

**ORDINANCE NO. 1096**

**AN ORDINANCE SETTING FORTH PROVISIONS FOR COMPLIANCE WITH THE ILLINOIS FREEDOM OF INFORMATION ACT**

WHEREAS, the Illinois General Assembly has enacted Public Act 096-0542, an Act concerning government, which is effective as of January 1, 2010; and,

WHEREAS, Public Act 096-0542 declares that it is the public policy of the State of Illinois that access by all persons to public records promotes the transparency and accountability of public bodies at all levels of government and that it is a fundamental obligation of government to operate openly and provide public records as expediently and efficiently as possible in compliance with the Freedom of Information Act; and,

WHEREAS, it is necessary for the Village of Caseyville to establish practices and procedures ensuring its full compliance with said Act, so that the public policy stated therein can be carried out effectively and efficiently with respect to the records of the Village.

NOW BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Caseyville as follows:

SECTION 1. SPECIFIC REPEALER. Ordinance No. 926 is hereby repealed in its entirety and replaced by the provisions of this Ordinance.

SECTION 2. FREEDOM OF INFORMATION ACT. The Village hereby incorporates the Illinois Freedom of Information Act (hereinafter the "Act"), 5 ILCS 140/1 et seq., by reference.

SECTION 3. MUNICIPAL INFORMATION DIRECTORY. The Village Clerk shall maintain a Municipal Information Directory (see Exhibit A attached hereto). The Municipal Information Directory shall be made available for immediate inspection and delivery, free of charge, to anyone who requests the information. The Village Clerk shall update the Municipal Information Directory when the need arises.

SECTION 4. FUNCTIONAL SUBDIVISIONS OF THE VILLAGE. The Village Clerk shall maintain a block diagram of the functional subdivisions of the Village of Caseyville (see Exhibit B attached hereto). The Functional Subdivisions of the Village shall be made available for immediate inspection and delivery, free of charge, to anyone who requests the information. The Village Clerk shall update the document when the need arises.

SECTION 5. GENERAL INFORMATION FOR MUNICIPAL RECORDS REQUESTS. The Village Clerk shall maintain a document for General Information on Municipal Records Requests (see Exhibit C attached hereto). The Municipal Records Directory shall be made available for immediate inspection and delivery, free of charge, to anyone who requests the information. The Village Clerk shall update the Municipal Records Directory when the need arises.

SECTION 6. LIST OF PUBLIC RECORDS. The Village Clerk shall maintain a List of Public Records retained by the Village (see Exhibit D attached hereto). The List

of Public Records shall be made available for immediate inspection and delivery, free of charge, to anyone who requests the information. The Village Clerk shall update the List of Public Records when the need arises.

SECTION 7. FREEDOM OF INFORMATION PROCEDURE. The Village Clerk shall maintain a form with the Procedures for Freedom of Information Requests (see the form attached hereto). The Procedures for Freedom of Information Requests Form shall be made available for immediate inspection and delivery, free of charge, to anyone who requests the information. The Village Clerk shall update the Procedures for Freedom of Information Requests Form when the need arises.

SECTION 8. EXEMPTIONS LISTED IN THE ACT. The Village Clerk shall maintain a form with the exemptions listed in the Act (see the form attached hereto). The Exemptions listed in the Freedom of Information Act Form shall be made available for immediate inspection and delivery, free of charge, to anyone who requests the information. The Village Clerk shall update this form when the need arises.

SECTION 9. FREEDOM OF INFORMATION OFFICER. The Village Clerk is hereby designated as a Village of Caseyville Freedom of Information Officer. All initial requests for access to the records of the Village shall be directed to and handled by a Freedom of Information Officer. In the event that the Village Clerk is not available or able to act as a Village Freedom of Information Officer, then the Deputy Clerk is also hereby designated to act as a Freedom of Information Officer for the Village. The Freedom of Information Officer shall request each applicant to complete and sign an Information Request Form (see the form attached hereto). Although completion of the Information Request Form is not mandatory, the Freedom of Information Officer shall use the form to process any requests from applicants that complete the form. The Village Clerk shall update the Information Request Form when the need arises.

