

RESOLUTION 2015-73

**A RESOLUTION OF THE CITY OF BRENTWOOD, TENNESSEE TO ADOPT
REVISIONS TO THE RETENTION SCHEDULE FOR OFFICIAL RECORDS
OF THE CITY OF BRENTWOOD**


WHEREAS, the Board of Commissioners adopted the Retention Schedule for Official Records of the City of Brentwood, Tennessee, pursuant to Resolution 2007-10, and subsequently adopted revisions to said Retention Schedule, pursuant to Resolution 2009-12; and

WHEREAS, certain revisions are proposed to the Retention Schedule for Official Records of the City of Brentwood, Tennessee in regards to in-car video records of the Police Department.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BRENTWOOD, TENNESSEE,
AS FOLLOWS:**

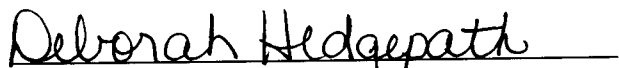
SECTION 1. That the revised Retention Schedule for Official Records of the City of Brentwood, Tennessee, attached hereto as Attachment A, is hereby adopted.

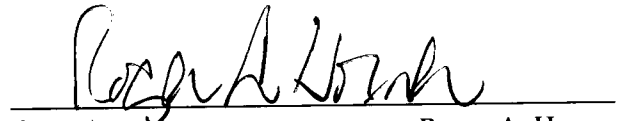
SECTION 2. That this resolution shall take effect from and after its passage, the general welfare of the City of Brentwood, Williamson County, Tennessee requiring it.


MAYOR Regina Smithson

ADOPTED: 11/9/2015

Approved as to form:


RECORDER Deborah Hedgepath


CITY ATTORNEY Roger A. Horner

Retention Schedule for Official Records of the City of Brentwood, Tennessee

**As Adopted by the Board of Commissioners
February 26, 2007**

Revised – February 9, 2009

Revised – November 9, 2015

**RETENTION SCHEDULES
TABLE OF CONTENTS**

A.	Courts	3
B.	Elections.....	5
C.	E-Mail	7
D.	Engineering	8
E.	Finance	10
F.	Fire.....	16
G.	Fleet Services.....	20
H.	General Administration	21
I.	Permits	26
J.	Personnel	27
K.	Planning and Zoning.....	40
L.	Police	42
M.	Property Tax.....	45
N.	Purchasing	49
O.	Recreation and Parks	50
P.	Utilities (Billing and Collection)	51
Q.	Utilities (Operation and Maintenance.....	53
R.	Utilities (Wastewater and Water Records)	54

A. COURTS

Description of Record	Retention Period	Legal Authority/Rationale
A-1. Affidavit of Complaint. A written statement alleging that a person has committed an offense and alleging the essential facts instituting the offense charged made upon oath before a magistrate or court clerk.	*Permanent record.	T.C.A. § 18-1-202(a).
A-2. Bond Books, Miscellaneous. Receivers', appearance, cost, etc., bonds, showing names of principal and sureties, style of case, amount and date of bond, condition of the obligation, and signatures of principal and sureties.	*Retain 10 years after release, replacement, or expiration of all bonds in book.	T.C.A. § 18-1-202(a).
A-3. Briefs, Civil Cases. Statements of the case, legal theory and arguments for a party in a case.	*Maintain for 3 years after final disposition of the case, then destroy after notice is given to parties.	Notice permits parties to retrieve records. T.C.A. § 18-1-202(b).
A-4. Citation. A demand that the defendant cited appear in court at a stated time to answer to a misdemeanor or civil offense charge. The citation states the name and address of the person cited, the name of the issuing officer, and the offense charged.	*Permanent record.	Original process must be kept permanently. T.C.A. § 18-1-202(a).
A-5. Court Reinstatement Payment Verification and Summary Report from Department of Safety.	Maintain for 2 years.	
A-6. Distress Warrants and Warrant Stubs. Original warrants and warrant stubs issued against persons, showing name and address of person for whom warrant is issued, date of issue, amount of tax due, fees, and penalties.	If court action results, retain until final settlement of case; if no court action, retain 5 years.	Keep for audit purposes.

**Indicates a mandatory retention period based on state or federal law.*

A. COURTS

Description of Record	Retention Period	Legal Authority/Rationale
A-7. Drug Fund/Officer Fee Reports. Received from County Clerk.	Retain 2 years.	
A-8. Executions. Writs or orders providing that an act or course of conduct be carried out.	*Retain 10 years after issuance.	T.C.A. § 18-1-202(a).
A-9. Habeas Corpus, Writs of. Writs issued to change the place of trial, to move from custody of one court to another, directing that a detained person be produced, etc.	*Permanent record.	Original process must be kept permanently. T.C.A. § 18-1-202(a).
A-10. Judge's Opinions. Statements by the judge of the decision reached in regard to a cause heard before him relating the law as applied to the case and giving reasons on which the judgment is based.	*Permanent record.	T.C.A. § 18-1-202(a).
A-11. Litigation Tax Reports. A record of all state and city litigation taxes collected by the clerk showing number of cases and amount received.	Retain 10 years after last entry.	Keep for audit purposes.
A-12. Minute Books and Indexes (Court Docket). Minutes show the course and proceedings in all cases from their origin to termination, giving name of defendant, offense charged, date of trial, verdict, and sentence of the court (all transactions of the court).	Permanent record.	Necessary for use of other permanent records.
A-13. Mittimuses. Commitments to jail, showing name of person committed, offense charged, name of prosecutor, amount of bail, date, and signature of clerk of the court.	*Retain 10 years.	T.C.A. § 18-1-202(a).

A. COURTS

Description of Record	Retention Period	Legal Authority/Rationale
A-14. Processes Served, Record of. Record of warrants, capiases, summonses, and other papers served.	Retain 3 years after last entry. Note: Do not confuse this record with original process that must be kept as a permanent record to comply with T.C.A. § 18-1-202(a).	Keep for audit purposes.
A-15. Receipts for Papers. Record of all files and papers removed from the office, showing date and by whom taken, and date returned.	Retain until all files and papers are returned.	Working papers as defined in T.C.A. § 10-7-301(14).
A-16. Search Warrants. A written order issued in the name of the state and directed to a law enforcement officer commanding him to search a specific house, business establishment, or other premises.	*Retain 10 years.	T.C.A. § 18-1-202(a).
A-17. Subpoenas. Copies of summonses to appear in court as witnesses in lawsuits, showing name of person summoned, day and hour to appear, in whose behalf, and signature of the clerk.	* In criminal cases, retain 10 years. *In civil cases, retain 3 years.	T.C.A. § 18-1-202.
A-18. Summonses. A writ notifying a person that a court action has been commenced against him and that he is required to appear on a day named and answer the complaint in such action.	*Permanent record.	T.C.A. § 18-1-202(a).
A-19. Trial Exhibits and Evidence. Any evidence and exhibits presented at trial that become part of the record of the case.	*Retain 10 years after final judgment, unless local rule of court provides for a different retention period.	T.C.A. § 18-1-202(a).
A-20. Unclaimed Funds, Record of. Record of funds in hands of clerk unclaimed for 7 years and turned over to state, showing style of case, case number, respondent, and amount.	Retain 10 years.	Keep record for audit purposes and a reasonable period to allow interested parties to make inquiries.

*Indicates a mandatory retention period based on state or federal law.

B. ELECTIONS

Description of Record	Retention Period	Legal Authority/Rationale
B-1. Election Results.	Permanent record.	Has historical significance.

C. E-MAIL

Description of Record	Retention Period	Legal Authority/Rationale
C-1. Spam and other E-mails that will not be relevant to any litigation	May be discarded immediately.	No requirement for retention.
C-2. E-mails relative to contracts	Retain 7 years or until expiration of guarantees.	Based on statute of limitations for breach of contract plus 1 year. T.C.A. § 28-3-109.
C-3. E-mails that might be relevant to tort litigation	Retain 2 years.	Based on statute of limitation for tort action plus 1 year.
C-4. E-mails relative to personnel status of employees	Retain 5 years.	Various statutes of limitations and requirements in differing statutes.
C-5. Other E-mails	Retain based upon subject matter (see other provisions in the retention schedule) or 5 years, whichever is longer, but appraise for continuing usefulness or historical value.	Maintain for reasonable time in case of continued action.

D. ENGINEERING

Description of Record	Retention Period	Legal Authority/Rationale
D-1. Aerial Photographs. Aerial photographs of flyovers. Negatives may be available at the state Department of Transportation's photographic lab.	Permanent record.	Keep for operational purposes through reappraisal appeals process and greenbelt re-certification appeal period. This record series has a high historical and archival value and should be preserved for those reasons.
D-2. Bridge and Street Project Files, Federal, State and Local. Project files, including contracts and invoices.	Retain 7 years after completion of project.	Based on statute of limitations for legal actions for breach of contract plus one year. T.C.A. § 28-3-109.
D-3. Building Plans. Blueprints and specifications for all municipal buildings including school buildings.	Retain for the life of the building (plus additional time if litigation could arise from a building's early demise). Consider donating to archive.	Necessary for maintenance and operation of physical plant.
D-4. City Street List. Record of all streets under the control of the city.	Permanent record.	Necessary for street regulation and maintenance and to protect street department from allegations of working on private property.
D-5. Complaints. Citizen service request for maintenance and repair issues.	Retain 5 years.	Could constitute notice of unsafe condition.
D-6. Deeds, Easements, Highway Rights-of-way, etc. Instruments of conveyance of interests in real property. Shows signature of property owner, date, width of easement, and name of road.	Permanent record in city recorder's office.	Recorded copy is necessary to preserve city property rights. City should retain its own copy as a record of its property rights.
D-7. Maps and Map Books. City and civil district maps as well as single parcel maps (not part of subdivision).	Permanent record.	Keep for historical purposes.
D-8. Ownership Maps and Index, Rural and Urban. These maps reflect the status of real property as of January 1 of each year.	Retain only current and one previous generation of ownership maps and indexes. Older generations of photographs may be removed from the office but if removed, should be transferred to an archive or library.	Useful in office for tracking property changes and as evidence in challenges to tax sales. This record series has a high historical and archival value and should be preserved for those reasons.

