

Penn Lake Park Borough Right-To-Know Policies and Procedures

Right-to-Know (RTK) is to provide procedures and fees for requesting, inspecting and obtaining copies of public records maintained by Penn Lake Park Borough pursuant to the [Pennsylvania Right-to-Know Law \(RTK\), 65 P.S. §§67.101, et seq.](#), This policy replaces all prior inconsistent policies.

Request Policy

1. Persons requesting copies of public records maintained by the Borough must submit a written request to the Open Records Officer/Right to Know Officer. The request should identify or describe the records sought with sufficient specificity to enable the Commission to ascertain which records are being requested and the name and address to which the Commission should address its response.

To avoid delays, all requests should state explicitly that the information is being requested under the Right-To-Know Law (RTKL) and should be made using the RTK Request Form developed by Penn Lake Park Borough.

Written requests may be made by one of the following methods:

- Mail the required form to:

Open Records Officer/Right to Know Officer
Penn Lake Park Borough
P.O. Box 14
White Haven, PA 18661

- E-mail the Open Records Office at the following link:

Subject line: RTK Request
PennLake.righttoknow@gmail.com

2. The request should specify the type of access sought by the requester. When no specific type of access is requested, the request will be deemed a request for a paper copy of the identified document(s) that will be sent to the requester by first class U.S. mail.

3. The requester should also provide additional contact information such as a telephone number, e-mail address to facilitate the processing of a request.

Response Policy

1. Final Response

The Borough's Open Records Officer/Right to Know Officer will review the RTKL request and, within five business days of receiving the request, will either (1) grant the request; (2) deny the request; (3) grant the request in part and deny it in part; or (4) provide an interim response to the requester.

If a written request is denied in whole or in part, the Borough will issue a final written response that will set forth the reason(s) for any denial. The response will also include an explanation of the procedure for the requester to appeal the denial.

2. Interim Responses

The Borough will provide a final response to a RTKL request within five business days unless the Open Records Officer/Right to Know Officer provides an interim response to the requester. The purpose of the interim response is to provide the requester with written notice that additional time will be required to respond to the request.

3. Method of Response

The Open Records Office/Right to Know Officer may respond to the request by providing a requester access to inspect a record electronically or as otherwise maintained and designated by the Borough. Unless a longer period of time is needed and communicated to the requester by an "interim response", the RTKL requires that the Borough respond to an RTKL request within five business days.

4. Computation of Response Times

For purposes of determining the end of the five business day period, **the day that a RTKL request is received is not counted**. The first day of the five business day period is the Borough's next business day. Any RTK request received by the Open Records Officer/Right to Know Officer after the close of regular business hours shall be deemed to have been received by that office on the following business day.

Fee Policy

Applicable fees to be charged by the Borough under the RTKL are as follows:

1. Fees Determined by the Office of Open Records

Under the RTKL, the Office of Open Records has the authority to establish fees for duplication and enhanced electronic access. The range of reasonable fees for duplication are established and posted on the [Office of Open Records' website](#).

2. Certified Copies and Specialized Documents

The Borough will charge \$.75 per copy for certified copies, when requested by the requester. The Borough will charge the actual cost for postage, facsimile/microfiche or other media, as well as for specialized documents.

3. Transcripts

Prior to an adjudication becoming “final, binding and non-appealable,” transcripts may be requested through the Borough; however, the stenographer or court reporter is permitted to charge the regular fee for this service.

Following an adjudication becoming “final, binding and non-appealable,” a request for the transcript shall be treated like any other RTKL request and a duplication fee of \$.25 per page will be charged.

4. Reasonable and Necessarily Incurred Costs

As expressly provided by 65 P.S. §67.1307(g), the Borough has the authority to charge requesters reasonable fees for necessarily incurred costs. The Borough will determine and charge such fees on a case by case basis.

5. General

If the estimated fees that are required to fulfill the RTKL request exceed \$100, the Borough may require the requester to pay the estimated amount in advance, either by certified check, or money order. If the requester pays by personal check, this check must first clear to be considered received by the Borough. The demand for prepayment may specify a reasonable period of time in which the requester must make such prepayment. If the requester fails to make prepayment within the specified time, the Borough is not required to produce the records requested. All applicable fees must be paid in order to receive access to the record requested. 65 P.S. §67.901.

Appeals

When a request is denied in whole or in part, the requesters may appeal a denial or deemed denial by writing to:

Office of Open Records
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120

Any appeal must be filed within 15 business days of the mailing date of the Commission's response or within 15 days of a deemed denial.

For further information regarding appeals, please consult the Office of Open Records' website.

http://openrecords.state.pa.us/portal/server.pt/community/open_records/4434