

OFFICIAL
TOWNSHIP OF LEET
RESOLUTION 2022-06

A RESOLUTION OF THE TOWNSHIP OF LEET, ALLEGHENY COUNTY, PENNSYLVANIA,
SETTING A SCHEDULE OF FEES RELATIVE TO THE OFFICE OF OPEN RECORDS RIGHT TO
KNOW LAW

WHEREAS, the Township of Leet is a political subdivision properly formed under the laws of this Commonwealth of Pennsylvania; and

WHEREAS, the Township of Leet has elected to comply with Section 1307 of the Right to Know Law;

WHEREAS, the Township of Leet is required by said law to establish a fee schedule by Resolution;

THEREFORE, on this 13th day of June 2022, the Township of Leet hereby establishes the following fee schedule:

Record Type	Fee
Copies: Black and White (first 1000)	Up to \$0.25 per page
(beyond 1000)	Up to \$0.20 per page *1
(A "photocopy" is either a single-sided copy or one side of a double-sided black-and-white copy of a standard 8.5" x 11" page)	
Color Copies	Up to \$0.50 per copy *2
Certification of a Record:	Up to \$5.00 for each record plus Notarization Fees*9
Records Delivered via Email	No additional fee may be imposed *4
Specialized documents:	Up to Actual Cost *3
(For example, but not limited to, blueprints, color copies, non-standard sized documents)	
CD/DVD	Up to actual cost, not to exceed \$1.00 per disc
Facsimile/Audio/Video/Other Media:	Up to Actual Cost *5
Flash Drive	Up to Actual Cost
Redaction Fee:	No Redaction fee may be imposed *6
Photographing a record	No additional fee may be imposed *8
Conversion to Paper:	Up to \$0.25 per page *7
Postage Fees:	Actual Costs
Statutory Fees	Actual cost imposed by agency providing copy.
*Requester is required to pay all fees prior to the release of the records.	

***Requester is required to prepay 50% of fees if the fees required to fulfill the request are expected to exceed \$100.00.**

Footnotes:

1. A "copy" is either a single-sided copy, or one side of a double-sided copy, on 8.5"x11" or 8.5"x14" paper.
2. A "copy" is either a single-sided copy, or one side of a double-sided copy, on 8.5"x11" or 8.5"x14" paper. Note that a requester may ask for black and white copies even if the original is in color and color copies are available.
3. Including, but not necessarily limited to, non-standard sized documents and blueprints.
4. If a requester asks to receive records which require redactions in electronic format and the agency is unable to securely redact the records by electronic means, an agency may print the records to provide for secure redaction, then scan them in for delivery by email. Accordingly, the agency may charge the fees noted above for either B&W or color copies, as appropriate.
5. If an agency must print records to send them by facsimile, the agency may charge the fees noted above for B&W copies.
6. If a requester seeks records requiring redaction and the agency is unable to securely redact the records by electronic means, an agency may copy or print the records to provide for secure redaction. Accordingly, the agency may charge the fees noted above for either B&W or color copies, as appropriate.
7. If a record is only maintained electronically or in other non-paper media, duplication fees shall be limited to the lesser of the fee for duplication on paper or the fee for duplication in the original media, unless the requester specifically requests for the record to be duplicated in the more expensive medium. *See §1307(d)*.
8. This assumes the requester is using his or her own camera, such as a cellphone camera, to photograph the records. *See Muenz v. Township of Reserve, OOR Dkt. AP 2015-1021, 2015 PA O.O.R.D. LEXIS 1176*. If redaction is required prior to the requester being granted access to photograph records and the agency is unable to securely redact the records by electronic means, an agency may copy or print the records to provide for secure redaction. Accordingly, the agency may charge the fees noted above for either B&W or color copies, as appropriate.
9. Under the RTKL, an agency may impose "reasonable fees for official certification of copies if the certification is at the behest of the requester and for the purpose of legally verifying the public record." The OOR recommends no more than \$5 per record to certify a public record. Certification fees do not include notarization fees.

Additional Notes:

- **Fees May Be Waived:** All fees established herein may be waived at the discretion of the agency.
- **Medium Requested:** A record being provided to a requester shall be provided in the medium requested if it exists in that medium; otherwise, it shall be provided in the medium in which it exists. *See § 701*.
- **Other Statutory Fees:** If a statute other than the RTKL governs the amount an agency may charge for a certain type of record, the other statute controls. For example, a Recorder of Deeds may charge a copy fee of 50 cents per uncertified page and \$1.50 per certified page (42 P.S. § 21051). Police departments may charge up to \$15 for a copy of a vehicle accident

report (75 Pa.C.S. §3751 (b)(2)); the Philadelphia Police Department may charge up to \$25 per copy (Id. at (b)(3)). State police are authorized to charge “\$5 for each copy of the Pennsylvania State Police full report of investigation.” (75 Pa.C.S. §1956(b)). Other examples include the History Code, the Municipalities Planning Code, and the Criminal History Record Information Act.

- **Inspection of Redacted Records:** If a requester wishes to inspect, rather than receive copies of, records which contain both public and non-public information, the agency may redact the non-public information. An agency may not charge the requester for the redaction itself. However, if an agency is unable to securely redact the records by electronic means, the agency may charge (in accordance with the OOR’s Official Fee Schedule) for any copies it must make in order to securely redact the material before allowing the requester to view the records. If, after inspecting the records, the requester chooses to obtain the copies, no additional fee may be charged.
- **Enhanced Electronic Access:** If an agency offers enhanced electronic access to records in addition to making the records accessible for inspection and duplication by a requester, the agency may establish user fees specifically for the provision of the enhanced electronic access. The user fees for enhanced electronic access may be a flat rate, a subscription fee for a period of time, a per-transaction fee, a fee based on the cumulative time of system access, or any other reasonable method and any combination thereof. Such fees shall not be established with the intent or effect of excluding persons from access to records or duplicates thereof or of creating profit for the agency. **NOTE: Fees for enhanced electronic access must be reasonable and must be pre-approved by the OOR. Please [submit enhanced electronic access fee requests to the OOR](#).**
- **Fee Limitations:** Except as otherwise provided by statute, the RTKL states that no other fees may be imposed unless the agency necessarily incurs costs for complying with the request, and such fees must be reasonable. No fee may be imposed for an agency’s review of a record to determine whether the record is a public record subject to access under the RTKL. No fee may be charged for searching for or retrieval of documents. An agency may not charge staff time or salary for complying with a RTK request. No fee may be charged for an agency’s response letter.
- **Prepayment:** Prior to granting a request for access in accordance with the RTKL, an agency may require a requester to prepay an estimate of the fees authorized under this section if the fees required to fulfill the request are expected to exceed \$100. Once the request is fulfilled and prepared for release, the OOR recommends that the agency obtain payment prior to releasing the records.

Effective June 13, 2022

Attest:

TOWNSHIP OF LEET

Betsy Rengers, Manager

Martin C. McDaniel, President