

BY-LAW # 29

TOWN OF MULGRAVE

A BY-LAW RESPECTING THE DESTRUCTION
OF CERTAIN DOCUMENTS

BE IT RESOLVED that the following is hereby adopted as a By-Law of the Town of Mulgrave when it has received the approval of the Minister of Municipal Affairs, and that the Town Clerk forward Two copies to the Minister for his approval.

BY-LAW # 29

A BY-LAW RESPECTING THE DESTRUCTION OF CERTAIN DOCUMENTS

1. This By-Law Shall be known as and may be cited as the “Destruction of Documents By-Law”.
2. The Council may by resolution which may be in 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 Town 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.
3. The affidavit of the clerk setting out that he has personally examined each document or record and that there is nothing of value therein may be in form as set out in Schedule “B” of this By-Law or to the like effect.
4. Nothing in this By-Law shall authorize the destruction of the following documents:
 1. Deeds, mortgages, or other documents or records relating to the title of real property;
 2. Court records;
 3. Records required to be kept by any statute;
 4. Records less than five years old;
 5. Minutes, By-Laws, or resolutions of the Council;
 6. Plans and surveying records; and
 7. Affidavits of the clerk made pursuant to this By-Law.

5. All former Disposal of Records By-Laws passed by the Council are hereby repealed and this by-Law substituted therefore.

THIS IS TO CERTIFY that the By-Law of which the foregoing is a true copy was duly passed at a duly called meeting of the Town Council of the Town of Mulgrave held on the 21st day of July, A.D., 1986.

GIVEN under the hand of the Town Clerk and under the corporate *seal of the said Town this 24th day of July, A.D., 1986.

David R. Smith
Town Clerk & Treasurer

SCHEDULE "A"

TOWN OF MULGRAVE

RESOLUTION OF COUNCIL

WHEREAS the documents and records of the Town of Mulgrave as set out in the affidavit of the Town 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 4 of the Destructin 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 a resolution duly passed at a duly called meeting of the Town Council of the Town of Mulgrave Duly held on the 21st day of July A.D., 1986.

GIVEN UNDER the hand of the Town Clerk and under the corporate *seal of the said Town, this 24th day of July A.D., 1986.

David R. Smith
Town Clerk & Treasurer

SCHEDULE "B"
TOWN OF MULGRAVE
AFFIDAVIT

IN THE MATTER OF the Town's Act,
- and -
IN THE MATTER OF the destruction of documents
By-Law of the Town of Mulgrave

I, _____ of Mulgrave, _____ in the County of
Guysborough, Province of Nova Scotia, Town Clerk of the Town of
Mulgrave do make oath and say:

1. THAT I am the Town Clerk of the Town of Mulgrave.

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 Town of Mulgrave 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 4 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 Town Council.

SWORN TO at _____)
in the County of _____)
Province of Nova Scotia, this _____)
Day of _____)
A.D., 20 . _____)
_____)
.....)

A Commissioner of the Supreme)
Court of Nova Scotia.)