

OPEN RECORDS POLICY

WHEREAS, the Supervisors of Rush Township believe it necessary to establish a schedule of fees and set of rules related to open record requests to aid in the management of the Township.

NOW, THEREFORE, be it resolved by the Supervisors of Rush Township that the following fees and rules be and are hereby established regarding open records requests:.

Requests

Public Records will be available for inspection and copying at the Rush Township Municipal Building during normal business hours, Monday through Friday, 8:30 AM to 4:30 PM, with the exception of holidays

Requests shall be made in writing and directed to the Township Secretary at the Rush Township Municipal Building, 104 Mahanoy Avenue, Tamaqua, PA. 18252. 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 sufficient to identify the record requested. There shall be no more than one(1) record request for each form completed.

Fees

Paper copies will be \$0.50 per page per side. If mailing is requested, the cost of the postage will be charged. If the copy of the record is requested on a disk, it will be provided at a cost of \$1.50 per disk. A new disk will be necessary each time a record is provided. Fax copies will be available at the cost of \$1.25 per page. If "true and Correct Certification" is requested an additional charge of \$2.50 will be added.

The Township will require prepayment for the costs if the estimated cost exceed \$75.00.

Response

The township will make a good faith effort to provide the requested public records as promptly as possible. Township employees shall cooperate with those persons requesting to review and/or duplicate documents while taking reasonable measures to protect documents from the possibility of theft and/or modification. If there is any record which can not be reproduced for any reason then a view of the record shall be scheduled at the convenience of the Township secretary and shall be limited to no more than one-half hour per record to be reviewed. If the requester needs additional time to review the record then additional time may be scheduled at the convenience of the Township secretary.

The Township Secretary shall review all written requests for access to public records as soon as possible, but no later than five(5) business days after receiving a written request for access to

public records. The Township Secretary shall respond to all such requests in a manner consistent with 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 fifteen(15) business days of the mailing date of the Township's denial or deemed denial. The exceptions shall state grounds on which the requester 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 thirty(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 as permitted by the Open Records Law within thirty(30) days of denial or a final determination.

RUSH TOWNSHIP SUPERVISORS

Date: April 15, 2008

by: Alan Eric Gilbert
CHAIRMAN
Steph W. Swelch
William J. Gaushey Jr.

Attest: Teresa A. Conville
Secretary