NORTH LEBANON TOWNSHIP

RESOLUTION NO. 17-2020

A RESOLUTION OF NORTH LEBANON TOWNSHIP, LEBANON COUNTY, PENNSYLVANIA, ESTABLISHING NEW POLICIES TO FACILITATE REQUESTS FOR PUBLIC RECORDS OF THE TOWNSHIP OF NORTH LEBANON PURSUANT TO THE RIGHT-TO-KNOW LAW, PROVIDING FOR THE USE OF UNIFORM FORMS FOR REQUESTS AND RESPONSES, AND ESTABLISHING A FEE SCHEDULE FOR DUPLICATION AND CERTIFICATION OF PUBLIC RECORDS OF THE TOWNSHIP OF NORTH LEBANON.

WHEREAS, the Township of North Lebanon ("Township"), Lebanon County, Pennsylvania is a municipality organized under and governed by the Pennsylvania Second Class Township Code, as amended and supplemented, 53 P.S. § 66140, *et. seq* (the "Code"); and

WHEREAS, the Township desires to adopt this policy pursuant to Section 504(a) of the Right-to-Know Law, 65 P.S. §§ 67.101-67.3104 ("RTKL") and to establish a reasonable fee schedule associated therewith; and

WHEREAS, on December 15, 2008, North Lebanon Township adopted Resolution 26-2008 establishing policies to facilitate requests for public records of the Township and procedures for disseminating such records; and

WHEREAS, on March 16, 2009, North Lebanon Township adopted Resolution 9-2009, establishing a procedure when requests are made for records from the North Lebanon Township Police Department; and

WHEREAS, on December 19, 2016, North Lebanon Township adopted Resolution 27-2016 to appoint and designate a new Open Records officer alternate for the Township due to staffing changes; and

WHEREAS, the Board of Supervisors of North Lebanon Township wishes to update its RTKL policy to follow the guidelines and best practices recommended by the Pennsylvania Office of Open Records.

THEREFORE, BE IT RESOLVED and it is hereby resolved, that the Board of Supervisors of North Lebanon Township, Lebanon County, Pennsylvania, adopts the following policy.

I. Definitions

All of the definitions set forth in the RTKL are incorporated into this policy by reference. See 65 P.S. § 67.102.

Business day. The regular business hours of the Township are Monday through Friday from 7:30 a.m. to 4:00 p.m. Business days exclude Saturday and Sunday and any weekday on which the Township is closed for business.

II. Township Website

The Township maintains a public website at **northlebanontwppa.gov**. Many of the records commonly requested from the Township are available on the website. The following information shall be posted and maintained on the Township's website: Open Records Officer contact information; contact information for the Pennsylvania Office of Open Records and any another applicable appeals officer; a form which may be used to file a RTKL request; and a copy of this policy.

III. Submitting a RTKL Request to the Township

A. *Open Records Officer*. The Township hereby designates an Open Records Officer and an Alternate Open Records Officer to respond to RTKL requests, with contact information as follows:

Open Records Officer:

Township Manager

Alternate Open Records Officer:

Assistant Township Manager

By mail or in person:

North Lebanon Township

Municipal Building

725 Kimmerlings Road

Lebanon, PA 17046

Phone:

(717) 273-7132

Fax:

(717) 273-7672

Email:

RTKofficer@NorthLebanonTwpPA.GOV

North Lebanon Township hereby appoints the Open Records Officer and Alternate Open Records Officer to receive RTKL requests, direct requests as appropriate within the Township, track request progress in responding, and issue interim and final responses to requestors.

- B. Requests. Requests must be submitted in writing using the RTKL Uniform Request Form available on the Township website and must be addressed to the Open Records Officer. If a requester chooses not to use the RTKL Uniform Request Form, the request will be considered an informal request, not subject to the RTKL.
- C. *Verbal requests*. The Township will respond to verbal requests for records at its discretion. Requesters submitting verbal requests for records should be aware that they may not pursue the remedies available to a requester under the RTKL.
- D. *Anonymous requests*. The Township will not respond to anonymous requests for records.

IV. Township Response to RTKL Requests

- A. The Township shall respond to all RTKL requests in accordance with the RTKL.
- B. North Lebanon Township hereby authorizes the use of the standard Right-to-Know Response Form(s), as provided on the Pennsylvania Open Records website, which is currently https://www.openrecords.pa.gov.
- C. North Lebanon Township hereby acknowledges that it shall charge fees consistent with the RTKL Fee Structure established by the Pennsylvania Office of Open Records, available at http://www.openrecords.pa.gov/RTKL/FeeStructure.cfm.

V. RTKL Appeals

A. Appeals from the denial, partial denial, or deemed denial of a request for Township records shall be filed using the Office of Open Records appeal form, available at http://www.openrecords.pa.gov/Appeals/AppealForm.cfm, or by contacting the Office of Open Records at the following address:

Office of Open Records Commonwealth of Pennsylvania 333 Market Street, 16th Floor Harrisburg, PA 17101-2234

Phone: (717) 346-9903

Website: https://www.openrecords@pa.gov/

Email: openrecords@pa.gov/

B. Appeals from the denial of a request or portion thereof on the basis that records were withheld because they are related to criminal investigative records shall be filed by contacting:

District Attorney of Lebanon County Lebanon Municipal Building, Room 11 400 S. Eighth Street Lebanon, PA 17042-6794 (717) 228-4403 www.lebcounty.org

VI. Additional Information

Additional information about the RTKL, the request process, and the appeal process is available on the Office of Open Records website at http://www.openrecords.pa.gov.

VII. Repealer

This Resolution shall repeal and replace Resolutions 26-2008, 9-2009, 27-2016, and any other resolution or portion thereof inconsistent with this Resolution.

THIS RESOLUTION DULY ADOPTED this $\underline{21^{st}}$ day of $\underline{September}$, 2020, to be effective immediately.

ATTEST: (SEAL)

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BOARD OF SUPERVISORS

NORTH LEBANON TOWNSHIP

Cheri F. Grumbine, Township Manager

Richard E. Miller, Chairman