

ADMINISTRATION AND GOVERNMENT

PART 13

POLICY FOR ACCESS TO PUBLIC RECORDS

§1301. Requests for Access to Public Records.

All requests for access to public records of the Borough shall be made in writing or by facsimile.

(Res. 02-17, 11/12/2002, §1; as amended by Ord. 1290, 11/11/2008, §1)

§1302. Direction of Requests for Access to Public Records.

All requests for access to public records of the Borough shall be directed to the Open Records Officer, Borough of Wyomissing, 22 Reading Boulevard, Wyomissing, Berks County, PA 19610; telephone: 610-376-7481, facsimile: 610-376-8470.

(Res. 02-17, 11/12/2002, §2; as amended by Ord. 1290, 11/11/2008, §1)

§1303. Determination of Granting or Denial of Request.

When a request is received for access to public records, the Borough shall make a determination within five business days of receipt of the request to grant or deny the request. The person or entity requesting the information shall be promptly notified of the Borough's decision.

(Res. 02-17, 11/12/2002, §3)

§1304. Issuance of Notice of Review.

- A. If, after receiving a request for access to public records, the Borough determines any of the following circumstances exist, the person or entity requesting access to the records shall be issued a notice that the request is being reviewed:
- A. The request for access requires redaction of a public record.
 - B. The request for access requires retrieval of a record stored in a remote location.
 - C. A timely response to the request for access cannot be accomplished due to bona fide and specified staff limitations.
 - D. A legal review of the request is necessary to determine whether the record is a public record subject to access under the Act.

- E. The person or entity requesting access to the public record has not complied with the Borough's policies regarding access to public records.
 - F. The person requesting access to the record refuses to pay applicable fees as contained herein.
 - G. The extent and nature of the request precludes a response within the time period.
- B. The person or entity requesting access to the public record shall be informed in writing as to the specific reason that their request is being reviewed.

(Res. 02-17, 11/12/2002, §4; as amended by Ord. 1290, 11/11/2008, §1)

§1305. Notice of Denial.

If a request for access to public records is denied, the person or entity requesting the records shall be informed of the reason that the request has been denied and shall be given the authority relied upon by the Borough for denying access. The notice of denial shall contain the description of the record requested, the name of the Open Records Officer making the decision to deny access to the public record, the date of the denial and shall include the signature of the Open Records Officer denying access, along with an explanation of the procedures for appealing the Borough's denial of access to the record in question.

(Res. 02-17, 11/12/2002, §5; as amended by Ord. 1290, 11/11/2008, §1)

§1306. Fees for Requests.

- A. Fees shall be set from time to time by resolution of Borough Council and pursuant to the Right To Know Law, 65 P.S. § 1307.
- B. The Borough, in its sole discretion, may waive the fees for duplication of public records if the Borough determines that it is in the public interest to do so.

(Res. 02-17, 11/12/2002, §6; as amended by Ord. 1290, 11/11/2008, §1)

§1307. Prepayment.

If the estimated costs of responding to a public record request is expected to exceed \$100, the Borough may require the person or entity requesting the record to prepay the estimated fees authorized by this policy, prior to providing access to the public record. Access to the records requested shall be postponed until prepayment is received.

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(Res. 02-17, 11/12/2002, §7; as amended by Ord. 1290, 11/11/2008, §1)

§1308. Processing Requests for Access.

The Borough shall utilize the form attached hereto as Exhibit "A" to process all requests for access to the Borough's public records. When completed, a copy of the form shall be given to the person requesting the information; and a copy shall be retained by the Borough.

(Res. 02-17, 11/12/2002, §8)

§1309. Designation of Open Records Officer.

Borough Council shall designate an Open Records Officer by resolution, pursuant to 65 P.S. § 67.502.

(Ord. 1290, 11/11/2008, §1)



Standard Right-to-Know Law Request Form

Good communication is vital in the RTKL process. Complete this form thoroughly and retain a copy; it is required should an appeal be necessary. You have 15 business days to appeal after a request is denied or deemed denied.

SUBMITTED TO AGENCY NAME: Borough of Wyomissing (Attn: AORO)

Date of Request: _____ Submitted via: Email U.S. Mail Fax In Person

PERSON MAKING REQUEST:

Name: _____ Company (if applicable): _____

Mailing Address: _____

City: _____ State: _____ Zip: _____ Email: _____

Telephone: _____ Fax: _____

How do you prefer to be contacted if the agency has questions? Telephone Email U.S. Mail

RECORDS REQUESTED: *Be clear and concise. Provide as much specific detail as possible, ideally including subject matter, time frame, and type of record or party names. Use additional sheets if necessary. RTKL requests should seek records, not ask questions. Requesters are not required to explain why the records are sought or the intended use of the records unless otherwise required by law.*

DO YOU WANT COPIES? Yes, electronic copies preferred if available
 Yes, printed copies preferred
 No, in-person inspection of records preferred (*may request copies later*)

Do you want **certified copies**? Yes (*may be subject to additional costs*) No
RTKL requests may require payment or prepayment of fees. See the [Official RTKL Fee Schedule](#) for more details.

Please notify me if fees associated with this request will be more than \$100 (or) \$_____.

ITEMS BELOW THIS LINE FOR AGENCY USE ONLY

Tracking: _____ Date Received: _____ Response Due (5 bus. days): _____

30-Day Ext.? Yes No (If Yes, Final Due Date: _____) Actual Response Date: _____

Request was: Granted Partially Granted & Denied Denied Cost to Requester: \$_____

Appropriate third parties notified and given an opportunity to object to the release of requested records.

NOTE: In most cases, a completed RTKL request form is a public record.
More information about the RTKL is available at <https://www.openrecords.pa.gov>

Form updated Nov. 27, 2018