

CHAPTER ONE - GENERAL PROVISIONS

AR1.05 FREEDOM OF INFORMATION

A. Introduction

1. Brief Description of the District

York Center Fire Protection District, DuPage County, Illinois, is a fire protection district organized pursuant to the Illinois Fire Protection District Act (70 ILCS 705/1 *et seq.*) to provide fire protection and other emergency services to the residents of the District. The District maintains one (1) fire station located at:

1517 S. Meyers Road
Lombard, IL 60148

The District employs approximately 2 full-time and approximately 70 part-time employees.

The District is governed by the Board of Trustees consisting of the following positions:

President
Secretary
Treasurer

2. Brief Description of the Method to Request Information

All public requests for information and/or records will be processed through the administrative offices of the District, located at 1517 S. Meyers Road Lombard, IL 60148. These requests shall be directed to the Fire Chief of the District pursuant to the District's administrative regulations at the address noted above. The current Fire Chief is Andy Bonomo. The cost of any copies requested is \$.50 for the first three pages and \$.25 for each page thereafter. The District will charge \$5.00 for an EMS fire report and \$25.00 for a witness requested subpoena.

For any additional information, the administrative office is open Monday through Friday, 8:00 a.m. to 5 p.m. The telephone number is (630) 627-1940.

B. Access to Public Records**1. Generally**

The District shall make available its public records to any person requesting access pursuant to the provisions of the Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) (the "Act") and the Illinois Code of Civil Procedure, as well as other applicable law. The District shall not provide access to public records or portions thereof that are exempt from disclosure under Section 7 of the Act (5 ILCS 140/7) or as provided by other applicable law. Any member of the public seeking to obtain emergency medical service records will also be required to follow the procedures for a request for medical records as listed in Section 1.23 of this chapter.

2. Nonexempt Materials Contained in Exempt Records

The District shall delete any information which is exempt from disclosure under Section 7 of the Act (5 ILCS 140/7) from a public document which contains nonexempt material, and make the remaining information available for inspection and copying.

3. Denial of Request for Public Records; Appeal

- a. Any person denied access to inspect or copy any public record may appeal the denial by sending a written notice of appeal to the Fire Chief or his designee.
- b. The Fire Chief or his designee shall promptly review the public record after receiving notice of appeal and make a determination under the Act and District regulations whether the record is open to inspection and copying. The Fire Chief or his designee shall notify the person making the appeal of his or her determination within seven (7) working days after the notice of appeal (see **Form 1**).

C. General Materials Available

The following information will be made available to the public:

1. List of all Types or Categories of Records Under the District's Control.**a. Financial records**

- Budget
- Levy resolution and certificate of tax levy
- Audit
- Bills
- Receipts for revenue
- Bills payable
- Cancelled checks
- Labor agreements

b. General Records

- Board minutes
- Board resolutions and ordinances
- Bidding specifications
- Board policies and administrative procedures
- Administrative instructions to staff
- Personnel names, salaries, titles and dates of employment
- Office equipment
- Insurance
- Capital equipment
- Real estate
- Legal notices
- Application for contracts, permits, grants or agreement
- Consulting contracts
- Contracts for capital equipment
- Contracts for office supplies
- Contracts for maintenance and repair
- Number of employees

2. Map of the District and Organizational Chart (See attached)**D. Request Procedures****1. Initiation of Request**

Any person wishing to inspect or copy a District's public record shall submit a written request to the Fire Chief or his designee on a request form provided by the District (see **Form 2**). Requests must specify District records with reasonable particularity to avoid inefficient use of staff time in retrieving and preparing records for inspection.