SECTION 10. RESPONSE TIME. The Freedom of Information Officer shall either comply with or deny a general request for public records within five business days after receipt of the request. The time for response may be extended, however, for any of the following reasons: (a) the requested records are stored in whole or in part at other locations than the office having charge of the requested records; (b) the request requires the collection of a substantial number of specified records; (c) the request is couched in categorical terms and requires an extensive search for the records responsive to it; (d) the requested records have not been located in the course of routine search and additional efforts are being made to locate them; (e) the requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under the Freedom of Information Act or should be revealed only with appropriate deletions; (f) the request for records cannot be complied with by the public body within the time limits prescribed by the Freedom of Information Act without unduly burdening or interfering with the operations of the public body; (g) there is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request. The person making a request and the public body may also agree in writing to extend the time for compliance for a period to be determined by the parties. In the case of a request for records to be used for a commercial purpose, the Freedom of Information Officer shall respond within twenty-one working days after receipt.

**SECTION 11. ORIGINAL RECORDS.** Original records of the Village of Caseyville shall not be defaced in any manner. No markings, notations or otherwise shall be made to such records. In no event shall original records be allowed to leave the Village Hall. Defacement, destruction or removal of original records shall be considered “destruction of public property” and be dealt with as provided by law.

**SECTION 12. RETRIEVAL OF RECORDS.** Any records which are the subject of a request under the Freedom of Information Act shall be retrieved from such place as they are stored by a Freedom of Information Officer or by a Village employee acting under the direction of a Freedom of Information Officer. In no event shall records be retrieved by the applicant requesting the records or by any person who is not employed by the Village of Caseyville.

**SECTION 13. FEES.** The fees to be assessed for any Freedom of Information request shall be determined from time to time and published in a written schedule as found in the Village Fee Ordinance. The fees so charged shall reflect the actual cost of copying the records, the cost of certifying copies, and any related postage charges.

**SECTION 14. SEVERABILITY.** If any section, paragraph, clause, or provision of this Ordinance is held invalid, the validity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

**SECTION 15. GENERAL REPEALER.** All ordinances, resolutions or orders, or parts thereof, which conflict with the provisions of this Ordinance are to the extent of such conflict, hereby repealed.

**SECTION 16. PASSAGE.** This Ordinance shall be in full force and effect after its passage and approval as provided by law.

PASSED by the Village Board of the Village of Caseyville, Illinois on the 16th day of December, 2009, on the following roll call vote:

	Aye	Nay	Abstain	Absent
Phil Carlton	_x_	_____	_____	_____
Pat Dyson	_x_	_____	_____	_____
Wally Abernathy	_x_	_____	_____	_____
Ron Tamburello	_x_	_____	_____	_____
Bill Black	_x_	_____	_____	_____
Kerry Davis	_x_	_____	_____	_____

Approved by the Mayor for the Village of Caseyville this 16th day of December, 2009.

\_\_\_\_\_  
Mayor George Chance

ATTEST:

\_\_\_\_\_  
Leonard Black, Village Clerk

**EXHIBIT A**  
**MUNICIPAL INFORMATION DIRECTORY**  
Village of Caseyville, Illinois

The Village of Caseyville, Illinois is a municipality incorporated and organized under the laws of the State of Illinois for the purpose of providing its residents with the following services:

- A. Police protection.
- B. Sewer and Water service.
- C. Street Maintenance
- D. Village Park
- E. Village Cemetery

The Village of Caseyville, Illinois has certain functional subdivisions which are shown on Exhibit B attached hereto. The approximate amount of the operating budget of the Village of Caseyville, Illinois is \$5,957,722. The Village's main office is located at 909 South Main Street in Caseyville, Illinois. The Village also has a Maintenance Facility located at 13 West Barrett Street and a Police Station at 10 West Morris Street. The Village currently employs approximately 33 full-time and 24 part-time employees. The elected officials, members of the boards, commissions and committees of the Village of Caseyville, Illinois are as follows:

**Elected Officials:**

George Chance, Mayor  
Len Black, Village Clerk  
Kerry Davis, Village Trustee  
William Black, Village Trustee  
Ron Tamburello, Village Trustee  
Wally Abernathy, Village Trustee  
Pat Dyson, Village Trustee  
Phil Carlton, Village Trustee

**Appointed Officials:**

**Attorney:**

Duane Clarke

**Treasurer:**

Mike Tinkler

**Superintendent of Public Works/Village Engineer:**

G.W. Scott, Sr.

