



CHARTER TOWNSHIP OF BLOOMFIELD
4200 TELEGRAPH RD.
BLOOMFIELD HILLS MI 48302

Public Summary of FOIA Procedures and Guidelines

Consistent with the Michigan Freedom of Information Act (FOIA), Public Act 442 of 1976, the following is the Public Summary of the Township's FOIA Procedures and Guidelines relevant to the general public.

This is a summary of the Township's FOIA Procedures and Guidelines. For more details, copies of the Township's FOIA Procedures and Guidelines are available at no charge at any Township office and on the Township's website: <https://www.bloomfieldtp.org/Government/Services/Clerk/FOIA-Information.aspx>.

1. How do I submit a FOIA request to the Township?

- FOIA-related forms are available for your use and convenience on the Township's website at: <https://www.bloomfieldtp.org/Resources/Forms/Clerk.aspx> and at the Clerk's Office.
- Written requests may be delivered to the Clerk's Office in person or by mail: 4200 Telegraph Rd., Bloomfield Hills, MI 48302.
- Requests may be emailed to: 1) Clerk's Office: clerk@bloomfieldtp.org **OR** 2) Police Records: records@bloomfieldtp.org.
- Requests may be faxed to: 1) Clerk's Office: (248) 642-7610 **OR** 2) Police Records: (248)433-7713.
- A request must sufficiently describe a public record and contain the word "FOIA."
- All requests must include the requesting person's complete name, address, and contact information, and, if the request is made by a person other than an individual, the complete name, address, and contact information of the person's agent who is an individual. An address must be written in compliance with United States Postal Service addressing standards. Contact information must include a valid telephone number or electronic mail address. The requirement does not apply to an individual who qualifies as indigent.

2. What kind of response can I expect to my FOIA request?

- Within five business days after receiving a FOIA request the Township will issue a response. If a request is received by fax or email, the request is deemed to have been received on the following business day. The Township will respond to your request in one of the following ways:
 - Grant the request
 - Issue a written notice denying the request
 - Grant the request in part and issue a written notice denying in part the request
 - Issue a notice indicating that due to the nature of the request the Township needs an additional 10 business days to respond
 - Issue a written notice indicating that the public record requested is available at no charge on the Township's website
- If the request is granted, or granted in part, the Township will ask that payment be made for the allowable fees associated with responding to the request before the public record is made available.
- If the request is denied, the Township will inform you of the basis for its denial in a written notice.
- If all or part of your request is denied, the Township will inform you of your right to appeal its denial to the Township Board and/or to file a lawsuit against the Township in its written response.
- If the cost of processing the request is expected to exceed \$50, or if you have not paid for a previously granted request, the Township will require a deposit before processing the request.

3. What are the Township's deposit requirements for a FOIA request?

- If the Township has made a good faith calculation that the total fee for processing the request will exceed \$50.00, the Township will require that you provide a deposit in the amount of 50% of the total estimated fee. When the Township requests the deposit, it will provide you a non-binding best efforts estimate of how long it will take to process the request after you have paid your deposit.
- If a good faith deposit is not received by the Township within 48 days from the date of the deposit notice, the requestor would be obligated to file a new FOIA request to obtain the requested records.
- If the Township receives a request from a person who has not paid a previous request, a 100 percent deposit of the estimated processing fee will be required before the search begins when certain conditions are met.

4. How does the Township calculate FOIA processing fees?

The Michigan FOIA statute permits the Township to charge a fee to process FOIA requests using a detailed cost itemization form. The Township may charge you for the following costs:

- Labor costs associated with the search, location, and examination of public records
- Labor costs associated with the review of public records to separate and delete information exempt from disclosure
- Labor costs associated with copying or duplication of public records
- The cost of non-paper physical media: USB Flash Drives
- The cost for copying or duplicating public records on standard letter, legal and ledger paper, not to exceed \$.10 per sheet of paper
- The cost to mail or send a public record to a requestor

Labor Costs

- All labor costs will be estimated and charged in 15-minute increments, with all time increments rounded down. If the labor is less than 15 minutes, there will be no charge.
- Labor costs will be charged at the hourly wage of the lowest-paid Township employee capable of doing the work in the specific fee category, regardless of who actually performs the work.
- Labor costs will also include a charge to cover or partially cover the cost of the fringe benefits.

5. What are the avenues for appealing the denial of a public record or excessive FOIA processing fee?

- Denial of a public record
 - If you believe that all or part of a request has been improperly denied, you may appeal to the Township Board by filing a written appeal that specifically states the word "appeal" and identifies the reason(s) you are seeking a reversal of the denial.
 - Submit your written appeal to the Township Supervisor's Office.
- Excessive FOIA processing fee
 - If you believe that the fee charged by the Township to process your FOIA request exceeds the amount permitted by state law, you may appeal to the Township Board by filing a written appeal that specifically states the word "appeal" and identifies the reason(s) for the fee reduction.
 - Submit your written appeal to the Township Supervisor's Office.
- The Township Board is not considered to have received a written appeal until the first regularly scheduled Board meeting following the submission of the written appeal. Within 10 business days of receiving the appeal, the Township Board will respond in writing to advise of their decision.