

## **The Town's Responsibilities in Responding to Your Request**

As to each public record requested, FOIA requires that the Town make one of the following responses within the five-day time period:

- 1) Provide Record. We provide you with the records that you have requested in their entirety.
- 2) Withhold Record. We withhold all of the records that you have requested, because all of the records are subject to a specific statutory exemption. If all of the records are being withheld, we must send you a response in writing. That writing must identify the volume and subject matter of the records being withheld, and state the specific section of the Code of Virginia that allows us to withhold the records.
- 3) Provide & Withhold Record. We provide some of the records that you have requested, but withhold other records. We cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, we may redact the portion of the record that may be withheld, and must provide you with the remainder of the record. We must provide you with a written response stating the specific section of the Code of Virginia that allows portions of the requested records to be withheld.
- 4) Don't Have Record. We inform you in writing that the requested records cannot be found or do not exist (we do not have the records you want). However, if we know that another public body has the requested records, we must include contact information for the other public body in our response to you.
- 5) Take More Time. If it is practically impossible for the Town to respond to your request within the five-day period, we must state this in writing, explaining the conditions that make the response practically impossible. This will allow us seven additional working days to respond to your request, giving us a total of 12 working days to respond to your request.

If you make a request for a very large number of records, and we feel that we cannot provide the records to you within 12 working days without disrupting our other organizational responsibilities, we may petition the court for additional time to respond to your request. However, FOIA requires that we make a reasonable effort to reach an agreement with you concerning the time to produce the requested records, before we ask the court for more time.

- 6) Need a Deposit. If the Town determines that the charges for fulfilling your record request will likely exceed \$200, then, before continuing to process the request, the Town may request that you to pay a deposit not to exceed the estimated charges. The Town's request for such a deposit will toll or extend the time the Town has to produce the requested records by the same number of days it takes to receive the deposit.
- 7) Need Payment of Past-Due FOIA Charges. If you owe us money from a previous FOIA request that has remained unpaid for 30 or more days, the Town may require payment of the past-due charges before it will process your new FOIA request.