



**NEW SHOREHAM SEWER DISTRICT AND WATER DISTRICT  
ACCESS TO PUBLIC RECORDS PROCEDURES**

1. Introduction: These general procedures for access to public records are promulgated by the New Shoreham Sewer District and the New Shoreham Water District pursuant to R.I.G.L. § 38-2-3(d). All provisions of R.I.G.L. § 38-2-1 *et seq.* are not addressed herein, and additional reference to R.I.G.L. § 38-2-1 *et seq.* may be required for specific records requests.

2. Public Records Officer: The Clerk of the Sewer District shall be the Public Records Officer for the Sewer District. The Clerk of the Water District shall be the Public Records Officer for the Water District.

3. Public Records:

(a) Public Records are those defined by R.I.G.L. § 38-2-2(4), excluding those records defined as not subject to Public Records disclosure by R.I.G.L. § 38-2-2(4)(A)-(Y)

(b) Any reasonably segregable portion of a public record excluded by R.I.G.L. § 38-2-2(4) shall be made available for public inspection after the deletion of the information which is the basis for exclusion. If an entire document or record is deemed non-public, the public body shall state in writing that no portion of the document or record contains reasonably segregable information that is releasable. (R.I.G.L. § 38-2-3(b)).

4. Public Records Request Procedures:

(a) Public Records requests may be made in person to the Public Records Officer at the New Shoreham Sewer Plant located at 20 Spring Street, New Shoreham, Rhode Island, 02807, or by mailing a request to P.O. Box 774, Block Island, RI 02807-0774.

(b) Public Records maintained or kept on file by the Sewer or Water District shall be made available for inspection and/or copying by the public at such reasonable times as determined by the Public Records Officer. (R.I.G.L. § 38-2-3(a)).

(c) Written requests shall not be required for information available pursuant to R.I.G.L. § 42-35-2 or for other documents prepared for or readily available to the public. All other requests shall be made in writing, and readily identifiable as a public records request. (R.I.G.L. § 38-2-3(d)).

(d) No public records shall be withheld based on the purpose for which the records are sought. No person or entity requesting public records shall be required to state a reason for the request, nor be required to provide personally identifiable information. (R.I.G.L. § 38-2-3(j)).

(e) The Public Records Officer shall permit the inspection or copying within ten (10) business days after receiving a request. If the inspection or copying is not permitted within ten (10) business days, the Public Records Officer shall forthwith explain in writing the need for additional time. Any such explanation must be particularized to the specific request made. In such cases the Public Records Officer may have up to an additional twenty (20) business days if it can demonstrate that the voluminous nature of the request, the number of requests for records pending, or the difficulty in searching for and retrieving or copying the requested records, is such that additional time is necessary to avoid imposing an undue burden on the Public Body. (R.I.G.L. § 38-2-3(e))

(f) If a Public Record is not in active use or in storage and, therefore, not available at the time a person or entity requests access, the Public Records Officer shall so inform the person or entity and make

an appointment for the person or entity to examine such records as expeditiously as they may be made available. (R.I.G.L § 38-2-3(f))

(g) At the election of the person or entity requesting the Public Records, the Public Records Officer shall provide copies of the Public Records electronically, by facsimile, or by mail in accordance with the requesting person or entity's choice, unless complying with that preference would be unduly burdensome due to the volume of records requested or the costs that would be incurred. (R.I.G.L § 38-2-3((k)).

5. Costs:

(a) The cost per copied page of written documents is \$0.15 per page copied onto common business or legal size paper. (R.I.G.L § 38-2-4(a)).

(b) The Public Records Officer shall not charge more than the reasonable actual cost of providing electronic records or retrieving records from storage where the public body is assessed a retrieval fee. (R.I.G.L § 38-2-4(a)).

(c) Hourly costs for search and retrieval shall be charged at the rate of \$15.00 per hour, with no charge for the first hour. For the purpose of this section, multiple requests from any person or entity to the same public body within a thirty day period shall be considered one request. (R.I.G.L § 38-2-4(b))

(d) Upon request, the Public Records Officer shall provide an estimate of the costs of a request for documents prior to providing copies. (R.I.G.L § 38-2-4(c))

(e) Upon request, the Public body shall provide a detailed itemization of the costs charged for search and retrieval. New Shoreham Sewer Plant. (R.I.G.L § 38-2-4(d)).

(f) All costs shall be waived if the Public Records Officer fails to produce the requested records in a timely manner; provided however that the production of records shall not be deemed untimely if the Public Records Officer is awaiting receipt of payment of costs properly charged under section R.I.G.L § 38-2-4. (R.I.G.L § 38-2-8(c))

6. Denial of Access:

(a) Any denial of the right to inspect or copy a record, in whole or in part, shall be made to the requestor in writing giving the specific reasons for the denial within ten (10) business days of the request indicating the procedures for appealing the denial. Except for good cause shown, any reason not specifically set forth in the denial shall be deemed waived. (R.I.G.L § 38-2-7(a))

(b) Any person or entity denied the right to inspect a record may petition the chief administrative officer, in this case the Chair of the respective Sewer or Water District Commissions, for review of the Public Records Officer's determination. The Chair shall make a determination within ten (10) business days of the petition. (R.I.G.L § 38-2-7(b))

Posted: November 13, 2012  
Hearing: November 13, 2012  
Adopted: November 13, 2012  
Effective: November 13, 2012  
Scrivener's Edits: September 22, 2014  
Attest: Janet Ziegler  
New Shoreham Water District  
New Shoreham Sewer District



**New Shoreham Sewer and Water Districts**  
Box 774  
Block Island, RI 02807-0774

Phone..401-466-3231  
Fax 401-466-3237  
TTY 800-745-5555  
E-mail NSSC@new-shoreham.com

**PUBLIC RECORDS REQUEST FORM  
UNDER THE ACCESS TO PUBLIC RECORDS ACT**

Date \_\_\_\_\_ Request Number \_\_\_\_\_

Name (optional) \_\_\_\_\_

Address (optional) \_\_\_\_\_

Telephone (optional) \_\_\_\_\_

Requested Records: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

-----**OFFICE USE ONLY**-----

Request taken by: \_\_\_\_\_ Request Number \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Records to be available on: \_\_\_\_\_ (By mail ) (For pick up )

Records provided: \_\_\_\_\_

Costs: \_\_\_\_\_ Copies \_\_\_\_\_ Search and Retrieval \_\_\_\_\_

**FORWARD THIS DOCUMENT TO SEWER/WATER DISTRICT CLERK**

-----  
**New Shoreham Sewer/Water Commissions and Districts – Public Records Request Receipt**

If you desire to pick up the records, they will be available on \_\_\_\_\_ at the Office of the Sewer/Water Commissions. If, after review of your request, the Clerk determines that the requested records are exempt from disclosure for a reason set forth in the Access to Public Records Act, the New Shoreham Sewer/Water Commissions and Districts reserve the right to claim such exemption.

Note: If you chose to pick up the records, but did not include identifying information on this form, (name, etc.) please inform the office of the date you made the request, records requested and request number.

*New Shoreham Sewer Commission  
NS Wastewater Treatment Facility*

*New Shoreham Water Commission  
Block Island Water Company*

*The Sewer Commission and Water Commission are equal opportunity providers and employers*