

DISTRICT OF CHETWYND

BYLAW NO. 881, 2008

A bylaw to provide for public access to municipal records

WHEREAS pursuant to section 95 of the *Community Charter* Council may by bylaw provide for public access to its records and establish procedures respecting that access;

NOW THEREFORE the Council of the District of Chetwynd, in open meeting assembled, enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as “District of Chetwynd Access to Information Bylaw No. 881, 2008”.

2. DEFINITIONS

“**Council**” means the Council of the District of Chetwynd;

“**Director of Corporate Administration**” means the corporate officer appointed by Council, pursuant to section 148 of the *Community Charter*, and assigned the responsibility of corporate administration, and his or her designate; and

“**Municipality**” means the District of Chetwynd.

3. GENERAL

3.1 Availability

3.1.1 Municipal records are available for public inspection at the District of Chetwynd Municipal Hall during regular office hours, Monday to Friday, 8:00 a.m. to 4:30 p.m., excluding holidays.

3.1.2 Municipal records may include, but are not limited to, the following:

- (a) Bylaws, following first reading;
- (b) Minutes of Council and Committee meetings, other than minutes of meetings that are closed to the public;
- (c) Agendas of Council and Committee meetings, including any documents, correspondence or reports that may be attached to the agenda and after distribution to Council and/or Committee, other than agendas of meetings that are closed to the public;

- (d) Land use documents;
- (e) Annual Municipal Report prepared under the *Community Charter*;
- (f) Financial Information Statements prepared under the *Financial Information Act*;
- (g) Proposed agreements where elector approval or assent is required;
- (h) Minutes of Municipal Commissions, Board of Variance, Advisory Committees and other bodies prescribed by Regulation;
- (i) Disclosure Statements for disclosure of gifts received by Council members;
- (j) Report for Council remuneration, expenses and contracts;
- (k) Financial Disclosure forms filed by Council members and nominees pursuant to the *Financial Disclosure Act*;
- (l) Agreements made under section 9 (5) of the *Community Charter*;
- (m) Public Tender documents and quotations, excluding financial information pursuant to the provisions of the *Freedom of Information and Protection of Privacy Act*;
- (n) Council Policies;
- (o) Other records that are not contrary to the *Freedom of Information and Protection of Privacy Act*.

3.2 Documents Not Available

Notwithstanding anything contained in this bylaw, no member of the public shall have the right to inspect or obtain a copy of any of the following documents:

- (a) Any document, the disclosure of which is prohibited by law or the *Freedom of Information and Protection of Privacy Act*;
- (b) Any document, the disclosure of which would, in the opinion of the Municipal Solicitors, compromise the position of the District of Chetwynd in a legal case;
- (c) Any document submitted to the District of Chetwynd on condition it not be disclosed to the public.

4. PROCEDURES

4.1 Request for records

Requests for records will be made in writing, unless otherwise approved by the Director of Corporate Administration.

4.2 *Freedom of Information and Protection of Privacy Act*

Request for records may be subject to the provisions of the *Freedom of Information and Protection of Privacy Act* (the Act), including fees.

4.3 Security of Records

4.3.1 A person inspecting a record must not, without authorization, remove the record from the municipal offices.

4.3.2 Inspection of records will be made under the supervision of Municipal staff.

4.4 Copies of Records

Copies of records will be made by Municipal staff as authorized by the Director of Corporate Administration.

4.5 Fees

4.5.1 Copies of records are subject to the fees in accordance with Schedule “A” attached to and forming part of this bylaw, and all fees must be paid before the release of the records and documents.

4.5.2 The Director of Corporate Administration may require a deposit of 50% of the estimate of fees prior to commencing a search for records. All remaining fees must be paid before the release of the records.

5. REPEAL

“Access to Information Bylaw No. 484, 1989” is hereby repealed.

Read a first time this	15 th	day of	July,	2008
Read a second time this	15 th	day of	July,	2008
Read a third time this	15 th	day of	July,	2008
Adopted by Council this	12 th	day of	August,	2008

Mayor

Director of Corporate Administration

**DISTRICT OF CHETWYND
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SCHEDULE "A"

FEES

GST (Goods and Services Tax) to be added to all fees and charges.

1. <u>Information, Records, Documents</u>	<u>Fees and Charges</u>
(a) Photocopies of documents and records:	
(i) 8 ½" x 11" or 8 ½" x 14"	\$ 0.25 per page side
(ii) 11" x 17"	\$ 0.30 per page side
(iii) 8 ½" x 11" or 8 ½" x 14" (colour ink/toner)	\$ 1.00 per page side
(b) Photocopies of Bylaws, and Council and Committee Minutes (other than In Camera minutes):	
(i) Zoning Bylaw	\$50.00
(ii) Official Community Plan Bylaw	\$50.00
(iii) Subdivision Control Bylaw	\$50.00
(iv) Bylaws -single sided copy	\$ 0.25
-double sided copy	\$ 0.50
-up to a maximum cost	\$50.00
(v) Council and Committee minutes	
-single sided copy	\$ 0.25
-double sided copy	\$ 0.50
(c) To send a Fax:	
(i) local fax number (within B.C.)	\$ 1.00 per page
(ii) within Canada (outside B.C.)	\$ 1.50 per page
(iii) within U.S.A. (excluding Hawaii)	\$ 3.00 per page
(iv) Foreign Countries (including Hawaii)	\$ 4.00 per page
To receive a Fax:	
Charges to receive a Fax	\$ 0.75 per page
(d) Standard Maps:	\$10.00 each
(e) Special Maps and Plans (shipping costs must be paid by the applicant, where applicable)	
(i) black and white	\$ 1.00 per square foot
(ii) colour	\$ 2.00 per square foot
Staff time will be applied for producing special maps and plans in excess of 15 minutes (calculations will be based on 15 minute intervals)	\$60.00 per hour

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| (f) | Research for information in excess of 15 minutes:
(calculations will be based on 15 minute intervals) | \$25.00 per hour |
| (g) | Tax Certificates | \$10.00 |
| (h) | Title Search | \$20.00 |
| (i) | Annual Financial Report | \$15.00 |
| (j) | Annual 5-Year Financial Plan | \$30.00 |
| (k) | Consultant Reports | \$50.00 per report |