**Public Works General Foreman:**

Ron Sanftleben

**Community Center Manager:**

Doris Pierce

**Zoning Administrator:**

Paul McNamara

**Office Manager:**

Denise Logan

**Board of Police Commissioners:**

Ace Hart, Chairman

Dixie Volluz

James Walker

**Planning Commission:**

1. John Wilson, Chairman
2. William Black, Jr., Vice-Chairman
3. Martin Scott, Secretary
4. Dan Cary
5. Mary Ann Kinnard
6. Matt Modrovsky
7. Ginnetta Clark
8. Mike Chance
9. Rocky Demond
10. Marge Zimmerman – non-voting staff

**Zoning Board of Appeals:**

1. John Wilson, Chairman
2. Robert Lee, Vice-Chairman
3. Dorma Wildermuth, Secretary
4. Clancey Norberg
5. Blaine Howell
6. Rose Munoz
7. Jamie Miller

**Hotel/Motel Committee:**

1. George Chance, Chairman
2. Carrol Davis, Secretary
3. Pat Dyson
4. Kerry Davis
5. Best Inns, Inc. Representative
6. Motel Six, Inc. Representative
7. Quality Inn & Suites, Inc. Representative
8. Days Inn Inc., Representative
9. First Western Inn Inc., Representative

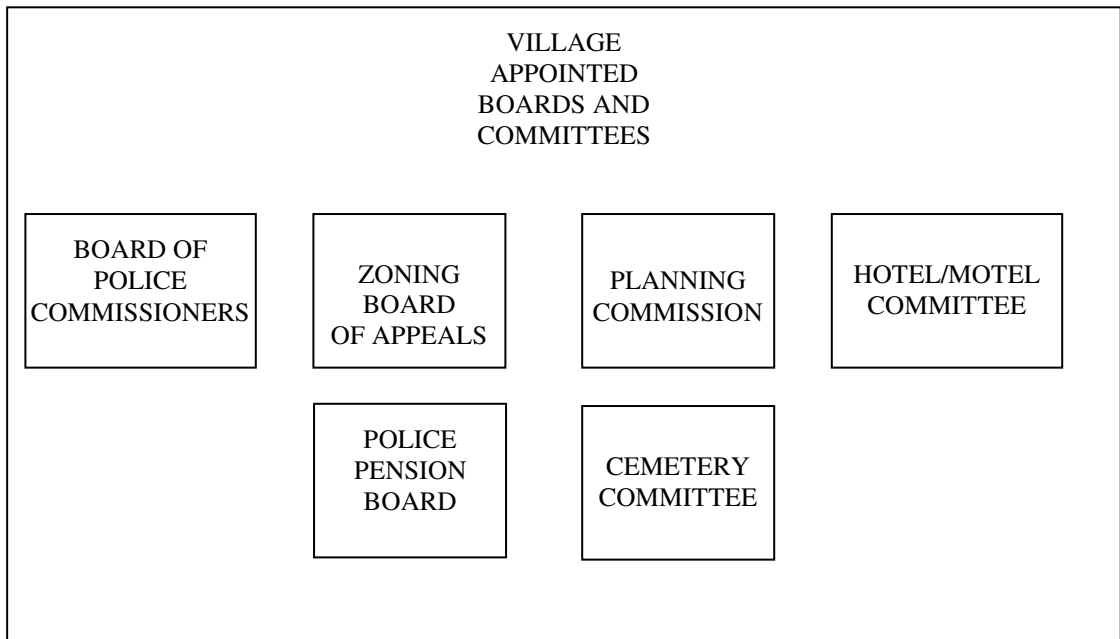
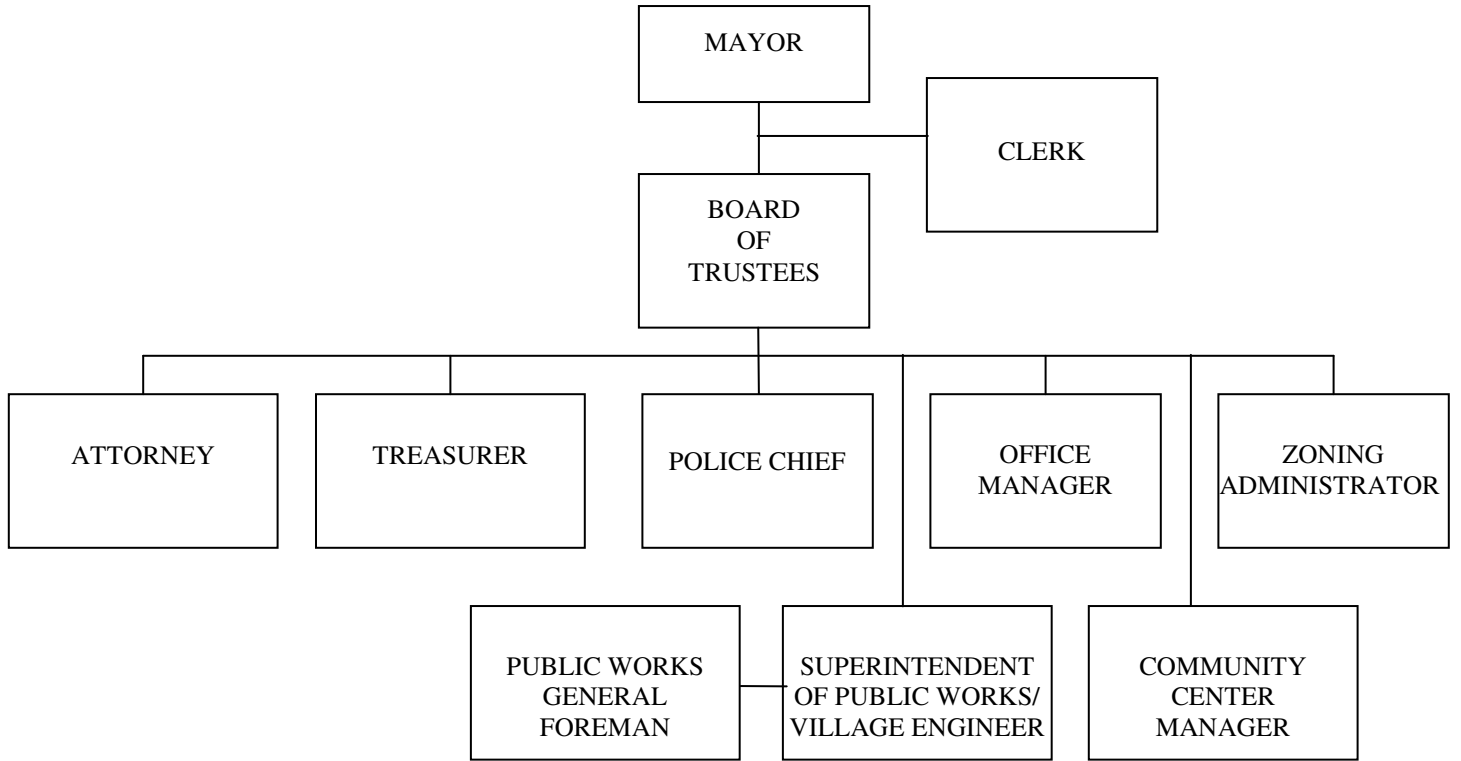
**Cemetery Board:**

1. Ada Knussmann, Co-Chairman
2. Bob Stephens, Co-Chairman

**Police Pension Board:**

1. Frank, Moore, President
2. John Wilson, Vice President
3. Ann Delmore, Secretary
4. Antoinette Spengler
5. Vacant
6. Mike Tinkler, Treasurer

