

## Kennett Township Open Records Policy

1. Kennett Township hereby designates Lisa M. Moore, Township Manager, Secretary and Treasurer, as the Township Open Records Officer. The Open Records Officer may be reached at:

Kennett Township  
801 Burrows Run Road  
Chadds Ford, PA 19317  
Phone: (610) 388-1300, ext. 12  
Fax: (610) 388-0461  
Email: [Kennett-twp@comcast.net](mailto:Kennett-twp@comcast.net)

2. Any member of the public has the right to examine and inspect any public record of a public agency, including Kennett Township, under the authority of the Pennsylvania Right-to-Know Law (“RTKL”). Consistent with past practice and its policy of maintaining open communications with the public, Kennett Township provides open access to many records without requiring a citizen to proceed with the formalities of the RTKL. Accordingly, any member of the public who is seeking information from the Township may begin by calling a Township staff member to request the information.
3. A “record” is defined by the RTKL as information, regardless of physical form or characteristics, that documents a transaction or activity of an agency and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the agency. The terms includes a document, paper, letter, map, book, tape, photograph, film or sound recording, information stored or maintained electronically and a data-processed or image processed document. A “public record” is defined by the RTKL as a record, including a financial record, of a local agency that is not exempt under the RTKL, is not exempt from being disclosed under any other Federal or State law or regulation or judicial order or decree, or is not protected by a privilege. The RTKL provides a detailed list of exemptions (such as certain Township personnel information and personal identification information) for disclosure of public records.
4. Public records shall be available for inspection, retrieval, and duplication at the Township office during normal business hours, Monday through Friday, 8:00 a.m. to 12:00 p.m., with the exception of Township designated holidays. Documents may be reviewed at the convenience of the Township staff and appointments are required. Appointments shall be made with the Township Open Records Officer or other designated Township staff. The Township reserves the right to limit inspection periods to 30 minutes per sitting and the number of times per month that reviews can take place. The “requestor” is the only person permitted to review the documents requested.
5. When responding to a request for review, the Township staff is not required to create a record which does not currently exist or to compile information into a new or different format other than the format in which it exists. Records shall be produced in the format

in which they are requested if they exist in that format; otherwise, they shall be produced in the format in which they exist. The RTKL also provides for the denial of access to certain public records and redaction of certain information, where possible.

6. In the case of any Township records to be reviewed, the Township reserves the right to oversee all reviewed. In no case shall records and files be reviewed without Township staff present. The Township reserves the right to limit inspection periods to availability of staff and hours of operation. At no time shall any original Township record be removed from the Township building by a requester. Further, no copying of original Township records may be done by the requesting party, unless approved by the Board of Supervisors or the Township Manager.
7. Requests shall be made in writing to the Township Open Records Officer on a form provided by the Township. Requests submitted on the Pennsylvania Office of Open Records' Standard Right-to-Know Request Form will also be accepted. The written request must be addressed to the Open Records Officer as noted above and may be submitted in person, by mail, by e-mail, or by facsimile. The written request should identify or describe the records sought with sufficient specificity to enable the Township to ascertain which records are being requested and shall include the name and address to which the Township should address its response
8. Paper copies shall be \$.25 per page per side. The certification of a record is \$10.00 per record. Specialized documents, including but not limited to, blueprints, color copies, engineered or architectural plans, and nonstandard-sized documents shall be charged the actual cost of production. Trademarked documents shall not be reproduced without the written consent of the author of the document. If mailing of documents is requested, the cost of postage will be charged. All fees must be paid before documents will be released. Prepayment is required if the total fees are estimated to exceed \$100.00.
9. The Open Records Officer shall make a good-faith effort to provide the requested public record(s) as promptly as possible. The Open Records Officer shall cooperate with those requesting records to review and/or duplicate original documents while taking reasonable measures to protect original documents from the possibility of theft, damage, and/or modification. As soon as possible, but no later than five (5) business days after receiving a completed request form, the Open Records Officer shall respond in writing to all such requests in a manner consistent with the RTKL. The RTKL also permits the Township an extension of up to thirty (30) additional days to respond to the request under certain circumstances. The Open Records Officer shall notify the requester in writing in a manner consistent with the RTKL is such an extension is required.
10. If a written request is denied, the requester has the right to file an appeal in writing to **Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North St., 4<sup>th</sup> Floor, Harrisburg, PA 17120**. Appeals of criminal records shall be made to the **District Attorney of Chester County, Joseph W. Carroll, Chester County Justice Center, Suite 4450, 201 W. Market Street, P.O. Box 2746, West Chester, PA 19380-0989**.

11. Appeals must be filed within 15 business days of the mailing date of the Township's response. Please note that a copy of the requester's original Right-to-Know request and the Township's denial letter must be included when filing an appeal. The law requires an appeal to include the reasons why the record is a public record and to address the reasons for denial that the Township stated in its denial letter. Visit the Office of Open Records website at <http://openrecords.state.pa.us> for additional information on filing an appeal.