



Freedom of Information Law (FOIL) Requests Policies and Procedures for Department of Planning and Development

About FOIL

The Freedom of Information Law ("FOIL") (Public Officers Law §87 et. seq.) allows members of the public access to records of government agencies. The law defines "record" as "any information kept, held, filed, produced or reproduced by, with or for an agency or the State Legislature, in any physical form whatsoever. . ." (Section 86(4)). Records include media types such as tape or voice recordings, microfilm, video, documents, and computer discs.

Exemptions include items that may put personal privacy or state or national security at risk, or may hinder an open investigation.

FOIL does not require a government agency to provide advice or create a record.

The Committee on Open Government is charged with furnishing any person with an advisory opinion for other appropriate information regarding the Freedom of Information Law. (Public Officers Law, Article 6).

All government records are subject to the exemptions stipulated in the Freedom of Information Law.

General Information about Making Record Requests

All requests to inspect or copy records of the Chenango County Department of Planning and Development must be made in writing and faxed, mailed, or emailed to the Director of Planning & Development, Chenango County Department of Planning & Development. Please include your phone number, email (if applicable) and mailing address so our office can contact you with any questions. All requests to inspect or copy records, or to have copies made of records, shall adequately describe the record sought, and whenever possible, the requesting party shall supply information as to dates, file designations, and other information that may help to identify the record sought. In the event the request does not adequately describe the record sought, the party will be so notified.

Fee Schedule

Under FOIL (Public Officers Law §87 (1) (b) (iii)) there is a permitted fee of \$0.25 per page for duplication of records. There is no provision in law or regulation for waiver of this fee. Except when a different fee is prescribed by statute, an agency may not charge for inspection, certification or search for records, or charge in excess of 25 cents per photocopy up to 9 by 14 inches (section 87(1) (b) (iii)). Fees for copies of other records may be charged based upon the actual cost of reproduction.

In the event we are required to expend more than two hours of an employee's time in reproducing the requested records, we may charge our actual cost in accordance with Public Officers Law section 87(1)(c). In such a case, an estimate of the actual cost will be provided to you.