**Exhibit B**  
**FUNCTIONAL SUBDIVISIONS**  
**OF THE VILLAGE OF CASEYVILLE, ILLINOIS**



**Exhibit C**  
**GENERAL INFORMATION ON MUNICIPAL RECORDS REQUESTS**  
**OF THE VILLAGE OF CASEYVILLE, ILLINOIS**

Any person requesting records of the Village of Caseyville, Illinois may make such a request either at the Village Hall, located at 909 South Main Street, or in writing to the attention of Leonard Black, Village Clerk and Freedom of Information Officer. If you make your request at the Village Hall and the Clerk is not present in person, then your request may be made to the attention of the Village Deputy Clerk. Any request must specify in particular the records requested to be disclosed, inspected or copied. If you desire that any records be certified, you must indicate that in your request and specify which records must be certified.

Under some circumstances you may have the right to view or have copied public records immediately. Otherwise, within five (5) business days after receipt of the request, the Village will advise the applicant of such time and place where the requested records or copies of such records will be available.

Original records provided for viewing shall not be defaced in any manner. No markings, notations, or otherwise shall be made to such records. In no event shall original records retrieved be allowed to leave the Village Hall. Defacement, destruction or removal of original records shall be considered “destruction of public property” and dealt with as provided by law.

No fees shall be charged for the first 50 pages of black and white, letter or legal sized copies requested from the Village. Thereafter, there will be a fee of 15 cents per page for black and white, letter or legal sized copies. Any requests for copies in color or in a size other than letter or legal will incur a fee equal to the actual cost for reproducing the records. For any electronic or digital request, the Village shall charge for the actual cost of purchasing the recording medium, whether disc, diskette, tape, or other medium. The cost of certifying any records shall be one dollar (\$1.00).

Copies of records shall be furnished without charge or at a reduced charge, as determined by the Village, if the person requesting the documents shows that a waiver or reduction of the fee is in the public interest. A request may be in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit. In setting the amount of the waiver or reduction, the Village shall take into consideration the amount of materials requested and the cost of copying them.

**Exhibit D**  
**LIST OF PUBLIC RECORDS**

The Freedom of Information Act requires the Village to provide the following list of public records under its control to aid persons in obtaining access such public records. Please note that the Act requires a list, but not a listing of every individual record. Suggested below are different types of categories to cover the records that the Village has under its control and which are subject to inspection under the Act. This list is by no means meant to be exhaustive and is merely for reference or descriptive purposes.

Administration records

- (a) Board of Trustees agendas
- (b) Board of Trustees minutes
- (c) ordinances and resolutions
- (d) liquor licenses and applications
- (e) business licenses and applications
- (f) correspondence sent or received by the Village
- (g) deeds
- (h) leases
- (i) property information
- (j) contracts
- (k) governmental agreements
- (l) collective bargaining agreements
- (m) consultant information
- (n) personnel information
- (o) legal notices

Financial records

- (a) budgets
- (b) appropriation ordinances
- (c) audits
- (d) bills
- (e) statement of tax receipts
- (f) treasurer reports
- (g) payroll information
- (h) account statements

Zoning records

- (a) village maps
- (b) subdivision plats
- (c) development code
- (d) building permits, applications & inspection reports
- (e) special use permits and applications
- (f) variance requests and applications
- (g) correspondence sent or received by the Village
- (h) consultant information
- (i) public hearing information



