

ORDINANCE NO. 2010-1

AN ORDINANCE APPROVING AND ADOPTING RULES,
REGULATIONS, AND FORMS FOR THE IMPLEMENTATION OF
THE ILLINOIS FREEDOM OF INFORMATION ACT

WHEREAS, the Village of Lake Bluff (the "*Village*") is subject to the Illinois Freedom of Information Act, 5 ILCS 140/1, *et seq.* (the "*Act*"); and,

WHEREAS, on August 17, 2009, the Governor of the State of Illinois signed into law comprehensive amendments to the Act, which amendments take effect on January 1, 2010; and,

WHEREAS, it is appropriate and in the public interest that the Village:

- (i) assist the public in making requests under the Act;
- (ii) ensure that Village employees follow proper procedures in responding to requests under the Act;
- (iii) facilitate efficient compliance with the Village's duties under the Act; and
- (iv) delegate to appropriate Village officers and employees the authority and duty to carry out the requirements of the Act; and

WHEREAS, the President and Board of Trustees hereby find and determine that it is reasonable, necessary, and desirable for the Village to approve, and that the public interest in open and efficient government will be served by the approval of, the Rules and Regulations and Forms attached hereto and by this reference incorporated herein (the "**FOIA Rules and Forms**").

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LAKE BLUFF, LAKE COUNTY, ILLINOIS, as follows:

Section 1. Recitals.

The foregoing recitals are incorporated into this Ordinance as findings and determinations of the Village Board.

Section 2. Approval and Adoption of the FOIA Rules and Related Fees.

In order to establish rules, regulations, fees, and forms pursuant to, and in compliance with, the Act, as amended, the President and Board of Trustees hereby approve and adopt the FOIA Rules and Forms, in substantially the form as attached to this Ordinance as Exhibit A, but subject to revisions and amendments that the Village Administrator, in consultation with the Village Attorney, from time-to-time determines are necessary or appropriate to effect compliance with the Act in an administratively efficient manner. Any prior or inconsistent FOIA rules or forms are superseded by the FOIA Rules and Forms.

Section 3. Delegation of Authority.

The Village Administrator along with the officers and employees designated by the Village Administrator or otherwise set forth in the FOIA Rules and Forms shall be and are hereby authorized and directed to take all steps necessary to comply with and effectively administer the Act in accordance with the FOIA Rules and Forms. The Village Administrator is further authorized to appoint one or more Freedom of Information Officers and such deputies or assistants as the Village Administrator deems appropriate to assist in implementing the Act.

Section 4. Penalties.

Any requestor who is in violation of this ordinance shall be fined seven hundred fifty dollars (\$750.00) for each violation. A requestor is in violation of this ordinance if he or she does not accurately indicate whether the request for records was made for a commercial purpose. Each request for records, even if presented with other requests for records, shall be deemed a separate request for purposes of calculating fines for violations. To the extent permitted by law, no person who has any outstanding fees, charges, or fines due to the Village under this Ordinance or rules and regulations promulgated pursuant to this Ordinance, shall be allowed to make additional requests of the Village until such fees, charges, and fines shall have been fully paid. The Village Administrator, in consultation with the Village Attorney, is hereby directed and authorized to establish such rules and regulations accordingly.

Section 5. Copying Costs.

The Village shall charge a fee to recover costs associated with copying records. The amount of such fee shall be \$0.15 per page for black and white letter-size and legal-size copies, and, for all other copies, the Village's actual cost incurred.

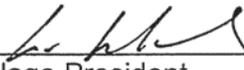
Section 6. Effective Date.

This Ordinance shall be in full force and effect from and as of January 1, 2010 and its approval in the manner provided by law.

PASSED this 11th day of January, 2010, by vote of the Board of Trustees of the Village of Lake Bluff, as follows:

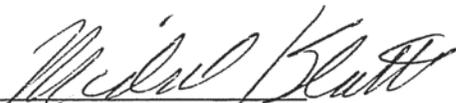
- AYES:** (5) Barkhausen, Carney, Josephitis, Lesser and O'Hara
NAYS: (0)
ABSENT: (1) Rener

APPROVED this 11th day of January, 2010.



Village President

ATTEST:



Village Clerk

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- FIRST READING:** December 14, 2009
SECOND READING: January 11, 2010
PASSED: January 11, 2010
APPROVED: January 11, 2010
PUBLISHED IN PAMPHLET FORM: January 12, 2010