Town of Fair Haven THE SLATE CENTER OF THE NATION • CHARTERED OCTOBER 27, 1779

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Policy and Fee Schedule for Charges Related to Governmental Services

As a *"political subdivision"* of the state the Town of Fair Haven is considered a *"public agency"*. Public agencies in Vermont exist to aid in the conduct of the people's business and are accountable to them.[1]

The Fair Haven Selectboard believes the state's Constitutional reference to the *"people's business"* is defined by the duties and responsibilities required and otherwise enabled by state and federal law and, as such, the board defines that role as *"governmental service"*. Any other service is considered *"non-governmental"*. The Selectboard further believes that it is good public policy to carry out governmental services to the best of its abilities for purposes of being most accountable to the Town's citizens.

To that end, the Selectboard finds it is necessary to own and maintain office equipment for Town staff and officials to help carry out said governmental service, including the provision of public records and documents defined in 1 VSA §317 (except those public records exempted in 1 VSA §317). In addition, the Selectboard believes the use of said office equipment for non-governmental service and the provision of public records and documents would pre-occupy and otherwise adversely interfere with the Town staff and officials' obligation to carry out its governmental service duties and responsibilities.

According to 1 VSA §316, the Town of Fair Haven is enabled to charge fees for the actual cost for certain governmental services, including the provision of public records and documents. Therefore, the Fair Haven Selectboard hereby adopts the following schedule of fees:

1. **Governmental Service/Public Record Charges** – Fees shall be those determined by the Vermont Secretary of State, pursuant to 1 VSA §316(d), as may be amended (i.e., the *Uniform Schedule of Public Record Charges for State Agencies*), or as otherwise overridden by other parts of Vermont statute. The most current state schedule is attached for reference.

2. **Non-Governmental Service Requests/Non-Public Record Charges** – The Town is under no statutory obligation to provide non-governmental service requests, including making copies, sending faxes, printing from electronic devices (e.g., computers), and any other form of copying of non-public records. In fact, the Town finds it could be inappropriately competing with the private sector if it engaged in the provision of such non-governmental activity. As such, Town employees and Town-owned equipment (e.g., copiers, printers, fax machines, computers, etc.) are **not** available for the provision of non-public record copies or non-governmental services.

Beyond any statutory responsibility of the Town Clerk/Treasurer, the collection of the above fees will be conducted by the Office Assistant/Accounts Receivable staff person.

Adopted by the Fair Haven Selectboard this 12TH day of NOVEMBER, 2013.

[1] Chapter I, Article VI of the Vermont Constitution

Policy and Fee Schedule for Charges Related to Governmental Services

Christopher Cole, Chair

Claire Stanley, Clerk

Bob Richards

Jeff Sheldon

David Ward

Vermont Office of the Secretary of State
Official Fee Schedule for Copying Public Records

Under 1 V.S.A. 316(d) the secretary shall adopt, by rule, a uniform schedule of public record charges for state agencies. The current rule was adopted November 14, 2003 and became effective on December 1, 2003. The schedule also applies, under 1 V.S.A. 316(e), to political subdivisions whose legislative bodies have not adopted a uniform schedule. The schedule does not apply to public records governed by fees otherwise established by law.

UNIFORM SCHEDULE OF PUBLIC RECORD CHARGES FOR STATE AGENCIES

Pursuant to 1 V.S.A. 316(d) and Acts 1996, No. 159 section 1, the following fees are established as the actual cost of providing a copy of a public record:*

1. For staff time involved in physically duplicating a record, $.33 per minute after the first 30 minutes.
2. For senior-level staff time, and information technology specialists' time spent extracting data from databases or performing similar tasks necessary to comply with a request to create a new public record, $.57 per minute.
3. For any other staff time for which cost can be charged and collected under this section, $.45 per minute.
4. For photocopies, $.05 per single-sided page, $.09 per double-sided page for pages up to 8.5 by 14 inches.
5. For color photocopies, $1.00 per single-sided page.
6. For computer-generated paper copies, $.02 per page for pages up to 8.5 by 14 inches.
7. For computer diskettes, $.28 each for 3.5-inch diskettes.
8. For compact discs, $.86 each for write-once CD w/case, $2.31 each for rewritable CD w/case.
9. For audio tapes, $.81 each.
10. For video tapes, $1.69 each.
11. For DVD's, $2.00 each for write-once DVD w/case, $4.00 each for re-writable DVD w/case.

* Note: that there are fees for copies of public records that are established by statute that may override the fees established by this schedule.

VERMONT SECRETARY OF STATE: Official Fee Schedule for Copying Public Records