D. ENGINEERING

Description of Record	Retention Period	Legal Authority/Rationale
D-9. Plats, Plat Books, Surveyors' Books and Indexes. Drawings of subdivisions, cemeteries, utilities, city lots and street improvements showing name of subject, date drawn, boundaries, scale used, location, name of engineer making survey, name of draftsman, and register's certificate of registration.	Permanent record.	Necessary for maintenance and operation of city infrastructure. Eligible for recordation. T.C.A. § 13-3-402.
D-10. Sign Inventory. List of all traffic signs and traffic signals in the city.	Retain a current copy at all times.	Necessary to track inventory and maintenance of signs.
D-11. Underground Utilities, Location of. Record of location of all underground utilities maintained by the city.	Permanent record.	Necessary for maintenance and operation of city infrastructure NOTE: Under T.C.A. § 65-31-105, the city must record location of utilities with county, listing where the facilities are located and the name, title, address, and telephone number of the operator's representative. The county keeps this record permanently.
D-12. Work Orders. For repair and maintenance of streets, traffic signs, traffic signals, and utilities.	Retain 5 years.	Evidence in lawsuit.

E. FINANCE

Description of Record	Retention Period	Legal Authority/Rationale
E-1. Accounts Paid Files and Ledgers. Paid invoices filed by vendor showing company, date, amount, date paid, and invoice number. Ledgers show name of vendor, amount of each invoice, amount paid on each account, and amount outstanding.	Retain 7 years.	Based on statute of limitations for legal actions for breach of contract plus one year. T.C.A. § 28-3-109.
E-2. Accounts Payable.	Retain 10 years.	Recommendation of the comptroller set forth in the <i>Internal Control and Compliance Manual for Tennessee Municipalities</i> .
E-3. Accounts Receivable.	Retain 10 years.	Recommendation of the comptroller set forth in the <i>Internal Control and Compliance Manual for Tennessee Municipalities</i> .
E-4. Annual Reports to City Officials. Submitted by city departments, boards, or agencies.	Permanent record.	Keep for historical purposes.
E-5. Appropriation Ordinance or Resolution. Record of appropriations made by the municipal legislative body for maintenance of city offices and departments, and for payment of claims against the city, showing date of meeting, date claim filed, to whom payable, nature of claim or purpose of appropriation, and amount.	Permanent record.	Keep for audit and historical purposes.
E-6. Audit Reports. All audit reports relative to city finances. Audit reports show name of office, name of fund or account, account of all receipts and disbursements, date of audit, and signature of auditor.	Permanent record.	Recommendation of the comptroller set forth in the <i>Internal Control and Compliance Manual for Tennessee Municipalities</i> . Record has high historical value. NOTE: T.C.A. § 6-56-104 requires the city to place a copy of the audit in the main branch of the public library.

E. FINANCE

Description of Record	Retention Period	Legal Authority/Rationale
E-7. Bank Deposit Books. Bank books showing name and location of bank, and amounts and dates of deposits.	Retain 6 years plus 1 year after last entry.	Based on statute of limitations for legal actions for breach of contract plus one year. T.C.A. § 28-3-109.
E-8. Bank Deposit Slips. Slips showing name and location of bank, and amounts and dates of deposits.	Retain 7 years.	Based on statute of limitations for legal actions for breach of contract plus one year. T.C.A. § 28-3-109.
E-9. Bank Statements. Statements showing name and location of bank, and amounts and dates of deposits, amounts and dates of check withdrawals, and running balance.	Retain 7 years.	Based on statute of limitations for legal actions for breach of contract plus one year. T.C.A. § 28-3-109.
E-10. Bids, On Equipment and Supplies. Records showing bidder's name, complete description of item(s), delivery date, amount of bid, and any correspondence with the bidder. Include record of unsuccessful bids in this file.	Retain 7 years after contract expires.	Based on statute of limitations for legal action based on breach of contract plus one year. T.C.A. § 28-3-109.
E-11. Bonded Indebtedness, Record of. Register book shows bond issue, date, and amount set up by year; as bonds and coupons are returned, these are shown in the book. Other records include the trust indenture, loan agreements, bond counsel opinion, documentation on expenditure of bond proceeds, copies of management contracts and research agreements, documentation of all sources of payment or security for the bonds, and documentation of investment of bond proceeds. Other records may also include documentation specific to any single and multi-family housing bonds and small issue industrial development bonds.	Bonds and coupons may be destroyed after the audit is complete for the fiscal year during which the bonds were duly paid and canceled.	Based on procedures established in T.C.A. § 9-21-123. T.C.A. § 28-3-113.

E. FINANCE

Description of Record	Retention Period	Legal Authority/Rationale
E-12. Budget Records and Reports. These pertain to the general fund and street fund, debt service fund, and general purpose school fund and all other city funds. They show anticipated revenues, anticipated expenditures for the year, and fund balance at the end of the year.	The annual budget is preserved permanently in city legislative body minutes. Retain other budget records and reports 5 years.	Keep for audit purposes.
E-13. Canceled Checks. Canceled checks showing date check issued, name of bank on which drawn, check number, to whom payable, purpose of payment, amount of check, and date canceled.	Retain 7 years.	Based on statute of limitations for legal action for breach of contract plus one year. T.C.A. § 28-3-109.
E-14. Cash Journals. Record of all receipts and disbursements as distributed to various city accounts, showing date of entry, amount, source of receipt or purpose of payment, amount of debit or credit, and name of account credited or charged.	Permanent record.	Recommendation of the comptroller set forth in the <i>Internal Control and Compliance Manual for Tennessee Municipalities</i> . Comptroller's office considers this record important for demonstrating patterns in investigations of misappropriation of funds. Prior to the advent of general budgetary practices, the <i>Recorder's Cash Journal</i> was the best record for tracking the total revenue stream of the city and has historical value. For this reason, older records should be kept permanently.
E-15. Cash Reconciliation Report. Shows balances at beginning of month, outstanding checks, cash balances, checks issued during month, checks paid, cash and outstanding checks at end of the month.	Retain 1 year after audit.	Keep for audit and review purposes.
E-16. Check Books. Books containing stubs of checks issued by the Recorder showing check number, date issued, name of payee, amount, and purpose of payment.	Retain 7 years after date of last check.	Based on statute of limitations for legal actions for breach of contract plus one year. T.C.A. § 28-3-109.

E. FINANCE

Description of Record	Retention Period	Legal Authority/Rationale
E-17. Check Stubs. From all city accounts and accounts of all its departments.	Retain 7 years.	Based on statute of limitations for legal actions for breach of contract plus one year. T.C.A. § 28-3-109.
E-18. Development and Proposal Files. Reports, planning memos, correspondence, studies, and similar records created for and used in the development of grant proposals submitted to state or federal agencies and contracts relating to the grant.	Retain all unsuccessful applications for 5 years. Retain all records regarding grants that are received for life of grant plus 7 years.	Keep unsuccessful proposals in case of appeal or for administrative use in re-application. Keep records of grants received based on statute of limitations for contract actions. T.C.A. § 28-3-109.
E-19. Financial Reports to City Legislative Body. (1) General; (2) Final—Report gives information on different accounts, balances on last report, receipts, disbursements, commissions, transfers, balances on this report, totals, bank balances of city accounts in different banks, and classification of receipts (sources received from, e.g., state, local, etc.). Reports of street department chief administrative officer and other officials when required by law.	Permanent record.	These reports should be recorded in the minutes of the city legislative body. Permanent retention is recommended by the comptroller in the <i>Internal Control and Compliance Manual for Tennessee Municipalities</i> .
E-20. General Ledger Accounts. Record of all receipts and disbursements for the various city accounts, showing date of entry, amount, source of receipt or purpose of payment, amount of debit or credit, and name of account credited or charged.	Permanent record.	Recommendation of the comptroller set forth in the <i>Internal Control and Compliance Manual for Tennessee Municipalities</i> .

E. FINANCE

Description of Record	Retention Period	Legal Authority/Rationale
E-21. General (Miscellaneous) Receipt Ledgers. Record of funds received on general accounts, including such payments as state and city taxes, interest, fees, and penalties on delinquent taxes, showing date of payment, name of payor, amount, fund credited, and balance. This information is included in the journal package of most software in computerized cities. If stored electronically in compliance with electronic data processing standards, paper copy is not necessary.	Retain 7 years after last entry. If stored electronically, retain 7 years after date of creation of record.	Based on statute of limitations for legal actions for breach of contract plus one year. T.C.A. § 28-3-109.
E-22. Grant Documentation and Files. Records and materials regarding grants applied for and/or money received through state and federal grants.	Retain for life of grant plus 7 years.	Based on statute of limitations for legal actions for breach of contract plus one year. T.C.A. § 28-3-109.
E-23. Investment Ledgers. Surplus cash investments, rate of interest, date, and amount collected.	Retain 10 years.	Keep for audit purposes and to address arbitrage concerns.
E-24. Invoices. Original invoices, purchase orders, and requisitions used in purchasing goods.	Retain 7 years.	Based on statute of limitations for legal actions for breach of contract plus one year. T.C.A. § 28-3-109.
E-25. Miscellaneous Receipts from Other Offices Receiving Money, Records of. Records of receipts collected by other city offices and departments. Examples: fees collected by the ambulance service, building permits, etc.	Retain 7 years.	Based on statute of limitations for legal actions for breach of contract plus one year. T.C.A. § 28-3-109.

