

**VILLAGE OF WORTH
POLICY GOVERNING ACCESS TO PUBLIC RECORDS
UNDER THE FREEDOM OF INFORMATION ACT (FOIA)**

1. SUMMARY AND PURPOSE

This Policy Governing Access to Public Records is established to implement the provisions of the Freedom of Information Act. (P.A. 96-542, effective January 1, 2010, Illinois compiled Statutes, Chapter 5, Act 140/1.2). The purpose of these rules is to support the policy that all records in the custody or possession of a public body are presumed to be open to inspection or copying.

2. DEFINITIONS

Terms used in this Policy Governing Access to Public Records shall have the same meaning as in the Freedom of Information Act.

“FOIA” means the Freedom of Information Act.

“Requestor” means a person who submits a request for public records in accordance with these Policy Rules.

3. PROCEDURES FOR REQUESTING PUBLIC RECORDS

Requests for Police Department information shall be submitted to the following address:

Village of Worth Police Department
Deputy Chief Denton
7112 W. 111th Street
Worth, IL 60482
Phone: 708-448-3979
Fax: 7108-923-3749
E-mail to lratajczak@villageofworth.com or ndaly@villageofworth.com

Requests for public records other than Police Department Information shall be submitted to the attention of the proper department or the Office of the Village Clerk at the following address:

Village of Worth
Bonnie M. Price
Village Clerk
7112 W. 111th Street
Worth, IL 60482
Phone: 708-448-1181
Fax: 708-671-0840
Email: bprice@villageofworth.com

For finance department alewis@villageofworth.com for building department tkrueger@villageofworth.com

4. FORM AND CONTENT OF REQUESTS

Requests in accordance with the FOIA and the Village of Worth policy Governing Access to Public Records shall be made in writing. These requests may be submitted on FOIA request forms provided by the Village, a copy of which is attached.

The requestor shall provide the following information in a request for public records:

1. The requestor's full name, address and phone number.
2. A brief description of the public records sought, being as specific as possible.
3. Whether the requestor is for inspection of public records, copies of public records, or both.
4. Is this request for Commercial purposes.

5. TIMELINE FOR CITY RESPONSE TO REQUEST FOR PUBLIC

The Village of Worth shall respond to a written request for public records within five (5) working days after receipt of such request.

The Village of Worth may give notice of an extension of time to respond which does not exceed an additional five (5) working days. Such an extension is allowable only if written notice is provided within the original five (5) working day time limit and only for the reasons provided in Section 3 (d) of the FOIA. Such notice of extension shall state the reasons why the extension is necessary and the date by which the records shall be available or the denial will be forthcoming.

6. TYPE OF VILLAGE RESPONSES TO REQUEST FOR PUBLIC RECORDS

The Village of Worth shall respond to requests for public records in one of three ways:

1. Approve the request.
2. Approve in part and deny in part.
3. Deny the request

Upon approval of a request for public records, the Village may either provide the materials immediately, give notice that the materials shall be made available or give notice of the time and place for inspection of records.

A denial of a request for public records shall be made in writing. It shall state the reasons for the denial and the names and titles of individuals responsible for the decision.

Failure to respond to a written request within five (5) working days shall be considered by the requestor a denial of the request.

A public body that fails to respond to a request within the time permitted or any extension but thereafter provides the requester with copies of the requested public records may not impose a fee for those copies.

A public body that fails to respond to the request within the time permitted may not treat the request as unduly burdensome.

7. PROCEDURES FOR APPEAL OF A DENIAL

A requestor whose request has been denied may appeal the denial to the Public Access Counselor. The notice of appeals may be made in writing and sent to:

**Public Access Counselor
Office of the Attorney General
500 S. 2nd Street
Springfield, Illinois 62706
Phone: 1-877-299-FOIA (1-877-299-3642)
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us**

If the denial is pursuant to an exemption set forth in Section 7 of the Act, the notice of denial shall specify the exemption. It shall also give the notice of the requestor's right to appeal to the Public Access Counselor not later than 60 days after the date of the final denial. The request for review must be in writing, signed by the requester, and include a copy of the request for access to records and any responses from the public body.

8. PUBLIC ACCESS COUNSELOR'S RESPONSE TO APPEALS

The Public Access Counselor shall respond to an appeal within twenty one (21) working days after receiving notice thereof.

9. PROCEDURES FOR PROVIDING RECORDS TO REQUESTORS

Inspection of Records at Village Offices – Generally, public records will be made available for inspection during normal working hours of the Village Hall located at 7112 W. 111th Street or the Police Department.

Unless otherwise arranged, the inspection of records shall take place at the Village Hall or at the Police Department.

Documents, which the requestor wishes to have copied, shall be segregated during the course of inspection. A Village employee may be present throughout the inspection.

All copies shall be made by a Village employee. A requestor may be prohibited from bringing bags, brief cases or other containers into the inspection room.

Copies of Public Records shall be provided to the requestor only upon payment of any charges which are due.

Charges for copies of public records shall be assessed in accordance with the “Fee Schedule for Duplication of Public Records”.

The fee for black and white, letter or legal sized copies will be 15 cents per page. No fees will be charged for the first 50 pages of black and white copies requested.

The public body may charge its actual cost for reproducing color or in a size other than letter or legal.

If a public body may charge the requester for the actual cost of purchasing the recording medium, whether disc, diskette tape or other medium.

Charges may be waived in any other case where the Village Clerk or Chief of Police determines that the waiver serves the public interest, pursuant to Section 6 of the FOIA.

10. GENERAL MATERIALS AVAILABLE

The Village of Worth through the Village Clerk’s office shall make available to the public at no charge the following material:

1. A brief description of the means for requesting information and public records.
2. A list of public records by classification maintained by the Village.
3. A brief description of the organizational structure and budget of the Village as well as all other information required by Section 140/4 of the Act.

Freedom of Information forms are available online at www.villageofworth.com, at the Village Hall or Police Department at 7112 W. 111th Street for your convenience.