

**SPRINGETTSBURY TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

RESOLUTION NO. 08-67

**RESOLUTION TO ESTABLISH AN OPEN RECORDS POLICY
IN ACCORDANCE WITH THE PENNSYLVANIA
RIGHT TO KNOW LAW (ACT 3 OF 2008)**

BE IT RESOLVED by the Board of Supervisors of Springettsbury Township, York County, Pennsylvania, that the following is hereby established as the Township's open records policy:

Authority

The Pennsylvania Right to Know Law (Act 3 of 2008) (the "Act") requires that public records kept by Springettsbury Township and its agencies be available for review as authorized by law, subject to the limitations described in the Act.

Requests

Public records will be available for inspection and copying at the Township Municipal Building during normal business hours, Monday through Friday, 8:30 A.M. to 4:30 P.M., with the exception of holidays.

Requests shall be in writing and directed to the Township Manager at the 1501 Mount Zion Road, York, PA 17402. Written requests shall be in the form provided by the Township as developed by the Pennsylvania Office of Open Records and available at the Township or on the Office of Open Records website <http://openrecords.state.pa.us>. Requests shall include the date of the request, the name and address of the requestor and a clear description of the records sought.

Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law.

The Township is not required to create a record that does not currently exist or to compile, maintain, format or organize a public record in a manner in which the Township does not currently compile, maintain, format or organize a public record

If the Township determines that a public record contains information which is subject to access as well as information that is not subject to access, then the Township shall grant access to the information which is subject to access and deny access to the information which is not subject to access. If it is possible to do so, the Township will redact from the public record the information that is not subject to access, and will not deny access to a public record if the information which is not subject to access is able to be redacted.

Fees

The Township reserves the right to charge fair and reasonable fees for services provided in response to a request for public records. The Township will establish fees for services in its Fee Schedule in accordance with the fee guidelines developed by the Pennsylvania Office of Open Records, available at <http://openrecords.state.pa.us>.

All fees shall be paid in full prior to releasing the documents for examination, inspection or copying.

Fees for duplication of a public record may be waived by the Township if the Requester duplicates the public record, or the Township deems it is in the public interest to do so.

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. Public records shall be provided to a Requestor in the medium requested if the public record exists in that medium; otherwise, it shall be provided in the medium in which it exists.

As soon as possible, but no later than FIVE (5) business days after receiving a written request to access public records, the Township shall respond to all such requests in a manner consistent with Act 3 of 2008, the Right To Know Law. A Public Records Request is deemed to be received when a completed Request Form is received by the Township, along with the payment of required fees for the Request. If the Township fails to send the response within five business days of receipt of the written request for access, the written request shall be deemed denied.

The Township will not permit any person to review any document in a manner that does not provide for the physical security of said document.

Appeals

If a written request is denied or deemed denied, the Requestor may file an appeal pursuant to Act 3 of 2008, the Right To Know Law, and pursuant to procedures set forth by the Pennsylvania Office of Open Records <http://openrecords.state.pa.us>.

Other Applicable Policies

This policy may be affected by the Retention and Disposition Schedule for Records of Pennsylvania Municipalities, as promulgated by the Pennsylvania Historical and Museum Commission, as well as other state and federal laws and regulations relating to public record retention and disposition schedule.

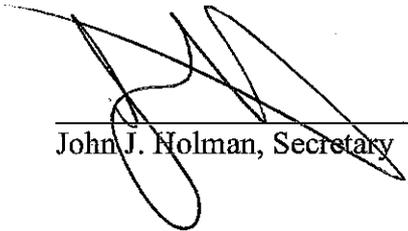
Effective Date

This policy shall be effective as of January 1, 2009. This policy supersedes all prior open records policies.

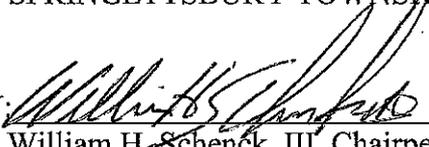
This Resolution has been duly adopted this 11th day of December, 2008.

ATTEST:

BOARD OF SUPERVISORS
OF SPRINGGETTSBURY TOWNSHIP



John J. Holman, Secretary

BY: 

William H. Schenck, III, Chairperson