

RESOLUTION #2002-16

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UPPER SOUTHAMPTON, COUNTY OF BUCKS, COMMONWEALTH OF PA ADOPTING AN OPEN RECORDS POLICY CONSISTANT WITH ACT 100 OF 2002, KNOWN AS THE RIGHT-TO-KNOW LAW AMENDMENT

WHEREAS, the General Assembly of the Commonwealth of Pennsylvania enacted Act 100 of 2002, amending the Act of June 21, 1957, referred to as the Right-to-Know Law; and

WHEREAS, Municipalities of the Commonwealth of Pennsylvania are required to adopt an Open Records Policy consistent with Act 100 of 2002.

NOW THEREFORE, be it resolved that the Upper Southampton Township Board of Supervisors adopt the Open Records Policy set forth as follows:

Upper Southampton Township Open Records Policy

Requests

Public records are available for inspection and copying at the Upper Southampton Township Municipal Building, 939 Street Road, Southampton, PA during regular business hours, Monday through Friday, 8:30 AM to 5:00 PM, with the exception of holidays.

Requests shall be in writing and directed to the Township Manager at the Upper Southampton Township Municipal Building, 939 Street Road, Southampton, PA 18966. 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. 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 of \$1.00 per disk. A new disk will be necessary each time records are provided. Fax copies will be available at the cost of \$0.50 per page. If a "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 theft and/or modification.

The Township Manager 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 Manager 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 requestor 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.

BE IT RESOLVED this 3rd day of December 2002 by the Upper Southampton Township Board of Supervisors

**UPPER SOUTHAMPTON TOWNSHIP
BOARD OF SUPERVISORS**



Keith E. Froggatt, Sr., Chairman

ATTEST:



Lola Biuckians, Secretary/Treasurer