

TOWN OF SIDNEY

BYLAW NO. 2026

A BYLAW FOR THE ADMINISTRATION OF THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

WHEREAS Section 77 (a) of the *Freedom of Information and Protection of Privacy Act*, requires a local government to pass a bylaw or other instrument by which the local public body acts to designate a person or group of persons as the Head of the municipality for the purposes of the Act;

WHEREAS Section 77(c) of the *Freedom of Information and Protection of Privacy Act*, permits a local government to set any fees the municipality requires to be paid under Section 75 of the Act; and

NOW THEREFORE, the Council of the Town of Sidney in open meeting assembled enacts as follows:

1. Citation

This bylaw may be cited as the “**Town of Sidney Freedom of Information and Protection of Privacy Bylaw No. 2026**”.

2. Administration

- a) The Chief Administrative Officer/ Corporate Administrator and the Deputy Clerk are designated as “Head” for the purposes of the Act.
- b) The Deputy Clerk is designated as the Information and Privacy Coordinator.
- c) The Coordinator is authorized to perform any duty or exercise any function of the Head under the Act.

3. Fees

- a) No fees shall be charged to individuals who are accessing their own information.
- b) An applicant making a request for access to other information shall pay to the Town the fees as set out in Schedule “A” for the purpose of:
 - i) locating, retrieving and producing the record;
 - ii) preparing the record for disclosure;
 - iii) shipping and handling the record; and
 - iv) providing a copy of the record.
- c) If an applicant is required to pay a fee for services under section 3 (b):
 - i) the Coordinator must give the applicant a written estimate of the total fee before providing the service; and
 - ii) a 50% deposit of the estimated fees will be required prior to the processing of the request if the total estimated fees exceed \$50.00.
- d) Fees will be waived for requests where the total amount of fees otherwise chargeable is less than \$5.00.

4. Repeal

That "Town of Sidney Freedom of Information and Protection of Privacy Bylaw No. 1240" and amendments thereto are hereby repealed.

Introduced and read a first time this 10th day of September, 2012.

Read a second time this 10th day of September, 2012.

Read a third time this 10th day of September, 2012.

Reconsidered and finally adopted this 9th day of October, 2012.

MAYOR

CORPORATE ADMINISTRATOR

SCHEDULE "A"

MAXIMUM FEES

1. For applicants other than commercial applicants:
 - (a) for locating and retrieving a record \$7.50 per 1/4 hour after the first 3 hours,
 - (b) for producing a record manually \$7.50 per 1/4 hour,
 - (c) for producing a record from a machine readable record \$16.50 per minute for cost of use of central mainframe processor and all locally attached devices plus \$7.50 per 1/4 hour for developing a computer program to produce the record,
 - (d) for preparing a record for disclosure and handling a record \$7.50 per 1/4 hour,
 - (e) for shipping copies actual costs of shipping method chosen by applicant,
 - (f) for copying records
 - (i) photocopies and computer printouts \$.25 per page (8.5" x 11" , 8.5" x 14") \$.30 per page (11" x 17"),
 - (ii) floppy disks \$10.00 per disk,
 - (iii) computer tapes \$40.00 per tape, up to 2400 feet,
 - (iv) microfiche \$10.00 per fiche,
 - (v) 16 mm microfilm duplication \$25.00 per roll,
 - (vi) 35 mm microfilm duplication \$40.00 per roll,
 - (vii) microfilm to paper duplication \$.50 per page,
 - (viii) photographs - (colour or black and white) \$5.00 to produce a negative
\$12.00 each for 16" x 20"
\$9.00 each for 11" x 14"
\$4.00 each for 8" x 10"
\$3.00 each for 5" x 7" ,
 - (ix) photographic print of textual, graphic or cartographic record (8" x 10" black and white) \$12.50 each,
 - (x) hard copy laser print, B/W, 300 dots/inch \$.25 each,
 - (xi) hard copy laser print, B/W, 1200 dots/inch \$.40 each,
 - (xii) hard copy laser print, colour \$1.65 each,
 - (xiii) photomechanical reproduction of 105 mm cartographic record/plan \$3.00 each,
 - (xiv) slide duplication \$.95 each,
 - (xv) plans \$1.00 per square metre,
 - (xvi) audio cassette duplication \$10.00 plus \$7.00 per 1/4 hour of recording,
 - (xvii) video cassette (1/4" or 8 mm) duplication \$11.00 per 60 minute cassette plus \$7.00 per 1/4 hour of recording; \$20.00 per 120 minute cassette plus \$7.00 per 1/4 hour of recording,
 - (xviii) video cassette (1/2") duplication \$15.00 per cassette plus \$11.00 per 1/4 hour of recording, and
 - (xix) video cassette (3/4") duplication \$40.00 per cassette plus \$11.00 per 1/4 hour of recording.
2. For commercial applicants
 - for each service listed in item 1 the actual cost of providing that service.