

CITY OF SURREY

BY-LAW NO. 13662

A by-law for the administration of the Freedom of Information and
Protection of Privacy Act.

.....

As amended by: 17316; 01/10/11; 18364, 01/12/15; 19437, 12/18/17; 20116, 07/27/20; 20559, 02/14/22

THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BY-LAW PROVISIONS.

WHEREAS, the Freedom of Information and Protection of Privacy Act, RSBC 1996, Chapter 165, as amended, requires that a municipality by by-law:

- (a) must designate a person or group of persons as the head of the municipality for the purposes of the Act;
- (b) may authorize any person to perform any duty or exercise any function under the Act as Head of the municipality; and
- (c) may set any fees the municipality requires to be paid for providing the services described in Section 75 of the Act.

NOW, THEREFORE, the Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

Title

- 1. This By-law be cited for all purposes as the "Freedom of Information By-law, 1999, No. 13662."

Definitions and Interpretation

- 2. (1) The definitions contained in the Act shall apply to this By-law except where the context requires otherwise.

(2) In this By-law:

"Act" means the Freedom of Information and Protection of Privacy Act, RSBC 1996, Chapter 165, as amended.

"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(2) of this By-law as the Information and Privacy Coordinator.

"Council" means the Council of the City of Surrey.

"Head" means the person designated under Section 3(1) of this By-law as the Head.

"City" means the City of Surrey.

"Request" means a request under Section 5 of the Act.

"Records " includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records.

Administration

3. (1) The City Clerk is designated as the Head for the purposes of the Act and is bound to uphold the spirit and intent of the Act.
- (2) The Records and Privacy Manager is designated as the Information and Privacy Coordinator.
- (3) For the purposes of the Act, the Head and the Coordinator shall act in their respective capacities for the Board of Variance, and for all Commissions and Committees of the City.

Powers of the Coordinator

4. The Head may delegate any of the Head's duties under the Act to the Coordinator.

Fees

5. (1) An applicant making a request shall pay to the City a non refundable application fee as set out in Schedule A.

- (2) The application fee in Section 5(1) does not apply to a request for the applicant's own personal information.
- 6. (1) An applicant making a request shall pay to the City the fees set out in Schedule A for the purposes of:
 - (a) locating, retrieving, and producing a record;
 - (b) preparing a record for disclosure;
 - (c) shipping and handling a record; and
 - (d) providing a copy of a record.
- (2) The service fees in Section 6(1) do not apply to a request for the applicant's own personal information.

Repeal

- 7. "Freedom of Information By-law, 1994, No. 12500" is hereby repealed.

PASSED THREE READINGS on the 22nd day of February, 1999.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 1st day of March, 1999.

_____"D.W. McCALLUM"____MAYOR

_____"D.B. KENNY"____CLERK

Schedule A

Fees – Applicants Other Than Commercial Applicants

<u>Section</u>	<u>Services Provided</u>	<u>Fee</u>
5(1)	Application fee	\$10.00 (non-refundable)
6(1)(a)	Locating, retrieving and producing a record	\$7.50 per ¼ hour or the actual cost of staff time, whichever is greater (Note: the first 3 hours are free of charge)
6(1)(b)	Preparing a record for disclosure	\$7.50 per ¼ hour
6(1)(c)	Shipping and handling a record	Actual cost of shipping method chosen by applicant
6(1)(d)	Copying format:	
	Black and white electronic copy or photocopy of a record	\$0.25 per page (8.5" x 11", 8.5" x 14", or 11" x 17")
	Colour electronic copy or photocopy of a record	\$1.65 per page (8.5" x 11", 8.5" x 14", or 11" x 17")
	DVD/CD	\$4.00 per disk

Fees – Commercial Applicants

For each service listed above, the cost will be the actual cost of providing that service, in addition to the non-refundable application fee of \$10.00.

Routine Release Records

The above fees do not apply to records routinely available for release. In the case of routine release records, the applicable administrative fees apply.

All fees are subject to applicable taxes.