

Clay Township
Written Public Summary of the Department's Freedom
of Information Act (FOIA) Procedures and Guidelines

A. How to submit written requests.

FOIA requests to Clay Township can be sent by email, fax or mail to:

Email: clerk@claytownship.org

Fax: (810)794-1964

Mail: Clay Township

Attn: FOIA Coordinator

P.O. 429

Clay Township, MI 48001

Requests should include a name, phone number, and mailing address.

B. How to understand the Department's written responses to FOIA requests.

The Department has several options when responding to written requests for public records. It can grant the FOIA request, deny the request, grant it in part, deny it in part, or take one 10 business day extension. After 10 business days pass, the Department has to respond with one of the other options.

A processing fee may be charged if the request is granted in full, in part or denied in part. Fees are calculated using its procedures and guidelines and an itemization of the fees will be provided. The Department may require a good-faith deposit before it processes your request. After all fees are paid in full, the Department will produce records in its possession that fall within the scope of your request and that legally may be disclosed to the public. The Department may also notify you that some of the records you have requested are available on its website.

The requestor will be informed in writing if a request is denied. Reasons the Department may deny a request include:

1. The description of the records requested was unclear and the Department cannot determine what is being requested;
2. The Department has determined that it does not have records that respond to the request in its possession; or
3. The records requested are exempt from public disclosure.

If all or part of your request is denied, the Department will inform you of your Appeal Rights.

C. Deposit requirements.

If the Department estimates a fee to process a FOIA request greater than \$50.00, the Department will require a good-faith deposit before providing the public records. The deposit will not exceed 1/2 of the total estimated fee. Any written notice containing a notice of a deposit shall also contain a best efforts estimate by the Department regarding the time frame for providing the records. The time frame estimate is not binding upon the Department, but the Department will provide the estimate in good faith and strive to be reasonably accurate and to provide the public records in a manner based on this State's public policy under section 1 of the FOIA, MCL 15.231, and the nature of the request in the particular instance.

D. Fee calculations.

The FOIA permits the Department to charge a fee to process FOIA requests using a form to give a detailed itemization of the costs involved. The Department may charge for the following costs:

- A. the costs of labor for the search, location, and examination of public records;
- B. the costs of labor for the review of public records and separation and deletion of exempt from nonexempt material;
- C. the cost of non-paper physical media;
- D. the cost of duplication and publication of public records;
- E. the costs of labor for the duplication or publication of public records;
- F. the actual cost of mailing public records.

E. Avenues for challenge and appeal.

If the Department charges a fee or denies all or part of a request, you may submit to the head of the Department a written appeal that specifically states the word "appeal" and identifies the basis for which the fee should be reduced or the disclosure determination should be reversed. Written appeals may be sent to the email address or mailing address listed above and will be forwarded to the Township Clerk's Office or the person designated by the Clerk to respond to written appeals.