

VILLAGE OF STEWARD
FREEDOM OF INFORMATION ACT (FOIA)

Mail form to Village of Steward, PO Box 8, Steward IL 60553 or email to villageofstewardil60553@gmail.com

The Record/Information Request form must be completed in its entirety, dated, and signed by the individual making the request. A response to the FOIA Record/Information Request will be made within 5 business days.

*Please note that all septic/well requests must be obtained through the Lee County Health Department 815-284-3371

PLEASE PRINT

Name of Person Making request _____

Street Address _____

E-Mail Address _____

Phone Number _____

Records/Information Being Requested

How do you wish to receive request: _____

I hereby affirm that the information provided is correct to the best of my knowledge.

Signature of Person Making Request _____

Date of Request _____

For Office Use Only

Received By: _____ on _____

Date response Due: _____

Date response Sent/Picked-Up: _____ via _____

Signature of Person Completing Information Request _____

Date: _____

FOIA

The purpose of the Freedom of Information Act (commonly known as FOIA or the Act) is to ensure that all persons are entitled to full and complete information regarding the affairs of government, and the official acts and policies of those who represent them as public officials.

The principle mandate of the Act provides that each public body shall make available to any person for inspection, or upon submission of a written request, to provide copies of any requested records that are subject to disclosure under the Act. Not all records are subject to disclosure; the Act provides a number of exemptions.

This Act is not intended to be used to violate individual privacy, nor for the purpose of furthering a commercial enterprise, or to disrupt the duly-undertaken work of any public body independent of the fulfillment of any of the rights of the people to access to information (5 ILCS/140/1). The Act does not require the Village to create new records or to answer questions other than through the production of records.

Pursuant to 5 ILCS/140/2(c), a public record is any records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information, and all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of or under the control of any public body.

Response Time on FOIA Requests

All written requests shall be responded to within five (5) working days following the date the request is received. (5 ILCS/140/3) The five (5) day count begins the day after the receipt of the FOIA request by the Department FOIA Officer, or designee. The requester may be notified of a five (5) day extension (working days) if the files are voluminous, at different locations, or if other reasons make it impossible to assemble and mail the request out within the normal five (5) day period.

Denial of FOIA Requests

All village employees/trustees are encouraged to provide information when requested by the public. Information provided or denied must conform to the legal requirements under the Act. It may also be denied if it falls within a category under 5 ILCS/140/3(f) of the Act.

When a public body denies a request for public records, that body must, within five (5) days, or within an extended compliance period provided for in the Act, notify the person who made the request, by letter, of the decision to deny the request. The letter must explain the reasons for denial, and give the names and titles of all persons responsible for the denial.

Appeal of Denial of FOIA Requests

The Village of Steward has designated a FOIA Officer to receive and process FOIA requests for information available in the Village. Any person denied access by the FOIA Officer to inspect or copy any public record for any reason may appeal the denial by sending a writing notice of appeal to the Village Board of Trustees.

Fees

FOIA requesters may have to pay fees covering some or all of the costs of processing their request. Fees may be limited to actual mailing costs, duplication or publication costs. If a fee is due, you will be contacted on the costs, which must be paid prior to receiving the requested documents. If copying costs exceed \$25.00, a letter stating that you will pay all copying fees will be requested prior to the processing of your request.

Additional Information

For more information about FOIA Request response times and how to appeal a denial of a request please review the Freedom of Information Act at the Attorney General's FOIA Guide at <http://www.illinoisattorneygeneral.gov/government/FOIAGuide.pdf>

FOIA provides that requests for public records must be made in writing, although a public body may, in its discretion, honor an oral request. If it is not possible to honor an oral request while the requesting party waits, the requester may be asked to put that request into writing. See 5 ILCS 140/3(c).

Many public bodies make a form available for FOIA requests, which can be convenient for both the requester and the public body. However, a public body cannot **require** that a request be submitted on its form or in a certain format. Further, a public body may not require a requester to specify the purpose for a request, except to determine whether the records are requested for a commercial purpose or in conjunction with a request for a fee waiver. FOIA does not require a request to be signed or to include the requester's name. See 5 ILCS 140/3(c).

Written requests may be submitted to a public body via personal delivery, mail, fax, or other means available to the public body (such as e-mail). A person may request one or more specified records or may request all records falling within a category. The request must, however, reasonably identify the records that have been requested. *Kenyon v. Garrels*, 184 Ill. App. 3d 28 (4th Dist. 1989). All requests for inspection or copying that are received by a public body shall immediately be forwarded to its FOIA officer or his or her designee. **A public body's delay in forwarding the FOIA request to the FOIA officer does not extend the time period for a response.**