

Fox Waterway Agency

45 S. Pistakee Lake Road, Fox Lake, Illinois 60020
(847) 587-8540 • Fax (847) 587-9742

Freedom of Information Request Instructions and Form (FOIA)

- Purpose of Request:** Indicate in Section 3 if this request is for a commercial purpose. It is a violation of the Freedom of Information Act for a person to knowingly obtain a public record for a commercial purpose without disclosing that it is for a commercial purpose if requested to do so by the public body. 5 ILCS 140.3.1(c). "Commercial purpose" means the use of any part of a public record or records, or information derived from public records in any form for sale, resale or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media, non-for-profit organizations, scientific or academic institutions shall not be considered to be made for a "commercial purpose" when the principal purpose of the request is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education.
- Inspection, Copies and/or Certification:** Please indicate in Section 4 whether you wish to inspect the public records at the office of the Fox Waterway Agency or if you wish to have them copied or certified by checking the appropriate space to the right of each record described.
- Fees:** By submitting this Request Form, you are agreeing to pay to the Agency, in advance of receiving copies of any public records, the copying and certification fees set forth below.
 - First 50 copies letter/legal pages (black & white): Free
 - Over 50 copies letter/legal pages (black & white): \$0.15 per page
 - Color and oversized copies shall be charged the actual cost of the reproduction.
 - Actual Postage Cost for Mailing
 - If request includes reproduction of electronic media (e.g. compact disk), the actual cost of this media.

You further acknowledge and agree that, if the services of an outside vendor are required to copy any public record, you shall pay the actual charges that the Agency incurs in connection with such copying services. You may provide a maximum dollar amount to reproduce the requested documents. By inserting a maximum dollar amount, you will be notified if the fees for the requested documents will exceed the amount indicated in Section 5. The Agency will not make any copies until you direct it to so and agree to pay the copying charges.

- Waiver of Fees:** Indicate in Section 6 whether you are requesting a waiver of the fees outlined above. The principal purpose in making the request must be for the benefit of the general public through the dissemination of information concerning the health, safety, welfare, or legal rights of the general public.
- Request for Mail Delivery:** The Agency will not mail copies of public records except upon satisfactory proof that it would be unduly burdensome for the Requestor to inspect or pick up the copies at the Agency's offices and then only upon advance payment of the actual cost of postage. If you wish to request mailing of the requested records, you must complete and separately initial the statement set forth in Section 7.
- Denial/Review:** If the Agency determines that a denial of the request is justified, you will be informed in writing, and reference to the specific legal reason under FOIA justifying non-disclosure will be provided. You have the right to seek review of the issue by the Public Access Counselor (PAC) in the Attorney General's office, as well as the right to seek judicial review by filing a court case. Your request for review must be in writing, must be signed by you, and must include a copy of the FOIA request for access to records and any responses from the Agency. It must be submitted within 60 calendar days of the Agency's final response (or date upon which the response was due). The Public Access Counselor is a part of the Public Access Bureau in the Attorney General's Office and may be contacted at: Public Access Bureau, 500 S. 2nd Street, Springfield, Illinois 62706; Phone: 217-558-0486; publicaccess@atg.state.il.us.

4. **Inspection, Copies and/or Certification** (Check all that apply)
 Inspect Copied Certified Mailed E-mailed (if available)

5. **Fees**
I understand that the Act permits a public body to charge a reasonable copying fee (140 ILCS 140/6) and have read the Agency's FOIA Instructions and Fee Information. I am willing to pay fees for this request up to a maximum of \$_____. If you estimate that the fees will exceed this limit, please inform me first.

6. **Waiver of Fees**
I am requesting a waiver of the fees, as my principal purpose in making the request is for the benefit of the general public through the dissemination of information concerning the health, safety, welfare, or legal rights of the general public. If a waiver is not granted, I understand that I will be responsible for the payment of all fees associated with the request.
- Yes No

7. **Request for Mail Delivery**
(Please initial if you request mail delivery and provide reason below)
- _____ I request that the Agency mail to me, at the address set forth in Section 3, copies of all public records responsive to this request. I understand that I will be required to, and do hereby agree to, pay the actual postage for such mailing before the records will be mailed. It would be unduly burdensome for me to pick up the requested records at the Agency's offices because:
- _____

8. **Signature of Requestor**
By signing this Request, I acknowledge and represent that I have reviewed and understood the Fox Waterway Agency Rules and Regulations for Implementation of the Illinois Freedom of Information Act and that all of the information provided in support of this request is true and accurate.

Signature of Requestor

Date

FOR AGENCY USE ONLY

Received by the Fox Waterway Agency, Lake and McHenry Counties, Illinois:

Date: _____ Time: _____

Method of Delivery (check one):

- Personal delivery during business hours
- Personal delivery after business hours
- Mail delivery during business hours
- Mail delivery after business hours
- Facsimile during business hours
- Facsimile after business hours
- Email delivery during business hours
- Email delivery after business hours
- Other _____

Agency employee receiving request:

Name: _____ Title: _____

Signature: _____ Response Due: _____

Agency employee responsible for compiling response:

Name: _____ Title: _____

Signature: _____ Response provided: _____

The Agency will disclose the public records requested on this Request Form within five Business Days after the receipt of this Request (non-commercial requests only), unless the five-day period is extended as provided by law or the request is denied. All extensions and denials will be in writing and will state the reasons therefore. A denial may be appealed to the Public Access Counselor, 500 S. Second St., Springfield, IL 62705, (217) 558-0486, within 60 Business Days after the date of the Notice of Denial. All appeals must be in writing. Judicial review is available under Section 11 of the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.*