

**Town of Northport
Freedom of Access Act
(Right To Know Law)
Policy**

THE FREEDOM OF ACCESS ACT (FOAA), also known as the Right To Know Law, is a Maine state statute intended to provide the general public access to both public proceedings and public records of government bodies and agencies. Title 1 M.R.S.A, §§ 401-414.

PURPOSE: It shall be the policy of the Town of Northport that all meetings, proceedings, and records that affect any or all of the citizens of the Town are for conducting the people's business. All meetings, proceedings, and records shall be open to the public and subject to public inspection, except where the FOAA statute defines exemptions to the law and this policy. The Town may treat all requests for public records as being governed by FOAA.

DEFINITIONS: Unless otherwise stated, this Policy shall adopt the definitions as stated in Title 1 M.R.S.A. §402, as may be amended from time to time.

PUBLIC ACCESS OFFICER: The Town Administrator shall be the Public Access Officer (PAO) who serves as the contact person for requests for public records. The PAO shall ensure that each public record request is acknowledged within five (5) working days of receiving the request and provide, within a reasonable time, a good faith, nonbinding estimate of when the response to the request will be complete, as well as its estimated cost. The PAO shall serve as the resource person concerning FOAA questions and compliance. The unavailability of the PAO may not delay a response to a request. .

PUBLIC INSPECTION:

- a. The Town's PAO, or his or her designee, shall make available upon request those records defined by statute that are subject to public inspection during regular business hours of the Town Office or the official having custody of the record. The PAO shall make a good faith effort to fully respond to the request within the estimated time. 1 M.R.S.A. §408-A(3)
- b. The PAO shall schedule any inspection, translation, and/or copying at such a time as to not interfere with or inconvenience the regular activities of the office. The PAO may set reasonable limits on the time available for inspection or copying.

COSTS:

- a. The Town may charge fees and costs, equal to the maximum allowed by statute, 1 M.R.S.A. §408-A, as may be amended from time to time, for the time and resources expended in responding to a request.
- b. The Town may consider the time spent in receiving, processing, and clarifying a request as time chargeable to the requester.
- c. The Town may not consider the time spent to determine the estimated cost of search and retrieval as chargeable to the requester.
- d. The Town may aggregate time and costs spent on multiple related requests within a short period of time from the same requester or requesters working together and treat the multiple requests as a single request for billing purposes.

- e. The PAO shall provide the requester an estimate of the time necessary to complete the request and the total cost. If the estimate is more than \$50, the PAO shall confirm in writing with the requester that the requester wishes to continue with the request before proceeding.
- f. The PAO may require the requester to pay a portion of the total cost prior to initiating the work if it is estimated to be more than \$100. 1 M.R.S.A. §408-A(9), (10). The Town will reimburse any difference to the requester if the actual cost of fulfilling the request is less than the requester's payment.
- g. The Town may waive the fee, but is not required to, if the requester is indigent or the release of the information would be in the public's interest and not the commercial interest of the requester.

RECORDS NOT RELEASED: If the PAO decides not to release a record because it is deemed not to be a public record, the denial and the reasons for it will be made in writing to the requester within five (5) working days of the PAO's determination.

STANDING REQUESTS: Only those records that exist on the date of the request are required to be made available for inspection and copying, subject to any applicable exemptions. Persons seeking to inspect or obtain copies of public records on a continuing basis are required to make a new request for any additional records requested after the date of the original request.

EFFECTIVE DATE: This policy shall become effective when approved by the Select Board and remain in force unless amended or rescinded.

Dated: Dec. 23, 2024

Signed: _____
Jeanine Tucker, Select Board Chair

Breanna Pinkham Bebb
Breanna Pinkham Bebb, Select Board Vice Chair

M. Schaffler
Molly Schaffler, Municipal Officer

Fee Schedule

From 1 MRSA § 408-A(8)

Item	Cost
Copies	\$0.10 per side (8.5" x 11" black and white) \$0.25 per side (8.5" x 11" color) \$0.50 per side (any larger paper, black and white or color)
Search and clarification time	\$25 per hour (after two hours)
Postage	Actual cost of mailing records

Approved December 23, 2024