

TITLE I - POLICY AND ADMINISTRATIVE

CHAPTER 9

AN ORDINANCE REGARDING THE RETENTION AND DESTRUCTION OF PUBLIC RECORDS

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9.01 PURPOSE. An Ordinance for the purposes of ensuring that Dallas County public records are properly stored, maintained, appraised, and destroyed.

Be it enacted by the Dallas County Board of Supervisors :

This Ordinance establishes records retention and disposition schedules based upon the schedules as set forth in the Iowa County Records Manual (Iowa City: State Historical Society of Iowa, 1987) and in accordance with this Chapter and all relevant state law. (See 622.30, 331.323, the Code of Iowa)."

9.02 DEFINITIONS

A. "Archives" means records that have been deemed as having sufficient historical, research, evidential, or informational value to warrant permanent preservation and that have been transferred to the custody of the county archives.

B. "Record" means a document, book, paper, electronic record, photograph, sound recording, or other material, regardless of physical form or characteristics, made, produced, executed, or received pursuant to law in connection with the transaction of official business of Dallas County government. 'Record' does not include reference copies or library and museum material made or acquired and preserved solely for reference or exhibition purposes or stocks of publications and unprocessed forms.

9.03 DESTRUCTION DOCUMENTED

A. Scheduled Records - A county record which is scheduled for destruction must be destroyed unless: (1) a request under the Public Information Act is pending on the record; (2) the subject matter of the record is pertinent to pending litigation or a pending audit; or (3) the Records Manager sends written notification to a Record Custodian that the record must be held pending review for historical appraisal.

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B. **Unscheduled Records:** A County record created, which is not scheduled under the Iowa County Records Manual, may be destroyed if (1) its destruction has been approved in the same manner required by this Ordinance for the destruction of a record which is scheduled under the Iowa County Records Manual.

C. **Manner of Destruction:** Records scheduled for destruction shall be burned, shredded, or buried, and a Destruction Certificate, indicating the date, time, place, manner, agent for and witness to the destruction, shall be retained by the County Board of Supervisors.

D. In conformity with sections 622.30(2) and 331.323(2)(d) of the Iowa Code, a county officer may destroy records in that officer's possession which have been on file for more than ten years and which are not required to be kept as permanent records as provided by law or the Iowa County Records Manual.

E. County records which are created and maintained in the normal course of business as electronic documents are not required to be printed for the purpose of preservation. However, such electronic records shall be maintained as set forth in section D above, in the electronic form for the periods specified.

9.04 SEVERABILITY CLAUSE If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this document which are separable from the unlawful provision shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

9.05 EFFECTIVE DATE This ordinance becomes effective upon publication.

