

SUBJECT	POLICY NO.	APP. DATE	PAGE
<b>FREEDOM OF INFORMATION ACT REQUESTS</b>	<b>2008-07</b>	<b>10/27/2008</b>	<b>1 of 2</b>

**1. PURPOSE.**

The purpose of this policy is to establish such procedures as are necessary to comply with the provisions of Public Act 442 of 1976, as amended, commonly known as the Freedom of Information Act (FOIA).

**2. AUTHORITY.**

This policy is adopted pursuant to the provisions of FOIA that require the establishment of procedures implementing the provisions of the act.

**3. REFERENCES TO FOIA.**

The various provisions of FOIA applicable to the City of Charlotte shall govern the administration of FOIA by the City of Charlotte and its officers and employees. Except in instances in which FOIA specifically provides discretion to the City in its administration, the provisions of the act shall be administered in accordance with the plain meaning of its terms.

**4. FOIA COORDINATOR.**

The City Clerk shall be the FOIA coordinator for the City and, pursuant to the act, shall have the authority to designate another individual to act on his or her behalf in processing FOIA requests.

**5. PROTECTION OF RECORDS.**

In order to safeguard public records and avoid unreasonable interference with the discharge of City functions, the following guidelines shall apply when requests are made to examine public records:

- 5.1. Records shall be made available for examination in City Hall during regular business hours and at such locations and times as will permit supervision of the records examination by a member of City Hall staff.
- 5.2. Requests to examine electronic records may be honored by printing such records or by transferring requested records to a computer or other device capable of reading such records the use of which would not interfere with the ordinary conduct of City business.

SUBJECT	POLICY NO.	APP. DATE	PAGE
<b>FREEDOM OF INFORMATION ACT REQUESTS</b>	<b>2008-07</b>	<b>10/27/2008</b>	<b>2 of 2</b>

**6. FEES.**

Fees for public record searches and the copying of public records shall be charged in accordance with the following regulations:

- 6.1. The charge for routine record searches and the duplication of records shall be the fee for copies as established by resolution of the Council plus the actual cost of first class postage for mailing the copies of records. This is the calculated cost to copy public records. Additional charges shall be applied in cases in which public record searches are expected to result in unreasonably high costs to the City as provided in Section 6.2 below.
- 6.2. The cost of a public record search is determined to be unreasonably high when the cost of search, examination, review and the deletion and separation of exempt from nonexempt information exceeds \$100. In such instances, the FOIA coordinator shall charge the full cost of search, examination, review and the deletion and separation of exempt from nonexempt information in addition to the cost of copying and postage identified in Section 6.1.
- 6.3. When the cost of public record searches and copying of public records is estimated to exceed \$50.00, a good faith deposit equal to ½ the cost calculated according to the provisions of Section 6.1 and 6.2 of this policy shall be required.

**7. EFFECTIVE DATE**

This policy shall be effective upon its approval.