# **Exhibit E**

## **Procedures Regarding Freedom of Information Requests**

**Village of Caseyville**

909 South Main Street, Caseyville, IL 62232  
(618) 344-1234

1. Any individual making a Freedom of Information Act ("FOIA") request should be provided with an Information Request Form. The completion of an Information Request Form, however, is not a mandatory requirement for obtaining information or records from the Village.
2. The request for information or records should be forwarded to a Village Freedom of Information Officer.
3. The Freedom of Information Officer shall review the request and forward a copy to the Village Attorney who shall determine if the Village is exempted from the duty to disclose information under the FOIA.
  - a. If there is an exemption which applies to this request, then the Freedom of Information Officer should send a denial to the individual making the request. If the denial is made due to the exemption found under subsection (1)(c) or (1)(f) of Section 7 of the Act, the Village shall also give notice of the denial to the Public Access Counselor. The notice shall include: (i) a copy of the request for access to records; (ii) the proposed response from the Village; and (iii) a detailed summary of the basis for asserting the exemption. Upon receipt of a notice of intent to deny from the Village, the Public Access Counselor shall determine whether further inquiry is warranted.
  - b. If there is not an applicable exemption, then the Freedom of Information Officer, or an employee of the Village acting under the direction of the Freedom of Information Officer, shall retrieve the information from the proper department.
4. Upon search for the requested information, the Freedom of Information Officer shall determine if the Village can or cannot fulfill the request within the five business day period (twenty-one business day period for commercial requests).
  - a. If the Village can fulfill the request within the five business day period, then the Freedom of Information Officer should make arrangements for the information to be supplied to the individual making the request.
  - b. If the Village cannot fill the request within the five business day period due to one the reasons as stated below, then the Freedom of Information Officer shall notify the individual making the request that an additional five business days are

needed to fulfill the request. The response can only be delayed beyond a ten business day period if agreed to, in writing, with the individual making the request. Listed below are the seven reasons time extensions are allowed.

- i. the requested records are stored in whole or in part at other locations than the office having charge of the requested records;
- ii. the request requires the collection of a substantial number of specified records;
- iii. the request is couched in categorical terms and requires an extensive search for the records response to it;
- iv. the requested records have not been located in the course of routine search and additional efforts are being made to locate them;
- v. the requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under Section 7 of the Act or should be revealed only with appropriate deletions;
- vi. the request for records cannot be complied with by the Village within the time limits prescribed by paragraph (c) of Section 3 under Public Act 83-1013, the short title of which is the "Freedom of Information Act", without unduly burdening or interfering with the operations of the public body;
- vii. there is a need for consultation which shall be conducted with all practicable speed with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request.

c. If the Village cannot meet the request due to the fact that it would be unduly burdensome to retrieve the information, then the Freedom of Information Officer shall send a First Denial letter, but must also provide the individual an opportunity to narrow their request. If the request cannot be reduced to manageable proportions, then the Freedom of Information Officer shall send a Final Denial letter to the individual specifying the reasons that their request is unduly burdensome on the Village and advising the individual of their right to appeal.

5. In the event that a request is denied by the Freedom of Information Officer, notice shall be given to the individual making the request that the denial may be appealed to the Public Access Counselor in the Illinois Attorney General's Office. The address for the Public Access Counselor is 500 S. 2nd Street, Springfield, Illinois 62706 and the telephone number is 217-558-0486. The individual making the request also has a right to judicial review in the Circuit Court of St. Clair County, Illinois pursuant to Section 11 of the Freedom of Information Act.
6. The Freedom of Information Officer shall obtain the proper fees and the signature of the individual accepting the information before the requested information is delivered.



# **Exhibit F**

## **Exemptions Listed in the Illinois Freedom of Information Act**

### **Village of Caseyville**

909 South Main Street, Caseyville, IL 62232  
(618) 344-1234

#### **5 ILCS 140/7. Exemptions**

##### **Sec. 7. Exemptions.**

(1) When a request is made to inspect or copy a public record that contains information that is exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the public body may elect to redact the information that is exempt. The public body shall make the remaining information available for inspection and copying. Subject to this requirement, the following shall be exempt from inspection and copying:

- (a) Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law.
- (b) Private information, unless disclosure is required by another provision of this Act, a State or federal law or a court order.
- (c) Personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.
- (d) Records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would:
  - (i) interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency that is the recipient of the request;
  - (ii) interfere with active administrative enforcement proceedings conducted by the public body that is the recipient of the request;
  - (iii) create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing;
  - (iv) unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies; except that the identities of witnesses

