

FOIA POLICY

PURPOSE

The purpose of this policy is to establish procedures relating to the inspection and copying of public records retained by Allen Park Housing Commission pursuant to the Freedom of Information Act ("FOIA") 5usc552(a) and MCL15.231. Allen Park Housing Commission's goal in establishing this regulation is to maximize the amount of information available to the public, establish a reasonable fee structure for copying public records, and to streamline procedures used to disseminate this information.

This regulation applies to Allen Park Housing Commission in dealing with requests from the public for information as set forth in the Freedom of Information Act.

It is the intent of Allen Park Housing Commission as that public business be performed in an open and public manner so that the citizens will have the opportunity to be informed. In accordance with Michigan's FOIA laws, the public has the right to "reasonable access" to public records. FOIA provides that it shall be the responsibility of the public body to establish rules and regulations regarding public records as well as fees charged for copying of such records. All requests for information made pursuant to FOIA shall be processed in the manner prescribed below.

AVAILABILITY OF RECORDS

ACCESS

Allen Park Housing Commission will provide reasonable access and facilities for reviewing public records during regular business hours.

Allen Park Housing Commission shall make all requested records available for review by requestor unless such records or portions of records are determined to be confidential under state or federal law or otherwise exempted from disclosure as records deemed non-public pursuant to MCL15.243.

Allen Park Housing Commission reserves the right to deny any request in part or in full which does not comply with the Form of Request procedures in this policy and/or the provisions of the Freedom of Information Act, as amended.

The Executive Director shall have all FOIA requests reviewed by legal counsel prior to responding and report such requests to the Board of Commissioners.

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RECORDS REVIEW

Prior to disclosure, records will be reviewed to insure that those records or portions of records deemed non-public and exempt from disclosure and removed.

RECORDS REQUEST AND RESPONSE PROCEDURES

FORM OF REQUEST

Requests for access to records shall be made in writing (including email) and on the Allen Park FOIA Request Form to the Executive Director. The request shall adequately describe the records sought in sufficient detail to enable Allen Park Housing Commission to locate the records with reasonable effort. Allen Park Housing Commission shall make reasonable effort to assist the requestor in identifying the record being sought. The request may be denied in part or in full and returned to the requestor for the following reasons:

1. The request does not adequately describe the records; or
2. The request requires Allen Park Housing Commission to perform research or to assemble information that has not been compiled; or
3. The request is overly broad. The request should be limited to a particular subject, time frame, and/or recipient/sender.
4. The requestor has unpaid invoices for previous FOIA requests.
5. The request seeks non-public records.

RESPONSE TO REQUEST

Allen Park Housing Commission shall respond to a public record request no later than five (5) business days starting the day following the receipt of the request. Allen Park Housing Commission must grant or deny all or a portion of a request, and/or issue a notice of extension for an additional (10) business days after receiving the request. Thereafter, Allen Park Housing Commission shall grant or deny access to a public record request within a reasonable time. If Allen Park Housing Commission denies any request in whole or in part, Allen Park Housing Commission shall indicate to the requestor the reasons for the denial.

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REPRODUCTION OF RECORDS

The copying of any requested public records may be performed by Allen Park Housing Commission personnel and may be provided to the requestor as follows:

1. If 25 pages or less are requested to be copied Allen Park Housing Commission may, if time and personnel are available, make the copies at the time of the review. If personnel are not available Allen Park Housing Commission may arrange to copy and mail the records to the requestor. In the alternative, the requestor may elect to pick up copies during regular business hours and submit payment at that time.
2. If over 25 pages are requested to be copied Allen Park Housing Commission may arrange to copy and mail the records to the requestor. In the alternative, the requestor may elect to pick up copies during regular business hours.
3. If over 250 pages are requested to be copied, the requestor may be required to bring in both copier and personnel to make the desired copies. If copies are made by Allen Park Housing Commission, then pre-payment may be required.
4. Fragmentation of requests, in order to circumvent the page limits established above, shall not be allowed.

FEES

ADMINISTRATIVE FEES

Administrative fees are collected to reimburse Allen Park Housing Commission for staff time associated with responding to a FOIA request, including but not limited to:

- (a) Processing requests;
- (b) Locating and reviewing files;
- (c) Monitoring file reviews;
- (d) Generating computer records (electronic or print-outs);
- (e) Preparing of logs of records deemed non-public; and
- (f) Other work items as necessary per request.

If the Allen Park Housing Commission fee exceeds \$50.00 a good faith deposit of ½ of the total cost should be paid at the time of request.

Administrative charges for non-routine requests will be billed to the requestor per quarter hour. These charges will be billed at the current, hourly pay grade rate, plus benefits (pro-rated for quarter hour increments) of the personnel performing the service. An estimate of the administrative charge for a non-routine request will be given to the requestor before additional fees will be charged.

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Requestors who do not reschedule or cancel appointments to view files at least one full business day in advance of the appointment may be subject to the administrative charges incurred by Allen Park Housing Commission in preparing the requested records. Allen Park Housing Commission will prepare an itemized invoice of these charges and mail to the requestor for payment.

PHOTOCOPYING FEES

A. STANDARD SIZED, BLACK AND WHITE COPIES

The charge for copying standard sized, black and white public records shall be \$0.25 per printed page (i.e. single-sided copies are \$0.25 and double-sided copies are \$0.50). This charge applies to copies on the following standard paper sizes:

1. 8.5"
2. 8.5"; and
3. 11"1"

B. OVERSIZED COPIES/PRINTOUTS

The charge for copying oversized public records shall be as follows:

1. 18" 22" - \$2.00 each;
2. 24" 26" - \$2.00 each;
3. 24" 36" - \$3.50 each;
4. 30" 42" - \$5.00 each;
5. All copies larger than 30" 42" shall be calculated at the rate of \$0.60 per square foot.

C. COLOR COPIES/PRINTOUTS

The charge for standard sized, color copies or color printouts shall be as follows:

1. 8 x 11 - \$1.00 per page;
2. 8 x 14" - \$1.50 per page;
3. 11 x 17" - \$2.00 per page; and
4. All color copies larger than 11 x 17" shall be calculated at the rate of \$2.00 square foot

D. ELECTRONICALLY GENERATED RECORDS

Charges for copying records maintained in an electronic format will be calculated by the material costs involved in generating the copies (including, but not limited to: magnetic tape, diskette, or compact disc costs) and administrative costs. In the event that requests for records maintained in an electronic format can be electronically mailed to the requestor, only the administrative charges in preparing the electronic records will be charged.

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E. OTHER COPYING FEES

Allen Park Housing Commission at its discretion may arrange to have records copied by an outside contractor. In this instance, the requestor will be liable for the payment of actual costs incurred by Allen Park Housing Commission.

PAYMENT

Payment for copies and/or administrative charges will be due at the time copies are released to the requestor. Allen Park Housing Commission reserves the right to refuse to make copies for requestors who have outstanding balances.

Allen Park Housing Commission may require pre-payment of copying and administrative charges prior to mailing copies of requested records; prior to making copies in excess of 250 pages; and/or in preparing logs of records deemed non public.