

Emmett Charter Township
Written Public Summary of the Township's
Freedom of Information Act (FOIA) Procedures and Guidelines

Effective date: July 1, 2015

A. **How to submit written requests.** FOIA requests to Emmett Charter Township may be submitted by email or mail to :

Email: FOIA@emmett.org

Mail: Emmett Charter Township
Attn: FOIA Coordinator
621 Cliff Street
Battle Creek, MI 49014

Requests can also be faxed to (269) 968-0108 or submitted electronically on the Emmett Township internet page located at www.emmett.org.

Requests should include name, phone number, and mailing address of the requestor.

B. **How to understand the Township's written responses to FOIA requests.**

The Township has several options when responding to written requests for public records. It can grant the FOIA request, deny the request, grant it in part and deny it in part, or take one 10 business day extension. After 10 business days pass, the Township has to respond with one of the other options.

If the request is granted or granted in part and denied in part, the Township can also charge a fee to process the request. Fees are calculated using its procedures and guidelines and you will receive a detailed itemization of the fee. The Township may require you to pay a good-faith deposit before it processes your request. After you pay any deposit and final balance due, the Township will produce records in its possession that fall within the scope of your request and that legally may be disclosed to the public. The Township may also notify you that some of the records you have requested are available on its website.

If the request is denied, the Township will inform you of the basis for the denial in a written notice. Reasons the Township may deny a request include:

1. You did not describe the records you have requested well enough and the Township cannot determine what you are asking for;
2. The Township has determined that it does not have records that respond to your request in its possession; or
3. The records you have requested are exempt from Public disclosure.

If all or part of your request is denied, the Township will inform you of your right to appeal its denial to the head of the Township and/or to file a lawsuit against the Township in its written response.

C. **Deposit requirements.**

If the Township estimates a fee to process a FOIA request greater than \$50.00, the Township will require a good-faith deposit from you before processing the request. The deposit shall not exceed half of the total estimated fee. Any written notice containing a request for a deposit shall also contain a best efforts estimate by the Township regarding the time frame after a deposit is received that it will take the

Township to provide the public records to you. The time frame estimate is not binding upon the Township, but the Township shall provide the estimate in good faith and strive to be reasonably accurate and to provide the public records in a manner based on this State's public policy under Section 1 of the FOIA, MCL 15.231 and the nature of the request in the particular instance.

D. **Fee calculations.**

The FOIA permits the Township to charge a fee to process FOIA requests using a form to give you a detailed itemization of the costs involved. The Township may charge for the following costs:

- A. The costs of labor for the search, location and examination of public records;
- B. The costs of labor for the review of public records and separation and deletion of exempt from nonexempt material;
- C. The cost of non-paper physical media;
- D. The cost of duplication or publication of public records;
- E. The cost of labor for the duplication or publication of public records;
- F. The actual cost of mailing public records.

E. **Avenues for challenge and appeal.**

If the Township charges a fee or denies all or part of a request, you may submit to the head of the Township a written appeal that specifically states the word "appeal" and identifies the basis for which the fee should be reduced or the disclosure determination should be reversed. Written appeals may be sent to the email address or mailing address listed above and will be forwarded to the FOIA Coordinator.