

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY BYLAW 2006 NO. 7024"

Consolidated Version

2013-JUL-08

Includes Amendments 7024.01, 7024.02

CITY OF NANAIMO

BYLAW NO. 7024

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 authorize any person to perform any duty or exercise any function under the *Freedom of Information and Protection of Privacy Act* of the person or group of persons designated as the Head of the Municipality, and
- (c) may set any fees the local public body requires to be paid under Section 75 of the *Act*.

NOW THEREFORE, the Council of the City of Nanaimo in open meeting assembled enacts as follows:

1. Title

This Bylaw may be cited for all purposes as the City of Nanaimo "FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY BYLAW 2006 NO. 7024".

2. Definitions and Interpretation

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

2.2 In this Bylaw:

"*Act*" means the *Freedom of Information and Protection of Privacy Act* of British Columbia as amended or replaced from time to time.

"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.

"Coordinator" means the person designated in Section 3.3 as the Freedom of Information Coordinator.

"Council" means the Council of the City of Nanaimo.

"Head"	means the person or group of persons designated under Section 77 of the <i>Act</i> as the Head of the Municipality and under Section 3 of this Bylaw.
"Municipality"	means the City of Nanaimo.
"Request"	means a request for information as provided for in the <i>Act</i> .

3. Administration

- 3.1 The Corporate Officer and Deputy Corporate Officer(s) are designated as the Head for the purposes of the *Act*. (*Bylaw 7024.02*)
- 3.2 The duties and functions of the Head have been delegated to the Coordinator by the Head in accordance with Section 66 of the *Act*. (*Bylaw 7024.02*)
- 3.3 The position of Claims/FOI Coordinator is designated as the Coordinator for the Municipality for the purposes of this Bylaw. (*Bylaws 7024.01, 7024.02*)

4. Powers of Coordinator

The Council hereby authorizes the Coordinator to perform the duties and exercise the functions of the Head under the *Act*. (*Bylaw 7024.02*)

5. Fees

An applicant making a request shall pay to the Municipality the fees set out in Schedule "B" of this Bylaw for the purpose of:

- (a) locating, retrieving and producing the record;
- (b) preparing the record for disclosure;
- (c) shipping and handling the record; and,
- (d) providing a copy of the record.

6. Repeal

City of Nanaimo "FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY BYLAW 1994 NO. 4842" is hereby repealed.

PASSED FIRST, SECOND AND THIRD READINGS 2006-FEB-27.
ADOPTED 2006-MAR-13.

SCHEDULE "A"
(Bylaw 7024.02)

FEE SCHEDULE

1. For 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 readable record \$16.50 per minute for cost of use of central mainframe processor and all locally attached devices, plus \$7.50 per ¼ hour for developing a computer program to produce the record
 - (d) For preparing a record for disclosure and handling a record \$7.50 per ¼ hour
 - (e) For shipping copies actual costs of shipping method chosen by applicant
 - (f) For copying records:
 - (i) photocopies and computer printouts \$.25 per page (8.5"x11", 8.5"x14")
\$.30 per page (11"x17")
 - (ii) floppy disks \$10.00 per disk
 - (iii) computer tapes \$40.00 per tape, up to 2400 feet
 - (iv) microfiche \$10.00 per fiche
 - (v) 16 mm microfilm duplication \$25.00 per roll
 - (vi) 35 mm microfilm duplication \$40.00 per roll
 - (vii) microfilm to paper duplication \$.50 per page
 - (viii) photographs \$5.00 to produce a negative
(colour or black & white)
\$12.00 each for 16" x 20"
\$9.00 each for 11" x 14"
\$4.00 each for 8" x 10"
\$3.00 each for 5" x 7"

Schedule "A" (cont.)

(ix) photographic print of textual, graphic or cartographic record (8"x10") (black & white)	\$12.50 each
(x) hard copy laser print, black & white, 300 dots/inch	\$.25 each
(xi) hard copy laser print, black & white, 1200 dots/inch	\$.40 each
(xii) hard copy laser print, colour	\$1.65 each
(xiii) photomechanical reproduction of 105 mm cartographic record/plan	\$3.00 each
(xiv) slide duplication	\$.95 each
(xv) plans	\$1.00 per square metre
(xvi) audio cassette duplication	\$10.00 plus \$7.00 per ¼ hour of recording
(xvii) video cassette (¼" or 8 mm) duplication	\$11.00 per 60 minute cassette, plus \$7.00 per ¼ hour of recording; \$20.00 per 120 minute cassette, plus \$7.00 per ¼ hour of recording
(xviii) video cassette (½") duplication	\$15.00 per cassette, plus \$11.00 per ¼ hour of recording
(xix) video cassette (¾") duplication	\$40.00 per cassette, plus \$11.00 per ¼ hour of recording

2. For Commercial applicants for each service in item 1, the actual cost of providing that service.