

**TOWN OF SCITUATE**

**POLICY**



**HOW TO EXAMINE**

**OR COPY**

**PUBLIC RECORDS**

**Town of Scituate, R.I.**  
**195 Danielson Pike, No. Scituate, RI 02857**

**HOW TO EXAMINE OR COPY PUBLIC RECORDS**

The Scituate Town Clerk has adopted this procedure pursuant to R.I. Gen. Laws § 38-2- 3(c) for responding to requests from members of the public who want to examine or copy Town records. This procedure applies to all departments, boards, commissions, and committees of Town government.

1. If you are requesting a document that was prepared specifically for public distribution (for example, the Zoning Ordinance), your request should be made to the department where the document is kept. If your request is for any other record, your request should be made to the Town's Public Records Officer.
2. The Public Records Officer for the Town of Scituate is the Town Clerk. The Town Clerk's office is open Monday through Friday, except holidays, from 8:30 a.m. to 4 p.m. The telephone number is 401-647-2822, ext. 6. The Town Clerk's email address is [Scitclerk@aol.com](mailto:Scitclerk@aol.com)
3. If you are requesting a document that was prepared specifically for public distribution and is readily available, it will be provided to you as soon as practicable.
4. If you are requesting any other document, Town employees will respond to your request as soon as reasonably possible. The Access to Public Records Act gives the Town 10 (ten) business days to respond. That period may be extended under some circumstances. You are not required to make your request in writing. However, putting the request in writing will make it easier for Town employees to provide exactly what you are looking for.
5. You are allowed to examine the records instead of paying for copies of the records. The Town may limit the number of files or documents you may examine at any one time, but not the number of documents that you may ask to examine.
6. Copies of 8 ½ by 11 inch or 8 ½ by 14 inch documents cost 15 cents per page. Under State law, copies of some 8 ½ by 11 inch or 8 ½ by 14 inch documents, such as those recorded in the land evidence records, cost more. For larger copies, or for information provided in a medium other than paper (for example, a compact disk), the cost will be equivalent to what it costs the Town to provide or reproduce the material. If records are in storage, search and retrieval is free for the first hour, and the cost is \$15 per hour after the first hour. The Public Records Officer must give you an estimate of what it will cost for the records you are requesting. If the estimate is more than \$20, you must pay in advance, and if the actual cost is lower you will get a refund.
8. The Town will not mail copies to you. You must pick up copies in person, arrange to have the copies picked up, or provide a stamped, self- addressed envelope.
9. If your request is denied, you will receive a letter stating the specific reason for denial. You have the right to appeal the denial to the Town Council President.
10. If you would like to see a copy of the Attorney General's Guide to Open Government, which includes a discussion of the Access to Public Records Act, it is available at <http://www.riag.state.ri.us/documents/reports/opengov.pdf>.

*Date of Adoption: January 31, 2011*

# TITLE 38

## Public Records

### CHAPTER 38-2

#### Access to Public Records

#### SECTION 38-2-3

**§ 38-2-3 Right to inspect and copy records – Duty to maintain minutes of meetings – Procedures for access.** – (a) Except as provided in § 38-2-2(4), all records maintained or kept on file by any public body, whether or not those records are required by any law or by any rule or regulation, shall be public records and every person or entity shall have the right to inspect and/or copy those records at such reasonable time as may be determined by the custodian thereof.

(b) Each public body shall make, keep, and maintain written or recorded minutes of all meetings.

(c) Each public body shall establish procedures regarding access to public records but shall not require written requests for public information available pursuant to R.I.G.L. § 42-35-2 or for other documents prepared for or readily available to the public.

(d) If a public record is in active use or in storage and, therefore, not available at the time a person requests access, the custodian shall so inform the person and make an appointment for the citizen to examine such records as expeditiously as they may be made available.

(e) Any person or entity requesting copies of public records may elect to obtain them in any and all media in which the public agency is capable of providing them. Any public body which maintains its records in a computer storage system shall provide any data properly identified in a printout or other reasonable format, as requested.

(f) Nothing in this section shall be construed as requiring a public body to reorganize, consolidate, or compile data not maintained by the public body in the form requested at the time the request to inspect the public records was made except to the extent that such records are in an electronic format and the public body would not be unduly burdened in providing such data.

(g) Nothing in this section is intended to affect the public record status of information merely because it is stored in a computer.

(h) No public records shall be withheld based on the purpose for which the records are sought.

#### **History of Section.**

(P.L. 1979, ch. 202, § 1; P.L. 1984, ch. 372, § 2; P.L. 1997, ch. 326, § 168; P.L. 1998, ch. 378, § 1.)