

PYMATUNING TOWNSHIP ORDINANCE NO. 109

AN ORDINANCE OF PYMATUNING TOWNSHIP, MERCER COUNTY, PENNSYLVANIA, SETTING FORTH THE PROCEDURE FOR EXAMINATION OF PUBLIC RECORDS OF THE TOWNSHIP OF PYMATUNING, MERCER COUNTY, PENNSYLVANIA; PROVIDING FOR WRITTEN REQUEST PRIOR TO ANY EXAMINATION OF PUBLIC RECORDS, PROVIDING THE PLACE AND CIRCUMSTANCES UNDER WHICH SUCH EXAMINATION MAY BE PERFORMED; PROVIDING FOR THE PROPER TOWNSHIP OFFICIAL TO OVERSEE SUCH EXAMINATION; AND FURTHER PROVIDING FOR A FEE TO BE CHARGED FOR PHOTOCOPYING SUCH RECORDS.

BE IT ENACTED AND ORDAINED by the Pymatuning Township Board of Supervisors, Mercer County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

Section 1. Definitions.

Public Records: A public record is hereby defined as any account, voucher or contract dealing with the receipt or disbursement of funds by the Township, or its acquisition, use or disposal of services, or of supplies, materials or other property, and any minute, order or decision by the Township fixing the personal property rights, privileges, immunities, duties or obligations of any person or group of persons; provided, however, that the term "public records" shall not mean any report, communication or other paper, the publication of which would disclose the institution, progress or result of an investigation undertaken by the Township in the performance of its official duties, except those reports filed by the Township pertaining to safety and health in industrial plants; and shall not include any record, document, material, exhibit, pleading, report, memorandum or other paper, the access to or the publication of which is prohibited, restricted or forbidden by statute, law or order or decree of Court, or which would operate to the prejudice or impairment of a person's reputation or personal security, or which would result in a loss by the Township of Pymatuning.

Section 2. Procedure To Be Followed in Examining Public Records of Pymatuning Township.

1. Any citizen, elector or taxpayer who desires to examine any public record of the Township of Pymatuning, not otherwise prohibited, shall follow the following procedure:

a. Written request shall be made to the Township Secretary, specifically identifying the Township document and/or record to be examined 72 hours prior to the examination. The aforesaid written request shall be signed by the person making same, also indicating his or her address.

b. All such examinations shall be limited to a duration of one (1) hour per business day during the normal business hours of the Township Secretary.

c. In order to insure the security and the integrity of the public records of the Township, such examination shall take place in the presence of the Township Secretary and/or other Township official designated by the majority of the Township Supervisors.

d. No public records of the Township of Pymatuning shall be removed from the Township Building.

e. Photocopies may be made by the Township Secretary and/or other official designated by the majority of the Township Supervisors, of any record so inspected as set forth above, at the request of the citizen, taxpayer or elector, at the cost of \$1.00 per page, payable to the Township of Pymatuning.

Section 3. Severability.

The provisions of this Ordinance are severable and if any section, part of section or provision thereof shall be held to be unconstitutional, illegal or otherwise invalid, such decision shall not affect the validity of any of the remaining sections, part of sections or provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal or otherwise invalid provision not been a part thereof.

ORDAINED AND ENACTED into law by the Township of Pymatuning, Mercer County, Pennsylvania this 27TH day of DECEMBER, 1979.

TOWNSHIP OF PYMATUNING

By:

Charles J. Indurich

Harry H. Wang

John L. Berthelot, Jr.