

PLEASE SEE ATTACHED COPY FOR

CITY OF STILWELL ORDINANCE 391

Published in the Stilwell Democrat Journal December 5, 2018

I-2018-003205 Book0550 Pg 886 12/12/2018 0:21 am Pg 0886-0890 Fee \$ 21.00 Doc \$ 0.00 Cathy Harrison - Adair County Clerk State of Oklahoma

AFFIDAVIT OF PUBLICATION

THE STILWELL DEMOCRAT JOURNAL

State of Oklahoma

County of Adair Keith Neale, of lawful age, being duly sworn and authorized says he is the Editor of the Stilwell Democrat Journal newspaper printed in the City of Stilwell, Adair County, Oklahoma, a newspaper qualified to publish legal notices, advertisements and publications as provided in Section 106 of Title 25, Oklahoma Statutes 1971 as amended, and complies with all other requirements of the laws of Oklahoma with references to legal publication. That said notice, a true copy of which is attached hereto, was published in the regular edition of said newspaper and not any supplements thereof, forconsecutive weeks:

1st insertion Dec. 5th, 2018
2nd insertion _____, 20
3rd insertion _____, 20
4th insertion _____, 20
5th insertion _____, 20

Keith M Neale
Editor

Subscribed and sworn to me before this 5 day of December 2018

[Signature]
Notary Public

9-30-21
My Commission expires:
\$320.00
Publication Fee:



RECEIVED
DEC 11 2018
CITY CLERK'S OFFICE
Stilwell, OK

ORDINANCE 391

AN ORDINANCE PROVIDING SPECIFIC RULES AND REGULATIONS CONCERNING THE MAINTENANCE, AVAILABILITY AND DISPOSAL OF MUNICIPAL RECORDS

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Cathy Harrison - Adair County Clerk
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WHEREAS, Records of the actions of the City of Stilwell being an integral part of the History of the City, and

WHEREAS, the length of time for keeping and maintaining certain records is determined by State Law, and

WHEREAS, it is the opinion of the City Council of the City of Stilwell that the maintenance and /or disposal of all records is important and should be determined by legal guidelines,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STILWELL, OKLAHOMA:

ARTICLE ONE

Destruction, Sale or Disposition of Municipal Records

A) A municipal governing body may destroy, sell for salvage or otherwise dispose of the following papers, documents and records after the expiration of the specified period of time following the end of the fiscal year in which the paper, document or record was created, except as otherwise specified:

- 1) **One (1) year:** parking citations may be destroyed or otherwise permanently disposed of one (1) year after the date of issuance;
- 2) **Two (2) years:** municipal court warrants, water, sewer, garbage and utility receipts and statements, which have been previously audited; inspection records relating to water meters and sewer inspections; miscellaneous petitions and letters addressed to the governing body on matters other than pertaining to the items hereinafter set forth; utility billing ledger or register; utility cash receipts ledger or register; and utility accounts receivable ledger or register. Fire run contracts may be destroyed or otherwise disposed of two (2) years after their expiration;
- 3) **Five (5) years:** successful and unsuccessful bids for the purchase or furnishing of equipment, material and improvements; inspection records except as provided for in paragraph 2 of this section; claims that have been denied; license applications; bonds; special, primary and general election payrolls; election tabulations and returns; withholding statements; garnishment records; traffic tickets and receipts; bond receipts and fine receipts; information and complaints; court dockets; paid general obligation and revenue bonds; paid street improvement, sewer and sidewalk district bonds; warrants; claims; checks; vouchers; purchase orders; payrolls;
- 4) **Ten (10) years:** inventories; appropriation ledgers; sidewalk assessment records, except payment records; cash receipt book or register for the general fund, the street and alley fund, any bond fund or sinking fund and all other trust funds that have been audited; and
- 5) **Fifteen (15) years:** sewer and improvement district records, except payment records. All municipal papers, records, and documents which are not mentioned above unless otherwise determined by the City Council.

B) None of the above-mentioned records, papers or documents pertaining to pending litigation shall be disposed of until such litigation is finally terminated.

C) This section shall not be construed to authorize or allow the destruction of any testing laboratory results or the inspection records of public improvements of a municipality.

(Reference §11-22-131)

ARTICLE TWO

Authority to have records photographed or reproduced on film or stored on optical disk - Original record - Storage.

A) The head of any department, commission, bureau or board may have any or all records kept by the official, department, commission, bureau or board photographed, micro-photographed, photo-stated, reproduced on film or stored on optical disk. Such reproduction or reproducing material shall be of durable material and the device used to reproduce such records on film or other material shall be such as to accurately reproduce and perpetuate the original records in all details.

B) The photo-stated copy, photograph, micro-photograph, photographic film or optical disk of the original records shall be deemed to be an original record for all purposes, and shall be admissible in evidence in all courts or administrative agencies. A facsimile, exemplification or certified copy thereof shall, for all purposes recited herein, be deemed to be a transcript, exemplification or certified copy of the original.

C) Whenever photo-static copies, photographs, micro-photographs, reproductions on films or optical disks shall be placed in conveniently accessible files and provisions made for preserving, examining and using same, the City Clerk or Department Head may certify those facts to the City Council. Following such certification, the City Council may, by ordinance or resolution, authorize the disposal, archival storage or destruction of the original records and papers before the expiration of the retention period established above.

(Reference §11-22-132)

ARTICLE THREE

Municipal Records - Maintenance and protection - Availability.

A) The City Clerk and /or Department Heads shall keep and maintain such records in a manner and at a location prescribed by the City Council.

B) Such records shall be available for use by officers and employees of the municipality as the City Council shall direct.

C) The City Council shall establish policies and procedures to preserve and protect the records of the municipality consistent with other provisions of law providing for the confidentiality of such records where appropriate and the accessibility of such records for inspection by the public.

(Reference §11-22-132.1)

ARTICLE FOUR

Repeal

A) All ordinances and parts of ordinances in conflict herewith are hereby cancelled and repealed.

PASSED by the City Council this 3rd day of December, 2018.
APPROVED by the Mayor this 3rd day of December, 2018.

/s/ Jim Spray
Jim Spray, Acting Mayor

ATTEST:

/s/ Larry A. Nettles
Larry A. Nettles, City Clerk-Treasurer

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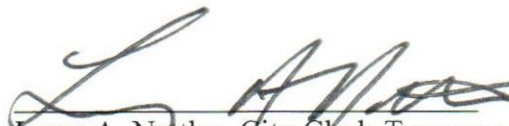
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ATTEST:





Jim Spray, Acting Mayor



Larry A. Nettles, City Clerk-Treasurer