

TOWN OF GRAY MAINE

FREEDOM OF ACCESS ACT POLICY

*Adopted October 6, 2020; Amended December 14, 2021; Amended September 20, 2022;
Amended November 15, 2022*

HOW TO SUBMIT A FOAA REQUEST

Requests to inspect or obtain copies of public records of the Town, may be submitted verbally or in writing, in person, electronically, or over the phone.

To aid the Town in properly searching for and collecting any responsive documents, the request should describe the public record in as much detail as possible. The request should also include the name, address, and contact information (phone number or email address) of the requester. Failure to provide sufficient information may require the Town to seek additional clarification from the requester, thereby delaying processing of the request. To assist the Town in providing a prompt response, it is helpful if your request states "FOAA Request" in the subject line of the email or communication containing the request.

Requests for public records may be made:

- Via email to the FOAA Officer: admin@graymaine.org
- In person or by mail at: Town of Gray, ATTN: FOAA Officer, 24 Main Street, Gray, ME 04039
- Via fax to (207) 657-2852 - Attn: FOAA Officer

(Note that a request sent by fax or email is deemed received the following business day).

HOW TO UNDERSTAND THE TOWN'S RESPONSE

Acknowledgement of Receipt: Within 5 business days after receiving a FOAA request, the Town will respond to the requester acknowledging that the request was received. Thereafter, the Town will provide a response to the request within a reasonable time.

Granted Requests: If any part of the request is granted, the Town will require payment in full of any fees associated with preparing and/or copying the request, before the public record is released. If public records are available for free on a Town internet site, a requester may still request the Town provide copies of those records, however fees may still be charged for producing copies of said records, as detailed below. There is no charge for electronic document copies, with the exception of the time it takes staff to research and prepare the electronic file.

Denied or Redacted Requests: A request may be wholly or partly denied if the Town does not possess the requested record or if specific exemptions listed in the FOAA apply. If a denial is based on an exemption, the public records or portions of public records subject to the exemption will be redacted or omitted, the exemption will be explained, and an exemption log may be prepared and sent to the requester if requested. Any denial of a request for public records shall be issued to the requester within five (5) working days of receipt.

FEE CALCULATIONS

Public records requests are subject to the following fees, which must be paid in full before the Town will release any responsive documents.

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The first two hours of Town staff time spent searching for and reviewing public records is free. After that, staff time is billed at \$25.00 per hour. Time is billed in hourly increments, therefore any time spent on a request will be rounded to the next whole hour. [1 M.R.S. § 408-A\(8\)\(B\)](#)

The Town currently charges for the actual cost of paper copies and media as follows:

Paper Copies	
8½ x 11 or 8 ½ x 14	\$.10 per sheet, black and white \$1.00 per sheet, color
11 x 17	\$1.00 per sheet, black and white \$1.50 per sheet, color
Ordinance Copies	\$10.00 each
Compact Disc or DVD	\$40.00 each
Photographs, videotapes, maps, plans, blueprints, microfilm, and other media that must be duplicated or published off-site*	Actual cost of duplication/publication charged to Town, including postage
Other media provided by the Town	Varies depending on actual cost of the media

* [1 M.R.S. § 408-A\(8\)\(C\)](#)

The Town charges the cost to mail a public record to a requester, including delivery confirmation, except that postage costs are waived (including the Town’s written response) that fit into a business envelope. [1 M.R.S. § 408-A\(1\), \(2\), \(8\)\(E\)](#)

All fees will be detailed on an itemized form provided in the response.

Please note: Prepayment for a request will be required where an invoice for a previous request has not been paid. A deposit of 50% will be required for any requests estimated to exceed \$100. These fees are due prior to any work being performed by staff.

APPEALS

Any person who is aggrieved by the Town’s refusal or denial to inspect or copy of a record, or copying a record, may appeal the refusal, denial, or failure within thirty (30) calendar days of the person’s receipt of the written notice of refusal, denial, or failure to the Maine Superior Court in Cumberland County, pursuant to 1 M.R.S. § 409.

Any questions regarding this policy can be directed to the FOAA Officer.