

**EAST PETERSBURG BOROUGH
RESOLUTION 893**

A RESOLUTION OF EAST PETERSBURG BOROUGH, LANCASTER COUNTY, PENNSYLVANIA, ESTABLISHING POLICIES TO FACILITATE REQUESTS FOR PUBLIC RECORDS OF THE BOROUGH OF EAST PETERSBURG 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 BOROUGH OF EAST PETERSBURG.

WHEREAS, the Borough of East Petersburg, Lancaster County, Pennsylvania is a municipality organized under and governed by the Pennsylvania Borough Code, as amended and supplemented, 8 Pa.C.S. § 101, *et. seq* (the "Code"); and

WHEREAS, the Borough 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 February 3, 2009, East Petersburg Borough adopted Resolution 631, appointing an Open Records Officer and establishing a Fee schedule to facilitate requests for public records of the Borough; and

WHEREAS, on June 3, 2014, East Petersburg Borough adopted Resolution 686 to appoint and designate the Borough Manager as the Open Records Officer and to appoint and designate the Administrative Assistant as the Alternate Open Records Officer for the Borough; and

WHEREAS, the Borough Council of East Petersburg Borough wishes to establish a 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 Borough Council of East Petersburg Borough, Lancaster 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 Borough 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 Borough is closed for business.

II. Borough Website

The Borough maintains a public website at eastpetersburgborough.org. Many of the records commonly requested from the Borough are available on the website. The following information shall be posted and maintained on the Borough'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 Borough

A. **Open Records Officer.** The Borough 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:	Borough Manager, Karen St. Clair
Alternate Open Records Officer:	Admin. Assistant, Kim Strayer
By mail or in person:	East Petersburg Borough Municipal Building 6076 Pine Street, Suite A East Petersburg, PA 17520
Phone:	(717) 569-9282
Fax:	(717) 569-3731
Email:	kstrayer@eastpetersburgborough.org OR kstclair@eastpetersburgborough.org

East Petersburg Borough hereby appoints the Open Records Officer and Alternate Open Records Officer to receive RTKL requests, direct requests as appropriate within the Borough, 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 Borough 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. This means that the requester cannot pursue the relief and remedies provided for in the RTKL. To allow the Borough to locate requested records and determine whether those records are public, requests for records should be specific and concise and clearly identify, as precisely as possible, the records sought. Requesters should clearly indicate the preferred method of access (paper copies, electronic copies, or by inspection).

C. **Receipt of the request.** For the purpose of calculating the response deadline, the Borough is deemed to have received the request on the business day that the Open Records Officer or Alternate Open Records Officer receives the request. Any request that is received by the Borough after the close of regular business hours shall be deemed to be received on the next business day. If the request is received by a Borough employee other than the Open Records Officer or Alternate Open Records Officer, the request will be forwarded to the Open Records Officer or Alternate Open Records Officer as soon as practical.

D. **Verbal requests.** The Borough 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.

E. **Anonymous requests.** The Borough will not respond to anonymous requests for records.

IV. Borough Response to RTKL Requests

A. The Borough shall respond to all RTKL requests in accordance with the RTKL.

B. East Petersburg Borough 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. East Petersburg Borough 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 Borough 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

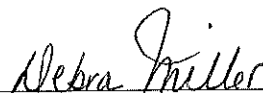
B. Appeals from the denial of a request or portion thereof on the basis that records were withheld because they are related to criminal investigative records shall be filed by contacting:

District Attorney of Lancaster County
50 North Duke Street, Suite 5
Lancaster, PA 17602
717-299-8100
www.co.lancaster.pa.us


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>.

THIS RESOLUTION DULY ADOPTED this 2nd day of July, 2024, by the Borough of East Petersburg, Lancaster County, Pennsylvania, in lawful session duly assembled.



Debra Miller, Council President

Attest: 

Karen St. Clair, Secretary