

TOWN OF ACTON REQUEST FOR PUBLIC INFORMATION POLICY

The following policy adopted by the Board of Selectmen shall be the governing document for all requests for information under the State of Maine Freedom of Access Act.

1. Purpose:

This policy establishes uniform and equitable guidelines to assist members of the public to obtain public records. It is the purpose of this policy to ensure that every person has access to public records in the possession of the Town and that the time and method of providing public records to persons requesting them both complies with State of Maine Law and allows for the smooth functioning of municipal departments.

2. Definition:

Definition of "public records" can be found in 1 M.R.S.A. § 402(3) and §402 (3-A). The Town is prohibited by law, however, from releasing information designated as confidential as defined under §402 (3)

3. Guidelines:

a. Requests:

Persons requesting access to public records are asked to complete the attached form and present it to the Town during regular business hours. The Freedom of Access Act does not require that requests be made in person or in writing. However, the Town strongly urges members of the public to put their request in writing to maintain a record of when the request was received and to make certain that the documents requested can be located as quickly as possible and made available for inspection. All requests should be made or forwarded to the Town's Office Manager, who is the appointed designee. In the event a public records request is received by another employee or official of the Town, such request will be forwarded to the Office Manager for processing. The Office Manager may in his or her discretion appoint a designee or replacement, in which case the public will be notified of who is serving as the Office Manager on the specific request. Within five working days of the request for access to public records, the Office Manager or his/her designee shall acknowledge receipt of the request for public records and may request clarification concerning which public record or public records are being requested. Within a reasonable time of receiving the request, the Office Manager or his/her designee shall provide a good faith, nonbinding estimate of the time within which the Office Manager or his/her designee will comply with the request, as well as a cost estimate as provided in 1 M.R.S.A. §408-A (9). Any denial of a request to inspect or copy or abstract a public record shall be made in writing within five working days of the receipt of the request for inspection or copying and shall state the reason for the denial. Such denial is subject to appeal pursuant to 1 M.R.S.A. § 409. The process to obtain public records could include any or all of the following tasks: searching for, retrieving, compiling, copying, converting, or preparing records for inspection and distribution.

b. Inspection of Records:

Public records may be inspected during reasonable business hours. Inspection and conversion of electronically stored public records, and copying of a public record shall be scheduled to occur at a time that will not delay or inconvenience the regular activities of the Town.

c. Protection of Records:

To protect its public records, the Town may require that an employee or official of the Town be present during inspection and/or copying of documents.

d. Scheduling:

When the presence of an employee or official is required to ensure the protection of any record, the inspection or copying may be scheduled during the reasonable business hours of the Town.

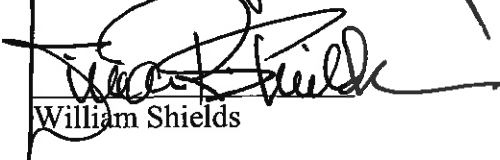
e. Copying:

If Town copiers are used, the charge to the requester shall be the current rate charged by the Town (schedule attached). If any record is copied on a photocopier other than one belonging to the Town, the Town reserves the right to have an employee or official present at the time the record is copied to protect the record. Requests that require copying only several pages that are readily available may be produced at the time of the request. Other requests may require several days to complete the task of copying documents based on the reasonable availability of staff to perform the task. The Town will not provide advice, interpretation or reformatting of the requested public record. Fee for obtaining records will be charged pursuant to 1 M.R.S.A. §408-A. Fees may include not only the fees listed below but also the payment of costs incurred by the Town in searching for, retrieving, compiling, copying, converting, and mailing copies of public records as may be allowed by 1 M.R.S.A. § 408-A (8). In accordance with 1 M.R.S.A. § 408-A (8) (B), the Town will not charge for the first hour of staff time needed to process a public records request and will charge \$15.00 per hour after the first hour of staff time per request. The rate is billed in 15 minute increments. Pursuant to 1 M.R.S.A. §408-A (10), advance payment may be required if the total cost of the search, retrieval, compiling, conversion, and the copying of the public record is estimated to exceed \$100, or the requester has previously failed to pay a properly assessed fee under this policy in a timely manner. Any denial by the Town of a request to inspect a public record may be appealed pursuant to 1 M.R.S.A. § 409. Intentional removal of a government document, failure to return a government document, and damaging a government document are Class D crimes as further described in 1 M.R.S.A. § 452. This policy is a guide. Within the law, this protocol may be altered in the sound discretion of the Board of Selectmen as may be necessary to meet specific circumstances. This policy does not alter, narrow, or enlarge any right provided by Maine Law.


Adopted on May 29, 2007; Amended July 26, 2012; Amended February 14, 2013, Amended January 8, 2015. Signed by the Acton Board of Selectmen.



Theodore J. Kryzak Jr.



William Shields



Edward Walsh

Town of Acton

Request for Information

Please complete this form and be as specific as possible in your request for information or documents.

Requested By: _____

Tel: _____

Date Requested: / / _____

Email: _____

Information is Needed By: / / _____

Specific Description of Information Needed:

To Be Completed by Board of Selectmen

Information Given To:

Selectman's Signature: _____

Signature: _____

Date Approved: / / _____

Date Received: / / _____

Assigned to: _____

Date Assigned : / / _____

Amount Owed: _____

Date Staff Completed: _____

No Fee, Why? _____

No Fee-BOS Initials: _____

TOWN OF ACTON FEE SCHEDULE

ORDINANCES

Zoning Ordinance	20.00
Subdivision Regulations	20.00
Comprehensive Plans	20.00

PHOTOCOPIES

.50 per page (B/W)
1.00 per page (Color)

ASSESSING CARD

1.00 per page

DEEDS


2.00

TAX MAPS - set
each


75.00
2.00

FAX incoming/outgoing

1.00



Kryzak Jr., Theodore J.



Shields, William



Walsh, Edward

Updated 12/11/2014