

RECORDS RETENTION SCHEDULE

LG1

Municipal Clerk Records

September 2000
(Reissued May 2004)
(Reissued June 2008)
(Amended October 2009)
(Amended March 2010)
(Amended November 2010)
(Amended September 2013)
(Amended May 2016)
(August 2016)
(April 2017)

Office of the Secretary of State
Rhode Island State Archives & Public Records Administration
Rhode Island Local Government Records Program
33 Broad Street
Providence, Rhode Island 02903

Records Retention Schedule LG1

Municipal Clerks Records

This Records Retention Schedule has been developed by the Rhode Island Local Government Records Program of the State Archives in an effort to assist government officials in the proper management of public records.

The schedule consists of forty-seven (47) separate sets of records, or series, recognized as those records generated by the municipal clerk. Included in each entry is a series number, records series title and description, and a retention period. For example,

<u>Series No.</u>	<u>Series Title & Description</u>	<u>Retention Period</u>
LG1.4.12	Designation of Agent of Nonresident Landlord Form filed per RIGL § 34-18-22.3 for purposes of service of process	Retain until updated, superseded or obsolete.

The retention periods set forth in this document are minimum periods and are the result of analysis on the part of the State Archives concerning the legal, fiscal, administrative, and historical value of the records. Because many retention periods are based on state and federal statute and regulation, updates to this schedule may be issued to incorporate any changes.

Proper procedures for the destruction of public records must be adhered to. Records that are eligible for destruction can only be legally destroyed with an approved "Certificate of Records Destruction" (§38-1-10, §38-3-6 (j), and §42-8.1-10). A Certification of Records Destruction form and instructions are included with this schedule. State Archives staff members are always available to answer questions you might have regarding any records issues.

Local government officials should also consult with the municipal solicitor to determine if any records eligible for destruction may be involved in current, pending or anticipated litigation, any government investigation or regulatory proceeding, or request under the Access to Public Records Act (RIGL §38-2).

Office of the Secretary of State
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401-222-2353

Rhode Island State Archives & Public Records Administration

CERTIFICATION OF RECORDS DESTRUCTION

1. Department			
2. Division		3. Date	
In accordance with the Authority granted by Title 38 of the Rhode Island General Laws these records have met the legal retention requirements and are eligible for destruction.			
4. Record Series Number (from schedule)	5. Record Series Title	6. Dates to/from	7. Volume
8. I certify that I have reviewed the above listed records and authorize their destruction. Dept. Head or Records Custodian _____ State Archivist & Public Records Administrator _____			

Signed and executed Certificate is a permanent record. (§42-8.1-10)

Certification of Records Destruction

Instructions for completing the form. Numbers below correspond with blocks on the Certification of Records Destruction form, a copy of which is provided on the previous page. The form may be reproduced.

1. Department - means any state or local government entity. Include the name of your city or town.
2. Division - means any sub-unit of any department.
3. Date - the date your department prepared the form.
4. Record Series Number - enter the exact series number. Each series listed on retention schedules has a unique identifying number. Series numbers are preceded by the letters LG on municipal schedules and on General Schedules by the letters GS.
5. Record Series Title - enter the exact record series title, as listed on the retention schedule. Each series title should correspond to the one cited in the schedule. If your department uses different titles than those found in the schedules, you may want to add the local title in square brackets [] under each entry on the form.
Note: Using the precise record series number and title will expedite the approval process.
6. Dates to/from - enter the earliest and latest dates covered by the records proposed for destruction. In most cases just the year will suffice.
Note: For purposes of calculating retention, do not count the year in which the records were created. If the retention period of a particular series is qualified by wording such as "audit plus one year" or "three years after expiration," the date of the completed audit or the year of expiration needs to be also noted.
7. Volume - enter the volume of records to be destroyed. Volume is most easily measured by the number of inches or linear feet of records, although cubic foot measurements give a more accurate figure. A table of volumes and a cubic foot equivalency formula are provided below.
8. Department Head or Records Custodian - signature of the local official authorized to request records destruction.