E. FINANCE

Description of Record	Retention Period	Legal Authority/Rationale
E-26. Receipt Books. Receipts for revenue collected, showing from whom received, date receipt given, receipt number, amount and purpose of payment, and account credited. Receipts may be or may have been issued for funds received from other city offices for payment of transfer tax, delinquent taxes, state funds, utilities tax, etc. Receipts may be loose rather than in books.	Retain 7 years after last entry. If stored electronically, destroy file 7 years after date of creation. Additional copies of the receipts that are not needed for any purpose are working papers that may be destroyed as soon as it is determined they are superfluous.	Based on statute of limitations for legal actions for breach of contract plus one year. T.C.A. § 28-3-109.
E-27. Sales Tax Reports. Report from the state showing total tax collection less cost of state collection. Report shows amounts distributed to incorporated municipalities.	Retain 10 years.	This record series is kept longer than the usual audit standard in case of a dispute regarding city/county distribution of revenues.
E-28. Travel Authorizations.	Retain 5 years.	Keep for audit purposes.
E-29. Unclaimed Funds, Record of. Record of funds in hands of official unclaimed for 7 years and turned over to state, showing information about source of funds and amount.	Retain 10 years.	Keep record for audit purposes and a reasonable period to allow interested parties to make inquiries.

F. FIRE

Description of Record	Retention Period	Legal Authority/Rationale
F-1. Arson Investigation Reports.	Retain 30 years or until the convicted perpetrator is released from prison, whichever is longer.	Keep for use if there is a new trial.
F-2. Bloodborne Pathogens/ Infectious Material Standard. Protects employees who may be occupationally exposed to blood or other infectious materials.	No retention period specified. Must be available to workers and kept current.	Occupational Safety and Health Act (29 C.F.R. 1910.1030).
<ul style="list-style-type: none"> Written exposure plan 	* Retain for duration of employment plus 30 years.	Occupational Safety and Health Act (29 C.F.R. 1910.1020).
<ul style="list-style-type: none"> Medical records 	*Retain 3 years.	Occupational Safety and Health Act (29 C.F.R. 1910.1030).
<ul style="list-style-type: none"> Training records 	*Retain 30 years.	Occupational Safety and Health Act (29 C.F.R. 1910.1020).
<ul style="list-style-type: none"> Employee exposure records 		Occupational Safety and Health Act (29 C.F.R. 1910.1020).
F-3. Burn Permits. Record of permission granted for open burning within the city limits.	Retain 2 years unless issued in conjunction with a building permit, in which case retain until certificate of occupancy granted.	General recommendation is based on statute of limitations for malicious burning plus one year. Recommendation for burn permits issued with building permits based on the increased likelihood of a lawsuit against the city before certificate of occupancy is granted.
F-4. Fire Incident Reports.	Retain 5 years. Consider donating to archive.	Keep to track history of property, loss claims, repeats. Retention term based on statutes of limitations for foreseeable causes of action.

**Indicates a mandatory retention period based on state or federal law*

F. FIRE

Description of Record	Retention Period	Legal Authority/Rationale
F-5. Fire Safety Inspection and Similar Reports. Reports made by the Tennessee Department of Insurance, Division of Fire Prevention, or local fire department showing date, name of inspector, location inspected, etc.	Retain current inspection report until a new inspection report is received, as a minimum. Retaining 3 years is recommended.	Keep for enforcement purposes. Keeping one generation back allows the department to show a history of inspection.
F-6. Firefighter Annual Certification of Fitness to Perform Job Functions.	* Retain until next certification completed to comply with OSHA. Retaining 3 years is recommended.	Required by OSHA. (29 C.F.R. 1910.156(b)(2)) and (29 C.F.R. 1910.135(m)). Department of Labor can request information going 3 years back. Retention allows the fire department to show a history of testing and compliance.
F-7. Firefighter Annual Facemask Fit Test Records.	*Retain until next certification completed to comply with OSHA. Retaining 3 years is recommended.	Required by OSHA. (29 C.F.R. 1910.156(f)) and (29 C.F.R. 1910.135(m)). Department of Labor can request information going 3 years back. Retention allows the fire department to show a history of testing and compliance.

E. FIRE

Description of Record	Retention Period	Legal Authority/Rationale
F-8. Material Safety Data Sheets (MSDS). Employers must have MSDS on file for each hazardous chemical they use and ensure copies are readily accessible to employees in their work area.	No specific time - must be maintained in a current fashion. *Retain for 30 years.	Occupational Safety and Health Act (29 C.F.R. 1910.1020(d)(1)(ii) (B)).
<ul style="list-style-type: none"> Employer must keep records of chemicals used, where they were used, when they were used and for how long. 		Occupational Safety and Health Act (29 C.F.R. 1910.1020(d)(1)(ii) (B)).
F-9. Medical Records of Patients in EMS Run Records. Patient's medical histories, reports, summaries, diagnosis, prognosis, records of treatment, medication, X-ray and radiology interpretation, physical therapy charts and lab reports.	Retain 10 years following discharge of patient or patient's death during treatment. For patients under mental disability or minority, records should be retained for period of minority or disability plus 1 year or 10 years following discharge, whichever is longer. X-ray film may be disposed of after 4 years when radiologist's interpretation is made.	T.C.A. § 68-11-305 and 68-140-519.
F-10. Physical/Medical Records. Complete and accurate records of all medical examinations required by OSHA law.	*Retain for duration of employment plus 30 years unless specific OSHA standard provides a different time period.	Occupational Safety and Health Act (29 C.F.R. 1910.1020).

**Indicates a mandatory retention period based on state or federal law.*

F. FIRE

Description of Record	Retention Period	Legal Authority/Rationale
F-11. Radio and Telephone Logs. Dispatching and telephone communications with outside agencies.	Retain 5 years.	Keep for use in defense of lawsuits. Retention term based on statutes of limitations for foreseeable causes of action.
F-12. Training Records.	Retain for duration of employment plus 3 years.	Proof of training for ISO and OSHA.
F-13. Vehicle and Equipment Maintenance Records.	Retain for life of vehicle or equipment.	Determination of replacement, proof of maintenance.

**Indicates a mandatory retention period based on state or federal law.*

G. FLEET SERVICES

Description of Record	Retention Period	Legal Authority/Rationale
G-1. Vehicle and Equipment Purchase and Maintenance Records.	Retain for life of vehicle or equipment.	Determination of replacement, proof of maintenance.

H. GENERAL ADMINISTRATION

Description of Record	Retention Period	Legal Authority/Rationale
H-1. Affidavits of Exemption from Business Licenses under T.C.A. § 67-4-712. Affidavits of blind persons or disabled former members of the armed services made for the purpose of obtaining free ad valorem or privilege license, showing duration of service, nature of disability, if any, amounts of affidavit, signature of affiant, and clerk's acknowledgment.	If license is granted, retain until expiration of license and 10 years thereafter; if license not granted, retain one year.	Keep for audit purposes. T.C.A. § 67-4-712(a)
H-2. Applications for Retail Liquor Store Certificate of Compliance	If application granted, retain for life of permit. If application denied, retain for 1 year past final action.	Retain successful applications for audit purposes. Retain denied applications to have available in case of appeal(s) under T.C.A. §§ 27-9-101 <i>et seq.</i>
H-3. Beer Applications and Permits. The application and permits issued to persons selling legalized beverages (beer), showing name of licensee, business address, date issued, permit number, and signature of Beer Board approving the issuance of the license.	Retain 5 years after permit is terminated.	Keep for audit purposes.
H-4. Beer Tax Reports and Receipts. Reports from wholesale beer distributors showing brands of beer, number of units sold, unit prices, and tax remitted. Receipts from money submitted should also be in file.	Retain 3 years.	Source documents must be kept by wholesalers and retailers for 2 years. T.C.A. § 57-5-206(b).
H-5. Business and Privilege Licenses. Original applications and licenses to engage in business or for exercising taxable privileges, showing name of applicant, kind of license, duration of license, date filed, and signature of applicant; fee/tax paid and license number.	Retain 5 years after license has expired.	Keep for audit purposes.

H. GENERAL ADMINISTRATION

Description of Record	Retention Period	Legal Authority/Rationale
H-5A. Business Tax Returns. Returns filed under the Business Tax Act under T.C.A. § 67-4-715.	Retain 7 years after January of the year in which the taxes accrue.	T.C.A. § 67-1-1501(a); <i>Westinghouse Electric Corp. v. King</i> 678 S.W. 2d 19 (Tenn. 1984).
H-6. Contracts. Contracts between the city and other contractors.	Retain 7 years after termination of contract if executed by City Manager. Permanent record if approved by Ordinance or Resolution and signed by Mayor.	Based on statute of limitations for breach of contract plus one year. T.C.A. § 28-3-109.
H-7. Contracts, Construction. Contracts between City and contractors for construction work, showing name of contractor, date, building specifications, and amount of consideration.	If executed by City Manager, retain 7 years or until expiration of guarantees. If no guarantees are involved, retain 7 years after completion of contract. Permanent record if approved by ordinance or resolution and signed by Mayor.	Based on statute of limitations for actions for breach of contract plus one year. T.C.A. § 28-3-109.
H-8. Correspondence Files (including E-mail). Correspondence with citizens and government officials regarding policy and procedures or program administration.	Generally retain 5 years but appraise for continuing administrative usefulness or historical value. If pertinent to any pending or threatened litigation, retain until final resolution.	Maintain for reasonable period of time in case of continued action related to the correspondence.
H-9. Deeds for City Properties, Copies of. Copies of warranty deeds.	Destroy when obsolete or when purpose of retention has been served.	Working papers as defined in T.C.A. § 10-7-301(14). Filed permanently with the county register of deeds.
H-10. Facility Inspection and Maintenance Records. Records documenting inspection of and repairs or improvements made to municipal buildings and structures.	Retain 5 years.	Possible significance in tort cases.
H-11. Fixed Assets. Comprehensive inventory of all fixed assets.	Retain 5 years after disposal of property.	Audit standard authorized by the Tenn. Admin. Rule 0520-1-2-.13.
H-12. General (Non-financial) Monthly to City Officials. Reports from all departments, boards, or agencies of the city.	Retain monthly and quarterly reports for 2 years.	Useful for preparation of budgets and annual reports.

