

# CORPORATION OF THE TOWN OF COBOURG



COBOURG

**Division:** Corporate Services

**Effective Date:** Sept 29, 2014

**Department:** Legislative Services

**Approval Level:** C.A.O.

**Procedure Title:** Routine Disclosure  
- Administration

**Section #** 3-1  
**Procedure #** LEG-ADM13.1

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## Purpose

The Town of Cobourg is committed to ensuring the public is provided access to government records and information efficiently and effectively, and in accordance with the Town of Cobourg's commitment to accountability and transparency, with the overarching principles of the *Municipal Act* 2001, and the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

The MFIPPA provides for a process for obtaining access to municipal records through filing a written request through the Municipal Clerk. However the MFIPPA provides that the Town of Cobourg may establish a routine disclosure policy, when there is nothing in the Act to prevent giving access to information contained within municipal records.

The Town of Cobourg endorses practices that will facilitate open access to public records, while at the same time protecting the privacy of personal information which is within the custody of the Town of Cobourg in accordance with the MFIPPA.

## Procedure

### 1. ROUTINE REQUESTS

The Town of Cobourg will make an effort where possible to make records accessible to the public without the requirement of submitting a formal Freedom of Information (FOI) request under the MFIPPA. Requests for routine disclosure of records:

- may be made by mail, in person, by telephone, fax, or email;
- will be responded to within 10 days unless a time extension is required due to volume or complexity of the records requested; and

If there is any doubt as to the routine disclosure request, the Municipal Clerk will determine if the records may be provided as routine disclosure or if it will require a formal request through the FOI process.

The right of access to personal, confidential and third party information may be subject to exemptions under the MFIPPA resulting in the redacting of portion(s) of the record when required.

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## 2. REQUEST FOR FIRE INCIDENT REPORTS

1. All requests for access to the details of an incident that the Town of Cobourg Fire Services responded to can be made by using the Request for Routine Disclosure Request Form, and submitted directly to the Fire Department.
2. All personal information contained within the records shall be redacted before the reports are disclosed.
3. All requests shall be responded to and processed within thirty (30) days from payment and the day that the request was made.
4. The application fee for requesting the Routine Disclosure of a Fire Incident Report shall be \$75.00, as per the Town of Cobourg Fees and Charges By-law.

## 3. REQUESTS FOR ADDITIONAL STAFF ACTIONS BEYOND THE PROVISION OF RECORDS.

Any requests for the creation of records, including complications, opinions, interpretations, analysis and research will be subject to the discretion of the specific department.

A decision of staff to deny a request for the creation of records including compilations, opinions, interpretations, analysis and research shall be appealable or subject to a formal request under MFIPPA.

## 4. ACCOUNTING

1. Fees should be paid directly to the department responsible for the records. The department providing the information is responsible for issuing a standard receipt.
2. Each department shall fill out a Fee and Estimate Calculation Form to record the estimated fees and actual fees for processing the request in accordance with the policy and the procedures as set out within the MFIPPA. This form shall be acknowledged and signed by the person requesting the disclosure.
3. Once fees have been collected, all accounting details are to be recorded on the request form and a copy of the form sent to the Finance Department.

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## 5. FEES

The Town of Cobourg will endeavor to process requests within 10 days after the application routine disclosure request is received. The request will be deemed to be abandoned and the file closed if no steps are taken by the requestor to view or obtain copies of the records within 30 days of being notified that the search for the records has been completed.

List of Current Fee Amounts Based on MFIPPA and Regulations: R.R.O. 1990. Regulation 823, s6.

Initial Request Fee:	\$5.00 (Only for an FOI request)
Record preparation and search time:	\$7.50 for each 15 minutes
Photocopies:	\$0.20 for each page
Preparing a record for disclosure, including serving a part of the record:	\$7.50 for each 15 minutes
CDs with records:	\$10.00 per disc
Other fees charged (e.g. courier costs):	As invoiced
Fees estimated over \$100.00:	50% deposit

### Definitions

“**MFIPPA**” shall mean the Municipal Freedom of Information and Protection of Privacy Act (the Act)

“**Routine Disclosure**” shall mean the process of providing requesters with a copy of records or providing a means in which the requestor may examine or view records outside of the Municipal Freedom of Information and Protection of Privacy Act process.

### Scope

These procedures shall apply to Members of Council, Committee, all Municipal Employees of the Town of Cobourg.

### Administration

These procedures shall be implemented and administered by the Chief Administrative Officer.

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## Cross Reference

Policy #

Procedure #

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Division Director #	Revision Purpose/Description:	Approved by C.A.O.	Division Director Approval Date:
		Signature	



The Town of Cobourg  
55 King Street West, Cobourg, ON  
K9A 2M2  
Phone: (905) 372-4301  
Fax: (905) 372-7558  
[www.cobourg.ca](http://www.cobourg.ca)

Date Stamp- Request  
Received by Municipality

## ROUTINE DISCLOSURE REQUEST FORM

**REQUESTOR:** Complete all fields below

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Town/City: \_\_\_\_\_

Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Tel: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_

**REQUEST:** Provide a detailed description below


Preferred Method of access to records:  Examine Original  Receive Copy

**Receive Copy of a Fire Incident Report (\$75.00 fee)**

\_\_\_\_\_  
Requestor's Signature

\_\_\_\_\_  
Date

Personal Information on this form is collected under the authority of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M56*, as amended. Inquires about the collection of personal information should be directed to the Municipal Clerk.



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 55 King Street West, Cobourg, ON  
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## FEE AND ESTIMATE CALCULATION

### Routine Disclosure/FOI Request

*Internal Use Only*

Deposit and Fee Information			Estimated and Actual Fee		
	Date:	Amount \$:	Activity:	Estimated Fee:	Actual Fee:
Notified of Estimate			Search/Research		
Deposit Required			Reproduction		
Estimate acceptance/ Deposit received			Preparation		
Refund			Shipping		
Fee Requested			Computer Programming		
Fee Recieved			Other:		
Account #			<b>Total Fee</b>		
			Less deposit received		
			Less amount waived		
			<b>Balance refunded or owing:</b>		

### Acknowledgement and Acceptance:

I hereby acknowledge and accept the fee estimate provided to me and agree to pay all fees prior to the release of the records requested where a decision on release had been made by the Town.

\_\_\_\_\_  
 NAME

\_\_\_\_\_  
 DATE

\_\_\_\_\_  
 SIGNATURE

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