



Town of Newmarket
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Records Retention By-law for Automated Speed Enforcement and Administrative Monetary Penalties System

Staff Report to Council

Report Number: 2024-49

Department(s): Legislative Services

Author(s): Sarah Niezen, Records and Project Coordinator

Meeting Date: September 9, 2024

Recommendations

1. That the report entitled Records Retention By-law for Automated Speed Enforcement and Administrative Monetary Penalties System dated September 9, 2024 be received; and,
2. That the Records Retention By-law for Automated Speed Enforcement and the Administrative Monetary Penalty System be enacted; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

With the Town of Newmarket providing services for administration of the Automated Speed Enforcement program as a Joint Processing Centre and also providing administration of the Administrative Monetary Penalty process to other municipalities it is necessary to adopt a retention by-law specific to the Automated Speed Enforcement Program and Administrative Monetary Penalty System in order to ensure full enforceability of retention periods.

Background

The Town's records management program is managed by records management and privacy staff in Legislative Services. Authority for establishing retention periods was delegated to staff through By-law 2011-84. With the growth and technology changes at the Town the regular records retention schedule is updated several times a year. Delegated authority provides the flexibility to update and apply amended or new retention periods as needed.

Discussion

The retention periods are based on best practices and various legislative requirements. In addition to the Town's agreements with the Ministry of Transportation the Town needs to retain records to be able to manage agreements with our municipal partners.

The Town's agreement with the Ministry of Transportation for the Automated Speed Enforcement (ASE) Program requires us to delete all vehicle owner information within 90 days of using it unless required by applicable law to retain it for a longer period. Adoption of this by-law allows us to establish our own retention for these records and ensures that we can retain all necessary information for tickets that may be appealed through the Administrative Monetary Penalty System (AMPS).

Defined retention periods for the various types of records created through the ASE and AMPS programs allows the Town to effectively and clearly communicate these to our municipal partners.

Conclusion

The attached by-law allows the Town to continue to implement our Automated Speed Enforcement Program and to enforce the necessary retention periods for data and records.

Business Plan and Strategic Plan Linkages

This report meets the Town's vision of being "well-equipped and managed".

Consultation

Legal and Procurement Services was consulted in the drafting of the by-law.

Human Resource Considerations

None.

Budget Impact

None.

Attachments

Attachment 1 - Automated Speed Enforcement Program and Administrative Monetary Penalty System By-law

Approval

Kiran Saini, Manager of Legislative Services/Deputy Clerk

Lisa Lyons, Director of Legislative Services/Town Clerk

Esther Armchuk, Commissioner of Corporate Services

Contact

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