

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City
Town of..... East Hampton
Village

Local Law No..... FIFTEENof the year 20.....

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
JAN 05 2004
MISCELLANEOUS
& STATE RECORDS
03

A local law adding Ch. 48; to provide rules and regulations with respect to public access to
(Insert Title)
public records of the Village of East Hampton.

Be it enacted by the Board of Trusteesof the
(Name of Legislative Body)

County
City
Town of East Hampton
Villageas follows:

SECTION I. Legislative Purpose and Intent. Article 6 of the Public Officers Law provides that "governing body of each public corporation shall promulgate uniform rules and regulations" in conformity with the provisions of the Freedom of Information Law pertaining to the administration of the Freedom of Information Law. This local law is enacted to set forth the rules and regulations of the Village with respect to access to public records.

SECTION II. Chapter 48 is hereby added to of the Code of the Village of East Hampton follows:

Chapter 48

Records, Public Access

§48-1. Rules and regulations.

The following rules and regulations are hereby adopted with respect to public access to public records of the Village of East Hampton:

- A. Each department of the Village shall follow the procedures and guidelines set forth in the rules and regulations of the Committee on Open Government and Article 6 of the Public Officers Law of the State of New York.
- B. The Village Administrator, Village Hall, is hereby designated as the records access officer.

(If additional space is needed, attach pages the same size as this sheet, and number each)

- C. Public records of the Village shall be available for public inspection and copying at the Village Hall, Main Street, East Hampton, or at the location where they are kept.
- D. Each department of the Village shall accept requests for public access to records and produce public records during all hours regularly open for business, which hours are ordinarily 9:00 a.m. to 4:00 p.m., Monday through Friday.
- E. A request for access to public records may be oral or in writing, as specified by the records access officer. The records access officer shall have up to five business days to respond to requests for records.
- F. The Mayor of the Village of East Hampton is hereby designated as the person to hear appeals on the denial of a request for access to public records.
- G. Denial of access by the records access officer shall be in writing, stating the reasons therefore and advising the requester of his right to appeal to the designated person. The designated person to hear appeals shall inform the requester of his decision, in writing, within 10 business days of receipt of the written appeal.
- H. The fees for copies of records shall be as prescribed in §87-1(b)(iii) of the Public Officers Law of the State of New York, unless a different fee is prescribed by statute.
- I. In making records available to the public, access may be denied to and identifying details may be deleted from records and information which, if disclosed, would constitute an unwarranted invasion of personal privacy, or which are specifically exempted from disclosure by state or federal statute, including but not limited to all the exemptions listed in §87 of the Public Officers Law.
- J. Each department of the Village shall maintain and make available to the public a subject matter list of records in conformity with the rules and regulations of the Committee on Open Government.
- K. Notice. Each department of the Village shall post in a conspicuous location where its records are kept a notice containing at least the following information:
 - (1) The location where public records shall be made available for inspection and copying.
 - (2) The name, title, business address and business telephone number of the designated records access officer.
 - (3) The right to appeal by any requester denied access and the name and business address of the person to whom an appeal is to be directed.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. FIFTEEN of 2003 of the ~~(County)~~~~(City)~~~~(Town)~~(Village) of East Hampton was duly passed by the Board of Trustees on Dec. 19, 2003, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20_____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the County of Suffolk State of New York, having been submitted to the electors at the General Election of November _____ 20_____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph one, above.



Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body
LARRY CANTWELL, VILLAGE ADMINISTRATOR

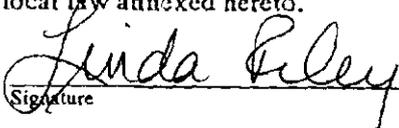
(Seal)

Date: 12/26/03

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Suffolk

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature

LINDA RILEY, VILLAGE ATTORNEY

Title

County _____
City of EAST HAMPTON
Village _____

Date: 12/29/03