H. GENERAL ADMINISTRATION

Description of Record	Retention Period	Legal Authority/Rationale
H-13. Insurance Policies. Insurance policies of all types insuring the city and all its departments for various risks of loss, showing name of company, name of agent issuing policy, date of policy, date of expiration, amount of premium, amount of coverage, and description of any property covered.	Retain 10 years after expiration or replacement of policy.	Based on statute of limitations for breach of contract actions plus one year. T.C.A. § 28-3-109.
H-14. Leases (Real Property). Copies of leases or rental contracts on real estate, showing names of lessor and lessee, description of property, terms of the contract, date of execution, and signatures of parties involved.	Destroy when obsolete or when purpose of retention has been served.	Keep to track property rights during lease term. Note: If lease is for more than 3 years, eligible for recordation under T.C.A. § 66-24-101(a)(15).
H-16. Legal Opinions and Court Decisions. Records, including correspondence, stating or referencing court decision or legal opinions dealing with or affecting the department.	Retain 20 years or until record no longer relevant, whichever is later.	Court opinions can have continuing impact on operations.
H-17. Liens, Tax. Record of tax lien notices filed against property owners, including violators of the internal revenue law, showing name and address of property owner, date of filing, amount of assessment and penalty, and discharge notice date.	Permanent record.	Impractical to ascertain expiration of lien to know when record could be destroyed.

H. GENERAL ADMINISTRATION

Description of Record	Retention Period	Legal Authority/Rationale
H-18. Agendas and Minutes of City Legislative Body. Recorded minutes of the meetings of the municipal legislative body, including special call meetings. All recorded actions of the legislative body, including records of members present and their votes on matters of business presented, nature and results of votes; various items such as fixing the tax levy, adoption of a budget, receiving financial reports from city officials and departments, appropriation of funds for the maintenance and operations of city offices and institutions, and other items of a similar nature.	Permanent record.	City charter requirement, T.C.A. §§ 8-44-101, <i>et. seq.</i> (open meetings law). Keep also for historical purposes.
H-19. (Rough) Minutes and Roll Calls of City Legislative Body. Notes taken at meeting of city legislative body and used to compile minutes. Includes audio tapes.	Retain until minutes are approved by city legislative body.	Working papers as defined in T.C.A. § 10-7-301(14).
H-20. Video Recordings of City Legislative Body and Planning Commission. Recorded at meeting of city legislative body and used to compile minutes.	Retain 10 years or until of no historic value, whichever is later.	Minutes may not fully explain legislative intent or provide full context of actions taken.
H-21. Minutes of Other Boards. Minutes of the meetings of other boards, such as a planning commission, beer board, etc., including members present, votes, and actions taken.	Permanent record. NOTE: Rough minutes and audio tapes are working papers and may be destroyed after final version of minutes is approved.	Actions recorded in minutes are effective until superseded/amended or rescinded/repealed. Also keep for historical purposes.
H-22. Motor Vehicle City Stickers. Copies of applications for city stickers for motor vehicles; evidence of compliance.	Retain 5 years.	Keep for audit purposes.

G. GENERAL ADMINISTRATION

Description of Record	Retention Period	Legal Authority/Rationale
H-23. Mutual Aid Documents. Declarations of a state of emergency, written requests for assistance, invoices for reimbursement.	Retain 2 years.	Keep for possible litigation purposes.
H-24. Official Bonds and Oaths of City Officials. Loose and bound original and recorded copies of the bonds and oaths of all officials required to file official bonds and/or oaths with the city recorder. Bonds generally show name of principal and sureties, amount of bond, date executed, condition of the obligation, date acknowledged and approved, signatures of principal, sureties and attorney-in-fact for bonding company, if any.	Retain 10 years after term covered by bond or oath.	Based on statute of limitations for actions on public officers' bonds. T.C.A. § 28-3-110.
H-25. Ordinances. Code of Ordinances and ordinance books, copies of amended and repealed ordinances; resolutions.	Permanent record.	Charter requirements. Ordinances must be retained to provide evidence of their existence and proof of their lawful enactment. Superseded ordinances have historical and legal value.
H-26. Privilege Licenses—See Business and Privilege Licenses.		
H-27. Reports of City Officials, Departments, Commissions and Committees. Annual reports submitted to the municipal legislative body containing data on finances, work performed, plans, personnel, etc.	Preserve permanently one copy of annual reports.	The city recorder's office serves as a repository of these reports, which constitute a historical record of the operation of the various offices, departments, and committees of the city.
H-28. Settlement Agreements. Instruments evidencing the settlement of claims against the city.	Retain 7 years after the terms of the agreement have been met.	Based on statute of limitations for breach of contract plus one year. T.C.A. § 28-3-109.

I. PERMITS

Description of Record	Retention Period	Legal Authority/Rationale
I-1. Approved Permit Applications for Solid Waste Disposal Facilities. Records of all data and supplemental information used to complete permit applications. Includes copy of the permit and the approved Part I and Part II application. Maintain at the facility or another location with the approval of the department.	Retain throughout active life of the facility and through the post-closure care period.	Keep to show compliance with regulations in order to defend against superfund liability. Tenn. Admin. Rules 1200-1-7-.02(2)(a)4, 1200-1-7-.02(4)(a)7.
I-2. Building Permits and Inspections, Copies of. Show name of owner, amount of money to be expended, type of structure, location, date, and name of contractor.	Retain 1 year after issuance of certificate of occupancy or final inspection.	These are used to find new construction. Once improvement is assessed, the record has no use. NOTE: Notify property assessor of completion before record is destroyed.
I-3. Contractor License Books. Recorded copies of certificates of license issued to general contractors by the state Board for Licensing General Contractors showing certificate number, name of contractor, names of chairman and secretary of the state board, date certificate issued, date recorded, and signature of the clerk.	Retain 5 years after all licenses in the book have expired.	Keep for audit purposes.
I-4. Demolition Orders. Documentation for municipal-ordered and privately initiated demolitions of substandard and/or hazardous buildings.	Retain 5 years.	Retain for research and litigation purposes.
I-5. Violation Notices. Notices of violations of building codes.	Retain 5 years.	Retain to document municipal actions concerning violations and for reference purposes.

J. PERSONNEL

Description of Record	Retention Period	Legal Authority/Rationale
J-1. Advertisements Regarding Job Openings, and Records of Promotions, Training Programs and Overtime Work.	Retain 5 years.	28 U.S.C. § 1658; Jones v. R.R. Donnelley & Sons Co., 541 U.S. — (2004).
J-2. Age Records.	*Retain 3 years.	Fair Labor Standards Act (29 C.F.R. 516); Age Discrimination in Employment Act (29 CFR 1627.3).
J-3. Americans with Disabilities Act—Employer Records. Requests for reasonable accommodations.	*Retain 2 years.	Same employer record retention requirements as the Civil Rights Act of 1964 as Amended; Title VII of the Civil Rights Act (29 C.F.R. 1602.31).
J-4. Applications, Resumes or Other Replies to Job Advertisements, including Temporary Positions, etc.	Retain 5 years from date record was made or human resources action is taken, whichever is later. NOTE: If the city has adopted a policy of not accepting unsolicited resumes, they do not have to be retained. Otherwise, they should be kept 5 years.	28 U.S.C. § 1658; Jones v. R.R. Donnelley & Sons Co., 541 U.S. — (2004).
J-5. Bloodborne Pathogens/ Infectious Material Standard. Protect employees who may be occupationally exposed to blood or other infectious materials.		
• Written exposure plan.	Retention period not specified. Must be available to workers and kept current.	Occupational Safety and Health Act (29 C.F.R. 1910.1030).
• Medical records.	*Retain for duration of employment plus 30 years.	Occupational Safety and Health Act (29 C.F.R. 1910.1020).
• Training records.	*Retain 3 years or through duration of employee.	Occupational Safety and Health Act (29 C.F.R. 1910.1030).
• Employee exposure records.	*Retain 30 years.	Occupational Safety and Health Act (29 C.F.R. 1910.1020).

**Indicates a mandatory retention period based on state or federal law.*

J. PERSONNEL

Description of Record	Retention Period	Legal Authority/Rationale
J-6. Citizenship or Authorization to Work. Immigration and Naturalization Services Form I-9 (employment eligibility verification form) for all employees hired after November 6, 1986.	Retain 3 years from date of hire or year after separation, whichever is later. (Minimum of 3 years.)	Immigration Reform and Control Act (8 C.F.R. 274A.2).
J-7. Demotion Records (See also transfer, layoff, termination).	Retain 5 years.	28 U.S.C. § 1658; Jones v. R.R. Donnelley & Sons Co., 541 U.S. — (2004).
J-8. Discrimination or Enforcement Charges. Personnel records relevant to a charge of discrimination or enforcement against employer, including records relating to charging party and to all other employees holding positions similar or sought after, such as application forms or performance documentation.	*Retain until final disposition of charge or action.	Age Discrimination in Employment Act (29 C.F.R. 1627.3(b)(3)). Title VII of the Civil Rights Act (29 CFR 1602.31). Executive Order 11246.
J-9. Drug Testing Records (Required by Department of Transportation). <ul style="list-style-type: none"> • Breath alcohol test with results of .02 or higher. • Positive controlled substance tests. • Documentation of refusal of test. • Calibration documentation. • Evaluation and referrals. • Copy of calendar year summary. • Substance Abuse Professional Reports. (cont'd on next page)	*Retain 5 years	Omnibus Transportation Employee Testing Act of 1991 (49 C.F.R. 40.83, 49 C.F.R. 653.71(b)).