Send the completed form to the Rhode Island State Archives. The Certificate will be reviewed, countersigned by the State Archivist/Public Records Administrator, and then returned. Upon receipt the records may legally be destroyed. The signed and executed Certification of Records Destruction must be retained as a permanent record under RIGL §42-8.1-10.

Table of Volumes

standard records storage box (15" x 12" x 10")	1.2 cubic foot
letter size file drawer	1.5 cubic feet
legal size file drawer	2 cubic feet
lateral file drawer	2.5 cubic feet

Cubic Foot Equivalency Formula

$$\frac{L \times W \times H \text{ (inches)}}{1728} = \text{cubic feet/unit}$$

LG1.1 Real and Personal Property Records

LG1.1.1 Land Evidence Records

Official or record copy of all instruments recorded in the general index of land evidence records of the municipality (RIGL § 34-13-1.). Includes all instruments that document land ownership and transfer including those records and supporting documentation which show agreements, land changes and development in the community. Includes but is not limited to: Letters of Attorney, Contracts for sale of land, Bonds for title or covenants, Notices (RIGL § 9-4-9.), Notices and process to be filed under other statutory provisions, Decrees in equity and judgments at law affecting title, All instruments evidencing or relating to a security interest in personal property or fixtures (*UCC*) (RIGL § 6A-9-302, § 6A-9-401, § 6A-9-403.), Instruments required by statute to be recorded including deeds, mortgages, transfers and discharges, leases or memoranda, transfers and calculations, Instruments of defeasance, Instruments creating trusts (excepting wills), Instruments and notices affecting title of land, Affidavits as to family facts, Affidavits as to bounds and monuments of land, and Certificates of the Secretary of State as to change of corporate name.

Retention: Permanent.

Note: One Certification of Records Destruction may be submitted annually for the upcoming year to dispose of records that will be imaged and microfilmed per the Rules and Regulations for the Making and Management of Imaged Public Records and the Rules and Regulations for Microfilming Standards.

LG1.1.2 Receiving Books/Day Sheets

Initial recording of instruments entitled to be recorded in the land evidence records. Includes day, hour and minute instrument was presented for recording, and land evidence book and page notation (RIGL § 34-13-4.). May include name of grantor and grantee and type of instrument recorded.

Retention: Retain three (3) years.

LG1.1.3 Copies of Land Evidence Filings – See LG1.1.1 and Note.

LG1.1.4 Earmarks

Records the registration of livestock within the municipality.

Retention: Permanent.

LG1.1.5 Tax Books

Records that indicate all assessed taxes on real and personal property. Includes name of owner of property, address, assessed worth and exemptions.

a) Authorized or warranted copies of tax books, rolls or lists.

Retention: Permanent.

b) Duplicate copies.

Retention: Retain until updated or superseded.

Note: Official or record copy may be held by Municipal Tax Collector.

LG1.1.6 Assessor's Maps

Copies of land value maps which show assessor's plat and lot numbers.

Retention: Retain until updated or superseded.

Note: Official or record copy should be held by Municipal Tax Assessor.

LG1.1.7 Recorded Surveys

Plan or map showing the measurements, dimensions, descriptions, boundaries, areas and contours of a parcel of property (RIGL § 34-13-1).

Retention: Permanent.

LG1.1.8 Plat Maps

Plat map or plat book that contains the legal description of land, showing the division of the land into streets, blocks and lots and indicating the measurements of the individual parcels. Indicates legal plat and lot numbers (RIGL § 34-13-1).

Retention: Permanent.

LG1.1.9 Condo Maps

Includes name and boundary survey of condominiums, legal description, location and dimensions (RIGL § 34-36.1-2.09).

Retention: Permanent.

LG1.1.10 State Highway Maps

State Highway Maps filed by the Rhode Island Department of Transportation (RIDOT) indicating the taking of municipal property by condemnation. Information includes condemnation plat and lot numbers and plat, lot and parcel descriptions.

Retention: Permanent.

Note: Original copy held by the Rhode Island Department of Transportation.

