

VILLAGE OF LYTTON

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY BYLAW NO. 724, 2022

A bylaw to provide for the administration of the Freedom of Information and
Protection of Privacy Act

WHEREAS the *Freedom of Information and Protection of Privacy Act*, [RSBC 1996], Chapter 165, as amended, requires that a municipality by bylaw:

- (a) must designate a person or group of persons as the head of the municipality for the purposes of the “*Freedom of Information and Protection of Privacy Act*”; and
- (b) may authorize any person to perform any duty or exercise any function under the “*Freedom of Information and Protection of Privacy Act*” as head of the municipality; and
- (c) may set any fees the municipality requires to be paid under section 75 of the “*Freedom of Information and Protection of Privacy Act*”.

NOW THEREFORE, the Council of the Village of Lytton, in open meeting assembled **ENACTS AS FOLLOWS**:

1. This Bylaw may be cited for all purposes as the “Freedom of Information and Protection of Privacy Bylaw No. 724, 2022”.

2. INTERPRETATION

In this bylaw:

“**Act**” means the “*Freedom of Information and Protection of Privacy Act*”, [RSBC 1996], Chapter 165.

“**Commercial Applicant**” means a person who makes a request for access to a record to obtain information to use in connection with a trade, business profession or other venture for profit.

“**Coordinator**” means the person designated in section 3.2 as the Information and Privacy Coordinator

“**Council**” means the Council of the Village of Lytton

“**Head**” means the person designated under section 3(1) of this Bylaw.

“**Request**” means a request under section 5 of the *Act*.

3. ADMINISTRATION

- 3.1 Council hereby designates the Chief Administrative Officer as the Head for the purposes for the *Act*, and in the absence of the Chief Administrative Officer, the Corporate Officer to act as the Head.

3.2 Council hereby designates the Corporate Officer as the Information and Privacy Coordinator for the purposes of the Act.

3.3 For the purposes of the Act, the Head and Coordinator shall act in their respective capacities for all Boards, Committees, Commissions and Municipal Corporations of the Village.

4. POWERS OF THE COORDINATOR

The Coordinator is hereby authorized to perform any duty and exercise any functions that the head is authorized and empowered to perform or exercise under the Act.

5. FEES

An applicant making a request shall pay to the municipality the fees set out in Schedule "A" to this Bylaw for the purposes of:

- (a) Locating, retrieving and producing records
- (b) Preparing records for disclosure
- (c) Shipping and handling records
- (d) Providing copies of records

6. SEVERABILITY

If any section, subsection, paragraph, subparagraph, or clause of his bylaw is for any reason held to be invalid by the decision of any court or competent jurisdiction, such decision does not affect the validity of the remaining portions of the bylaw.

7. REPEAL

Freedom of information Bylaw No. 463, 1997 is hereby repealed.

GIVEN FIRST, SECOND AND THIRD READINGS this , day of , 2022

ADOPTED this day of , 2022

Jan Polderman
Mayor

Mike Baker
CAO/Corporate Officer

SCHEDULE "A"
SCHEDULE OF FEES

1	For applicants other than commercial applicants:	
	(a) for locating and retrieving a record	\$7.50 per 1/4 hour after the first 3 hours
	(b) for producing a record manually	\$7.50 per 1/4 hour
	(c) for producing a record from a machine readable record from a server or computer	\$7.50 per 1/4 hour for developing a computer program to produce the record
	(d) for preparing a record for disclosure and handling a record	\$7.50 per 1/4 hour
	(e) for shipping copies	actual costs of shipping method chosen by applicant
	(f) for copying records	
	(i) floppy disks	\$2 per disk
	(ii) CDs and DVDs, recordable or rewritable	\$4 per disk
	(iii) computer tapes	\$40 per tape, up to 2 400 feet
	(iv) microfiche	\$3 per fiche
	(v) microfilm duplication	\$25 per roll for 16 mm microfilm, \$40 per roll for 35 mm microfilm
	(vi) microfiche or microfilm to paper duplication	\$0.50 per page (8.5" x 11")
	(vii) photographs, colour or black and white	\$5 to produce a negative \$12 each for 16" x 20" photograph \$9 each for 11" x 14" photograph \$4 each for 8" x 10" photograph \$3 each for 5" x 7" photograph
	(viii) photographic print of textual, graphic or cartographic record, black and white	\$12.50 each (8" x 10")
	(ix) dot matrix, ink jet, laser print or photocopy, black and white	\$0.25 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
	(x) dot matrix, ink jet, laser print or photocopy, colour	\$1.65 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
	(xi) scanned electronic copy of a paper record	\$0.10 per page
	(xii) photomechanical reproduction of 105 mm cartographic record/plan	\$3 each

	(xiii) slide duplication	\$0.95 each
	(xiv) audio cassette tape (90 minutes or fewer) duplication	\$5 per cassette plus \$7 per 1/4 hour of recording
	(xv) video cassette recorder (VHS) tape (120 minutes or fewer) duplication	\$5 per cassette plus \$7 per 1/4 hour of recording
2	For commercial applicants for each service listed in Item 1	the actual cost to the public body of providing that service