

Beavertown Borough

RIGHT-TO-KNOW LAW POLICY

(Adopted Tuesday, February 13th, 2018 pursuant to 65 P.S. § 67.504(a))

Effective Date: Tuesday, February 13th, 2018

I. Authority

The Beavertown Borough adopts this policy pursuant to Section 504(a) of the Right-to-Know Law, 65 P.S. §§ 67.101-67.3104 ("RTKL").

II. Definitions

All of the definitions set forth in the RTKL are incorporated in to this policy by reference.

Business Day. The regular business hours of Beavertown Borough are Monday, Wednesday, Friday from 9:00 am to 12:00 pm & 1:00pm to 4:00PM. Business days exclude Saturday and Sunday and a weekday, or portion of a weekday, where Beavertown Borough is closed due to a state holiday, a weather related closing, a natural disaster, or at the request of public safety or law enforcement officials.

III. Submitting a RTKL Request to the Agency.

A. Open Records Officer. Beavertown Borough has designated an Open Records Officer to respond to RTKL requests.

The contact information for the Beavertown Borough's Open Records Officer is:

Pat Bachman, Open Records Officer

By Mail: 111 West Walnut St. PO Box 268 Beavertown, PA 17813

In Person: 111 West Walnut St. Beavertown, PA 17813

Phone: 570-658-2482

Facsimile: 570-658-8311

E-mail: Beavertownboro@ptd.net

Beavertown Borough Open Records Officer contact information is posed on the Agency website at [Beavertown Borough.com](http://BeavertownBorough.com).

B. Request. Requests should be submitted in writing using the RTKL Uniform Request Form available on the Beavertown Borough website and be addressed to the Beavertown Borough Open Records Officer. If a requester chooses not to use the request form, the request should clearly indicate that it is seeking records under the RTKL. To allow the Beavertown Borough to locate responsive records and determine whether those records are public, requests for records should be specific and concise and clearly identify as precisely as possible the records sought. Requesters should retain a copy of the request for their file as a copy of the request is necessary should a requester appeal the Beavertown Borough response.

C. Receipt of the request. Beavertown Borough receives the request on the business day the Beavertown Borough Open Request receives the request. Any request that is received by the Beavertown Borough after the close of regular business hours shall be deemed to be received on the next business day. If the request is received by an Beavertown Borough employee other than the Beavertown Open Records Officer, the request will be forwarded to Beavertown Open Records Officer as soon as practicable.

D. Verbal and anonymous requests. The Beavertown will [not] respond to verbal and anonymous requests for records. Requesters submitting verbal and anonymous requests for records may not pursue the remedies available to a dissatisfied requester under the RTKL.

E. Response period generally. Beavertown Borough has five business days to respond to a request for records under the RTKL.

IV. Beavertown Response.

A. Interim response. Beavertown Borough is permitted to take an additional 30 days to respond to any request for the reasons set forth in Section 902 of the RTKL, 65 P.S. § 67.902. If the Beavertown Borough invokes an extension, the Agency will inform the requester in writing.

B. Requester agreement to extend the response period. The requester may agree, in writing, to extend the response period beyond 30 days. The requester must agree to the extension during the 5 business day or Beavertown Borough extended response period.

C. Final response. Beavertown Borough may grant a request, partially grant and partially deny a request, or deny a request in its entirety. The final response of the Beavertown Borough will be in writing. Should Beavertown Borough fail to issue a response within the applicable response period, the request is deemed denied.

1. Granting access to records. Beavertown Borough may grant a request for records by issuing a response: (1) granting access to inspect Beavertown Borough records during Beavertown Borough's regular business hours; (2) sending copies of responsive records to the requester; or (3) by notifying the requester that the record is available on the Beavertown Borough website or other publically accessible electronic means.

2. Denying or partially denying access to records. Should Beavertown Borough deny or partially deny a request for records through redaction or otherwise, Beavertown Borough will inform the requester of the denial or partial denial in writing. The response will inform the requester that the Beavertown Borough does not possess the responsive record or, if the information is exempt from public access, provide a citation to the relevant legal basis for withholding the requested information.

D. Fees. Beavertown Borough will charge duplication and certification fees consistent with the OOR Fee Structure.

V. RTKL Appeals.

Generally. To challenge the denial or deemed denial of a request for Beavertown Borough records, an appeal may be filed with the Office of Open Records ("OOR") by contacting:

Executive Director
Office of Open Records
333 Market Street, 16th Floor
Harrisburg, PA 17126-0333

An appeal must include a copy of the request and the Beavertown Borough's response.

Requirements of an appeal. All appeals: must be in writing; must state the grounds upon which the requestor asserts that the requested records is a public record; must address any grounds stated by the Beavertown Borough for denying the request; and must include a copy of the request and a Beavertown Borough response, if any. All appeals must be filed within 15 business days of the mailing date of the Beavertown Borough's denial or deemed denial of the request.

VI. Additional Information about the RTKL.

Additional information regarding the RTKL and the request and appeal process, including the OOR Citizen's Guide, Agency Guides, and related forms, are available on the OOR website at <http://openrecords.state.pa.us>.