

EAST BUFFALO TOWNSHIP PUBLIC RECORDS POLICY

ALL PUBLIC RECORDS, as defined by law, of East Buffalo Township (Township) shall be open to the public for examination and reproduction during normal business hours subject to the following:

1. Requests to examine Public Records of the Township or to copy Public Records of the Township shall be made in writing on a form provided by the Township addressed to the Township's Open Records Officer. The request shall contain a detailed description of the Records requested, the name and address of the person or entity requesting the Records and whether the request is to examine, copy the Record or both examine and copy the Record.
2. If the Record requested contains both Public Records and Records exempt from access the Township will permit the examination and copying of the Public Records but not the Records exempt from access.
3. The Township Open Records Officer shall respond to a request for examination or copying of Public Records within 5 business days of the receipt of the written request for the same. If the Open Records Officer cannot respond to the request within the said 5 business days the Open Records Officer shall notify the requester of the same stating the reason the Officer is unable to respond and stating an estimated date by which the Officer will respond. In no event shall the date of the response be more than 35 days from the date of the request unless the requester agrees to a later date. The only reason permitted for an extension of the date of the response are as follows:
 - a. Public Records must be separated from Records exempt from access.
 - b. The Records must be obtained from a remote location.
 - c. Due to bona fide and specified staffing limitations.
 - d. A legal review of the request is necessary to determine if the Record and request is subject to access.
 - e. The requester has not complied with Township's policies regarding access to the Records.
 - f. The requester has refused to pay the appropriate fees.
 - g. The extent and nature of the request precludes a response within 5 business days.
4. If the Open Records Officer denies the request in whole or in part the Officer shall, within 5 business days of the request or within the time estimated or agreed to for a response as the case may be, provided a written response to the requester denying the request in whole or in part. The written response shall include:
 - a. A description of the Record requested.
 - b. The specific reason for the denial citing the legal authority for the denial.
 - c. The name, title, business address, business telephone number and signature of the Open Records Officer.
 - d. The date of the response.
 - e. The procedure to appeal the denial of access.
5. If a request is denied by the Open Records Officer or is not responded to in a timely manner the requester may appeal the denial or failure to respond to the Office of Open Records, Commonwealth Keystone Building, 400 North Street Plaza Level, Harrisburg,

Pennsylvania 17120-0225, telephone number 717.346.9903, www.open-records.state.pa.us, email openrecords@state.pa.us within 15 days of the denial or within 15 days of the date by which a response is required if there was no response. The appeals officer shall make a determination within 30 days of the receipt of a timely filed appeal.

6. The Open Records Officer, whose address is 589 Fairground Road, Lewisburg, PA 17837, and whose telephone number is 570.523.6320, is appointed annually.
7. The Open Records Officers hours of operation and availability shall be Monday thru Friday from 7:30A.M. to 4:00 P.M.
8. The fees charged for obtaining Public Records are as follows:
 - a. Photocopies - per page: \$0.25
 - b. Certification of a Public Record: \$5.00
 - c. Specialized documents: Actual cost
 - d. Facsimile/microfiche/other media (if available): Actual cost
 - e. Postage: Actual cost
 - f. If the estimated fee exceeds \$100.00 the requester will be required to prepay the estimated fee.
9. The Open Records Officer may reject a request if the requester has made repeated request for the same Public Records and the request places an unreasonable burden on the Township.
10. Requests for copies of Public Records will be provided in the same medium in which they exist.
11. Written requests must be submitted to the Open Records Officer on the form provided by the Open Records Officer. The request may be submitted in person, by mail, by facsimile or by e-mail.
12. The Open Records Officer is not required to create a record that does not exist or to compile, maintain, forward or organize a record in a manner that the Township does not already use.
13. Copies of requested Public Records will be mailed to the requester unless the volume is such that, in the sole opinion of the Open Records Officer, mailing the same would create or burden in which case the requester will be notified that the same are available at the office of the Open Records Officer and may be obtained during normal business hours. If the records are not obtained within 60 days of said notification this will be destroyed.

Original policy was adopted on February 23, 2009