence of the

organization, functions, policies, procedures, decisions or operations of such department, or because of the informational value of the data contained therein.

(4) *Record retention schedule* shall mean an itemized list of the retention periods established for the records of the Town pursuant to the provisions of this Ordinance.

(5) *Records Management Officer* shall mean the Town Administration and/or the Town Clerk, or any other person so designated by the Town of Upper Marlboro.

(6) *The Records Management Program* shall mean and include records storage; forms management; microfilm and information retrieval; creation of record retention schedules; and disposal of records.

(7) *Retention period* shall mean the period of time for which a record shall be retained.

B. RECORDS MANAGEMENT OFFICER; powers and duties; department heads.

(a) The Records Management Officer shall have primary responsibility for the development and administration of a continuing records management program for the records of each department of the Town of Upper Marlboro. In addition to, and not by way of limitation of, his general responsibility for the records management program, he shall have the following express responsibilities, duties and powers in connection with the records activities of each department of the Town of Upper Marlboro:

(1) Establish standards, procedures and techniques for the effective management of Town records.

(2) Prepare record retention schedules providing for the retention of town records of continuing value and for the prompt and orderly disposal of county records no longer possessing sufficient administrative, legal or fiscal value to warrant their further preservation.

Prior to becoming operative, such retention schedules shall receive the written approval of the Chief Administrative Officer and the Hall of Records Commission.

(3) Review proposals for the purchase or rental of filing equipment, microfilm or photocopying devices, and make recommendations thereon to the department heads.

(4) Review all proposals to microfilm records, whether or not the ultimate destruction of the original records is involved.

(5) Consult with and advise the departments in an effort to achieve uniformity of new forms.

(6) Inspect records and records management practices of all executive departments.

(7) Organize and administer a records storage center or centers for the inactive records of the Town.

(8) Develop, publish and enforce standards of classifying, indexing and filing records.

(9) Require such reports as he deems necessary.

(10) Assist office and department heads in training files and records personnel.

(b) The head of each department shall:

(1) Cooperate with the Records Management Officer in the preparation of records retention schedules made by him pursuant to the provisions of this Section.

(2) Comply with the rules, regulations, standards and procedures issued by the Records Management Officer with respect to the retention, disposal and storage and photographic reproduction of departmental records.

(3) Designate an employee to provide liaison with the Records Management Officer and assist him in carrying out the program in his department.

C. MAINTENANCE OF RECORDS INVOLVING TOWN INTERESTS.

The Chief Administrative Officer, acting as custodian, shall maintain all deeds, bonds, contracts, releases, executive orders and directions, and other papers and instruments involving the legal interest of the Town of Upper Marlboro and any of its agencies, offices and departments. The above papers and instruments shall be maintained solely for reference and examination by the public. Any person may have access to them during business hours. The above papers and instruments shall be in addition to those maintained for any other purpose.

D. DISPOSAL OF RECORDS.

(a) Records created or received by the Town of Upper Marlboro government in the course of official business are the property of the Town government and shall not be destroyed, sold, transferred or otherwise disposed of except in a manner prescribed by record retention schedules approved as provided in this Division and attached hereto.

(b) When records are disposed of, a certificate of disposal, listing the records and certifying to their disposal shall be filed with the Hall of Records of the State.

(c) Records of archives of the Town which are deemed to have historical significance may at the discretion of the Records Management Officer and with the approval of the Town President be lent to any responsible organization or group. They shall be properly preserved, displayed, indexed and made available for reference purposes by such organization.


SECTION III.

BE IT FURTHER ENACTED that this ordinance shall take effect twenty (20) days after its adoption by the Town of Upper Marlboro, Maryland.

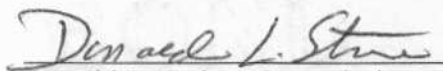
Adopted this 10 day of October, 2006.



