

Genoa Charter Township

Freedom of Information Act (FOIA) Policies

Genoa Township FOIA Coordinator:

Genoa Township, 2911 Dorr Road, Brighton MI 48116

Township Office Phone: (810) 227-5225

E-Mail: kelly@genoa.org

Act No. 442 of the Public Acts of 1976 (MCL 15.234) requires that the Charter Township of Genoa make its public records available and provides guidelines for the disclosure of these records and associated fees. The Charter Township of Genoa Board of Trustees has designated the Manager as the FOIA Coordinator.

A public record is information prepared, owned, used, in the possession of, or retained by the Township in the performance of an official function from the time it is created, as provided by law. All records except those specifically cited by the FOIA are available to the public regardless of record format. The FOIA request is subject to fees based on the actual cost of locating, examining, copying, and sending the requested records.

The Township has five business days to fill the request, deny the request, grant in part, deny in part, or issue a notice to the requester that the response time has been extended by 10 business days. If a request is filed electronically or by fax, the request is not considered received until one business day after the transmission is made. When an information request can only be partially fulfilled, cannot be fulfilled at all, or is denied, the Township will provide the requester with a full explanation of the reason(s) in writing. The denial will explain the person's right to appeal the denial to the Township Board of Trustees and seek judicial review in accordance with the Act. The FOIA does not require the Township to compile a summary of available documents and it does not require the Township to create a document it does not currently have in its files.

A request must be made in writing and provided to the Township FOIA Coordinator. Requests must be as specific as possible and indicate whether the requested information is to be reviewed in-person or copied. If a request does not sufficiently describe a public record so as to enable the FOIA Coordinator to locate the same, the FOIA Coordinator shall deny the request. The form can be e-mailed to kelly@genoa.org, presented in person at the Township Office, or mailed to the Township.

The Township may charge fees for searching, examining, duplicating, and providing a copy of a public record. Fees may be reduced or waived if the FOIA Coordinator determines that a waiver or reduction of the fee is in the public interest because searching for or providing copies of the requested records primarily benefits the general public. Requesters may file an indigency affidavit and obtain a fee waiver under MLCA 15.234(1). Where total fees and charges are reasonably anticipated to exceed \$50.00, the FOIA Coordinator shall request a deposit that shall not exceed one-half of the total fee authorized. If a deposit is required, the deposit must be received before the requested records are searched for and reviewed. Per Michigan AOG Opinion No. 6977, payment in full of all fees due to the Township is required prior to releasing the requested information.

(January 2015)