2. Response to Request

- a. The District shall either comply with or deny the written request for public records within seven (7) working days after its receipt (see **Forms 3, 4 and 5**.) Denial shall be by letter as provided below. Failure to respond to a written request within seven (7) working days after its receipt shall be considered a denial of the request.
- b. The District's time for response may be extended for not more than seven (7) additional working days for any of the following reasons (see **Form 6**):
 - i. The requested records are stored in whole or in part at locations other than the office having charge of the requested records;
 - ii. The request requires the collection of a substantial number of specified records;

- iii. The request is couched in categorical terms and requires an extensive search for the records responsive to it;
 - iv. The requested records have not been located in the course of routine search and additional efforts are being made to locate them;
 - v. The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under Section 7 of the Act (5 ILCS 140/7) or should be revealed only with appropriate deletions;
 - vi. The request for records cannot be complied with by the District within seven (7) working days without unduly burdening or interfering with the operations of the public body;
 - vii. There is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of the District having a substantial interest in the determination or in the subject matter of the request.
- c. When additional time is required for any of the reasons listed, the District shall notify by letter the person making the written request within seven (7) working days of receipt of request (see **Form 6**).

3. Procedure for Inspection or Copying

- a. Inspection of District public records not excluded from inspection under the Act shall be permitted between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, on days the District office is open for business.
- b. Inspection must be made at the District office, and records are not to be removed from the District office.
- c. The Fire Chief or his designee shall be present during inspection of District records.
- d. Inspection will not be allowed when records are in immediate use by persons exercising official duties which require use of the records.
- e. Copies of requested records will be provided by District employees within the limitations of District copying equipment.

4. Copying Fees

- a. Persons requesting copies of District public records shall reimburse the District for its actual cost for reproducing and certifying public records, at \$.50 for the first three pages and \$.25 for each page thereafter, as determined by the Fire Chief or his designee.

- b. Documents shall be furnished without charge or at a reduced charge, as determined by the Board of Trustees, if the person requesting the documents states the specific purpose for the request and indicates that a "waiver or reduction of the fee is in the public interest" pursuant to Section 6(b) of the Act (5 ILCS 140/6(b)). In setting the amount of the waiver or reduction, the District shall take into consideration the amount of materials requested and the cost of copying them.

5. Unduly Burdensome Request Exemption

- a. Requests calling for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the complying public body and there is no way to narrow the request, and the burden on the District outweighs the public interest in the information.
- b. Before invoking this exemption, the District shall extend to the person making the request an opportunity to confer with it in an attempt to reduce the request to manageable proportions.
- c. The District shall invoke this exemption in writing to the person making the request specifying the reasons why it would unduly burden and the extent to which compliance will so burden the operations of the District.
- d. Repeated requests for the same public records by the same person shall be deemed unduly burdensome under this provision.

LEGAL REF.: 5 ILCS 140/1 *et seq.*

ADOPTED: AUGUST 6, 2008

FORM 1

**YORK CENTER FIRE PROTECTION DISTRICT
FREEDOM OF INFORMATION ACT
APPEAL RESPONSE OF THE FIRE CHIEF**

DATE: _____

TO: _____

FROM:

NAME _____

York Center Fire Protection District
1517 S. Meyers Road
Lombard, Illinois 60148

ADDRESS _____

CITY STATE ZIP _____

(_____) _____
PHONE NUMBER

DESCRIPTION OF REQUESTED RECORDS:

Noted below is the action I have taken on your appeal from the denial of your request for the above captioned records:

_____ I hereby approve your appeal to the following extent and for the following reasons:

_____ I affirm the denial of your request made by _____.

You are entitled to a judicial review of any denial pursuant to Section 10 of the Freedom of Information Act (5 ILCS 140/10).

Fire Chief

Date

FORM 2

**YORK CENTER FIRE PROTECTION DISTRICT
FREEDOM OF INFORMATION ACT
WRITTEN REQUEST FOR RECORDS**

Dear Fire Chief (or designee):

(I), (We), are hereby requesting that (I) (We)

_____ inspect the following records at the York Center Fire Protection District Administrative Office.

_____ receive copies of the following records from the York Center Fire Protection District.

(Please be specific in listing records.)

I understand that if I request that the records be copied, I will be charged a set fee of \$.50 for the first three pages and \$.25 for each page thereafter for the actual cost of copying due in full before the copies are made.

Signature(s) of Requester(s)

Date of Request

(For office use only)
Date Request Received _____

Signature: _____

FORM 3

**YORK CENTER FIRE PROTECTION DISTRICT
FREEDOM OF INFORMATION ACT
APPROVAL FOR REQUEST FOR PUBLIC RECORDS**

DATE: _____

TO:

FROM:

NAME

York Center Fire Protection District
1517 S. Meyers Road
Lombard, Illinois 60148

ADDRESS

CITY STATE ZIP

(_____) _____
PHONE NUMBER

DESCRIPTION OF REQUESTED RECORDS:

Your request dated _____ for the above captioned records has been approved.

