

**TOWN OF VIENNA, VIRGINIA  
ADMINISTRATIVE REGULATIONS**

Subject:

**FREEDOM OF INFORMATION  
ACT REQUESTS**

Regulation No:

3.0

Effective Date:

July 1, 1999

Supersedes: March 14, 1994

**I. PURPOSE**

The purpose of this regulation is to establish the procedures to be followed upon the receipt of a Freedom of Information Act request.

**II. AVAILABILITY**

All public records of the Town are generally open and available for inspection and copying during the regular office hours of the Town Hall of Vienna. In addition, requests for copies of specific documents may be mailed to the Town Hall to the attention of the Public Information Officer.

The Town is not required to create a document or prepare a particular requested record if it does not already exist, except for two specific instances: (1) when converting an electronic record from one format to another; and (2) when excising exempt fields from a database.

**III. REQUIRED RESPONSE TIMES**

A. Within five work days after the receipt of a request under the Freedom of Information Act, a response must be given by the Town. The Town must:

1. Provide the requested record; or
2. Notify the requester that the information is exempt from release; or that the record does not exist.

B. If the Town is unable to provide the information within five work days, the requester must be notified in writing of this fact. Upon this notification, the Town then has another seven work days to provide the information.

**IV. VIEWING OF AGENDAS, MINUTES, AND PREVIOUSLY COMPILED RECORDS**

A. On Site Records - Recent agendas, minutes and previously compiled records are available for review during the Town Hall's normal working hours. "Previously compiled records" shall mean those documents which are public records in existence and easily accessible, including e-mail.

Individuals wishing to view these documents need to make their oral request to the applicable department. The Town Staff will then allow the individual to review the documents.

B. Off Site Records - In the event that the above-requested document is located in storage and

**TOWN OF VIENNA, VIRGINIA  
ADMINISTRATIVE REGULATIONS**

<u>Subject:</u> <b>FREEDOM OF INFORMATION ACT REQUESTS</b>	<u>Regulation No:</u> 3.0	<u>Effective Date:</u> July 1, 1999
	Supersedes: March 14, 1994	

not readily accessible, the member of the public requesting the record shall submit a written request to the department. The staff shall then initiate the steps necessary to provide the record within the allowable number of working days upon the receipt of the written request.

**V. VIEWING OF OTHER TOWN DOCUMENTS**

A. Submission Procedure - Requests for documents other than agendas, minutes and previously compiled records shall be made in writing and submitted to the Public Information Officer. If the Public Information Officer is not available, the request shall then be given to the Town Clerk. All requests must be made with reasonable specificity to ensure that the Town may provide the correct information.

The Public Information Officer shall note the date and time that the information request was received. The Officer will then review the request to determine if the information may be released to the public.

If the Officer is unsure as to whether the requested information may be released, it shall be forwarded to the Town Attorney for an opinion. Immediately upon receipt of the Attorney's opinion, the Public Information Officer shall either forward the request to the applicable department head for a response or notify the requesting individual in writing that the information cannot be released.

B. Response by the Department - The department is responsible for locating the information and notifying the Public Information Officer when the data are available for viewing. If the requester has asked for copies of documents, the department head is to prepare the copies and then forward them to the Public Information Officer.

C. Dissemination of Information - Upon receipt of the data from the department, the Public Information Officer shall contact the requester and notify him/her as to the availability of the information.

**VI. PHOTOCOPYING FEES**

A. A reasonable charge, not exceeding the actual cost to the Town, will be made to the requester for copying, search time and computer time in supplying the records. If the requester asks for an estimate of these costs, the department head must provide it in advance. When these estimated costs amount to \$51, but do not exceed \$200, advance payment of one-half of the estimated amount must be submitted before the request will be processed. When requested, public records may be disseminated via e-mail instead of making copies.

**TOWN OF VIENNA, VIRGINIA  
ADMINISTRATIVE REGULATIONS**

<u>Subject:</u> <p style="text-align: center;"><b>FREEDOM OF INFORMATION ACT REQUESTS</b></p>	<u>Regulation No.:</u> <p style="text-align: center;">3.0</p>	<u>Effective Date:</u> <p style="text-align: center;">July 1, 1999</p>
Supersedes: March 14, 1994		

B. If the estimate of costs exceeds \$200, the requester must pay the entire estimated amount before the request will be processed by the department head. The final true cost to the requester may not exceed the original cost estimate by more than five percent. All time limits are suspended until the requester responds to these estimates.

C. The cost of copying records must be paid by the requester before the information is released. The rate for photocopying is seventy-five cents (\$0.75) for the first page of a document and ten cents (\$0.10) for each additional page.


**VII. STAFF RECORD KEEPING**

A. Each department shall maintain a monthly log of items released under the Freedom of Information Act. On the first day of each month, the department head shall be responsible for submitting to the Town Manager the previous month's activity log.

B. The form to be used for this function is attached hereto.

**VIII. APPLICABLE DOCUMENTS**

None

<i>Signature of Town Manager:</i>	<i>Date:</i>
	

**TOWN OF VIENNA, VIRGINIA  
ADMINISTRATIVE REGULATIONS**

Subject:

**FREEDOM OF INFORMATION  
ACT REQUESTS**

Regulation No:

3.0

Effective Date:

July 1, 1999

Supersedes: March 14, 1994