



DISTRICT OF HIGHLANDS

BYLAW NO. 426

A BYLAW FOR THE ADMINISTRATION OF THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

WHEREAS, under section 77 of the *Freedom of Information and Protection of Privacy Act*, a local government:

- (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 set any fees the local public body requires to be paid under Section 75 of the *Freedom of Information and Protection of Privacy Act*.

NOW THEREFORE, the Council of the District of Highlands in open meeting assembled enacts as follows:

1.0 Definitions and Interpretation

1.1 The definitions contained in Schedule 1 of the Act shall apply to this Bylaw except where the context requires otherwise.

1.2 In this Bylaw:

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

“Corporate Officer” means the person assigned responsibility for corporate administration of the District under the *Community Charter*, section 148;

“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 District of Highlands;

“District” means the District of Highlands;

“Head” means the person designated under section 2 of this Bylaw as the Head of the District of Highlands;

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

2.0 Administration

2.1 The Corporate Officer is hereby designated as the Head for the purposes of the Act.

2.2 In the absence of the Corporate Officer, the Deputy Corporate Officer is designated as the Head for the purposes of the Act.

2.3 For the purposes of the Act, the Head shall act in his or her capacity for all Council, Boards, Commissions and Committees of the District.

3.0 Fees

- 3.1 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 a record;
 - (b) preparing a record for disclosure;
 - (c) shipping and handling a record; and
 - (d) providing a copy of a record.

4.0 Repeals

- 4.1 Bylaw No. 30, being the "District of Highlands Freedom of Information By-Law No. 30, 1994" is hereby repealed.

5.0 Name of the Bylaw

- 5.1 This Bylaw may be cited for all purposes as the "Freedom of Information and Protection of Privacy Bylaw No. 426, 2020."

READ A FIRST TIME THIS	2 nd	day of	November, 2020
READ A SECOND TIME THIS	2 nd	day of	November, 2020
READ A THIRD TIME THIS	2 nd	day of	November, 2020
ADOPTED THIS	16 th	day of	November, 2020




MAYOR


CORPORATE OFFICER

Schedule "A" to Bylaw No. 426

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	\$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) floppy disks	\$2.00 per disk
(ii) CDs and DVDs, recordable or rewritable	\$4.00 per disk
(iii) computer tapes	\$40.00 per tape up to 2400 feet
(iv) microfiche	\$3.00 per fiche
(v) 16 mm microfilm duplication 35 mm microfilm duplication	\$25.00 per roll \$40.00 per roll
(vi) microfiche or microfilm to paper duplication	\$0.50 per page (8.5" X 11")
(vii) photographs (colour or black and 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"
(viii) photographic print of textual, graphic or cartographic record (8"x10" black and white)	\$12.50 each
(ix) laser print or photocopy (black and white)	\$0.25 each (8.5"x11", 8.5"x14", and 11"x17")
(x) hard copy laser print (colour)	\$1.65 each (8.5"x11", 8.5"x14", and 11"x17")
(xi) scanned electronic copy of a paper record	\$0.10 per page
(xii) photomechanical reproduction of 105 mm cartographic record/plan	\$3.00 each
(xiii) slide duplication	\$0.95 each
(xiv) audiocassette tape (90 mins or fewer) duplication	\$5.00 plus \$7.0 per ¼ hour of recording
(xv) video cassette recorder (VHS) tape (120 minutes or fewer) duplication	\$11.00 plus \$7.00 per ¼ hour of recording

2. Fees – Commercial Applicants

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