ORDINANCE NO. 026-006

AN ORDINANCE ESTABLISHING POLICIES AND PROCEDURES FOR COMPLIANCE WITH THE ILLINOIS FREEDOM OF INFORMATION ACT

BE IT ORDAINED by the President and Board of Trustees of the Village of Manito, Mason County, Illinois, as follows:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to establish procedures and policies to ensure compliance with the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq., as amended from time to time, and to promote transparency and public access to records maintained by the Village of Manito.

SECTION 2. DESIGNATION OF FREEDOM OF INFORMATION OFFICERS.

A. The Village Clerk is hereby designated as the Village's Freedom of Information Officer ("FOIA Officer").

B. The Deputy Village Clerk, or in the absence of the Deputy Village Clerk, the Village Secretary, is designated as an Assistant FOIA Officer and may perform the duties of the FOIA Officer when necessary.

C. The FOIA Officer shall:

1. Receive requests submitted under the Freedom of Information Act.
2. Ensure that the Village responds to requests in a timely manner.
3. Issue responses under the Act.
4. Maintain records of requests and responses.
5. Develop and maintain a list of documents or categories of records that shall be made available immediately upon request when practicable.
6. Maintain and update the Village's Freedom of Information procedures.
7. Complete all training required by the Illinois Freedom of Information Act.

SECTION 3. SUBMISSION OF REQUESTS.

A. Requests for records may be submitted:

1. In person;
2. By U.S. Mail;
3. By electronic mail; or
4. By any other method authorized by law.

B. Requests shall be directed to the Village FOIA Officer at the Village Hall.

C. Electronic requests shall comply with Illinois law and must appear in their entirety within the body of the electronic communication. The Village shall not be required to open electronic attachments or hyperlinks to review or access the contents of a FOIA request.

D. If a request is submitted through an attachment or hyperlink, the Village may notify the requester that the request must be resubmitted in compliance with applicable law.

SECTION 4. RESPONSE TO REQUESTS.

A. The Village shall respond to requests within five (5) business days after receipt, unless otherwise permitted by the Freedom of Information Act.

B. The response period may be extended in accordance with Section 3(e) of the Act, provided written notice is issued to the requester stating the reason for the extension and the date upon which a response will be provided.

C. Requests from recurrent requesters, voluminous requesters, commercial requesters, mass requesters, or vexatious requesters shall be processed in accordance with applicable provisions of the Illinois Freedom of Information Act.

D. The Village may request clarification of an unclear request as authorized by law.

E. If the Village reasonably believes that a request was not submitted by a person, the Village may require verification as authorized by law before processing the request.

SECTION 5. RETENTION OF REQUESTS.

The FOIA Officer shall maintain:

A. A copy of each request;

B. A copy of each response;

C. Any correspondence relating to the request;

D. Documentation supporting any denial or redaction;

E. Such records as required by law and the Village's records retention policies.

SECTION 6. FEES.

A. Fees for copies shall be charged only as authorized by Section 6 of the Illinois Freedom of Information Act.

B. No fee shall be charged for:

1. Inspection of records;

2. Electronic records transmitted electronically when no reproduction costs are incurred;
3. The first fifty (50) pages of black-and-white letter or legal-sized copies.

C. Fees for copies shall not exceed those permitted by law.

D. The Village may waive fees when doing so is in the public interest as provided by law.

SECTION 7. EXEMPT RECORDS.

The Village shall make available all public records except those records exempt from disclosure under Sections 7, 7.5, 7.75, and other applicable provisions of the Illinois Freedom of Information Act or other applicable law.

SECTION 8. PUBLIC ACCESS COUNSELOR REVIEW.

A requester whose request has been denied, in whole or in part, may seek review by the Public Access Counselor within the Office of the Illinois Attorney General or may pursue judicial review as provided by law.

SECTION 9. FOIA INFORMATION.

The FOIA Officer shall maintain and make available:

A. A brief description of the Village;

B. A description of its purpose;

C. A description of its organizational structure;

D. The total amount of its operating budget;

E. The number and location of all of its offices;

F. The number of full-time and part-time employees;

G. A brief description of all boards, commissions, committees, and advisory bodies;

H. A directory designating the FOIA Officer and contact information;

I. A description of the methods by which requests may be submitted; and

J. Any other information required by the Illinois Freedom of Information Act.

SECTION 10. TRAINING.

The FOIA Officer and all Assistant FOIA Officers shall complete all training required by the Illinois Freedom of Information Act, including any initial and annual training requirements established by law.

SECTION 11. SEVERABILITY.

If any provision of this Ordinance is held invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions of this Ordinance.

SECTION 12. REPEALER.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 13. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF THE VILLAGE OF MANITO, MASON COUNTY, ILLINOIS, THAT ORDINANCE 26-006 IS HEREBY ADOPTED AS ABOVE STATED AND SHALL BE IN EFFECT IMMEDIATELY.

PASSED AND APPROVED BY THE PRESIDENT AND VILLAGE BOARD OF THE VILLAGE OF MANITO, MASON COUNTY, ILLINOIS THIS 6TH DAY OF JULY, 2026.

AYES _____
NAYS _____
ABSENT _____

VILLAGE OF MANITO, ILLINOIS

BY: _____
Timothy Sondag
Village President

ATTEST: _____
Tera Butler
Village Clerk

(seal)