**Indicates a mandatory retention period based on state or federal law.*

J. PERSONNEL

Description of Record	Retention Period	Legal Authority/Rationale
J-9. Drug Testing Records (Required by Department of Transportation) (cont'd).		
<ul style="list-style-type: none"> Records related to administration of drug and alcohol testing. 	*Retain 2 years.	49 C.F.R. 40.83.
<ul style="list-style-type: none"> Follow-up tests and schedules for follow-up. 	*Retain as long as the individual performs the function plus 2 years.	49 C.F.R. 40.83.
<ul style="list-style-type: none"> Information on the alcohol and controlled substances testing process. 	*Retain 1 year.	49 653.71(b).
<ul style="list-style-type: none"> Records of inspections and maintenance. 		
<ul style="list-style-type: none"> Information on training. 		
<ul style="list-style-type: none"> Negative and canceled controlled test results. 		
<ul style="list-style-type: none"> Alcohol test results of less than .02 alcohol concentration. 		
J-10. EEOC Information.		
Records kept by local governments. Any political subdivision with 15 or more employees must keep records and information that are necessary for the completion of Report EEO-4 (Local Government Information Reports) regardless of whether or not the political jurisdiction is required to file a report.	*Retain 2 years from the date of the making of the record or the personnel action involved whichever occurs later.	29 C.F.R. 1602.31.
J-11. Employee Earnings Records.		
	*Retain office record for 3 years.	
	After this time, microfilm or archive record and keep for 70 years.	Age Discrimination in Employment Act (29 C.F.R. 1627.3); Fair Labor Standards Act (29 C.F.R. 516.5). Retention period of 70 years is due to retirement concerns and is based on approximate lifespan of employee. May destroy earlier if employee and any potential claimants are deceased.

**Indicates a mandatory retention period based on state or federal law.*

J. PERSONNEL

Description of Record	Retention Period	Legal Authority/Rationale
J-12. Employer Information Report. For political jurisdictions with 100 or more employees and other political jurisdictions with 15 or more employees from whom the Commission requests an EEO-4 report, a copy of EEO-4 Form (Employer Information Report) must be kept.	*Retain a copy of the report at each central office for 3 years.	Title VII of the Civil Rights Act (29 C.F.R. 1602.32).
J-13. Employer Records of Leave Under FMLA—Non-Exempt Employees. Employees shall keep records pertaining to their obligations under the act in accordance with the record keeping requirements of the Fair Labor Standards Act (FLSA). Records kept must disclose the following: <ul style="list-style-type: none"> • Basic payroll identifying employee data (name, address, and occupation), rate or basis of pay and terms of compensation, daily and weekly hours worked per pay period, additions to or deductions from wages, total compensation paid. • Dates FMLA leave is taken. • Hours of the leave if FMLA is taken in increments. • Copies of employee notices of leave furnished to the employer and copies of all general and specific notices given to employees. • Documents describing employee benefits or employer policies and practices regarding the taking of paid and unpaid leaves. 	*Retain 3 years. No particular order or form of records is required.	Family and Medical Leave Act (29 C.F.R. 825.500).

(cont'd on next page)

**Indicates a mandatory retention period based on state or federal law.*

J. PERSONNEL

Description of Record	Retention Period	Legal Authority/Rationale
J-13. Employer Records of Leave Under FMLA—Non-Exempt Employees. (cont'd) <ul style="list-style-type: none"> Premium payments of employee benefits. Records of any dispute between the employer and an employee regarding the designation of leave as FMLA leave. 		
J-14. Employment Contracts—FLSA. Individual employment contracts (where contracts or agreements are not in writing, a written memorandum summarizing the terms) including collective bargaining agreements, plans and trusts.	Retain 5 years.	Fair Labor Standards Act (29 C.F.R. 516.5). Equal Pay Act (29 C.F.R. 1620.32 (b)). 28 U.S.C. § 1658.
J-15. Employment Tax Records.	Retain 4 years.	Internal Revenue Code (26 C.F.R. 31.6001-1).
J-16. Family and Medical Leave Act (FMLA) Employer Records of Leave Under FMLA - Exempt Employees. If employees are not subject to FLSA's record keeping regulations for purposes of minimum wage or overtime compliance, an employer need not keep a record of actual hours worked provided that: <ul style="list-style-type: none"> Eligibility for FMLA leave is presumed for any employee who has been employed for 12 months. A written record is maintained as to the agreement between the employer and employee regarding reduced or intermittent leave and the employee's normal schedule or average hours. 	* Retain 3 years. No particular order or form of records is required.	Family and Medical Leave Act (29 C.F.R. 825.500). Family and Medical Leave Act (29 C.F.R. 825.110). Family and Medical Leave Act (29 C.F.R. 825.206).

**Indicates a mandatory retention period based on state or federal law.*

J. PERSONNEL

Description of Record	Retention Period	Legal Authority/Rationale
J-17. Garnishment Documents. Federal garnishment laws are enforced under the Fair Labor Standards Act. (Refer to Payroll Records - Additions or Deductions from Wages Paid).	*Retain 3 years.	Fair Labor Standards Act (29 C.F.R. 516.5) requires 3-year retention. Equal Pay Act (29 C.F.R. 1620.32(c)) requires 2-year retention. Keep to comply with longer period.
J-18. Group Health Insurance Coverage After Certain Qualifying Events. Employers need records showing covered employees and their spouses and dependents: <ul style="list-style-type: none"> • Have received written notice of continuing group health insurance and COBRA rights • Whether the employee and his/her spouse and dependents elected or rejected coverage. 	Retain 7 years.	Internal Revenue Code (26 C.F.R. 54.4980B).
J-19. Hiring Records.	Retain 5 years from date records are made or personnel action is taken, whichever is later.	28 U.S.C. § 1658; Jones v. R.R. Donnelley & Sons Co., 541 U.S. 369 (2004).
J-20. Insurance/Retirement Plans. <ul style="list-style-type: none"> • Benefit plan descriptions. • Records providing the basis for all required plan descriptions and reports necessary to certify the information including vouchers, worksheets, receipts, and applicable resolutions. 	* Retain during the period that the plan or system is in effect, plus 1 year after termination of the plan. *Retain not fewer than 6 years after filing date of documents.	Age Discrimination in Employment Act (29 C.F.R. 1627.3 (b)(2)). Employee Retirement Income Security Act (29 C.F.R. 2520.101-1 through 2520.104b-30).
J-21. Layoff Selection.	Retain 5 years from date record made or personnel action taken.	28 U.S.C. § 1658; Jones v. R.R. Donnelley & Sons Co., 541 U.S. 369 (2004).

**Indicates a mandatory retention period based on state or federal law.*

J. PERSONNEL

Description of Record	Retention Period	Legal Authority/Rationale
J-22. Material Safety Data Sheets (MSDS).		
<ul style="list-style-type: none"> Employers must have MSDS on file for each hazardous chemical they use and ensure copies are readily accessible to employees in their work area. 	No specific retention time set by statute. Must be maintained in a current fashion.	Occupational Safety and Health Act (29 C.F.R. 1910.1020(d)(1)(ii)(B)).
<ul style="list-style-type: none"> Employer must keep records of chemicals used, where they were used, when they were used and for how long. 	*Retain 30 years.	Occupational Safety and Health Act (29 C.F.R. 1910.1020(d)(1)(ii)(B)).
J-23. Minimum Wage and Overtime Charges.		
<i>See also the following in this section</i>	*Retain 3 years.	Fair Labor Standards Act (29 C.F.R. 516.6) requires retention for 2 years, but Department of Labor can request documents going back 3 years.
<ul style="list-style-type: none"> Citizenship or Authorization to Work. Americans with Disabilities Act—Employer Record. Insurance/Retirement Plans Occupational Injuries and Illness. Payroll-Basis on which wages are paid. Physical/Medical Exams. Veterans-Military Leave. 		
J-24. Occupational Injuries and Illness Records. OSHA Form 300 Log of Work-Related Injuries and Illnesses.	*Retain 5 years following the end of the year to which the records relate.	Occupational Safety and Health Act (29 C.F.R. 1904.9).
OSHA Form 300A Summary of Work Related Injuries and Illnesses.	*Retain 5 years following the end of the year to which the records relate.	Occupational Safety and Health Act (29 C.F.R. 1904.9).
OSHA Form 301 Injury and Illness Incident Report (effective January 1, 2002).	*Retain 5 years.	Occupational Safety and Health Act (29 C.F.R. 1904.9).

* Indicates a mandatory retention period based on state or federal law.

J. PERSONNEL

Description of Record	Retention Period	Legal Authority/Rationale
J-25. Older Workers Benefit Protection Act—Employer Records. Same employer record retention requirements as the Age Discrimination in Employment Act (ADEA). Waiver of Age Discrimination in Employment Act rights.	*Retain 3 years to comply with statute. Retaining as a permanent record is recommended.	Age Discrimination in Employment Act (29 C.F.R. 1627.3, 29 C.F.R. 1602.30). Keeping waiver forever will assure that record is available to use in defense of an Older Workers Benefit Protection Act waiver of rights discrimination charge.
J-26. Payroll Records—Additions or Deductions from Wages Paid. All records used by the employer in determining additions to or deductions from wages paid.	Retain 5 years.	28 U.S.C. § 1658; Jones v. Donnelley & Sons Co., 541 U.S. 369 (2004).
J-27. Payroll Records—Age Discrimination in Employment Act. Payroll or other records containing each employee's name, address, date of birth, occupation, rate of pay and compensation earned per week.	Retain 5 years.	28 U.S.C. § 1658; Jones v. R.R. Donnelley & Sons Co., 541 U.S. 369 (2004).
J-28. Payroll Records—Basis On Which Wages Are Paid. <ul style="list-style-type: none"> The basis on which wages are paid must be documented in sufficient detail to permit calculation for each pay period. The records may include payment of wages, wage rates, job evaluation, merit and incentive programs, and seniority systems. The basic reason for these records is to give the Wage and Hour Division an indication of whether or not sex discrimination exists. 	Retain 5 years.	28 U.S.C. § 1658; Jones v. R.R. Donnelley & Sons Co., 541 U.S. 369 (2004).

(cont'd on next page)

*Indicates a mandatory retention period based on state or federal law.

