



## FREEDOM OF INFORMATION ACT REQUEST POLICY

The Virginia Freedom of Information Act (Section 2.2-3700 et seq. of the Code of Virginia) was enacted to ensure that the people of the Commonwealth have ready access to public records in the custody of a public body or its officers and employees. The Act requires that, except otherwise prescribed by law, all public records be open to inspection and copying by any citizen of the Commonwealth during regular office hours. The Act also requires that any requests for public records identify the requested records with reasonable specificity. The public body is required to promptly, but in all cases within five working days of receiving a request, provide the requested records or make one of the following responses in writing: (1) the requested records are entirely withheld because their release is made exempt by the Act or other specific law; (2) the requested records are being provided in part and being withheld in part because the release of part of the records is made exempt by the Act or other specific law; (3) the requested records could not be found or do not exist; or (4) it is not practical to provide the requested records or to determine whether they are available within the five work day period (in which case the public body has an additional seven days to provide a response). When a response is made to deny any part of a request or to seek additional time in which to respond, the public body shall make a written response meeting the requirements of Section 2.2-3704.

The Act allows a public body to make reasonable charges, not to exceed the actual cost incurred in accessing, duplicating, supplying or searching for the requested records. In any case where a public body determines in advance that the charges for producing the requested records are likely to exceed \$200, the public body may, before continuing to process the request, require the requester to agree to the payment of a deposit not to exceed the amount of \_\_\_\_\_ the \_\_\_\_\_ advance \_\_\_\_\_ determination.

As the official custodian of the Town's public records, Freedom of Information Act requests should be directed to the Town Clerk. Requestors are asked to reasonably identify the records they seek. The Town of Middleburg will impose a charge of \$1 for electronic files, as well as research time for finding the records. The Town will impose a charge of \$.10 per page for paper files for each 8.5" x 11" page copied, as well as research time for finding the records. The cost for color copies or records that must be sent to an outside agency for duplication shall be the equivalent of the cost incurred by the Town from said outside agency. The Town's research time costs will be calculated based upon the hourly wage of the employee who is researching and duplicating the records. In the event that the requested records take less than five minutes to locate and are less than five pages in length, the records shall be provided at no charge.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number (optional): \_\_\_\_\_

Records Sought (Please identify with reasonable specificity): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheet(s) as necessary.)

Not to exceed amount (the individual making the request will be contacted if it appears the charge for producing the records will exceed the identified amount): \_\_\_\_\_

### FOR TOWN USE ONLY:

Received by: \_\_\_\_\_ Date received: \_\_\_\_\_ Response by: \_\_\_\_\_ Date: \_\_\_\_\_