

CITY OF LIVONIA
SUMMARY OF FREEDOM OF INFORMATION ACT
PROCEDURES AND GUIDELINES

The City of Livonia (“City”), like other cities and governmental entities, keeps a variety of public records. Many of these documents are available to members of the public. If you have Internet access, the City’s website, www.ci.livonia.mi.us, offers quick and easy access to information about the City, therefore it is the best starting point if you are looking for data gathered by and about the City. But, thanks in large part to Michigan’s Freedom of Information Act (“FOIA”), a broader array of public records can – whether in hard copy or electronic form – be had upon your request. You may be charged for copying and various other costs incurred by the City in response to such requests, as described below.

FOIA requests must be in writing and must clearly state the record(s) sought. If a FOIA request is not specific enough, you may receive a notification to that effect, meaning you should try to state more clearly the public record(s) which you desire.

The law does not require a FOIA requestor to use any particular form to make a FOIA request. But for the convenience of both you and the City, the City may provide you with a form on which to make the request.

For best results, the request should be directed to the City’s FOIA Coordinator (the City Attorney) and/or the City department which created and maintains the public record(s) which you seek.

Your FOIA request sets in motion a process which is sometimes quick and easy, and sometimes complex and costly. It may involve one department or many departments, depending on the record(s) you have requested. This process naturally helps determine the amount that you are charged for your FOIA response.

The first step is for departmental staff to determine whether any or all of the record(s) you requested is/are on the City website. Assuming the request includes record(s) not on the website, the department next decides whether it will be necessary for you to pay a deposit before the records are retrieved. This can happen whenever the estimated cost of responding to your FOIA request exceeds \$50.00. The department will provide you with a detailed itemization of the estimated response costs any time a deposit is charged.

If your request is granted in whole or in part, payment must be made in full before any public record is made available to you. You will be provided with an itemization of the charges.

It is possible that your request will be denied, in whole or in part. The most obvious reason this might happen is that the document you are requesting might not exist in the City’s records. In some instances,

- Records sought are kept by County, State, or Federal government, but not the City.

- The record sought is kept by another community.
- The record sought is a record the government does not keep, for whatever reason.
- The record is exempt from disclosure.

FOIA has a long list of exemptions, including exemptions to protect personal privacy. FOIA requests sometimes put the City in the difficult position of deciding between protecting personal privacy and granting a FOIA request. Sometimes this leads to redacting the FOIA request: granting the document but blotting out the personal information. Any time a request is denied, you will receive a notice explaining your appeal rights.

Generally speaking, you have the right to inspect public records on request, but there may be a charge as City staff is responsible to protect the records from loss, destruction, etc.

City staff is not required to create documents or answer questions in response to FOIA requests.

Incarcerated persons are not entitled to submit FOIA requests.

You may be charged for copying costs when you request public records, and for postage if it is necessary to mail the records to you. Where necessary to prevent unreasonably high costs to the City, you may also be charged for the labor involved in searching for redacting and copying records.

In certain circumstances, such as indigency, fee discounts and exemptions may be available. The FOIA Coordinator handles exemption and discount requests.

Regularly published records can be provided as they are produced. The request for this service, along with a \$35.00 escrow for postage and copying, can be directed to the FOIA Coordinator. There are no labor charges for this service.

As with denials of records sought under FOIA, a claim that FOIA charges are excessive may be pursued through an appeal to the Mayor or an action in Wayne County Circuit Court.

An explanation will be provided anytime records are redacted (unless the reason is obvious) or deemed exempt.

This summary of the City's FOIA Procedures and Guidelines is just that – a summary. For a more detailed discussion of these procedures and guidelines, please consult the City of Livonia Freedom of Information Act Procedures and Guidelines.