

Lower Gwynedd Township

Right to Know Policy

Approved by the Board of Supervisors on 11/26/24



Right to Know Law

Lower Gwynedd Township complies with the requirements of Pennsylvania Act 3 of 2008, the Right to Know Law. This law ensures that public information and records pertaining to the Township government are open and available, serving as a resource for citizens, public officials, and members of the media.

Public records of the Township shall be available for inspection, retrieval, and duplication at the Township Building during normal business hours as posted on the Township website, with the exception of Township-designated holidays.

Open Records Officer

The Board of Supervisors designates an Open Records Officer for Administration and for Police at their Organization Meeting in January of each year. The names of the Open Records Officers and the form and procedures for submitting a Right to Know request are on the Township website.

Requests

Requests shall be made in writing to the Administration or Police Open Records Officer, as applicable, on the [Standard Right to Know Law Request Form](#) on the website. Requests submitted on the Pennsylvania Office of Open Records' Standard Right-to-Know Request Form will also be accepted. Anonymous or verbal requests will not be considered.

Act 22 of 2017 (specifically, Chapter 67A of the Act) established a new process for requesting audio and video recordings in the possession of law enforcement agencies in Pennsylvania. Act 22 applies to individuals seeking "any audio recording or video recording made by a law enforcement agency." The Right-to-Know Law does not apply to requests for these recordings. Once the completed Act 22 form is filed, the agency has 30 days to respond, although the requester and agency can agree to an extension.

Fees

Fees will be charged in accordance with the schedule in the fee resolution adopted by the Board of Supervisors and posted on the Township website. All fees must be paid before documents are released. Pre-payment before documents is released is required if the total fees are estimated to exceed \$100.

Response

The Open Records Officer shall make a good faith effort to provide the requested public record(s) as promptly as possible and within the Right to Know Law's five-business-day timeframe. If the public records cannot be provided within five business days, the Open Records Officer is permitted to exercise a 30-day extension upon notifying the requester, in accordance with the Right to Know Law. The Open Records Officer shall cooperate with those requesting records to review and/or duplicate original documents while taking reasonable measures to protect original documents from the possibility of theft, damage, and/or modification.

If the Right to Know request is denied, the Open Records Officer will send the requester a letter stating:

- 1) a description of the record requested,
- 2) the specific reasons for the denial, including a citation of supporting legal authority,
- 3) contact information for the Open Records Officer,
- 4) the date of the response, and
- 5) the procedure to appeal the denial.

Contact Information for Appeals

If a written request is denied, the requester has the right to file an appeal in writing to Executive Director, Office of Open Records, 333 Market St., 16th Floor, Harrisburg, PA 17101. Appeals of criminal records shall be made to the District Attorney of Montgomery County at the Montgomery County Courthouse, P.O. Box 311, Norristown, PA 19404.

Appeals Process

Appeals must be filed within 15 business days of the mailing date of the Township's response. The law requires an appeal to include reasons why the record is a public record and to address the reasons for denial that the Township stated in its denial letter. Information on filing an appeal is on the PA Office of Open Records' website at www.openrecords.pa.gov.