

**PROCEDURES AND METHODS FOR REQUESTING INFORMATION AND PUBLIC
RECORDS OF THE VILLAGE OF WAYNE
UNDER THE FREEDOM OF INFORMATION ACT**

POLICY:

The Freedom of Information Act (“FOIA”) (5 ILCS 140/1, *et seq.*) is intended to ensure that all persons are entitled to full and complete information regarding the affairs of government, and the official acts and policies of those who represent them as public officials and public employees, consistent with the terms of the FOIA. Access to records is necessary to enable the people to fulfill their duties of discussing public issues fully and freely, making informed political judgments and monitoring government to ensure that it is being conducted in the public interest. Access by all persons to public records promotes the transparency and accountability of public bodies at all levels of government, and it is a fundamental obligation of government to operate openly and provide public records as expediently and efficiently as possible in compliance with the FOIA.

The FOIA is not intended to cause an unwarranted invasion of personal privacy, or to allow the requests of a commercial enterprise to unduly burden public resources, or to disrupt the duly-undertaken work of any public body independent of the fulfillment of any of the rights of the people to access to information.

Restraints on access to information, to the extent permitted by the FOIA, are limited exceptions to the principle that the people of Illinois have a right to full disclosure of information relating to the decisions, policies, procedures, rules, standards, and other aspects of government activity that affect the conduct of government and the lives of any or all of the people. The provisions of the FOIA are to be construed in accordance with this principle, and to require disclosure of requested information as expediently and efficiently as possible in accordance with the deadlines established in the FOIA. Unless information falls within an express statutory exemption, it must be disclosed under FOIA (5 ILCS 140/3). The exceptions are to be construed as limited, in light of the people’s right to know the decisions, policies, procedures, rules, standards, and other aspects of government activity that affect the conduct of government and the lives or any or all of the people.

HOW TO REQUEST PUBLIC RECORDS:

The FOIA Officer:

The FOIA Officers for the Village of Wayne (the “Village”) are:

Mimi Wayne, Deputy Village Clerk
5N430 Railroad Street
P.O. Box 532
Wayne, Illinois 60184
630-584-3090 - Telephone

Patricia Engstrom, Village Clerk
5N430 Railroad Street
P.O. Box 532
Wayne, Illinois 60184
630-584-3090 - Telephone

630-584-0259 - Facsimile
dep.clerk@villageofwayne.org

630-584-0259 - Facsimile
clerk@villageofwayne.org

Assistant FOIA Officers for the Village are:

(Note: Must be completed with name, address, phone, fax, e-mail)

Submitted of Requests; Content:

Requests for public records in the custody of the Village of Wayne (the "Village") should be submitted to the FOIA Officer. Requests must be made in writing and, if desired, a form for the request will be provided. The form may be submitted in person, by U.S. mail, e-mail or facsimile.

All requests must include the following:

1. The requestor's full name, address, telephone number, facsimile number and e-mail, if any;
2. A brief description, as specific as possible, of the public records requested;
3. A statement as to whether the request is for inspection of public records, copies of public records, or both; and
4. A statement as to whether the request is for a commercial purpose. *[Note: It is a violation of Sec. 3.1 of the FOIA to knowingly obtain a public record for a commercial purpose without disclosing that it is for a commercial purpose if requested to do so by the Village.]*

Inspection of Records:

Public records in the custody of the Village will be made available for inspection during normal office hours at the administrative offices at Village Hall, or such other office of the Village where they are maintained. To prevent damage to or destruction of records, public inspection will be made under the supervision of a Village employee.

Copies of Records:

Any person may request copies of public records or, during inspection of public records, may request that copies of specified records be provided. Copies will be made by the FOIA Officer or an assistant or designee. The FOIA provides that fees may be charged in certain instances to cover the cost of reproducing copies of public records, and fees will be assessed in accordance with the schedule of Reproduction Fees established by the Board of Trustees. The fee schedule is also open for public inspection (see attachment). When a request for copies of public records is made, such copies will be provided to the requestor only upon payment of any fees that are due. Fees may be waived if the Village's FOIA Officers, or an assistant FOIA Officer determines that waiver of fees serves the public interest.

If certified copies of public records are needed, the Village will provide appropriate certification as to the authenticity and accuracy of the records. Certification will be provided upon the payment of certification fees established by the schedule of Reproduction Fees for certification of public records.

When a request is made for records that are maintained in an electronic format, the FOIA Officer will furnish the record in the electronic format specified by the requestor, if feasible. If it is not feasible to furnish the public records in the specified electronic format, the FOIA Officer shall furnish it in the format in which it is maintained by the Village, or in paper format at the option of the requestor. The Village may charge the requestor for the actual cost of purchasing the recording medium, whether disc, diskette, tape or other medium.

The FOIA requires the Village to respond to requests for non-commercial public records within five (5) business days. In certain limited circumstances, the Village may take up to an additional five (5) business days to collect and prepare public records for inspection. Requests received after 3:00 p.m. will be dated as being received on the next consecutive business day. The FOIA requires the Village to respond to requests for public records for commercial use within twenty-one (21) working days after receipt, in accordance with Section 3.1 of the Act. Unless the records are exempt from disclosure, the Village is required to comply a request for commercial purposes within a reasonable period, considering the size and complexity of the request, and giving priority to records requested for non-commercial purposes.

If a member of the public is denied access to public records or if a response to a request is not given within this time limit, the individual requesting access to public records may consider the request denied, and may appeal the denial to the Public Access Counselor – Assistant Attorney General.

The Village reserves the right to redact exempt information from a requested record.

Any questions regarding the procedure for acquiring access to public records may be directed to the FOIA Officers at Village Hall, 5N430 Railroad Street, P.O. Box 532, Wayne, Illinois 60184. Phone: 630-584-3090.

As an alternative, information regarding the Village is available on the Village's website www.villageofwayne.org.