

**COUNCIL ORDINANCE No. 2185**

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING MUNICIPAL CODE CHAPTER 2.35 AND REPEALING ORDINANCE 1786.**

**WHEREAS**, Milwaukie Municipal Code (MMC) Chapter 2.35 governs records management procedures in the City of Milwaukie; and

**WHEREAS**, Oregon Administrative Rule (OAR) Chapter 166, Division 30, prescribes the procedures for obtaining lawful authority to destroy or otherwise dispose of public records and specifies procedures for their authorized disposition; and

**WHEREAS**, OAR Chapter 166 requires each local agency to designate a Records Officer to organize and coordinate records scheduling, retirement, storage, and destruction to comply with the State Archivist's guidelines.

**Now, Therefore, the City of Milwaukie does ordain as follows:**

Section 1. Ordinance 1786, adopted on September 5, 1995, is repealed.

Section 2. Chapter 2.35 is amended to read as shown in Exhibit A.

Read the first time on 11/5/19, and moved to second reading by 5:0 vote of the City Council.

Read the second time and adopted by the City Council on 11/5/19.

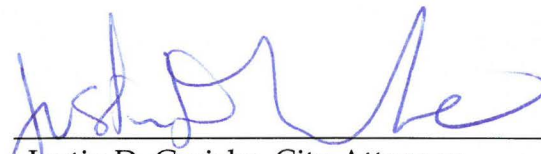
Signed by the Mayor on 11/5/19.

  
Mark F. Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:

  
Scott S. Stauffer, City Recorder

  
Justin D. Gericke, City Attorney

**Milwaukie Municipal Code (MMC)**

**CHAPTER 2.35 CITY RECORDS**

**2.35.010 ADOPTION OF OREGON ADMINISTRATIVE RULES, CHAPTER 166**

To ensure continuation of government and open, efficient conduct of the public's business, the City adopts the provisions of OAR Chapter 166, Archives Division, which are applicable to cities.

**2.35.020 DUTIES OF THE RECORDS OFFICER**

The city manager will designate a records officer to administer the City's records management program and respond to public records requests. To ensure an effective records management program, the records officer must maintain and preserve, as necessary, all papers, documents, records, and electronic records that the City receives. The records officer will approve records destruction requests and maintain a file of certifications. The records officer will maintain and update, as needed, the Records Management Manual and the Disaster Recovery Plan for City Records.

**2.35.030 DUTIES OF THE CITY DEPARTMENTS**

Department heads have the primary responsibility to implement and comply with the records management program for their departments, which includes the appointment of a records liaison to carry out the program for the department. The records liaison must maintain City records in conformity with the City's records management program.