

CITY OF PASSAIC

330 PASSAIC STREET
PASSAIC, NEW JERSEY 07055

REQUEST FOR PUBLIC RECORDS

FOR MUNICIPAL USE ONLY

*Please be advised that this form in and of itself constitutes a public record. This request must be disclosed if requested. Your address and phone number will not be disclosed.

SEE INSTRUCTIONS ON NEXT PAGE

Name: _____
Address: _____

Telephone [Day] _____

Information Requested:

Copy of Minutes [specify board or entity, date, topic or other identifying information]

Copy of Ordinance or Resolution [specify date, number, or other identifying information]

Other [specify] _____

License Information [Specify] _____

Information on Specific Property

Address _____

Municipal Lien Search Block _____ Lot _____ Fee: \$10.00

Municipal Lien Searches are provided by the designated search officer and will be provided within 15 days after the request is received and the fees paid, as provided in N.J.S.A. 54:5-11, et seq.

List of Property Owners within 200' Fee: _____
As provided in N.J.S.A. 40:55D-12, the fee is the greater of \$.25 per name or \$10.00

A request for a copy of Public Records should be submitted on this form which has been adopted by the Municipal Clerk as the Custodian of Records. Some records will be immediately available during normal business hours. Some records will require time to compile and to make the copies requested, but will normally be available during normal business hours and within seven (7) business days. If any document or copy which has been requested is not a public record or cannot be provided within the seven (7) business days, you will be provided with a response with that information within the next seven (7) business days. Some records requested have specific fees or other response times established by statute. There is no fee involved in simply inspecting a document during normal business hours. In general:

- Immediate access is ordinarily available for budgets, bills, vouchers, contracts, including collective negotiations agreements and individual employment contracts, and public employee salary and overtime information. Minutes of public meetings will be generally available immediately after the minutes have been approved.
- Records which are not readily available or which will require a search of records will be made available as soon as possible and the applicant will be provided with an interim report within seven [7] business days indicating the time which will be required to provide the records.
- Except as otherwise provided by law or regulation, the fee assessed for the duplication of a printed record shall be: first page to tenth page, \$0.75 per page; eleventh page to twentieth page, \$0.50 per page; all pages over twenty, \$0.25 per page; for a police accident report there is an additional fee when the request is not made in person of \$5.00 for the first 3 pages and \$1.00 for each additional page, as provided by *N.J.S.A. 39:4-131*.
- Where a request is for a copy in a format other than a photocopy, reasonable efforts will be made to provide the information in the format requested. The cost will be based on the costs of producing the format requested.
- Where a legal determination must be made as to whether records are "public records" as provided by law, the request will be reviewed by the Municipal Attorney.

The term "public records" generally includes those records determined to be public in accordance with *N.J.S.A. 47:1A-1*. The term does not include employee personnel files, police investigation records, public assistance files or other matters in which there is a right of privacy or confidentiality or which is specifically exempted by law.

The Applicant hereby acknowledges receipt of a copy of this form with the date on which the information is expected to be available and the estimated cost. The applicant hereby certifies that he or she has not been convicted of any indictable offense under the laws of this State, any other state or the United States and is not seeking government records containing personal information pertaining to the victim or the victim's family as provided by *N.J.S.A. 47:1A-1 et seq.*

This form when signed by the municipal official shall constitute a receipt for any deposit received.

The information requested will be ready on _____

Deposit or Prepayment of Fees

[required when the anticipated cost of reproduction exceeds \$5.00]

Applicant

Municipal Official

Date: _____

Date: _____

CITY OF PASSAIC

PUBLIC RECORDS REQUEST RESPONSE

TO : _____

DATE: : _____

The document or documents listed below and requested by you are not being provided because the document or documents are not public records as provided by law, for the following reason:

You have a right to appeal the decision that the document or documents are not public records. You may take your appeal to the Government Records Council or to the New Jersey Superior Court, as provided by *N.J.S.A. 47:1A-1 et seq.* A statement of the procedures for the appeal are attached to this notification.

Date

Municipal Clerk

ACKNOWLEDGMENT

I hereby acknowledge that I have received the documents requested except for any documents specifically listed above on which a determination has been made that the documents will not be provided. If any documents have not been provided, I have received information on the procedures for any appeal of the determination.

Date

Applicant

[TO BE POSTED IN PUBLIC VIEW IN THE OFFICE OF THE CUSTODIAN OF GOVERNMENT RECORDS]

NOTICE OF RIGHT TO ACCESS GOVERNMENT RECORDS OF CITY OF PASSAIC

The New Jersey Public Access to Government Records Act N.J.S.A. 47:1A-1 et. seq. (the “Act”) requires that the City grant members of the public access to government records as defined in the Act. The Act safeguards from disclosure proprietary and private records and information.

Requests for government records may be made anonymously.

Upon payment of the applicable fee, the City is required to make government records available within the following time periods:

Immediate access will be provided to budgets, bills, vouchers, contracts, including collective negotiations agreements, individual employment contracts, and public employee salary and overtime information. Immediate access will be provided as soon as reasonably possible following receipt of the request if the record is not being used and is not in archive storage.

Not Later than seven (7) business days after receiving the records request access will be granted or denied to all other government records provided record is currently available, not in use and not in storage or archived. Failure of the Custodian of Government Records to respond within seven business days after receiving a request is deemed a denial, unless the requestor has elected not to provide a name, address or telephone number, or other means of contacting the requestor, in which case the Custodian of Government Records shall not be required to respond until the requestor reappears before the Custodian seeking a response to the original requests.

The requestor is entitled to be advised in advance of the estimated amount of fees and charges to be imposed by the City for the reproduction costs and other special services requested.

Appeal Procedure – Denial of Access to Requested Record. A person who is denied access to a government record by the custodian of the record, at the option of the requestor, may:

- 1) Institute a proceeding to challenge the custodian’s decision by filing an action. In Superior Court which shall be heard in the vicinage where it is filed by a Superior Court Judge who has been designated to hear such cases because of that judge’s knowledge and expertise in matters relating to access to government records, or
- 2) In lieu of filing an action in Superior Court, file a Complaint with the Government Records Council established pursuant to Section 8 of P.O. 2001, c.404 (C. 47:1A-7).

The right to institute any proceeding under this section shall be solely that of the requestor. Any such proceeding shall proceed in a summary or expedited manner. The public agency shall have the burden of proving that the denial of access is authorized by law. If it is determined that access has been improperly denied, the Court or agency head shall order that access be allowed. A requestor who prevails in any proceeding shall be entitled to a reasonable attorney’s fee.

An information pamphlet produced by the Government Records Council which explains the right

of the public of access government records and the methods of resolving disputes regarding access, is available at the City Clerk's office. Assistance may also be obtained by calling the toll-free helpline of the Government Records Council 866-850-0511 or by logging on to that agency's informational website grc@dca.stat.nj.us.