LG1.1.11 Indices

Location and cross-reference systems devised and maintained for the purpose of retrieving land records, plans, drawings, maps and any other records filed per statute. Includes Grantor/Grantee index.

Retention: Retain until updated or superseded.

LG1.1.12 Hospital Lien Docket

Register which records the filing of any lien claim under the provisions of RIGL § 9-3-4. - 9-3-7.

Retention: Retain ten (10) years from last entry.

LG1.1.13 Notices of Removal of Household Goods, Chattels and Personal Effects of Residents

Report indicating removal of household goods, chattels, and personal effects from one residence to another (RIGL § 5-17-2.).

Retention: Retain six (6) years after filing.

LG1.1.14 Business Name Register

Record that registers the names of businesses located within the municipality. Includes name and address of owner and date of registration.

Retention: Retain until of no administrative value, then review for historical value.

LG1.1.15 Hospital Liens (added 5/2016)

Notices of hospital liens and releases of hospital liens filed with the municipality per RIGL § 9-3-5.

Retention: Retain three (3) years from date of filing of release.

LG1.2 Probate Records

LG1.2.1 Probate Records (Dockets)

All records relating to the legal establishment of the validity of a will. Includes but it is not limited to administrator's or executor's bonds, inventories, petitions, (including withdrawn or denied), fee cards, wills, notices of probate hearings and inheritance tax liens.

Retention: Permanent.

LG1.2.2 Probate Records Indices

Location and cross-reference systems devised and maintained for the purpose of retrieving probate and estate records.

Retention: Retain until updated or superseded.

LG1.2.3 Wills (amended 3/ 2010)

Wills deposited to be safely kept per RIGL § 33-7-1. Per 2008 PL 306, this requirement was repealed effective December 31, 2008 (see RIGL § 33-7-7.1). This series now includes certified mail receipts and release or receipt forms.

Retention: Retain release forms one (1) year from date of signing. Retain certified mail receipts and documentation (including wills) one (1) year from the date of issuance of the certified mail notice.

Note: Wills that had been filed under RIGL § 33-7-1 before the requirement was repealed, and do not include contact information, should be retained 75 years from deposit date.

LG1.2.4 Probate stenograph and electronic recordings (new series added August 2016)

Recordings of probate proceeding made by the probate clerk at the request of the presiding probate judge (RIGL § 8-9-7 & 33-22-19.1) .

Retention: Retain recording one (1) year from the date of hearing.

LG1.2.5 Probate proceedings sign-in sheets (New series added 4/2017)

Record used to record attendance of attendees of probate proceedings.

Retention: Retain one (1) year from the date of hearing.

LG1.3 Vital Records

LG1.3.1 Birth, Marriage and Death Records (amended 11/2010)

Births, marriages and deaths registered in the municipality. Includes marriage intentions, delayed births, juvenile marriages (RIGL § 15-2-11.) and recorded out of state deaths of residents.

a) Marriage and death filings

Retention: Permanent.

b) Birth filings prior to 1960

Retention: Permanent.

c) Birth filings 1960 to present

Retention: Destroy.

Note: The Department of Health, Vital Records Registrar will issue statement when subsequent years of birth filings become available on the State Electronic Birth Registration System. Once this statement has been issued, the municipalities should destroy these records after a Certification of Records Destruction is approved by the State Archives Division.

LG1.3.2 Birth, Marriage and Death Returns

Individual filings of births, marriages and deaths occurring within the municipality.

Retention: Permanent.

Note: Returns may be transferred to the State Archives.

LG1.3.3 Marriage License Worksheets (amended 5/2016)

Rhode Island Department of Health Form (VS-4A) required for the issuing of marriage licenses.

Retention: Retain three (3) years then shred.

Note: As of August 1, 2013, DOH/Vital Statistics no longer requires the municipalities to forward the original marriage license worksheet (VS-4A).

LG1.3.4 Vital Records Requests

Requests for certified or non-certified copies of birth, marriage and death records.

a) Requests for restricted vital records. (amended May 2016)

Retention: Retain three (3) years.

b) Requests for open vital records.

