



Borough of Camp Hill

Access to Public Records Policy

The purpose of this policy is to assure compliance with the Pennsylvania Right-to-Know Law, 65 P.S. § 66.1 *et seq.*, as amended, to provide access to public records of the Borough of Camp Hill, to preserve the integrity of its public records, and to minimize the financial impact to the residents of the Borough regarding the resources utilized in the receipt and processing of public record requests and the retrieval and copying of public records.

It is the policy of the Council of the Borough of Camp Hill to require the presence of a designated employee when public records are examined and inspected and to charge reasonable fees for duplication of public records of the Borough. Council designates the Borough Manager as responsible for assuring compliance with the Pennsylvania Right-to-Know Law, in accordance with the following guidelines:

1. The Borough Manager may designate certain employees to process public record requests.
2. The Borough Manager is responsible for minimizing, where possible, the financial impact to the Borough regarding the resources utilized in the receipt and processing of public records and the retrieval and copying of public records.
3. All requests for public records of the Borough of Camp Hill under this policy shall be specific in identifying and describing each public record requested. In no case shall the Borough be required to create a public record which does not exist or to compile, maintain, format or organize the public record. All requests for the public records shall be submitted in writing and on a form provided by the Borough Office, as attached hereto entitled *Public Record Review/Duplication Request*.
4. The designated employee shall make a good faith effort to determine whether each record requested is a public record.
5. The Borough Manager or designee shall facilitate a reasonable response to a request for public records. In no case is the Borough Manager expected to provide extraordinary staff to respond to the request, but will respond in a manner consistent with his/her administrative responsibilities and consistent with the requirements of the Pennsylvania Right-to-Know Law.

6. The designated employee shall respond to the requester within five (5) business days from the date of receipt of the written request. If the designated employee does not respond within five (5) business days of receipt thereof, the request is deemed denied.
7. The response provided by the designated employee shall consist of (1) approval for access to the public record; (2) review of the request by the designated employee; or (3) denial of access to the record requested.
8. If access to the public record requested is **approved**, the public record shall be available for access during regular business hours of the Camp Hill Borough Office. The designated employee shall cooperate fully with the requester, while also taking reasonable measures to protect all public records from the possibility of theft and/or modification. The presence of a designated employee is required when public records are examined and inspected.
9. Fees for duplication of public records shall be as follows:
 - (a) Photocopying: single-sided: \$0.25 per page. double-sided: \$0.50
 - (b) Duplication of public electronic and/or tape records: actual cost to the Borough for duplicating the public record.
 - (c) Certified copies: \$1.00 per page.
 - (d) Postage: actual cost to the Borough for mailing the public record.
10. In the event the estimated cost of fulfilling a request submitted under the policy is expected to exceed \$100.00, the designated employee shall obtain fifty percent (50%) of the expected cost in advance of fulfilling the request to avoid unwarranted expense of Borough resources.
11. If the request is being **reviewed**, the notice provided by the Borough shall be in writing and include the reason for the review and the expected response date, which shall be within thirty (30) days of the notice of review. If the Borough does not respond within thirty (30) days thereof, the request is deemed denied. Review of the request is limited to situations where:
 - (a) The record requested contains information which is subject to access, as well as information which is not subject to access that must be redacted prior to a grant of access. The redacted information is considered a denial as to that information;
 - (b) The record requires retrieval from a remote location;
 - (c) A timely response cannot be accomplished due to staffing limitations;
 - (d) A legal review is necessary to determine whether the record

requested is a public record;

- (e) The requester has failed to comply with the Borough's policy and procedure requirements; or
 - (f) The requester refuses to pay the applicable fees.
12. If access to the record requested is **denied**, the notice provided over the signature of the Borough Manager shall be in writing as indicated on the form attached hereto entitled *Public Record Review/Duplication Request Response* in that section entitled *Denial of Request to Review and/or Duplicate Camp Hill Borough Records*.
13. If the request is denied or deemed denied, the requester may file exceptions with the Borough manager within fifteen (15) business days of the mailing date of the Borough Manager's notice of denial, or within fifteen (15) days of the deemed denial. The exception must:
- (a) Indicate the date of the original request;
 - (b) Identify and describe the record(s) requested;
 - (c) State the grounds upon which the requester asserts the record(s) is a public record; and
 - (d) Address any grounds stated by the Borough in its notice of denial.
14. The Borough's Solicitor or Assistant Solicitor shall review the exceptions and may conduct a hearing to assist in making a final determination. A final determination will be made within thirty (30) days of the mailing date of the exceptions, unless extended by the parties. If the denial is upheld, the decision shall contain a written explanation of the reason for denial and an explanation of the process for further appeal.
15. This policy shall be posted conspicuously at the Office of the Borough of Camp Hill, Borough Hall, 2145 Walnut Street, Camp Hill, PA 17011.
16. This policy shall be effective on and after December 26, 2002.

PUBLIC RECORD REVIEW/DUPLICATION REQUEST

Please print legibly.

Date of Request: _____

Requester's Name: _____

Requester's Address: _____

Requester's Telephone: _____

I request the _____ review _____ duplication (check all that apply) of the following records (Please note: records must be identified and described with sufficient specificity to enable the Borough to determine which records are being requested. Use additional sheets if necessary).

I certify that I am a legal resident of the United States of America.

Signature of Requester

Note: This request may be submitted in person, by mail or by facsimile.

PUBLIC RECORD REVIEW/DUPLICATION REQUEST RESPONSE

To be completed by the Borough Manager or his/her designee

Request Number: _____

Date Received: _____

Action Taken:

Approved: _____ Date of Approval: _____

Additional review required: _____ Date notice mailed: _____

Anticipated response date: _____

Reason for review: _____

Denial of Request to Review and/or Duplicate Camp Hill Borough Records

Request denied: _____ Date notice mailed: _____

Reason for denial: _____

Signature of Borough Manager or Designee