J. PERSONNEL

Description of Record	Retention Period	Legal Authority/Rationale
J-28. Payroll Records—Basis On Which Wages Are Paid. (cont'd) <ul style="list-style-type: none">Although there is no specific form furnished by the Wage and Hour Division for calculation of benefit costs, the data necessary to calculate these cost should be readily available to Wage and Hour audit personnel.		
J-29. Payroll Records for FLSA-Exempt Employees. (Bona-fide executive, administrative and professional employees). <ul style="list-style-type: none">Name of employee (as used for social security record purposes) and identifying number or symbol, if such is used on payroll records.Home address, including zip code.Date of birth, if under 19 years of age.Sex and occupation.Time of day and day of week in which employee's workweek begins, if this varies between employees; otherwise, a single notation for the entire establishment will suffice.Total wages paid each pay period.Dates of payment and pay period covered.	Retain 5 years.	28 U.S.C. § 1658; Jones v. R.R. Donnelley & Sons Co., 541 U.S. 369 (2004). Records of hours worked are recommended for Department of Labor Wage and Hour audits.

J. PERSONNEL

Description of Record	Retention Period	Legal Authority/Rationale
<p>J-30. Payroll Records—FLSA Non-Exempt Employees. All required for exempt employees plus:</p> <ul style="list-style-type: none"> • Regular hourly rate of pay for any week when overtime is worked and overtime compensation is due. (May be in the form of vouchers or other payment data.) • Daily hours worked and total hours worked each workweek. (Workday may be any consecutive 24-hour period, and workweek is any fixed and regularly recurring period of 7 consecutive days.) • Total daily or weekly straight-time earnings or wages due for hours worked during the workday or workweek. • Total premium pay for overtime hours. This premium pay for overtime hours excludes the straight-time earnings for overtime hours recorded under the above item. • Total additions to or deductions from wages paid each pay period including employee purchase orders or wage assignments. Also, in individual employee records, the dates, amount, and nature of the items that make up the total additions and deductions. 	Retain 5 years.	28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> , 541 U.S. 369 (2004).
<p>J-31. Payroll Records—Title VII Purposes. Rates of pay or other terms of compensation.</p>	Retain 5 years from date record is made or personnel action taken, whichever is later.	28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> , 541 U.S. 369 (2004).

J. PERSONNEL

Description of Record	Retention Period	Legal Authority/Rationale
J-32. Permit-Required Confined Space. Canceled permit entry forms and training certification.	* Retain 1 year.	Occupational Health and Safety Act (29 C.F.R. 1910.146(e)(6)), 29 C.F.R. 1910.146(g)(4)).
J-33. Personnel Files. File for each employee tracking pay, benefits, performance evaluations, personnel actions, and employee's hiring and termination.	Retain 7 years after termination. Note: *Retain medical records for 30 years after termination. *Retain exposure records for at least 30 years.	Based on 5-year statute of limitations for personnel actions plus 2 years. (29 C.F.R. 1910.1020(d)(1)).
J-34. Personnel Policies. Policies of the office regarding hiring procedures, leave, benefits, personnel rules and regulations, fair and reasonable complaint conference and hearing procedures for employees dismissed, demoted, or suspended, etc. Certain policies are required by law under T.C.A. §§ 6-54-123, <i>et seq.</i> Additional policies would be optional. The policy may not grant a property right or contract rights to a job to any employee.	Retain 3 years after the policy is superseded. Note: A copy of the resolution or ordinance adopting the policy, or its caption, shall be published in a newspaper of general circulation in the municipality before final adoption. A copy of the personnel policy shall be kept in the office of the City Recorder or Clerk and made available to an employee on request.	28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> , 541 U.S. 369 (2004).
J-35. Physical/Medical Records. Results of physical examinations considered in connection with personnel action.	Retain 5 years.	28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> , 541 U.S. 369 (2004).

Indicates a mandatory retention period based on state or federal law.

J. PERSONNEL

Description of Record	Retention Period	Legal Authority/Rationale
J-36. Physical/Medical Records Under FMLA. Records and documentation including a FMLA leave request relating to medical certifications, re-certifications, or medical histories of employees or employee's family members, shall be maintained in separate files/records and be treated as confidential medical records, except that <ul style="list-style-type: none"> Supervisors and managers may be informed regarding necessary restrictions and accommodations, not the true nature of the condition. First aid and safety personnel may be informed (when appropriate) if the employee might require emergency treatment. Government officials investigating compliance with FMLA shall be provided relevant information. 	* Retain 3 years. No particular order or form of records is required.	Family and Medical Leave Act (29 C.F.R. 825.500).
J-37. Physical/Medical Records Under OSHA. Complete and accurate records of all medical examinations required by OSHA law.	*Retain for duration of employment plus 30 years unless specific OSHA standard provides a different time period.	Occupational Safety and Health Act (29 C.F.R. 1910.1020).
J-38. Promotion Records or Notices.	Retain 5 years from date record is made or personnel action is taken, whichever is later.	28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> , 541 U.S. 369 (2004).
J-39. Seniority or Merit Rating Systems.	Retain for the period that the plan or system is in effect plus 5 years.	28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> , 541 U.S. 369 (2004).
J-40. Termination Records.	Retain 5 years from the date record is made or personnel action taken, whichever is longer.	28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> , 541 U.S. 369 (2004).

**Indicates a mandatory retention period based on state or federal law.*

J. PERSONNEL

Description of Record	Retention Period	Legal Authority/Rationale
J-41. Time Worked Records. All basic time and earnings cards or sheets and work production sheets of individuals where all or part of the employee's earnings are determined.	Retain 5 years.	28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> , 541 U.S. 369 (2004).
J-42. Transfer Records.	Retain 5 years from date record is made or personnel action taken, whichever is later.	28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> , 541 U.S. 369 (2004).
J-43. Travel Authorizations.	Retain 5 years after creation of record.	Keep for audit purposes.
J-44. Veterans, Military Leave. Organizations must grant leaves of absence to perform military obligations. Service limits are set on the amount of time an employee may spend in active duty and still be eligible for re-employment. Employees are re-employed to their former positions or a position of like status and pay with seniority and vacation as if they had not taken a military leave.	Retain 7 years.	Uniform Services Employment and RF-employment Rights Act (5 C.F.R. 1208). Note: Retention period not specified by regulations. The service limit on the time an employee may spend in active duty and still be eligible for re-employment can be up to 5 years.
J-45. W-2s. Annual wage and tax statements.	Retain 5 years.	Keep for audit purposes.
J-46. W-4s. Withholding allowance certificates.	Retain 5 years after superseded or upon separation of employee.	Keep for audit purposes.
J-47. Wage Rate Tables. All tables or schedules (from their last effective date) of the employer that provide rates used in computing straight-time earnings, wages, or salary or overtime pay computation.	* Retain 3 years.	Fair Labor Standards Act (29 C.F.R. 516.6) requires 2-year retention but the Department of Labor can request records going back 3 years.

**Indicates a mandatory retention period based on state or federal law.*

K. PLANNING AND ZONING

Description of Record	Retention Period	Legal Authority/Rationale
K-1. Board of Zoning Appeals Action. Application or documentation for hearing and decision before Board of Zoning Appeals.	Application - 1 year after application. Disapproval - 1 year after action. Approved Action - permanent.	Statute of limitations. Variance runs with land.
K-2. Minutes of Commissions and Boards. Recorded minutes of the Planning Commission and Board of Zoning Appeals. All recorded actions of Planning Commission and Board of Zoning Appeals, including records of members present and their votes on matters presented, the nature and results of votes.	Permanent record.	Actions recorded in minutes are effective until superseded or rescinded. Keep for historical purposes.
K-3. Plan and Plat Records. Drawings and blueprints of farms, subdivisions, cemeteries, city lots, and street improvements, showing name of subject, date of drawing, boundaries, scale used, location, name of engineer making survey, name of draftsman, and certificate of registration.	Permanent record.	Could have bearing on land title.
K-4. Reports/Recommendation of the Planning Commission to the Governing Body. All transmittals to governing body with recommendations regarding zoning, annexations, etc.	Permanent record.	Keep for historical purposes.
K-5. Request for Zoning Change. Request for permanent change to zoning map.	Retain for 5 years.	Appeals.
K-6. Studies and Reports of the Planning Commission. All studies and reports, including comprehensive plans, future facilities plans, etc.	Permanent record.	Keep for historical purposes.

K. PLANNING AND ZONING

Description of Record	Retention Period	Legal Authority/Rationale
K-7. Subdivision Regulations.	Permanent record.	Documents must be retained to provide evidence of their existence and proof of their lawful enactment. Superseded documents have historical and legal value.
K-8. Zoning Map and Ordinance.	Permanent record.	Documents must be retained to provide evidence of their existence and proof of their lawful enactment. Superseded documents have historical and legal value.

L. POLICE

Description of Record	Retention Period	Legal Authority/Rationale
L-1. Accident Reports. Motor vehicle accident reports giving location of accident, persons and vehicles involved, time of accident, injuries, witnesses, diagram of accident, and condition of persons involved.	Retain 4 years unless needed longer for local statistical analysis.	Record may be used in litigation. Retention period based on statute of limitations for actions for injuries to personal property plus 1 year. T.C.A. § 28-3-105.
L-2. Armory Records. Records regarding acquisitions, requisitions, check-ins, etc.	Retain for 10 years.	Keep in case of potential liability.
L-3. Arrest Records. Includes offense and incident reports and indexes citation in lieu of arrest form. Information includes name, alias, address, date and time of offense, date of birth, age, place of birth, description, place of arrest, charge, disposition at time of arrest, warrant number, name of court, accomplices, vehicle information, arresting officer, remarks, signature of arresting officer.	Retain 100 years. If the subject is found "not guilty," then original arrest records should be retained until the records are transferred to an acceptable storage medium such as microfilm. If subject is convicted, retain original until the exhaustion of all appeals or termination of probation or sentence; further, the originals are not to be destroyed thereafter until transferred to an acceptable space-saving medium for storage or the retention period has elapsed.	Retention of originals is necessary for continuing investigative purposes. Retention of record in space-saving storage medium is based on life of individual.
L-4. Audio Recordings. Dispatcher telephone conversations and radio traffic.	Retain for 1 year.	
L-5. Background Applications. Applicants that were not hired.	Retain for 5 years.	
L-6. Case Files. Copies of all pertinent records of whatever nature relevant to a particular case under or pending investigation, accumulated in a single file by the investigator or agency to facilitate the investigation or prosecution of offenders. May include copies of incident reports; supplementary report; missing person/runaway report; arrest report if part of a criminal case file; copies of citation-in-lieu of arrest; property receipt; vehicle tow slip; statement form; blood alcohol test and accident report; other relevant reports; and relevant photos or drawings.	Retain originals until 1 year after statute of limitation has run. After statute of limitation has run, retain in an acceptable space-saving storage medium 100 years except for Missing Person/Runaway Records, which are not to be destroyed if needed by juvenile authorities and destruction should not violate National Crime Information Center (NCIC) requirements. (NCIC requirement may vary based on specific contract provisions.) Consider donating to archive.	Retention of originals is necessary for continuing investigative purposes. Retention of record in space-saving storage medium is based on life of individual.