Retention: Retain one (1) year.

LG1.3.5 Vital Records Indices

Location and cross-reference systems devised and maintained for the purpose of retrieving birth, marriage and death records.

Retention: Retain until updated or superseded.

LG1.3.6 Cemetery Records

Agreements, burials, deeds, perpetual care agreements (RIGL § 23-18-8.1.) indexes, and registers (RIGL § 23-18-10.1, 2011 PL Chapter 117).

Retention: Permanent.

LG1.3.7 Burial Transit Permits

Department of Health Form (VS-9) for burial and transit. May include out-of-state permits. (RIGL § 23-3-18.)

Retention: Permanent

LG1.3.8 Disinterment, Transit, and Re-interment Permits

Department of Health Application (VS-29) for disinterment, transit and re-interment. (RIGL § 23-18-11.2.)

Retention: Permanent.

LG1.3.9 Safety Paper Logs

Log kept as part of the prescribed security procedures for issuing certified birth, marriage and death records from numbered safety paper. Log indicates whether a blank safety paper certificate was issued, voided or missing.

Retention: Cut off at end of calendar year and retain ten (10) years.

Note: All safety paper voids are considered non-records and should be destroyed as per DOH policy.

LG1.4 Administration

LG1.4.1 Blasting Notifications

Notifications and copies of blasting permits issued by the State Fire Marshall's Office sent to and signed and date stamped by municipal clerk. Indicates date approved, requester's name and address and date of expiration. May include attached correspondence by other municipal offices indicating approval or objections to project.

Retention: Retain one (1) year.

LG1.4.2 State Regulatory Agency Notices

Notices by state regulatory agencies forwarded to municipal clerk pursuant to statutory regulations. May include but not limited to copies of locus maps, surveys, meeting notices, meeting cancellation notices, notices of applications filed for state assent, agency findings and decisions, meeting agendas, preliminary determinations, and description of projects.

Retention: Retain one (1) year.

LG1.4.3 Licenses and permits

Includes application information or other documentation in connection with a state or local licensing/permit process. May include but not limited to dog licenses, hunting and fishing, private detective, peddler, auto salvage, flea market, filling station, Sunday sales, liquor and firearms.

If Licensing Authority:

a) Firearms and alcoholic beverages.

Retention: Retain ten (10) years after expiration.

b) All other licenses and permits.

Retention: Retain three (3) years after expiration.

If Not Licensing Authority:

c) Copies and notifications/notices of licenses and permits issued.

Retention: Retain one (1) year.

LG1.4.4 Military Discharges

Honorable discharges and/or separation papers filed in the office of the municipal clerk pursuant to RIGL § 30-18-1.

Retention: Permanent.

LG1.4.5 Registers

Appointed officials, clergy, and physicians.

Retention: Permanent.

LG1.4.6 Claims

Claims filed against the municipality for compensation. Includes but is not limited to initial letter of contact with municipality, attorneys' correspondence to municipality, copies of court judgments, motions to dismiss, copies of receipts for payment of damages, and estimates citing damage.

a) Paid or settled claims.

Retention: Retain seven (7) years after settlement.

b) Claims referred to subcontractor in charge of project or State agency.

Retention: Retain three (3) years.

c) Denied claims.

Retention: Retain three (3) years from date of decision.

LG1.4.7 Reports

Internally generated reports including reports and returns to other municipal departments and state agencies.

a) Daily and weekly reports.

Note: Reports required in audit process must be retained one (1) year after audit is completed.

Retention: Retain one (1) year.

b) Monthly, quarterly and periodic reports.

Retention: Retain three (3) years

c) Annual and special reports and studies.

Retention: Permanent.

Note: Official or record copy of annual reports generated by departments of municipal governments should be held by the agency that created the report.

LG1.4.8 Legal Advertisements

Notices sent by the municipal clerk to newspaper(s) for publication. Content includes time, date and location of meeting, and topics to be discussed or considered. May indicate which newspapers received notice(s), where notice was posted, and which municipal officials received copies. May include but not limited to meeting notices of council, notices indicating changes in operating hours of municipal offices, invitation to submit bids and proposals, tax assessor's notices, decrees of abandonment, and licenses to be considered before council.

