

BOARD OF SUPERVISORS
NORTH WHITEHALL TOWNSHIP
LEHIGH COUNTY, PENNSYLVANIA

RESOLUTION NO. 01-15-03

RESOLUTION OF THE SUPERVISORS OF THE TOWNSHIP OF NORTH
WHITEHALL, LEHIGH COUNTY, PENNSYLVANIA, ESTABLISHING AND
APPROVING AN OPEN RECORDS POLICY PERTAINING TO RECORDS
UNDER CONTRIL OF NORTH WHITEHALL TOWNSHIP

WHEREAS, an Act of the General Assembly of Pennsylvania amending the Act of June 21, 1957 (P.L. 390, No. 212) referred to as the Right-to-Know Law, as amended June 17, 1971 (P.L. 160, No. 9), has set forth various provisions for townships of the Second Class with regard to establishing an Open Records Policy and said Act, is now effective; and

WHEREAS, the Board of Supervisors are directed to establish an Open Records Policy to be posted and available at all times regarding records within the custody and control of North Whitehall Township; and

WHEREAS, the Board of Supervisors have formulated an Open Records Policy in accordance with the new law as established above, and have set forth this policy in writing as attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the Township of North Whitehall hereby establishes and approves the Open Records Policy attached hereto as Exhibit A for notice, publication and access by the general public, and shall be known as the North Whitehall Township Open Records Policy.

Duly adopted by the Board of Supervisors of this municipality at a duly authorized public meeting on January 15, 2003.

BOARD OF SUPERVISORS OF
NORTH WHITEHALL TOWNSHIP

ATTEST:

By: Brenda Norder
Brenda Norder,
Secretary

By: Ronald E. Stahley
Ronald E. Stahley, Chairman

By: Terry P. Stoudt
Terry P. Stoudt, Supervisor

By: Ronald J. Heintzelman
Ronald J. Heintzelman, Supervisor

Open Records Policy

Requests

Public records will be available for inspection and copying at the Township Municipal Building during normal business hours, Monday through Friday, 7:30 AM to 4:00 PM, with the exception of holidays.

Requests shall be in writing and directed to the Township Secretary at the North Whitehall Township Municipal Building, 3256 Levans Road, Coplay, PA 18037. Written requests shall be on a form provided by the Township and shall include the date of the request, the name and address of the requester, and a clear description of the records sought.

Fees

Paper copies will be charged as per the fee schedule per page per side. If mailing is requested, the cost of postage will be charged. If a disk is requested, it will be provided by the Township at the cost as per the fee schedule per disk. A new disk will be necessary each time records are provided. Fax copies will be available at the cost as per the fee schedule per page. If "True and Correct Certification" is requested, an additional charge of \$2.00 will be added. The Township will require prepayment if the total fees are estimated to exceed \$100.

Response

The Township will make a good faith effort to provide the requested public records as promptly as feasible. Township employees shall cooperate with those requesting to review and/or duplicate original Township documents while taking reasonable measures to protect Township documents from the possibility of theft and/or modification.

The Township Secretary shall review all written requests for access to public records. As soon as possible, but no later than five business days after receiving a written request to access public records, the Township Secretary shall respond to all such requests in a manner consistent with Act 100 of 2002, the Open Records Law.

Appeals Process

If a written request is denied or deemed denied, the requester may file exceptions with the Board of Supervisors within 15 business days of the mailing date of the Township's denial. The exceptions shall state grounds on which the requester asserts that the record is a public record and shall address any grounds stated by the Township for denying the request.

The Board of Supervisors shall make a "final determination" on the exceptions within 30 days of the mailing date of the exceptions. The Board of Supervisors may hold a hearing on the issue during the 30 days. If the Board determines that the denial was correct, it must provide a written explanation to the requester.

The requester may appeal a final determination to the Common Pleas Court or District Justice within 30 days of denial or final determination.

RECORD REQUEST FORM

DATE _____

NAME _____

ADDRESS _____

PHONE NUMBER _____

DESCRIPTION OF RECORDS (For more space, continue on back)

INSTRUCTIONS: PICK-UP FAX MAIL DISK EMAIL

SIGNATURE (When request if fulfilled) _____

For Office Use Only:

Copies _____ Postage _____ Disk _____ Fax _____

TOTAL COST _____

DATE REQUEST FULFILLED _____

INITIALS OF STAFF MEMBER _____

DATE INFORMATION: Picked up _____ Faxed _____ Mailed _____