L. POLICE

Description of Record	Retention Period	Legal Authority/Rationale
L-7. Fingerprinting Records.	Death of subject or reasonable presumption of death, <i>i.e.</i> , 100 years. Note: See T.C.A. § 37-1-155 for detailed information regarding treatment of fingerprint records of juveniles.	Retention period based on life of subject.
L-8. Identification Files. Records kept for identification purposes including fingerprints, photographs, measurements, descriptions, outline pictures, and other available information.	Death of subject or reasonable presumption of death, <i>i.e.</i> , 100 years.	Retention period based on life of subject.
L-9. In-Car Digital Video. Non-evidentiary digital video.	Retain 90 days, except as provided in Police Department General Orders for video having evidentiary value.	Retention for periods longer than 90 days is necessary only when records will be needed for continuing investigative purposes or legal proceedings.
L-10. Incident Reports (Offense or Complaint Reports). Show name and address of person reporting offense, file and case number, place of occurrence, investigating officer, time, date, how report was made, and officer assigned to the case. May include dispatcher cards regarding calls. This includes Tennessee Basic Law Enforcement Records System (TBLERS) Complaint, Offense, Supplementary, Missing Person, Runaway Reports (individual and collective).	Retain misdemeanors for 2 years. Retain felonies for 16 years. Retain capital offenses permanently. If record is unrelated to a felony or other case under investigation, retain original 5 years if stored in an acceptable space-saving storage medium. If record is related to a felony or other case under investigation, retain 100 years except for Missing Person /Runaway Records, which are not to be destroyed if needed by juvenile authorities, and destruction should not violate National Crime Information Center (NCIC) requirements. (NCIC requirements may vary based on specific contract provisions.)	Retention period based on statute of limitations of incident.

L. POLICE

Description of Record	Retention Period	Legal Authority/Rationale
L-11. Internal Investigation Records. Records of investigations resulting from a complaint against an employee of the police department. Includes notification of complaint, investigative files, any associated medical records, and any written decisions, orders, or disciplinary actions. Maintain security and confidentiality of files.	Retain for term of employment of officer plus 10 years.	Record retains significance in personnel decisions, promotion, dismissal, etc., and for defense of litigation.
L-12. Missing Person/Runaway Records.	Retain 100 years but not to be destroyed if needed by juvenile authorities or to comply with National Crime Information Center (NCIC) requirements. Moving information to an acceptable space-saving storage medium is recommended.	Retention is necessary for continuing investigative purposes and is based on life of individual.
L-13. NCIC Criminal History Logs. Report of criminal history for investigations.	Retain 3 years per TBI after latest audit.	
L-14. Parking Tickets.	Permanent Record.	Statistical data.
L-15. Processes Served, Record of. Record of warrants, capiases, summonses, and other papers served.	Retain 3 years after last entry.	Keep for non-financial audit purposes.
L-16. Radio Logs. A record of radio calls giving time called, car or station calling, car or station called, car location, nature of call, and acknowledgment.	Retain 3 years, unless legal action is pending.	Retention period based on likely time of complaint or legal action.
L-17. Training Records. Records of participation in training programs, sign-in sheets, lesson plans, videotapes, certifications, etc.	Retain for career of officer plus 10 years where information is kept in personnel file.	Records useful in determining employment and promotion decisions and for continuing education program. Also vital record in defending lawsuits against department alleging improper actions of employees.

M. PROPERTY TAX

Description of Record	Retention Period	Legal Authority/Rationale
M-1. Aerial Photographs. Aerial photographs of flyovers. Negatives may be available at the State Department of Transportation's photographic lab.	Permanent Record.	Keep for operational purposes through correction period and greenbelt re-certification to cover appeal period. This record series has a high historical and archival value and should be preserved for those reasons.
M-2. Appeals and Reports to the State Board of Equalization and Court Appeals. These records consist of notice of hearing, name of property owner, appeal from county board of equalization, assessment, address, and time and place of hearing. Also included in this group of documents are documents involving appeal to the courts. <i>Consider getting copies from the Assessor's Office.</i>	Retain until final determination of issue.	Keep to make certain the ruling is properly applied and that all parties understand the final determination of the issue.
M-3. Assessment Exemptions, Applications for. Copies of applications showing property owner's name, address, ward or district, date acquired, lot size or acreage, value, how property used, other purposes to be used for, signature of applicant, and notarization. <i>Consider getting copies from the Assessor's Office.</i>	Retain 2 years.	Keep to identify exempt property owners.
M-4. Board of Equalization, Certification of Assessments, Copies of. Certificate required by T.C.A. § 67-5-1410 wherein members of board of equalization certify that all appeals of the assessments and classifications of property have been examined and changes made that are proper, just and equitable and are prescribed by law. <i>Consider getting copies from the Assessor's Office.</i>	Retain 2 years.	Keep for audit purposes.

M. PROPERTY TAX

Description of Record	Retention Period	Legal Authority/Rationale
M-5. Certificates of Public Utilities Tax Valuations by Office of State Assessed Properties, Copy of. Tax roll listing total assessment of public utilities in the city by the Office of State Assessed Properties.	Retain annual assessments 1 year then destroy. State office maintains the record.	This record is like a tax roll for public utilities that are assessed by the state.
M-6. Delinquent Real Estate Tax Reports. Annual reports to the County Trustee by the collector of city taxes of all delinquent taxpayers.	Retain 15 years after date of creation.	Keep for audit purposes. Report is required by T.C.A. § 67-5-1903(a). Collection is barred after 10 years past due date. T.C.A. § 67-5-1806.
M-7. Delinquent Tax Receipt Books. Receipts issued for payment of delinquent realty and personalty taxes, showing receipt number, date issued, name of taxpayer, amount, year of assessment, etc. Does not have to be kept in book. The book or receipt is obsolete if computerized and in compliance with electronic data processing (EDP) standards.	Retain 15 years after issuance of last receipt in book or 15 years after creation of receipt if not in book or information is stored electronically.	Keep for audit purposes. Collection is barred after 10 years past due date. T.C.A. § 67-5-1806.
M-8. General (Miscellaneous) Receipt Ledgers. Record of funds received on general accounts, including such payments as state and city taxes, interest, fees, and penalties on delinquent taxes, showing date of payment, name of payor, amount, fund credited, and balance. This information is included in the journal package of most software in computerized cities. If stored electronically in compliance with electronic data processing (EDP) standards, paper copy is not necessary.	Retain 15 years after last entry. If stored electronically, retain 15 years after date of creation of record.	Keep for audit purposes. Collection is barred 10 years past due date. T.C.A. § 67-5-1806.

M. PROPERTY TAX

Description of Record	Retention Period	Legal Authority/Rationale
M-9. Land Sold for Taxes, Record of. Record of court land sales, showing name of the court, style of case, location and description of property, by what process land was sold, and date of sale.	Permanent record.	Record affects land title.
M-10. Liens, Tax. Record of tax lien notices filed against property owners, including violators of the internal revenue law, showing name and address of property owner, date of filing, amount of assessment and penalty, and discharge notice date.	Permanent record.	Impractical to ascertain expiration of lien to know when record could be destroyed.
M-11. Personal Property, Audit Records. Supporting information and documentation for audit. <i>Consider obtaining from Assessor's office</i>	Retain 2 years.	Retain in case of forced assessments. Destroy after use.
M-12. Property Tax Relief Applications and Reports. Record of property tax deferrals for elderly low-income homeowners, disabled homeowners and disabled veterans.	Retain until audited and updated version received.	Working paper as defined in T.C.A. § 10-7-301(14). Tenn. Admin. Rules 0600-03.-10(1)(c).
M-13. Tax/Assessment Rolls. Record of all assessments on real and personal property, showing name of taxpayer, civil district or ward, location and description of property, assessed valuation, date of assessments, acreage of farm land, and number of town lots.	Retain 4 years.	Retention based on time period for corrections and rollback issues. This record is stored for a longer term with the trustee.
M-14. Tax Bills.	Retain 1 year.	Working papers.

M. PROPERTY TAX

Description of Record	Retention Period	Legal Authority/Rationale
M-15. Tax Cases Sent to Clerk and Master, Record of. Record of delinquent land tax cases filed in Chancery Court (sometimes Circuit Court) showing property owner's name, district or ward, property boundaries, acres, valuation, total tax due, and remarks.	Retain 15 years.	General statute of limitations on property tax actions is 10 years from April 1 of year following year taxes became delinquent. T.C.A. § 67-5-1806. Additional time is given for cases that may be delayed due to bankruptcy.
M-16. Tax Maps (Ownership Maps and Index, Rural and Urban). These maps reflect the status of real property as of January 1 of each year.	Consider keeping as working papers. Retain only current and one previous generation of ownership maps and indexes. Older generations of photographs may be removed from the office but if removed, should be transferred to an archive or library.	As working papers, no mandatory retention required. Useful in office for tracking property changes and as evidence in challenges to tax sales. This record series has a high historical and archival value and should be preserved for those reasons, although it is not necessary to maintain the older records that are in the Assessor's Office.

