

# **OPEN RECORDS LAW**

## **POLICY NO. 2**

**IT IS THE POLICY OF THE TOWNSHIP OF UPPER NAZARETH, NORTHAMPTON COUNTY, COMMONWEALTH OF PENNSYLVANIA, TO ESTABLISH AN OPEN RECORDS POLICY AS PRESCRIBED BY ACT 100, THE RIGHT-TO-KNOW LAW.**

### **REQUESTS**

Public records will be available for inspection and copying at the Township Municipal building during normal business hours Monday through Friday, 7:30 a.m. to 3:30 a.m., with the exception of holidays.

All requests shall be in writing and directed to the Township Manager at the Township building, 100 Newport Avenue, Nazareth, PA 18064. 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 \$0.25 per page per side. If mailing is requested, the cost of postage will be charged. If a disk is requested, the Township will provide the disk at the cost of \$2.00 per disk. A new disk will be necessary each time records are provided. If a "true and correct certification" is requested, an additional charge of \$5.00 will be levied. The Township will require prepayment if the total fees are estimated to exceed \$100.00.

### **RESPONSE**

The Township will make a good-faith effort to provide the requested public records as promptly as possible. Township employees shall cooperate with those requesting records 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 Open Records Officer 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

Open Records Officer 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 exception shall address any 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 exception 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.

**DULY PRESENTED AND ADOPTED**, by the Board of Supervisors of the Township of Upper Nazareth, Northampton County, Commonwealth of Pennsylvania, at a public meeting held on the 21<sup>st</sup> day of May, 2008.

Revised; May 21, 2008