

BUTLER COUNTY AIRPORT AUTHORITY

RIGHT-TO-KNOW LAW POLICY

Adopted 3/8/2018 pursuant to 65 P.S. § 67.504(a) **Effective Date: 3/8/2018**

I. Authority

The Butler County Airport Authority (“Agency”) adopts this policy pursuant to Section 504(a) of the Right-to-Know Law, 65 P.S. §§ 67.101-67.3104 (“RTKL”).

II. Definitions

All of the definitions set forth in the RTKL are incorporated in to this policy by reference.

Business day. The regular business hours of the Agency are Monday through Friday from 8:00 am to 4:00 pm. Business days exclude Saturday and Sunday and a weekday, or portion of a weekday, where the Agency is closed due to a state holiday, a weather-related closing, a natural disaster, or at the request of public safety or law enforcement officials.

III. Submitting a RTKL Request to the Agency.

A. Open Records Officer. The Agency has designated an Open Records Officer to respond to RTKL requests. The contact information for the Agency’s Open Records Officer is:

Shauna Holt Percy,
Open Records Officer

By Mail: 473 Airport Road
Suite 2
Butler, PA 16002

Phone: (724) 586-6665

Facsimile: (724) 586-9644

E-mail: Office@ButlerAirport.com

B. Request. Requests *should* be submitted in writing using the Form available on the Agency website or the RTKL Uniform Request Form and be addressed to the Agency Open Records Officer. If a requester chooses not to use the Form available

on the Agency website or the RTKL Uniform Request Form the request will be considered an informal request, not subject to the RTKL. To allow the Agency to locate responsive records and determine whether those records are public, requests for records should be specific and concise and clearly identify as precisely as possible the records sought. Requesters should retain a copy of the request for their file as a copy of the request is necessary should a requester appeal the Agency response.

- C. *Receipt of the request.* The Agency receives the request on the business day the Agency Open Request receives the request. Any request that is received by the Agency after the close of regular business hours shall be deemed to be received on the next business day. If the request is received by an Agency employee other than the Agency Open Records Officer, the request will be forwarded to Agency Open Records Officer as soon as practicable.
- D. *Verbal and anonymous requests.* The Agency will respond to verbal and anonymous requests for records. Requesters submitting verbal and anonymous requests for records may not pursue the remedies available to a dissatisfied requester under the RTKL.
- E. *Response period generally.* The Agency has five business days to respond to a request for records under the RTKL.

IV. The Agency Response.

- A. *Interim response.* The Agency is permitted to take an additional 30 days to respond to any request for the reasons set forth in Section 902 of the RTKL, 65 P.S. § 67.902. If the Agency invokes an extension, the Agency will inform the requester in writing.
- B. *Requester agreement to extend the response period.* The requester may agree, in writing, to extend the response period beyond 30 days. The requester must agree to the extension during the 5-business day or Agency extended response period.
- C. *Final response.* The Agency may grant a request, partially grant and partially deny a request, or deny a request in its entirety. The final response of the Agency will be in writing. Should the Agency fail to issue a response within the applicable response period, the request is deemed denied.
 - 1. *Granting access to records.* The Agency may grant a request for records by issuing a response: (1) granting access to inspect Agency records during the Agency's regular business hours; (2) sending copies of responsive records to the requester; or (3) by notifying the requester that the record is available on the Agency website or other publicly accessible electronic means.

2. *Denying or partially denying access to records.* Should the Agency deny or partially deny a request for records through redaction or otherwise, the Agency will inform the requester of the denial or partial denial in writing. The response will inform the requester that the Agency does not possess the responsive record or, if the information is exempt from public access, provide a citation to the relevant legal basis for withholding the requested information.

D. *Fees.* The Agency will charge duplication and certification fees consistent with the OOR Fee Structure.

V. **RTKL Appeals.**

Generally. To challenge the denial or deemed denial of a request for Agency records, an appeal may be filed with the Office of Open Records (“OOR”) by contacting:

Executive Director
Office of Open Records
333 Market Street, 16th Floor
Harrisburg, PA 17101-2234

An appeal must include a copy of the request and the Agency’s response.

Requirements of an appeal. All appeals: must be in writing; must state the grounds upon which the requestor asserts that the requested records are a public record; must address any grounds stated by the agency for denying the request; and must include a copy of the request and agency response, if any. All appeals must be filed within 15 business days of the mailing date of the agency’s denial or deemed denial of the request.

VI. **Additional Information about the RTKL.**

Additional information regarding the RTKL and the request and appeal process, including the OOR Citizen’s Guide, Agency Guides, and related forms, are available on the OOR website at <http://openrecords.state.pa.us>.