N. PURCHASING

Description of Record	Retention Period	Legal Authority/Rationale
N-1. Bids. Records showing bidder's name, complete description of item(s), delivery date, amount of bid, and any correspondence with the bidder. Includes any advertisements. Includes bid opening tabulations and unsuccessful bids.	Retain 7 years after contract expires.	Based on statute of limitations for legal action based on breach of contract plus one year. T.C.A. § 28-3-109.
N-2. Purchase Orders.	Retain 5 years after creation of record.	Keep for audit purposes.
N-3. Requisitions. Records of requests for purchase of supplies, equipment and services.	Retain 5 years after creation of record.	Keep for audit purposes.
N-4. Contracts and Bonds. Contracts entered into between the city contractors and vendors. May include performance and/or payment bonds of contractors, showing names of principals and sureties; certificates of insurance; and specifications.	Retain contracts until expiration of guarantees. If no guarantees are involved, destroy 7 years after completion of contract. Retain bonds 7 years after release, replacement, or expiration.	Based on statute of limitations for breach of contract actions plus 1 year. T.C.A. § 28-3-109.

O. RECREATION AND PARKS

Description of Record	Retention Period	Legal Authority/Rationale
O-1. Liability Releases. Forms signed by participants in recreation activities absolving municipality of liability.	Retain 2 years. (If subject of lawsuit, keep until final determination.)	Based upon statute of limitations for tort actions plus 1 year.
O-2. Rosters of Activity Participants. Lists of persons participating in recreation activities.	Retain 2 years. (If subject of lawsuit, keep until final determination.)	Based upon statute of limitations for tort actions plus 1 year.
O-3. Safety Inspections of Playgrounds and Equipment. Records of inspections and maintenance or repairs to grounds and equipment.	Retain 5 years. (If subject of lawsuit, keep until final determination.)	Possible significance in tort actions based upon defective structure.

P. UTILITIES (BILLING AND COLLECTION)

Description of Record	Retention Period	Legal Authority/Rationale
P-1. Applications for Service. Customer request for service, including name, address/phone, services, and signatures.	Retain 3 years after service is discontinued but may want to keep in electronic format longer in case customer returns to service.	Keep in case of billing errors. Tennessee courts have allowed utilities to back bill customers 3 years.
P-2. Audit Reports. Independent audit of financial records.	Permanent record.	Recommended by the comptroller in the <i>Internal Control and Compliance Manual for Tennessee Municipalities</i> .
P-3. Billing Adjustment Reports. Customer names and adjustment information.	Retain 3 years.	Keep in case of billing errors. Tennessee courts have allowed utilities to back bill customers 3 years.
P-4. Billing Stubs. Collection stubs of accounts paid.	Retain 3 years.	Keep in case of billing errors. Tennessee courts have allowed utilities to back bill customers 3 years.
P-5. Billing Register. Listing of monthly customer billings (account number, amount, etc.).	Retain 7 years. If record kept in electronic format, the paper copy may be destroyed after audit.	Keep to help resolve billing disputes with customers.
P-6. Collection Agency Reports. Listing of accounts turned over for collection and how resolved.	Retain 7 years.	Keep to help resolve billing disputes with customers.
P-7. Complaints by Customers. Records of meter rechecks, billing inquiries, service problems, etc.	Retain 5 years.	Keep in case of litigation.
P-8. Deposits from Customers. Customer name, date, services, amount of deposit.	Retain 3 years after service is discontinued and deposit applied or refunded.	Keep in case of billing errors. Tennessee courts have allowed utilities to back bill customers 3 years.
P-9. Disconnection Notices. Notice to discontinue service after nonpayment of bill.	Retain 3 years.	Keep in case of billing errors. Tennessee courts have allowed utilities to back bill customers 3 years.
P-10. General Ledger. Financial information of the utility. (Also see G-14 and G-21.)	Permanent record. If maintained in electronic format may destroy paper record after 7 years. NOTE: The Tennessee State Library and Archives does not favor keeping permanent records in electronic format.	Recommended by the comptroller in the <i>Internal Control and Compliance Manual for Tennessee Municipalities</i> .

P. UTILITIES (BILLING AND COLLECTION)

Description of Record	Retention Period	Legal Authority/Rationale
P-11. Meter Reading Records. Meter sheets or printouts from hand held devices.	Retain 3 years.	Keep in case of billing errors. Tennessee courts have allowed utilities to back bill customers 3 years.
P-12. Meter Records. Size, type, meter number, date service began and ended, serial number.	Retain 1 year after meter is retired and disposed of.	Keep to aid in settling billing disputes involving the accuracy of the meter.
P-13. Meter Tests/Repairs. Record of meter testing and any repairs.	Retain 1 year after meter is retired and disposed of.	Keep to aid in settling billing disputes involving the accuracy of the meter.
P-14. Rate Schedules. Listing of rates for utility services.	Permanent record.	Keep for historical purposes.
P-15. Tap Records. Including when tap installed, size, location.	Permanent record.	Keep for historical purposes.
P-16. Work Orders for Customer Service. Detail of meter number, installation date, readings, etc.	Retain 3 years.	Keep in case of billing errors. Tennessee courts have allowed utilities to back bill customers 3 years.

Q. UTILITIES (OPERATION AND MAINTENANCE)

Description of Record	Retention Period	Legal Authority/Rationale
Q-1. Bacteriological Records. Records indicating disinfection of mains, tanks, filters, wells.	*Retain 5 years.	Tenn. Admin. Rule 1200-5-1-.17(8).
Q-2. Complaint Logs.	*Retain 5 years.	Tenn. Admin. Rule 1200-5-1-.20(1)(h).
Q-3. Daily Worksheets and Shift Logs.	*Retain until next sanitary survey.	Tenn. Admin. Rule 1200-5-1-.20(1)(g).
Q-4. Facility Maintenance Records.	*Retain 5 years.	Tenn. Admin. Rule 1200-5-1-.20(1)(h).
Q-5. Flush and Free Chlorine Residual for New Taps Where Main Is Uncovered, Measurement of.	*Retain until next sanitary survey or 3 years.	Tenn. Admin. Rule 1200-5-1-.17(32).
Q-6. Lead and Copper. Original records of all sampling data and analyses, reports, surveys, letters, evaluations, schedules, State determinations, and any other information required by Tenn. Admin. Rules 1200-5-1-.33(2) through (9).	*Retain 12 years.	Tenn. Admin. Rule 1200-5-1-.33(12).
Q-7. Underground Utilities, Location of. Record of location of all underground utilities maintained by the city.	Permanent record.	These records allow the city to know the location and history of its underground utilities.

NOTE: Under T.C.A. § 65-31-105, the city must record location of utilities with county, listing where the facilities are located and the name, title, address and telephone number of the operator's representative. The county keeps this record permanently.

**Indicates a mandatory retention period based on state or federal law.*

R. UTILITIES (WASTEWATER AND WATER RECORDS)

Description of Record	Retention Period	Legal Authority/Rationale
WASTEWATER RECORDS		
R-1. Discharge Monitoring Reports (DMRs).	Retain 3 years or longer if so requested by Water Pollution Control as a minimum to comply to permit. But retention for life of the facility is recommended.	NPDES Permit Requirements Part I Subpart B.5. Provides record of operations and loading to assist in planning.
R-2. Industrial Pretreatment. All information resulting from monitoring activities.	*Retain 3 years, longer in cases of unresolved litigation.	(40 C.F.R. 403.12(o)(1-3)).
R-3. Laboratory Bench Sheets, Calibration and Maintenance of Instruments, QA/QC Data, Flow Charts.	Retain 3 years or longer if requested by Water Pollution Control.	NPDES Permit Requirements Part I Subpart B.5.
R-4. Land Application of Cumulative Pollutant Loading Rate Sludge under 40 C.F.R. 503.13(a)(2)(I).	*Permanent record.	(40 C.F.R. 503.17(a)(5)(ii)).
R-5. Monthly Operating Reports (MORs).	Retain 3 years or longer if requested by Water Pollution Control as a minimum to comply with permit. But retention for the life of the facility is recommended.	NPDES Permit Requirements Part I Subpart B.5. Provides record of operations and loading to assist in planning.
R-6. Wastewater Sludge Disposal via Land Application, Surface Disposal, Incineration.	*Retain 5 years.	(40 C.F.R. 503.17) Land Application; (503.27) Surface Disposal; (503.47) Incineration.
DRINKING WATER RECORDS		
R-7. Bacteriological Analysis.	*Retain 5 years.	Tenn. Admin. Rule 1200-5-1-.20 (1)(b).
R-8. Chemical Analysis.	*Retain 10 years.	Tenn. Admin. Rule 1200-5-1-.20 (1)(a).
R-9. Consumer Confidence Reports.	*Retain 5 years.	Tenn. Admin. Rule 1200-5-.35(5)(h).
R-10. Cross Connection Records.	*Retain 5 years.	Tenn. Admin. Rule 1200-5-1-.20 (1)(h).

**Indicates a mandatory retention period based on state or federal law.*

R. UTILITIES (WASTEWATER AND WATER RECORDS)

Description of Record	Retention Period	Legal Authority/Rationale
R-11. Monthly Operating Reports (MORs).	Retain until next survey at a minimum. Retention for life of the facility is recommended.	Provides record of operations and loading to assist in planning.
R-12. Storage Tank Inspections.	* Retain 5 years to comply with rule. Retention for the life of the tank is recommended.	Tenn. Admin. Rule 1200-5-1-.20(1)(h). Retention for life of the tank is recommended to track depreciation and repairs.
R-13. Turbidity. Records include daily worksheets, calibration data, and strip charts.	*Retain until the next sanitary survey.	Tenn. Admin. Rule 1200-5-1-.20(1)(f).
R-14. Variance or Exceptions Granted.	*Retain 5 years following the expiration of such variance or exemption.	Tenn. Admin. Rule 1200-5-1-.20(1)(d).
R-15. Violation, Corrective Action. Records of actions taken to correct violations of primary drinking water regulations.	*Retain 3 years after action.	Tenn. Admin. Rule 1200-5-1-.20(1)(b).
R-16. Written Reports, etc., Related to Sanitary Survey.	*Retain 10 years after sanitary survey.	Tenn. Admin. Rule 1200-5-1-.20(1)(c).

*Indicates a mandatory retention period based on state or federal law.