- to traffic accidents, traffic accident reports, and rescue reports shall be provided by agencies of local government, except when disclosure would interfere with an active criminal investigation conducted by the agency that is the recipient of the request;
- (v) disclose unique or specialized investigative techniques other than those generally used and known or disclose internal documents of correctional agencies related to detection, observation or investigation of incidents of crime or misconduct, and disclosure would result in demonstrable harm to the agency or public body that is the recipient of the request;
  - (vi) endanger the life or physical safety of law enforcement personnel or any other person; or
  - (vii) obstruct an ongoing criminal investigation by the agency that is the recipient of the request.
- (e) Records that relate to or affect the security of correctional institutions and detention facilities.
  - (f) Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body. The exemption provided in this paragraph (f) extends to all those records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents.
  - (g) Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested.
  - (i) All trade secrets and commercial or financial information obtained by a public body, including a public pension fund, from a private equity fund or a privately held company within the investment portfolio of a private equity fund as a result of either investing or evaluating a potential investment of public funds in a private equity fund. The exemption contained in this item does not apply to the aggregate financial performance information of a private equity fund, nor to the identity of the fund's managers or general partners. The exemption contained in this item does not apply to the identity of a privately held company within the investment portfolio of a private equity fund, unless the disclosure of the identity of a privately held company may cause competitive harm. Nothing contained in this paragraph (g) shall be construed to prevent a person or business from consenting to disclosure.
  - (h) Proposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made.

- (i) Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by any public body when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer geographic systems" provided in this paragraph (i) does not extend to requests made by news media as defined in Section 2 of this Act when the requested information is not otherwise exempt and the only purpose of the request is to access and disseminate information regarding the health, safety, welfare, or legal rights of the general public.
- (j) The following information pertaining to educational matters:
  - (i) test questions, scoring keys and other examination data used to administer an academic examination;
  - (ii) information received by a primary or secondary school, college, or university under its procedures for the evaluation of faculty members by their academic peers;
  - (iii) information concerning a school or university's adjudication of student disciplinary cases, but only to the extent that disclosure would unavoidably reveal the identity of the student; and
  - (iv) course materials or research materials used by faculty members.
- (k) Architects' plans, engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds and the same for projects constructed or developed with public funds, including but not limited to power generating and distribution stations and other transmission and distribution facilities, water treatment facilities, airport facilities, sport stadiums, convention centers, and all government owned, operated, or occupied buildings, but only to the extent that disclosure would compromise security.
- (l) Minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act.
- (m) Communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the public body, and materials prepared or compiled with respect to internal audits of public bodies.
- (n) Records relating to a public body's adjudication of employee grievances or disciplinary cases; however, this exemption shall not extend to the final outcome of cases in which discipline is imposed.
- (o) Administrative or technical information associated with automated data processing operations, including but not limited to software, operating protocols, computer program abstracts, file layouts, source listings, object modules, load modules, user guides, documentation pertaining to all logical and physical design of computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section.

- (p) Records relating to collective negotiating matters between public bodies and their employees or representatives, except that any final contract or agreement shall be subject to inspection and copying.
- (q) Test questions, scoring keys, and other examination data used to determine the qualifications of an applicant for a license or employment.
- (r) The records, documents and information relating to real estate purchase negotiations until those negotiations have been completed or otherwise terminated. With regard to a parcel involved in a pending or actually and reasonably contemplated eminent domain proceeding under the Eminent Domain Act, records, documents and information relating to that parcel shall be exempt except as may be allowed under discovery rules adopted by the Illinois Supreme Court. The records, documents and information relating to a real estate sale shall be exempt until a sale is consummated.
- (s) Any and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool. Insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data, advice or communications.
- (t) Information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of a public body responsible for the regulation or supervision of financial institutions or insurance companies, unless disclosure is otherwise required by State law.
- (u) Information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs, or private keys intended to be used to create electronic or digital signatures under the Electronic Commerce Security Act.
- (v) Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations.
- (x) Maps and other records regarding the location or security of generation, transmission, distribution, storage, gathering, treatment, or switching facilities owned by a utility, by a power generator, or by the Illinois Power Agency.
- (y) Information contained in or related to proposals, bids, or negotiations related to electric power procurement under Section 1-75 of the Illinois Power Agency Act and Section 16-111.5 of the Public Utilities Act that is determined to be confidential and proprietary by the Illinois Power Agency or by the Illinois Commerce Commission.