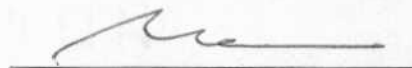
BOARD OF TOWN COMMISSIONERS




Jay Tucker, President



Donald L. Strine, Commissioner



John S. Keiffer, Commissioner



Town Clerk

DEPARTMENT OF GENERAL SERVICES
 RECORDS MANAGEMENT DIVISION
 RECORDS RETENTION AND DISPOSAL SCHEDULE

Schedule No. M245
 Page 1 of 3

Agency TOWN OF UPPER MARLBORO Division/Unit General Government

Item No.	Description	Retention
	<p>General Government includes those files and records pertaining to the elected officials (Legislative), Administrative (Executive), Election Records, Accounting/Financial/ Personnel and Police files.</p> <p>NOTE: All records listed as permanent in this schedule will be periodically transferred to the State Archives for storage and preservation. All records with time limited retentions are to be review for their potential historical, administrative, legal, fiscal or other archival value before destruction.</p> <p><u>Legislative Records</u></p>	
1	Minutes of Board of Commissioners official meetings	Permanent
2	Videos and recordings of official Commissioner meetings	2 years after approval of minutes
3	Ordinances, Resolutions and Proclamations with legislative history if any	Permanent
4	Charter, amendments with legislative history	Permanent

Schedule Approved by Department, Agency, or Division Representative.
 Date 9/17/08
 Signature Stephen Sonnett
 Typed Name STEPHEN SONNETT
 Title President, Board of Commissioners
Town of Upper Marlboro, MD

Schedule Authorized by State Archivist
 Date 13 May 09
 Signature Edward C. J. [unclear]

**DEPARTMENT OF GENERAL SERVICES
RECORDS MANAGEMENT DIVISION
RECORDS RETENTION AND DISPOSAL SCHEDULE
(Continuation Sheet)**

Schedule No. M245

Page 2 of 3

Agency

TOWN OF UPPER MARLBORO

Division/Unit

General Government

Item No.

Description

Retention

Administrative Records

5

General correspondence: original incoming and copies of outgoing letters, notices, reports, directives, policies and other material related to Town administration.

Screen annually and destroy material that is no longer needed for current business. Retain permanently any material that serves to document the origin, development and accomplishments of the office. Transfer periodically to the Maryland State Archives

6

Deeds, land use agreements, plats, surveys, including infrastructure contracts and agreements correspondence and legal opinions relating thereto

Permanent

7

Contracts including: documentation and correspondence; bids awards, quotes, purchase orders, specifications, advertisements and associated documents if any.

3 years after satisfactory completion and/or audit requirements

8

Town Publications

Permanent
(retain one copy)

9

Opinions of Legal counsel, Court Opinions and Judgments where the Town was a party

Permanent

10

Insurance claims: including related records

7 years after settlement

11

Vehicle, equipment, other asset records

2 years after disposition

**DEPARTMENT OF GENERAL SERVICES
RECORDS MANAGEMENT DIVISION
RECORDS RETENTION AND DISPOSAL SCHEDULE
(Continuation Sheet)**

Schedule No. M245

Page 3 of 3

Agency
TOWN OF UPPER MARLBORO

Division/Unit
General Government

Item No.	Description	Retention
	<u>Election Records</u>	
12	Election Returns; Town voter registration records	Permanent
13	Candidate petitions; notice of elections; election worker records	5 years
14	Ballots, paper, absentee	Minimum of 6 months to maximum of 1 year after election is final
	<u>Accounting/ Financial/Personnel Records</u>	
15	Bonds, audit Reports, Budgets, General Ledger	Permanent
16	Paid bills, vouchers, invoices, bankbooks, statements, deposit slips, tax assessment lists, employee payroll reports, tax returns, investment records, bank signatory statements	4 years after end of Fiscal Year audit
17	Personnel records	7 years after end of employment
	<u>Police Records</u>	
18	Incident reports of various types	7 years
19	Daily activity Log of Officer on Patrol	3 years
20	Non-current Citations, flagging documents and reports	4 years

