

ORDINANCE NO. 412

AN ORDINANCE ESTABLISHING A RECORDS
MANAGEMENT PROGRAM TO BE ADMINISTERED
BY THE RECORDS MANAGEMENT OFFICER
FOR THE TOWN OF ANTHONY, TEXAS

WHEREAS, Section 203.021 of the Texas Local Government Code V.T.C.A., requires governing bodies of all local governments to:

(1) establish, promote, and support an active and continuing program for the efficient and economical management of all local government records;

(2) cause policies and procedures to be developed for the administration of the program under the direction of the records management officer;

(3) facilitate the creation and maintenance of local government records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the local government and designed to furnish the information necessary to protect the legal and financial rights of the local government, the state, and persons affected by the activities of the local government;

(4) facilitate the identification and preservation of local government records that are of permanent value;

(5) facilitate the identification and protection of essential local government surveys; and

(6) cooperate with the commission in its conduct of statewide records management surveys; and

WHEREAS, Section 203.026 of the Texas Local Government Code, V.T.C.A., requires governing bodies of all local governments to:

(1) establish by ordinance or order, as appropriate, a records management program to be administered by the records management officer;

(2) the ordinance or order must provide methods and procedures to enable the governing body, custodians, and the records management officer to fulfill the duties and responsibilities set out in Sections 203.021, 203.022, and 203.023, Texas Local Government Code, V.T.C.A., concerning the management and preservation of records; and

WHEREAS, the Records Management Program shall be applicable to:

(1) all record created or received by the local government that is still in its possession and to be retained pursuant to the requirements of the Texas Local Government Code; now therefore;

BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF ANTHONY, TEXAS, THAT:

SECTION I

The Records Management Officer shall efficiently and economically manage the records of the Town of Anthony, Texas, and shall further be directed hereby to create and preserve adequate documentation of the transaction of government business and services.

SECTION II

All records shall be maintained in the care of the Records Management Officer and shall be located at the offices of the Town Hall and said records shall be preserved, microfilmed, destroyed or otherwise disposed of only in accordance with the policies and procedures of this program.

SECTION III

The following records shall be preserved:

- (1) all records created or received by the Town of Anthony, Texas;
- (2) any record no longer created or received by the Town of Anthony, Texas, that is still in its possession or for which the retention period on a records schedule has not expired; and
- (3) any record no longer created or received by the Town of Anthony, Texas, that is still in its possession and for which the retention period on a records retention schedule has expired but which will not be destroyed.

SECTION IV

All records shall be retained for a period prescribed by current state or federal law, regulation, or rule of court or as set forth on a records retention schedule which shall be prepared and filed by the Records Management Officer on or before January 2, 2003.

SECTION V

The Records Management Officer is hereby authorized to microfilm in addition to or instead of paper or other media, subject to the requirements of Chapter 204 of the Texas Local Government Code, V.T.C.A., and rules adopted under it.

SECTION VI

The Records Management Officer is hereby authorized to store data electronically in addition to or instead of source documents in paper or other media, subject to the requirements of Chapter 205 of the Texas Local Government Code, V.T.C.A., and rules adopted under it.

SECTION VII

All records which are obsolete or unscheduled and which are sought to be destroyed shall first be reviewed by the Records Management Officer and if destruction is recommended, and said destruction is not prohibited by the schedules or rules of the Texas State Library and Archives Commission, then the records may be destroyed.

SECTION VIII

The Records Management Officer shall keep accurate lists of records destroyed, their volume, and other information of records management activities.

SECTION IX

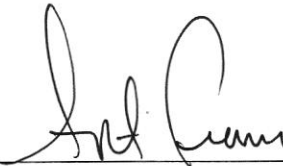
This Ordinance is subject to any and all rules established by the Texas State Library and Archives Commission and, if a conflict arises between this Ordinance and the rules established by the Commission then, in that event, the rules of Commission shall prevail.

SECTION X

The Records Management Officer may offer to transfer the records of permanent value not needed in the day-to-day business of the local government to the Texas State Library and Archives Commission or another local government that operates an archives, library, or museum that meets standards for the care and storage of permanent records established by the Commission.

SECTION XI

That this Ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinances, and such is evidenced by the below signatures.



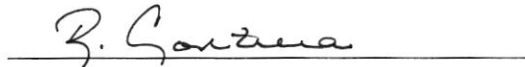
ART FRANCO
Mayor

ATTEST:



Myriam P. Uribe
Town Clerk

APPROVED:



RICHARD CONTRERAS
Town Attorney

First Reading: November 26, 2002
Second Reading: December 10, 2002