## 5 ILCS 140/7.5. Statutory Exemptions

### Sec. 7.5. Statutory Exemptions.

To the extent provided for by the statutes referenced below, the following shall be exempt from inspection and copying:

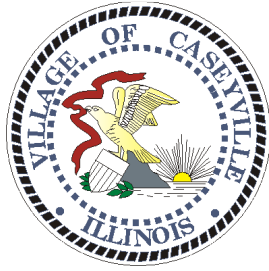
- (a) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.
- (b) Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act.
- (c) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.
- (d) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of sexually transmissible disease or any information the disclosure of which is restricted under the Illinois Sexually Transmissible Disease Control Act.
- (e) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.
- (f) Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.
- (g) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.
- (h) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act, and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.
- (i) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.
- (j) Information and data concerning the distribution of surcharge moneys collected and remitted by wireless carriers under the Wireless Emergency Telephone Safety Act.
- (k) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.
- (l) Records and information provided to a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.
- (m) Information provided to the predatory lending database created pursuant to Article of the Residential Real Property Disclosure Act, except to the extent authorized under that Article.

- (n) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act. This subsection (n) shall apply until the conclusion of the trial of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.
- (o) Information that is prohibited from being disclosed under Section 4 of the Illinois Health and Hazardous Substances Registry Act.
- (p) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act or the St. Clair County Transit District under the Bi-State Transit Safety Act.
- (q) Information prohibited from being disclosed by the Personnel Records Review Act.
- (r) Information prohibited from being disclosed by the Illinois School Student Records Act.
- (s) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.

### **5 ILCS 140/3(g). Unduly Burdensome Requests**

Sec. 3(g) Requests calling for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the complying public body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information. Before invoking this exemption, the public body shall extend to the person making the request an opportunity to confer with it in an attempt to reduce the request to manageable proportions. If any body responds to a categorical request by stating that compliance would unduly burden its operation and the conditions described above are met, it shall do so in writing, specifying the reasons why it would be unduly burdensome and the extent to which compliance will so burden the operations of the public body. Such a response shall be treated as a denial of the request for information.

Repeated requests from the same person for the same records that are unchanged or identical to records previously provided or properly denied under this Act shall be deemed unduly burdensome under this provision.



# Exhibit G REQUEST FOR INSPECTION OR COPYING OF PUBLIC RECORDS

Village of Caseyville, Illinois  
909 South Main Street, Caseyville, IL 62232  
(618) 344-1234

1. Name of person making request: \_\_\_\_\_
2. Address of person making request: \_\_\_\_\_
3. Telephone number of person making request: \_\_\_\_\_
4. Date of request: \_\_\_\_\_
5. Time of request: \_\_\_\_\_
6. Initials of employee receiving request: \_\_\_\_\_

Describe in detail below the public records you are requesting and state whether you wish to inspect and/or a copy of such records. Also, please state whether such public records are to be certified.

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The Village of Caseyville, Illinois will respond to the above request within five business days from the above date (or twenty-one business days for a commercial request) unless one or more of the seven reasons for an extension of time provided for in Section 3(e) of the Act are invoked by the Village. *In no event shall records be retrieved by the party requesting them or by any person who is not employed by the Village. In no event shall the original records retrieved be allowed to leave the Village Hall.* I acknowledge that I have received a schedule of fees associated with this request and I agree to pay those fees at the time of delivery.

\_\_\_\_\_  
Signature of person making request

[ROUTING OF REQUEST - FOR OFFICE USE ONLY]

DEPARTMENT OR OFFICE

Clerk

Police

Zoning

Public Works

Administration

Other \_\_\_\_\_

Anticipated Date of Response by the Village: \_\_\_\_\_

If more than five days (or more that twenty-one working days for a commercial request) is required to fill response, list the reason for additional time required:

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If response is denied in whole or in part, list the reasons for denial: \_\_\_\_\_

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Total Fees Due: (only the actual cost of reproduction and certification): \$\_\_\_\_\_

Date of delivery:\_\_\_\_\_

Applicant Signature of receipt of requested records: \_\_\_\_\_

Initials of employee delivering request: \_\_\_\_\_ Date\_\_\_\_\_