



# TOWN OF CHESAPEAKE CITY

108 Bohemia Ave.  
Chesapeake City, MD 21915  
(410) 885-5298

## PUBLIC INFORMATION REQUEST FORM

Contact / Return Form To: Rob Bernstine  
108 Bohemia Ave.  
Chesapeake City, MD 21915  
(410) 885-5298 ext. 108  
Fax: (410) 885-2515  
[r.bernstine@chesapeakecity-md.gov](mailto:r.bernstine@chesapeakecity-md.gov)

DATE OF REQUEST: \_\_\_\_\_

NAME OF REQUESTOR: \_\_\_\_\_

COMPANY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_ EMAIL: \_\_\_\_\_

I hereby request, under Maryland's Public Information Act (PIA), outlined in Sections 4-101 through 4-601 of the General Provisions Section of the Annotated Code of Maryland, [ ] to review and/or [ ] to have copies made of the requested documents. **[Please check how you wish to review your PIA]**

I REQUEST THE FOLOWING PUBLIC RECORD/S (please be specific):

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REQUESTOR'S SIGNATURE: \_\_\_\_\_

(REV. 2/10/2020)



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**Town Use Only (Please Do NOT Write Below This Line)**

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APPROVED

DENIED – Reason:

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*You may seek judicial review of this response pursuant to MD Code Ann., General Provisions Article, § 4-1A-05 et seq.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
*Rob Bernstine, Town Manager*

Amount Due: \_\_\_\_\_

Amount Paid: \_\_\_\_\_ Date Paid: \_\_\_\_\_ Cash/Check #: \_\_\_\_\_

PICKED UP BY: \_\_\_\_\_

DATE PICKED UP: \_\_\_\_\_



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## **PUBLIC INFORMATION REQUEST INSTRUCTIONS**

A Maryland Public Information Act (MPIA) request grants the right to review available records that are disclosable and to obtain copies of those records. The MPIA does not require the Town to answer informational questions or to create a record to satisfy a request. In some instances, the Town will be able to respond to your request immediately. For requests that require searching for public records, it may take longer to respond to your inquiry. Your request to access public information will be handled in a timely manner; if it will take more than ten (10) working days to produce responsive records, then notice will be provided to you in writing or by email within ten (10) working days of receipt of your request telling you how much time it will take to produce the record, the reason for the delay, and an estimate of the range of fees that might be involved in producing the record. Please note, however, that the State of Maryland allows up to thirty (30) days to actually provide the documents that respond to your request. Please also note that, if a fee is charged, the MPIA allows the Town to charge a "reasonable fee" for copies of records. The Town may also charge a reasonable fee for searching for a public record. This charge may include the time required for locating and reviewing the record. The first two hours of search time are free, but an extensive search may prove time consuming and, therefore, expensive.

The MPIA permits the Town to assess a charge for the search, preparation and reproduction of a public record to be made available for inspection. There is no charge for the first two (2) hours of agency research related to MPIA requests; however, after the first two (2) hours, costs and fees will be based on each staff member's salary and actual time attributable to the Town's response, including attorney review costs. In accordance with the MPIA, copies of the records will be provided to the applicant upon payment of an additional fee of \$0.25 per page. In situations where a request is not voluminous, in the exercise of the sole and exclusive discretion of the Director of Administration on behalf of the Town, the standard \$0.25 per page copying fee may, but is not required to be, waived. Such a waiver should not be construed as having any precedential effect, and the applicant should note that such a waiver will, if granted, be without prejudice to the Town's right to impose charges for reproduction of records in the future, to be determined on a case-by-case basis. The applicant will be notified in advance of the disposition of a waiver request and copying cost before copies are made. Requests that involve email transmissions or electronic archives require the Town to engage in a computer search and restoration and analysis process. Such a request may result in the disclosure of a significant number of duplicate documents, as sent to multiple addressees. As with paper documents, all email transmissions and electronic archives must be reviewed in order to determine which records may properly be disclosed, which are subject to privilege and withholding under one or more of the exception to disclosure set forth in the MPIA, and which are positively required to be withheld from disclosure pursuant to the MPIA. The Town will cause an e-discovery search and analysis to be performed upon request; if the applicant chooses to do so, then the Town will develop an estimate of the administrative cost which will be incurred in order to comply with the request.

Upon receipt of your request, the Town will perform a preliminary assessment to determine if the Town is the appropriate custodian of the records. The Town will also review the request for completeness. To offer



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the most efficient customer service, the Town might require payment for any work performed to search, prepare and copying process. You may hand-deliver the payment once your request is approved and quote provided as to cost. Please make your money order or check payable to "Town of Chesapeake City". The Town does not accept cash through the mail, credit cards, or PayPal. Requests can be received only when the Town is open. If the Town does not receive your payment within thirty (30) calendar days from the date of our reply, it will presume that you are no longer interested in pursuing your request and close the file accordingly. To obtain the documents, you must submit a new request. Persons who disagree with any response to a PIA request may seek review of the decision in accordance with Md. Code Ann., General Provisions Article, § 4-1A-05 et seq. Comments or questions may be directed to:

[r.bernstine@chesapeakecity-md.gov](mailto:r.bernstine@chesapeakecity-md.gov)

Exceptions to disclosure of certain records are set forth in the MPIA. In particular:

1. Certain records produced in response to a request may consist of confidential communications and memoranda between Town officials and legal counsel, and thus are subject to the attorney-client privilege and protected from disclosure as a privileged or confidential record.
2. Certain records produced in response to a request may constitute intra-agency memoranda and thus are protected from disclosure as contrary to the public interest.
3. Certain records produced in response to a request may constitute confidential business and financial information and thus are protected from disclosure as contrary to the public interest.
4. Based upon the results of any review of the Town's electronically maintained records, one or more of such records may also be subject to protection from disclosure under the MPIA.

Please note that the applicant is entitled to an administrative and/or judicial review of decisions to deny access. See Md. Code Ann., General Provisions Article, § 4-1A-05 et seq. Notice of any such determination will be provided to the applicant as and if such a determination is made.