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Definition of Municipal Records Under the N.Y.C. Charter

This statement clarifies that all documents, data, and information made or received pursuant to law or ordinance, or in connection with the transaction of official city business are municipal records, regardless of the format in which that information is stored. The Charter forbids the destruction or disposal of municipal records—including electronic data—except in the manner prescribed by Section 1133 of the New York City Charter.

The New York City Charter defines “**Record**” very broadly:

“Records” means any documents, books, papers, photographs, sound recordings, machine readable materials or any other materials, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official city business. Library and museum materials made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference and stocks of publications are not included within the definition of records as used in this chapter[.] New York City Charter Chapter 72, § 3011(2).

Records appear in many new formats but the broad definition captures all of these materials. The format is irrelevant—hard copies, born-digital files, and databases all are records. The following is a non-exhaustive list of data and information that are potentially included within the definition of “records”:

- Printed documents;
- Electronic documents or files (e.g. PDFs, MS Office documents, etc.)
- Databases (including all records, tables, schema, templates, etc.);
- Digital log files;
- Data collected from IoT devices;
- Audio/Video recordings (both analog and digital)
- Web content;
- Email and Instant Messages;
- Social media content.

The Department of Records and Information Services’ Records Management Division (RMD) promulgates policies that assist agencies in properly classifying and handling municipal records, including digital data, and defining the process for disposal or destruction under Section 1133. Please contact your agency’s Records Management Officer or the RMD directly if you need assistance in ensuring compliance by your agency.