Note: Official or record copy of Council, commissions, committees, boards or Financial Town meeting notices should be kept as part of LG4.1 –Town and City Council Records - Meetings and Hearings.

Retention: Retain one (1) year after audit.

LG1.4.9 Certificates of Records Destruction

Certification of Records Destruction forms (PRA 003) signed by authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules.

(RIGL § 38-1-10, § 38-3-6, and § 42-8.1-10.).

Retention: Permanent.

LG1.4.10 Business Registration Records

Series documents fee-based registrations of businesses within the municipalities per RIGL § 6-1-2. Includes applications for new and renewed trade name certificates and home operation permits.

a) Fee based one-time registrations

Retention Retain three (3) years after business no longer exists or license is withdrawn or denied.

b) Fee based registrations renewed annually

Retention: Retain one (1) year after audit.

LG1.4.11 Business Registration Index

Alphabetical index of filings relative to RIGL§6-1-2.

Retention: Retain until updated or superseded.

LG1.4.12 Designation of Agent of Nonresident Landlord

Form filed per RIGL 34-18-22.3 for purposes of service of process.

Retention: Retain until updated, superseded or obsolete.

Note: This form is also filed with the Office of the Secretary of State, Corporations Division.

LG1.4.13 Bonds of Elected and Appointed Officials

Surety bonds submitted by elected and appointed officials per RIGL § 45-7-1, 45-7-4 and 45-8-1.

Retention: Retain seven (7) years after termination.

LG1.4.14 Lien Reports and Billing Records

Reports and billing records created for the purpose of the recording of any lien, release, withdrawal or revocation in the land records of the cities and towns. Includes correspondence, document listing, summaries as well as invoices generated by the municipality for payment to the agency for the cost of the recording. May include but not limited to IRS lien and state lien records.

Retention: Retain six (6) years after audit.

LG1.4.15 Poor Farm Records (added 9/2013)

Records that document the activities of the Overseer of the Poor and the municipal poor farm. May include admissions logs, annual reports, books of indentures, account books and property records.

Retention: Permanent.

LG1.4.16 Restoration, Conservation and Reformatting Records (added 11/2010)

Records documenting the restoration and conservation of records of permanent, historical or long-term value. Also includes documentation on the microfilming or imaging of records. Records include but are not limited to, final contracts and agreements, requisition and purchase orders, reports and logs, quality control documentation and correspondence.

a) Requisitions and purchase orders

Retention: See LG2.4.4 – Requisitions and Purchase Orders

b) All other records

Retention: Permanent.

LG1.4.17 Genealogical Society of Utah Reproduction Records (added 11/2010)

Records that document the microfilming and /or imaging, supply and sale or Rhode Island public records produced by the Genealogical Society of Utah (GSU). Records include, but are not limited to, Memoranda of Understanding, operator reports, transmittal lists and permissions for organizations to purchase films/images.

Retention: Permanent.

LG1.4.18 Lobbyist Reports (new series added 5/2016)

Reports and registration forms/data filed with the municipality per requirements of municipal ordinance. Includes annual application, quarterly reports and final reports. Application and reports may be filed electronically per the requirements of the ordinance. Data may be made available to the public through the municipal website. May include compiled reports or summaries as required.

a) Lobbyist financial reports, applications and registration forms

Retention: Retain six (6) years

b) Lobbyist final reports

Retention: Retain twenty (20) years.

c) Annual/summary reports or lists prepared and/or published

Retention: Permanent.

See also:

GRS1 Executive, High-Level and Policy Making Records

GRS2 Legal Records

GRS3 Safety and Security Records

GRS4 Facilities Records

GRS5 Daily Operations Records

GRS6 Records Management Records

GRS7 Information Management Records

GRS8 Fiscal Records

GRS9 Personnel Records (if not delegated authority)

All GRS schedules are available at <http://sos.ri.gov/divisions/frequent-filers/records-management>