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ORDINANCE SETTING FORTH PROVISIONS FOR COMPLIANCE WITH THE ILLINOIS FREEDOM OF INFORMATION ACT

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WHEREAS, the Freedom of Information Act (FOIA) took effect on July 1, 1984 (5 ILCS 140/1 *et seq.*) and was substantially amended by PA 96-0542 effective January 1, 2010; and

WHEREAS, such Act is intended to provide the public with greater access to the records of public bodies; and

WHEREAS, it is necessary for the Village of Orland Park to establish practices and procedures ensuring its full compliance with said Act, so that the public policy stated therein can be carried out effectively and efficiently with respect to the records of the Village.

BE IT ORDAINED by the President and the Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1:

The Deputy Village Clerk is hereby designated as the FOIA Officer to whom all initial requests for access to the records of the Village are to be referred. Such requests are to be made at the offices of the Village Clerk at 14700 S. Ravinia, Orland Park, Illinois, between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday. In the event that the Deputy Village Clerk is not available during the times described above, the Secretary for the Deputy Village Clerk is designated as the Deputy FOIA Officer to whom such initial requests are to be made. Except in instances when records are furnished immediately, the FOIA Officer, or his designees, shall receive requests submitted to the Village under the Freedom of Information Act, ensure that the Village responds to requests in a timely fashion, and issue responses under the Act. The FOIA Officer shall develop a list of documents or categories of records that the Village shall immediately disclose upon request.

SECTION 2:

Upon receiving a request for a public record, the FOIA Officer shall:

- (1) note the date the Village receives the written request;
- (2) compute the day on which the period for response will expire and make a notation of that date on the written request;
- (3) maintain an electronic or paper copy of a written request, including all documents submitted with the request until the request has been complied with or denied; and
- (4) create a file for the retention of the original request, a copy of the response, a record of written communications with the requester, and a copy of other communications.

SECTION 3:

The FOIA Officer and Deputy FOIA Officer shall, within six (6) months after January 1, 2010, successfully complete an electronic training curriculum to be developed by the Public Access Counselor of the State of Illinois and thereafter successfully complete an annual training program. Whenever a new Freedom of Information Officer is designated by the Village, that person shall successfully complete the electronic training curriculum within 30 days after assuming the position.

SECTION 4:

Any records which are the subject of a request under the Freedom of Information Act shall be retrieved from such place as they are stored, by the FOIA Officer, or by an employee of the Village acting under the direction of the FOIA Officer. In no event shall records be retrieved by the party requesting them or by any person who is not employed by the Village.

SECTION 5:

If copies of records are requested, the fees for such copies, whether certified or not, shall be as determined from time to time by the FOIA Officer pursuant to Section 6(b) of the Freedom of Information Act. The FOIA Officer shall maintain a written schedule of current fees in the Clerk's office. The fees so charged shall reflect the actual cost of copying the records, and the cost of certifying copies, if certification is requested.

SECTION 6:

In the event that a request to inspect Village Records is denied by the FOIA Officer, the denial may be appealed to the Public Access Counselor of the State of Illinois.

SECTION 7:

The Village Clerk shall prepare:

1. A brief description of the Village, including: (a) a short summary of its purpose, (b) a block diagram of its functional subdivisions, (c) the total amount of its operating budget, (d) the number and location of all of its separate offices, (e) the approximate number of full and part-time employees, and (f) the identification and membership of all boards, commissions, committees or councils which operate in an advisory capacity relative to the operation of the Village, or which exercise control over its policies or procedures, or to which the Village is required to report and be answerable for its operations.
2. A brief description of the methods whereby the public may request information and public records, a directory designating the Freedom of Information Officer(s), the address where requests for public records should be directed, and any fees allowable under Section 6 of the Act.

This information shall also be posted on the Village's website.

SECTION 8:

This Ordinance shall be in full force and effect immediately upon its passage and approval as required by law.