

Resolution No. 02-01-07  
Introduced: February 12, 2007  
Adopted: February 12, 2007  
Effective: February 13, 2007

CHEVY CHASE VILLAGE

SUBJECT: A RESOLUTION TO ESTABLISH FEES TO BE CHARGED IN CONNECTION WITH THE SEARCHING FOR, PREPARING, AND REPRODUCING OF PUBLIC RECORDS PURSUANT TO THE MARYLAND PUBLIC INFORMATION ACT

WHEREAS, pursuant to Maryland's Public Information Act, Title 10, Subtitle 6, Part III of the State Government Article of the Maryland Code (the "Act"), public agencies may charge a reasonable fee for the searching for, preparing, and reproducing of public records furnished in response to requests made pursuant to the Act; and

WHEREAS, the Board of Managers of Chevy Chase Village (the "Village") desires to establish the fees to be charged in connection with the searching for, preparing, and reproducing of public records pursuant to the Act; and

WHEREAS, based on the recommendation of the Village Manager, the Board of Managers finds that the average cost of searching for, preparing, and furnishing copies of public records pursuant to the Act equals or exceeds the fees set forth in this Resolution; and

WHEREAS, the Circuit Court for Montgomery County, Maryland, imposes a copy fee of \$0.50 per page; and

WHEREAS, the Board of Managers finds that the fees set forth in this Resolution bear a reasonable relationship to the recovery of actual costs incurred by the Village, and the fees are not set to make a profit or deter requests to obtain copies of public records.

NOW, THEREFORE, it is, this 12th day of February, 2007, by the Board of

Managers:

RESOLVED, that the Board of Managers hereby establishes a copy fee of \$0.50 per page, for copies made by a photocopying machine and furnished in response to a request for public records made pursuant to the Maryland Public Information Act, and it is further,

RESOLVED, that if the Village Manager cannot copy a public record within the Village offices, the Village Manager shall make arrangements for the reproduction of the record at public or private facilities outside the Village offices, and the copy fee shall be the actual cost of the reproduction, and it is further,

RESOLVED, that if a person requests that a copy of a public record be certified as a true copy, an additional fee of \$2.00 per page shall be charged, and it is further,

RESOLVED, that the foregoing copy fees shall be in addition to any reasonable fee charged for the search and preparation of public records for inspection and copying, and it is further,

RESOLVED, that fees for the search and preparation of public records for inspection and copying shall be assessed on a quarterly-hour basis and determined by the Village Manager by identifying the category into which the staff member(s) conducting the search or preparation belong(s), determining the average quarterly-hour wages of all staff members within the category, and adding 15 percent to reflect the cost of additional benefits afforded to employees, provided, however, that search and preparation fees will not be charged for the first two (2) hours of search and preparation time, and it is further,

RESOLVED, that the Village Manager shall have the discretion to demand prepayment of any fees, in whole or in part, in advance of the searching for, preparing, and reproducing of public records, and it is further,

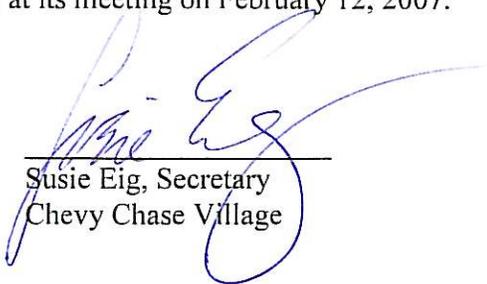
RESOLVED, that fees may be assessed for search time even if the search fails to yield any responsive records or if only records that are determined to be exempt from disclosure are located, and it is further,

RESOLVED, that the foregoing fees may be waived, in whole or in part, if the applicant requests a waiver and, after consideration of the ability of the applicant to pay the fees and other relevant factors, the Village Manager determines that the waiver would be in the public interest, and it is further,

RESOLVED, that if the applicant requests that copies of a public record be mailed or delivered to the applicant or to a third party, the Village Manager may charge the applicant for the cost of postage or delivery, and it is further,

RESOLVED, that the foregoing fees shall become effective on February 13, 2007.

I, Susie Eig, Secretary of the Board of Managers, hereby certify that the foregoing Resolution was adopted by the Board of Managers at its meeting on February 12, 2007.



---

Susie Eig, Secretary  
Chevy Chase Village

