

**TOWN OF FARMINGTON
RECORD REQUEST POLICY**

1. PURPOSE

To provide a standardized process for requests for governmental records and to ensure compliance with RSA 91-A.

2. AUTHORITY

New Hampshire Revised Statutes Annotated Chapter 91-A.

3. PRINCIPLES

- 3.1 Openness in the conduct of public business is essential to a democratic society to ensure both the greatest possible access to the actions, discussions, and records of all public bodies and their accountability to the people.
- 3.2 The public has the right to inspect, during regular business hours and at the appropriate department location, all public governmental records, and to request copies, except for those records that are temporarily unavailable or are specifically exempted by law.
- 3.3 The public does not have to offer a reason or demonstrate a need to inspect a record.
- 3.4 The public must reasonably describe a record being requested.
- 3.5 The Town is not required to create a record that does not exist or to compile data to create a record in a specific format requested, including electronic format.
- 3.6 Records that are exempt from public access are cited under various New Hampshire laws and generally include personnel records, medical, welfare, library user, vital records or any other confidential record, the disclosure of which would constitute an invasion of privacy or jeopardize the security or safety of any individual. Any question as to whether a record or portion of a record may be exempt from disclosure shall be addressed to the town attorney prior to release.

4. REQUEST FOR RECORDS

- 4.1 It is recommended that all requests for governmental records are to be submitted or forwarded to the Town Administrator for processing.
- 4.2 All requests for governmental records should (but not required) include the following information: full name of the requestor, address and/or phone, and email if requesting records via email, together with a detailed description, including any date parameters, of the records requested. A **Public Records Request Form** is available at the Town Hall and on-line.
- 4.3 Staff shall date stamp the request and initial it.
- 4.4 Within five business days of the request, the requested records shall be provided to the requestor, or a status response shall be sent to the requestor, providing the following information:
 - The request is denied, with written reasons for denial; or

- Acknowledgment of receipt of the request, and stating a reasonable time necessary to make the requested records available, or to provide the requested records.
- 4.5 As soon as practicable, any associated costs with copying or otherwise providing the requested records shall be provided to the requestor.
- 4.6 If requested, staff may establish a mutually agreed upon date and time for the records to be inspected and copied by the requestor.
- 4.7 Upon receipt of any payments due, including postage, staff may provide the requested records by mail. If it is determined that the requested documents are too voluminous or require special handling to be mailed, then staff shall notify the requestor that the documents are ready for pickup.
- 4.8 In cases where the Town makes copies of the requested records, there is a fee for the copies, as set forth in Section 7.1 below. If staff determines that an outside copying company is necessary to make the copies, the requestor shall be notified, and the records will not be sent out for copying until the estimated cost of such copying is paid by the requestor.

5. ELECTRONIC RECORDS

- 5.1 Upon request, electronic records (those already existing in electronic format) shall be provided electronically to the requestor.
- 5.2 If the electronic record can reasonably and feasibly be provided via email to the requestor, staff shall email the requested record, and there is no charge for providing the electronic record.
- 5.3 For large files or voluminous records, or where email is not otherwise feasible, electronic records may be copied onto a flash drive. In such a case, the requestor, at his/her own expense, shall provide a brand new, unopened, sealed flash drive to staff. Alternatively, the Town can provide a flash drive, as set forth in Section 7.2 below.
- 5.4 Electronic records that require redaction before being produced will be printed, redacted, and made available to the requestor. In such a case, the cost of the printed records shall be assessed to the requestor.

6. PROCEDURES DURING ON-SITE RECORD INSPECTION

- 6.1 Supervision by a staff member must be provided at all times during records inspection.
- 6.2 Inspected records must be retained in their present arrangement; documents shall stay in order.
- 6.3 Only one record series/type of record shall be inspected at a time.
- 6.4 To preserve the original record for use, no marks, erasures or other changes to the record is permitted.
- 6.5 Due to the risk of damage to documents, the use of ink is prohibited. The requestor inspecting records shall use a pencil when taking notes while reviewing records.

- 6.6 Removing records from the Town Hall/other Town departments where the records are being inspected is prohibited. Notwithstanding, the Town, at its discretion, may send out records for copying.
- 6.7 If a copier is available, the requestor may make his/her own copies at the Town Hall/other Town departments. If the requestor is unable to make copies for any reason, the requestor shall clearly indicate, with removable, non-damaging post-it tabs, the records he/she wants copied and staff shall copy it within a reasonable time. Staff will notify the requestor when the records are available. Copies shall be made 2-sided whenever practical.

7. FEES AND CHARGES

- 7.1 A fee shall be charged to the requestor for each page copied. The cost will be fifty cents (.50) per page for the first ten black and white copies and the ten cents (.10) per page thereafter.
- 7.2 If electronic records are produced via a flash drive that is provided by the Town, the Town's actual cost of the flash drive will be assessed to the requestor.
- 7.3 Payment of all fees, including any postage, is required prior to any records being copied or any records being released to the requestor.

8. EFFECTIVE DATE

Effective as of 8/28/17
Revised on 6/29/20

FARMINGTON BOARD OF SELECTMEN

**TOWN OF FARMINGTON
PUBLIC RECORDS REQUEST FORM**

Name of Requestor: _____

Date of Request: _____

Address: _____

Phone: _____

Email: _____

Detailed description of records requested (attach additional pages if needed):

Records Date Range: _____

Relevant Town Department: _____

I would like to review the records in person at the Town Hall/other Town Dept.
OR

I would like the Town to provide me the requested records by:
Email or US Mail/FedEx/UPS or Flash Drive* or I will
pick up

*If requesting a flash drive:

- I will provide a brand new, sealed, unopened flash drive to the Town.
- I request that the Town provide the flash drive; I understand I am responsible for the cost.

**Payment of all fees, including any postage, shall be required prior to any records being
copied or released to the requestor.**

To be completed by staff:

Flash Drive: \$ _____

Date Request Received: _____

Printing/copying: \$ _____

Staff Initials: _____

Postage: \$ _____

Total owed: \$ _____