



## **LANCASTER COUNTY CONVENTION CENTER AUTHORITY PUBLIC RECORD INSPECTION AND DUPLICATION POLICY**

### **I. Purpose.**

The purpose of this policy is to assure compliance with the Pennsylvania Right-to-Know Law, 65 P.S. §67.101 et seq., as amended by Act 3 of 2008; to provide access to public records of the Authority; to preserve the integrity of the Authority's records; and to minimize the financial impact regarding the resources utilized in the receipt and processing of requests for retrieval, and copying of public records. It is the policy of the Authority to require the presence of a designated employee when public records are examined and inspected and to charge reasonable fees for duplication of public records.

### **II. Procedure for Access to Public Records of the Authority.**

(a) Generally. A public record of the Authority shall be accessible for duplication by a requester, at the requester's expense. The Authority will not create a record which does not currently exist, will not compile, maintain, format or organize a record in a manner in which it does not currently compile, maintain, format or organize the record. The Authority will not prepare summaries or compile lists for purposes of fulfilling a request, if such summary or list does not exist

(b) Requests. The Authority will not fulfill verbal or anonymous requests for access to public records. Requests must be submitted in writing to the Open Records Officer on the form designated by the Authority and must be submitted in person, or by mail, email or facsimile in a manner so that information and material requested describes records requested with specificity. All requests to inspect or duplicate public records of the Authority shall be presented to:

Open Records Officer  
Lancaster County Convention Center Authority  
25 South Queen Street  
Lancaster, PA 17603

Requests may be made in person at the Authority office at 25 South Queen Street, Lancaster, Pennsylvania; or by mail to 25 South Queen Street, Lancaster, PA 17603; or by fax to (717)207-4101; or by email to [openrecords@lcca.com](mailto:openrecords@lcca.com).

(c) Hours of access. Review and inspection of public records shall take place during the regular business hours of the Authority.

(d) Request format. The form for requests is available for downloading at the Authority's website at [www.lccca.com](http://www.lccca.com).

(e) Identification of public records. The following information is the minimum necessary to enable the Authority to identify the public records sought and to respond in accordance with the provisions of the Right-to-Know Law:

1. Type of record, e.g. ordinance, resolution, meeting minute, permit, etc.
2. Approximate date of record, e.g., minutes of the Board of Authority meeting of December 18, 2008.
3. If applicable, subject matter of record, e.g., resolution authorizing a contract with a specific vendor.
4. Indication of whether the requester desires to inspect the record or whether the requester desires a copy of the record.

(f) Information necessary for response. If the requester desires a written response or mailing of information, the requestor must provide the name and address to which the Authority should address a Response to the request. Also, the request must indicate whether the requester desires to inspect or whether the requestor desires a copy of the record.

### III. **Response by the Authority.**

a) Generally. The Authority will make a good faith effort to respond to any request for inspection and/or duplication of public records as promptly as possible. Unless circumstances prevent, the Authority will respond to a written request for a public record within five (5) business days from the date the request is received.

b) Extension. If the request requires review by the Authority, notice of that review will be provided in writing by the Open Records Officer to the requestor. The notice will state the reason for the review, which include:

1. The request requires redaction of the record. Records will be redacted if they contain information which is not subject to public access under the Right-to-Know Law, as well as information that constitutes a public record.
2. The request requires retrieval of records from a remote location.
3. A timely response cannot be accomplished due to staffing limitations.

4. A review by the Authority's solicitor is necessary to determine whether the record requested is a public record under the Right-to-Know Law.

5. The requester has not complied with the Authority's policy regarding access to public records.

6. The requester has refused to pay the applicable fee.

7. The extent or nature of the request precludes a response within the required time period.

#### **IV. Fee Schedule.**

a) Duplication. Fees for duplication by photocopying, printing from electronic media or microfilm, copying onto electronic media, or transmission by facsimile shall be \$.10 per page.

b) Certified copies. Fees for obtaining a certified copy of a public record shall be \$1 per record.

c) Postage: Fees for postage will not exceed the actual cost of the Authority for mailing the record.

d) Specialized documents. Specialized documents include, but are not limited to, blueprints, color copies and non-standard sized documents. Fees shall be the actual cost of reproduction for the Authority.

e) Conversion of Paper. If a record is only maintained electronically or in other non-paper media, the Authority may impose a fee which shall be limited to the fee for duplication, unless the requester specifically requests the public record be duplicated in a more expensive medium.

f) Inspecting of redacted documents. Fees shall incur at a rate of \$.10 per page for the copies the Authority must make of the redacted material in order for the requester to view the public record.

#### **V. Payment of fees.**

If the Authority estimates that the cost to fulfill the request will exceed \$100, the Authority will require prepayment of the estimated fee in advance of fulfilling the request in order to avoid unwarranted expense of Authority resources. Once the request is fulfilled and prepared for release, the requester must provide the cost of the records prior to their release by the Authority. The Authority may waive fees at its discretion.

#### **VI. Denials.**

If access to the record requested is denied in whole or in part, the Authority will provide a written denial, which will contain the following information:

1. a description of the record requested,
2. the specific reason(s) for the denial, including a citation of supporting legal authority;
3. The name, title, business address, business telephone number and signature of the Open Records Officer on whose authority the denial was issued;
4. date of the response;
5. the procedure to appeal the denial of access pursuant to the Act.

**VII. Appeal from denial of request for inspection or duplication of records.**

The Right-to-Know Law provides that a requester who disagrees with a denial of his or her written request for inspection and/or duplication of records may file an appeal to:

Commonwealth of Pennsylvania  
Office of Open Records  
Commonwealth Keystone Building  
400 North Street, Plaza Level  
Harrisburg, PA 17120-0225.

Pursuant to Section 1101(a) of the Right-to-Know Law, the appeal must be in writing, must be filed within fifteen (15) business days of the date of the Authority's response or date of deemed denial, must state the grounds on which the requester asserts that the record is a public record, and must address any grounds stated by the Authority in denying the request.