

Policy 120

**COMINS TOWNSHIP POLICY
FREEDOM OF INFORMATION**

At a Regular Meeting of the Comins Township Board held on July 28th, 2015, a motion was made by A. Lunning, seconded by M. Yoder, and carried, to adopt the Freedom of Information procedures, guidelines, and fees as attached.

***EFFECTIVE: April 18, 2006 : S. Marble/E. Handrich
Revised: July 28th, 2015***

Policy 120

**Comins Township
Freedom of Information Act (FOIA)
Public Act 442 of 1976 to include Amendments effective July 1, 2015**

PROCEDURES & GUIDELINES:

In general all requests must be responded to in 5 business days after the date the request is received. A 10 business day extension may be obtained by sending an extension letter giving the reason for the extension and the date the response will be provided.

I. Requestor:

- May request public records
- A fax or e-mail is not received by the FOIA coordinator until 1 business day after the electronic transmission is made.
- Has right to inspect, copy, or receive copies of public records

II. FOIA Coordinator:

- Is the Township Clerk
- Is responsible for accepting and processing requests for public records and approving denials of requests for public records.

III. Fee Schedule:

- Copies: .10 per page
- Postage: At current rate
- Cost of Search: At current hourly rate
- Deposit: If fee amount exceeds \$50, a good faith deposit of ½ the total fee is required

IV. Waiver of Fees:

- No fee will be charged to review public records
- No fee will be charged if retrieval is minimal

If an individual submits an affidavit stating that he / she is receiving public assistance or is able to state facts showing inability to pay fees because of indigency, the first \$20 will be waived for each request.

V. Denial:

- Written notice of denial constitutes a final determination
- Denials give the requestor the right to appeal to the township board or commence an action in the circuit court to compel the disclosure of the public record.

VI. Original documents shall not be allowed off of the premises at which they are stored.

VII. Original public documents may be reviewed on the premises at which they are located during regular business hours.

VIII. FIOA Letters:

- Extension of time in which to respond to FOIA request
- Response granting FOIA request-No Fees
- Response granting FOIA request-Deposit
- Denial of FOIA request
- Grant FOIA request in part/Deny FIOA request in part