

## UPPER UWCHLAN TOWNSHIP

RESOLUTION NO. 01-05-09-02

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF UPPER UWCHLAN TOWNSHIP, CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA, ADOPTING PROCEDURES AND FEES IN COMPLIANCE WITH Act 3 Of 2008 . . . Right To Know Law.**

**WHEREAS**, Upper Uwchlan Township hereby designates Gwen Jonik, Township Secretary, as the Township Open Records Officer and John DeMarco, Chief of Police, as the Township Police Department Open Records Officer, who may be contacted at  
140 Pottstown Pike  
Chester Springs, PA 19425  
610-458-9400 (phone)  
610-458-0307 (fax)  
Or via email

**WHEREAS**, all documents deemed public records shall be available for inspection, retrieval, and duplication at the Municipal Building during established business hours of Monday – Friday, 8:00 a.m. – 5:00 p.m. with the exception of weekends and holidays;

**WHEREAS**, requests shall be made in writing to the Township Open Records Officer on a form provided by the Township (attached);

**WHEREAS**, fees for paper copies and certification of a record shall be charged at the rates determined by the Pennsylvania Open Records Office. A page is defined as an 8.5" x 11" page, per side; specialized documents including, but not limited to blue prints, color copies, and non-standard sized documents shall be charged the actual cost of production. If mailing is requested, the cost of postage will be charged. The Township shall require pre-payment if the total fees are estimated to exceed \$100.00.

**WHEREAS**, the Township shall make a good-faith effort to provide the requested public record(s) as promptly as possible, the Open Records Officer shall cooperate with those requesting records to review and/or duplicate original township documents while taking reasonable measure to protect township documents from the possibility of theft,

damage, and/or modification. The Open Records Officer shall review all written requests for access to public records and shall respond to such requests in writing, no later than five (5) business days after receiving a written request. If access to a record is denied, the response shall include a reason for denial as stipulated in the Right-To-Know Law (Act 3 of 2008).

**WHEREAS**, if a written request is denied, the requester may file an appeal in writing to:  
Terry Mutchler, Executive Director,  
Office of Open Records  
Commonwealth Keystone Building  
400 North Street - Plaza Level  
Harrisburg, PA 17120—0225.

Appeals of criminal records shall be made to:  
Chester County District Attorney's Office  
201 West Market Street  
West Chester, PA 19380  
610-344-6801 (phone)  
610-344-5905 (fax)

The appeal shall be filed within fifteen (15) business days of the mailing date of the Township's response, or within fifteen (15) business days of a deemed denial. The appeal shall state the grounds upon which the requester asserts the record is a public record and shall address any grounds stated by the Township for delaying or denying the request.

**RESOLVED AND ENACTED** this 5 of January, 2009

**UPPER UWCHLAN TOWNSHIP  
BOARD OF SUPERVISORS**

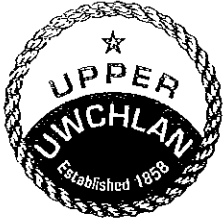
  
Catherine A. Tomlinson

  
Kevin C. Kerr

  
Guy A. Donatelli

ATTEST:

  
Gwen A. Jonik, Township Secretary



UPPER UWCHLAN TOWNSHIP  
RIGHT - TO - KNOW REQUEST FORM

DATE REQUESTED: \_\_\_\_\_

REQUEST SUBMITTED VIA:    E-Mail            U.S. Mail            Fax    In Person

NAME OF REQUESTOR: \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

DAYTIME TELEPHONE: \_\_\_\_\_  
(Optional)

RECORD(S) REQUESTED: Provide as much specific detail as possible.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you want to inspect the record(s)?    Yes    No

Do you want a copy of the record(s)?    Yes    No

Do you want certified copy of the record(s)?    Yes    No

Right To Know Officer: \_\_\_\_\_

Date Received By Upper Uwchlan Township: \_\_\_\_\_

Five (5)-Day Response Due: \_\_\_\_\_

\*\*The Township may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing (Section 702). Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law (Section 703).