

ORDINANCE NO. _____

AN ORDINANCE CREATING ARTICLE 14, INCLUDING SECTIONS 2.14 THROUGH 2.14.05, OF CHAPTER 2 OF THE CODE OF THE CITY OF BEL AIRE, KANSAS, ESTABLISHING A CITY RECORDS MANAGEMENT PROGRAM.

WHEREAS, the City of Bel Aire (hereinafter “City”) is responsible for the proper creation, maintenance, preservation, retention, and disposition of public records in accordance with applicable law; and

WHEREAS, the City recognizes that a comprehensive records management program is necessary to promote the efficient administration of City government, ensure the proper preservation and retention of City records, and provide for the orderly disposition of records that are no longer required to be retained; and

WHEREAS, the governing body of the City finds that establishing a City records management program is in the best interests of the City and its residents.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS:

SECTION 1. Article 14 of Chapter 2 is Section 2.14 of the Code of the City of Bel Aire and is hereby created to read as follows: Article 14. City Records Management Program.

SECTION 2. Article 14 of Chapter 2 is Section 2.14.01 of the Code of the City of Bel Aire and is hereby created to read as follows: 2.14.01. Purpose.

The purpose of this Article is to establish a uniform City Records Management Program (hereinafter “Program”) for the creation, maintenance, preservation, retention, and disposition of City records. This Article applies to City records, regardless of format or medium, and to City employees, officials, contractors, and other people responsible for creating, maintaining, or managing City records. The Program shall be administered in accordance with applicable federal and state law and the Administrative Schedule.

SECTION 3. Article 14 of Chapter 2 is Section 2.14.02 of the Code of the City of Bel Aire and is hereby created to read as follows: 2.14.02. Definitions.

42 A. "Record" means any document, paper, electronic file, or other information created, received, or
43 maintained by the City in the conduct of official business.

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45 B. "Official Custodian" means any officer or employee of the City who is responsible for the
46 maintenance of public records, regardless of whether such records are in the officer's or employee's
47 actual personal custody or control.

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49 C. "Administrative Schedule" means the records retention and disposition schedule established and
50 maintained by the City Manager pursuant to this Article.

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52 SECTION 4. Article 14 of Chapter 2 is Section 2.14.03 of the Code of the City of Bel Aire and is hereby
53 created to read as follows: 2.14.03. Official Custodians and Records Management Officer.

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55 A. The City Manager shall administer the Program, designate Official Custodians for City records based
56 on the City's organizational structure, and maintain a current written designation of such custodians.

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58 B. The City Attorney shall serve as the Records Management Officer and Local Freedom of Information
59 Officer and shall oversee the Program and compliance with this Article and applicable law, coordinate
60 records management training and guidance for City staff, and advise Official Custodians regarding
61 records retention, disposition, and preservation.

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63 C. Official Custodians shall be responsible for the proper maintenance, preservation, retention, and
64 disposition of records within their assigned areas and shall consult with the Records Management Officer
65 as necessary.

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67 D. The Records Management Officer shall coordinate training on the Program for Official Custodians at
68 least twice each calendar year.

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70 SECTION 5. Article 14 of Chapter 2 is Section 2.14.04 of the Code of the City of Bel Aire and is hereby
71 created to read as follows: 2.14.04. Administrative Schedule.

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73 The City Manager shall establish, maintain, and periodically update the Administrative Schedule as
74 necessary to implement this Article. The Administrative Schedule shall be reviewed at least once every
75 twelve (12) months by the City Manager, in consultation with the Records Management Officer, to
76 ensure continued compliance with applicable law and City operations. The Administrative Schedule may
77 be updated without amendment to this Article, provided that such updates are consistent with applicable
78 law.

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80 SECTION 6. Article 14 of Chapter 2 is Section 2.14.05 of the Code of the City of Bel Aire and is hereby
81 created to read as follows: 2.14.05. Retention and Disposition of Records.

83 City records shall be retained and disposed of in accordance with applicable law and the Administrative
84 Schedule. No record subject to a legal preservation requirement, including a litigation hold, shall be
85 destroyed or otherwise disposed of until the applicable requirement has expired or been released.

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87 SECTION 8. Severability.

88 If any provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability
89 shall not affect the remaining provisions, which shall remain in full force and effect.

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91 SECTION 9. Effective Date.

92 This Ordinance shall take effect and be in force from and after its adoption by the Governing Body of
93 the City, approval by the Mayor, and publication once on the City website, www.belaireks.gov, which
94 has been designated as the official newspaper of the City for publication of this Ordinance pursuant to
95 Charter Ordinance No. 25.

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123 PASSED, ADOPTED, AND APPROVED by the Governing Body of the City of Bel Aire, Kansas on
124 this 1st day of September, 2026.

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SIGNED by the Mayor on this _____ day of September, 2026.

CITY OF BEL AIRE, KANSAS

Jim Benage, Mayor

ATTEST:

Melissa Krehbiel, City Clerk

APPROVED AS TO FORM:

Maria A. Schrock, City Attorney