

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2795

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*, R.S.B.C. 1996, c. 165, as amended, requires that a municipality designate the Head and set any fees for services;

NOW THEREFORE the Council of the Township of Esquimalt, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as the "Freedom of Information Bylaw, 2012, No. 2795."

2. (1) The definitions contained in Part I of the Act shall apply to this Bylaw.

(2) In this Bylaw:

"Act" means the *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c. 165, as amended.

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

"Council" means the Council of the Township of Esquimalt;

"Head" means the person designated under section 3(1) of this Bylaw as the Head;

"Municipality" means the Township of Esquimalt; and

"Request" means a request under section 5 of the Act.

3. (1) The person from time to time appointed to the position of Corporate Officer of the Municipality is designated as the Head for the purposes of the Act.

(2) For the purposes of the Act, the Head shall act in his or her capacity for all Council, Boards, Commissions and Committees of the Municipality.

(3) The person from time to time appointed to the position of Deputy Corporate Officer of the Municipality is authorized to perform any duty or exercise any function under the Act as designated under Section 3(1).

4. An applicant making a request shall pay to the Municipality the fees set out in Schedule "A" of this Bylaw for the purposes of:
 - (a) locating, retrieving and producing a record;
 - (b) preparing a record for disclosure;
 - (c) shipping and handling a record; and
 - (d) providing a copy of a record.

5. The Freedom of Information and Privacy Bylaw, 1994, No. 2155 is hereby repealed.

READ a first time on the 19th day of November, 2012.

READ a second time on the 19th day of November, 2012.

READ a third time on the 19th day of November, 2012.

ADOPTED on the 3rd day of December, 2012.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER

SCHEDULE "A" TO BYLAW NO. 2795

PART 1 - FEES - APPLICANTS OTHER THAN COMMERCIAL APPLICANTS:

a) for locating and retrieving a record	\$7.50 per ¼ hour after the first 3 hours
b) for producing a record manually	\$7.50 per ¼ hour
c) for producing a record from a machine the central readable record	\$16.50 per minute for cost of use of mainframe processor on all locally attached devices plus \$7.50 per ¼ hour for developing a computer program to produce the record
d) for preparing a record for disclosure	\$7.50 per ¼ hour
e) for shipping copies	actual costs of shipping method chosen by applicant
f) for copying records:	
(i) photocopies and computer printouts	\$0.25 per page (8.5" x 11") and \$0.30 per page (11" x 17")
(ii) floppy disks	\$10.00 per disk
(iii) computer tapes	\$30.00 per tape up to 2400 feet
(iv) microfiche	\$10.00 per fiche
(v) 16 mm microfilm duplication	\$25.00 per roll
(vi) 35 mm microfilm duplication	\$40.00 per roll
(vii) microfilm/fiche to paper duplication	\$0.50 per page
(viii) photographs (colour or black & white)	\$5.00 to produce a negative \$12.00 each for 16"x20" \$9.00 each for 11"x14" \$4.00 each for 8"x10" \$3.00 each for 5"x7"

(ix) photographic print of textual, graphic or cartographic record (8'x10" black & white)	\$12.50 each
(x) hard copy laser print B/W 300 dots/inch	\$0.25 each
(xi) hard copy laser print B/W 1200 dots/inch	\$0.40 each
(xii) hard copy laser print, colour	\$1.65 each
(xiii) photomechanical reproduction of 105 mm cartographic record/plan	\$3.00 each
(xiv) slide duplication	\$0.95 each
(xv) plans	\$1.00 per square metre
(xvi) audio cassette duplication	\$10.00 plus \$7.00 per ¼ hour of recording
(xvii) video cassette (1/4' or 8mm)	\$11.00 per 60 minute cassette plus \$7.00 per ¼ hour of recording \$20.00 per 120 minute cassette plus \$7.00 per ¼ hour of recording
(xviii) video cassette (1/2' duplication)	\$15.00 per cassette plus \$11.00 per ¼ hour of recording
(xix) video cassette (3/4") duplication	\$40.00 per cassette plus \$11.00 per ¼ hour of recording

PART 2 - FEES - COMMERCIAL APPLICANTS:

For each service listed above, the cost will be the actual cost of providing that service.