

Authority: Administration Committee Report No. 2 , Clause No. 4,
as adopted by City of Toronto Council on July 27, 28, 29 and 30, 1999
Enacted by Council: July 29, 1999

CITY OF TORONTO

BY-LAW No. 458-1999

To authorize the acquisition of non-government records and collections of documents of historical value or interest for the City of Toronto Archives.

WHEREAS under paragraph 24 of section 207 of the Municipal Act, R.S.O. 1990, c. M.45, Council may pass by-laws for providing for keeping in the custody of the municipality things of historical value or interest donated or loaned to the municipality and for entering into agreements with the donor or lender for the keeping of such things; and

WHEREAS Council has adopted an Acquisition Policy for City of Toronto Archives that includes, among other matters, a mandate for the archives program operated by the City Clerk's Division, the acquisition of non-government records and collections of documents, and the entering into agreements with respect to these non-government records and collections of documents;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. In this by-law,

“acquisition policy” means the Acquisition Policy for the City of Toronto Archives as adopted and amended by Council, from time to time;

“collection” means an artificial accumulation of documents of any provenance brought together on the basis of some common characteristic, such as way of acquisition, subject, language, medium, type of document, or name of collector, which may be managed and described as a unit under a common title;

“document” means a unit of recorded information regardless of form or media;

“non-government record” means any record that is created by any individual as a result of employment with the City of Toronto, its predecessor municipalities, or its agencies, boards, commissions, or other special purpose bodies, or by any organization that is not required to submit records retention schedules for approval by Council and the City Auditor under the Municipal Act;

“record” means a document made or received in the course of the conduct of the affairs of a person or organization, and preserved by that person or organization for the purposes of future reference.

2. A non-government record or a collection of documents shall be acquired as a donation to the City subject to the following requirements:

- (a) the record or collection of documents meets the terms of the mandate for the archives program in the acquisition policy;
- (b) the record or collection of documents is deemed to meet the appraisal criteria set out in the acquisition policy;
- (c) the acquisition of the record or collection of documents has been approved by the Director, Corporate Records Systems and City Archivist in accordance with the acquisition policy; and
- (d) the donor of the record or collection of documents has entered into an agreement satisfactory to the City Clerk and the City Solicitor.

3. The City Solicitor is authorized to prepare an agreement required under clause 2(d) and the City's authorized signing officers are authorized to sign the agreement and affix the City's corporate seal to it when directed to do so by the City Solicitor.

ENACTED AND PASSED this 29th day of July, A.D. 1999.

CASE OOTES,
Deputy Mayor

(Corporate Seal)

NOVINA WONG,
City Clerk