_____ The documents will be made available at the York Center Fire Protection District Administrative Office on (Date) _____ upon payment of copying costs in the amount of _____.

_____ You may inspect the records at _____

on _____
DATE

Fire Chief or Designee

Date

FORM 4

**YORK CENTER FIRE PROTECTION DISTRICT
FREEDOM OF INFORMATION ACT
DENIAL OF REQUEST FOR PUBLIC RECORDS**

DATE: _____

TO: _____

FROM:

NAME _____

York Center Fire Protection District
1517 S. Meyers Road
Lombard, Illinois 60148

ADDRESS _____

CITY STATE ZIP _____

(_____) _____

PHONE NUMBER

DESCRIPTION OF REQUESTED RECORDS:

Your request dated _____ for the above captioned records has been denied:

_____ The request creates an undue burden on the public body in accordance with Section 3(f) of the Freedom of Information Act, and we were unable to negotiate a more reasonable request.

_____ The materials requested are exempt under Section 7__ of the Freedom of Information Act for the following reasons: _____

The individual(s) who were responsible for the denial are:

You have the right to appeal the denial of the records you have requested to the Fire Chief of York Center Fire Protection District by submitting a written notice of appeal to him or her at 1517 S. Meyers Road, Lombard, Illinois 60148, and by placing the words "Freedom of Information Act Appeal" on the face of the envelope, if sent by mail. In submitting your notice of appeal, you must include a copy of your original request and this denial, and state the reasons why you feel your appeal should be granted.

Fire Chief or Designee

Date

FORM 5

**YORK CENTER FIRE PROTECTION DISTRICT
FREEDOM OF INFORMATION ACT
PARTIAL APPROVAL OF REQUEST FOR PUBLIC RECORDS**

DATE: _____

TO:

FROM:

NAME

York Center Fire Protection District
1517 S. Meyers Road
Lombard, Illinois 60148

ADDRESS

CITY STATE ZIP

(_____) _____
PHONE NUMBER

DESCRIPTION OF REQUESTED RECORDS:

Your request dated _____ for the above captioned records has been partially approved. Those parts of your request which have been approved:

_____ will be made available at York Center Fire Protection District Administrative Offices on (Date) _____ upon payment of copying costs in the amount of _____.

_____ may be inspected at _____ on _____
DATE

The following portions of your request have been denied for the reasons cited:

The individual(s) who were responsible for the denial are:

You have the right to appeal the denial of that portion of the records you have requested to the Fire Chief of the York Center Fire Protection District by submitting a written notice of appeal to him or her at 1517 S. Meyers Road, Lombard, Illinois 60148, and by placing the words "Freedom of Information Act Appeal" on the face of the envelope, if sent by mail. In submitting your notice of appeal, you must include a copy of your original request and this partial denial, and state the reasons why you feel this appeal should be granted.

Fire Chief or Designee

Date

FORM 6

**YORK CENTER FIRE PROTECTION DISTRICT
FREEDOM OF INFORMATION ACT
DEFERRAL OF RESPONSE TO REQUEST FOR PUBLIC RECORDS**

DATE: _____

TO:

FROM:

NAME

York Center Fire Protection District
1517 S. Meyers Road
Lombard, Illinois 60148

ADDRESS

CITY STATE ZIP

(_____) _____
PHONE NUMBER

DESCRIPTION OF REQUESTED RECORDS:

The response to your request dated _____ for the above captioned records must be delayed. Pursuant to Section 3(d) of the Freedom of Information Act, the delay in responding to your request is for the following reason(s):

You will be notified by _____ as to the action taken on your request.
Date

Fire Chief or Designee

Date

YORK CENTER FIRE PROTECTION DISTRICT

Map of District

[to be inserted]

YORK CENTER FIRE PROTECTION DISTRICT

ORGANIZATIONAL CHART

[to be inserted]