



Policy # ADM-007: INFORMATION REQUEST PROCESSING

Policy Objective	To ensure that individuals requesting information from the Municipality are not placing a financial burden on other ratepayers of the Municipality to accommodate these requests
Authority	Resolution #299/2017
Supporting Bylaw	
Related Policy(s)	

LEGISLATIVE AUTHORITY

The Municipalities Act

Inspection of municipal documents

117(1) Any person is entitled at any time during regular business hours to inspect and obtain copies of:

- (a) any contract approved by the council, any bylaw or resolution and any account paid by the council relating to the municipality;
- (b) the statements maintained by the administrator in accordance with section 142 and the debentures register;
- (b.01) the official oaths or affirmations taken by members of council pursuant to section 94;
- (b.1) the municipality's financial statements prepared in accordance with section 185 and auditor's report prepared in accordance with subsection 189(1);
- (c) any report of any consultant engaged by or of any employee of the municipality, or of any committee or other body



- established by a council, after the report has been submitted to the council, except any opinion or report of a lawyer; and
- (d) the minutes of the council after they have been approved by the council.
- (2) Within a reasonable time after receiving a request, the administrator shall furnish the copies requested on payment of any fee that the council may fix.
- (3) For the purposes of subsection (2), the fee set by council must not exceed the reasonable costs incurred by the municipality in furnishing the copies.

The Local Authority Freedom of Information and Protection of Privacy Act

Right of access

- 5 Subject to this Act and the regulations, every person has a right to and, on an application made in accordance with this Part, shall be permitted access to records that are in the possession or under the control of a local authority.

Application

- 6(1) An applicant shall:
 - (a) make the application in the prescribed form to the local authority in which the record containing the information is kept; and
 - (b) specify the subject matter of the record requested with sufficient particularity as to time, place and event to enable an individual familiar with the subject-matter to identify the record.
- (2) Subject to subsection (4) and subsection 11(3), an application is deemed to be made when the application is received by the local authority to which it is directed.
- (3) Where the head is unable to identify the record requested, the head shall advise the applicant, and shall invite the applicant to supply additional details that might lead to identification of the record.
- (4) Where additional details are invited to be supplied pursuant to subsection (3), the application is deemed to be made when the record is identified.

**Fee**

- 9(1) An applicant who is given notice pursuant to clause 7(2)(a) is entitled to obtain access to the record on payment of the prescribed fee.
- (2) Where the amount of fees to be paid by an applicant for access to records is greater than a prescribed amount, the head shall give the applicant a reasonable estimate of the amount, and the applicant shall not be required to pay an amount greater than the estimated amount.
- (3) Where an estimate is provided pursuant to subsection (2), the time within which the head is required to give written notice to the applicant pursuant to subsection 7(2) is suspended until the applicant notifies the head that the applicant wishes to proceed with the application.
- (4) Where an estimate is provided pursuant to subsection (2), the head may require the applicant to pay a deposit of an amount that does not exceed one-half of the estimated amount before a search is commenced for the records for which access is sought.
- (5) Where a prescribed circumstance exists, the head may waive payment of all or any part of the prescribed fee.

OBJECTIVE

This information request processing policy is implemented to ensure that all ratepayers of the Rural Municipality of McKillop No. 220 (the RM) have access to the information that they wish to obtain without placing financial burden on any other ratepayer of the Municipality due to the use of staff time and office resources to fulfill an information request. This policy is adopted as an affirmation of Council's commitment to accountability and transparency to the ratepayers of the Municipality by ensuring that all information that may be legally distributed is available to the ratepayers. Council also recognizes its responsibility and accountability to all ratepayers for the diligent use of public funds. By implementing this policy, Council seeks to reconcile these two objectives.



SCOPE

Establishment of a request process and fee schedule relating to all requests for municipal documents.

DEFINITIONS

- a) "Council" means the Council of the Rural Municipality of McKillop No. 220
- b) "RM" means the Rural Municipality of McKillop No. 220

POLICY

Request Process

All requests for documents, whether these documents are intended to be viewed or are requested to be provided by way of a photocopy, shall be made by submission of Form A, a copy of which is attached hereto and forms a part of this policy. In order to be considered valid, Form A must contain the clearly printed name of the individual making the request as well as the signature of that individual and a valid postal mailing address.

Any requests made via other methods shall not be considered. This includes handwritten lists, email requests, and verbal requests.

Fees Relating to Requests for Information

Payment in full of fees, as per the schedule below, shall accompany Form A.

In the event fees are not known with certainty at the time of submitting Form A, due to time required to locate records being unknown, an estimate of the full amount of the fees shall be made and the Applicant shall make payment in full of the estimated fees.



Upon final calculation of the actual fees pertaining to the application, the Applicant shall pay the difference prior to receiving access to the records requested.

A request for information on Form A shall not be considered received until all fees are paid in full. In the event payment is made via cheque, payment shall not be considered complete until such time as the cheque is cleared by the Municipality's financial institution.

FEE SCHEDULE

Application fee	\$ 20.00 per application
Photocopying fee	\$ 0.25 per single-sided page
Computer printout	\$ 0.25 per single-sided page
Audio recording	\$ 15.00 per hour of audio recording with a one (1) hour minimum charge
Search time expended by municipal employees in excess of one (1) hour	\$15.00 for each half-hour or portion of a half-hour beyond one (1) hour
Communication time with the applicant, including verbal and written communications from the time the application is received until the time the request is fulfilled, expended by municipal employees in excess of one (1) hour	\$ 20.00 for each half-hour or portion of a half-hour beyond one (1) hour



RURAL MUNICIPALITY OF MCKILLOP No. 220

Form A

Access to Information Request Form

(Please Print Clearly in Ink)

Applicant Information

Last Name		First Name	
Postal Mailing Address		City or Town	Province
Postal Code	Telephone	Email	Facsimile

Details of Requested Information

General Information Request <input type="checkbox"/>	Personal Information Request <input type="checkbox"/>
Name of Local Authority:	
Name of Record (if known):	
Detailed Description of Record:	

I understand that an application fee of \$20 is to be submitted with this request unless, with respect to a request for personal information, the fee is waived under the terms of the Act.

I also understand that there may be a processing fee to process this request and that, prior to receiving access to the records that I have requested, I am required to pay that fee unless it is waived.

Check if requesting waiver of processing fee:

I request that payment of the processing fee related to this request be waived because payment will cause me substantial financial hardship. Details are as follows: _____

(Use reverse of form if additional space is required.)

Signature of Applicant

For Office Use Only	
Date Received	Fee Charged \$ _____ Final <input type="checkbox"/> Estimate <input type="checkbox"/>
Application Fee Received Yes <input type="checkbox"/> No <input type="checkbox"/>	Expiry Date

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Date Approved: September 22, 2017

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