



Grayslake Fire Protection District  
160 Hawley Street  
Grayslake, Illinois 60030

Freedom of Information Act

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## **GRAYSLAKE FIRE PROTECTION DISTRICT**

### **FREEDOM OF INFORMATION ACT**

It is the policy of the Board of Trustees of the Grayslake Fire Protection District (the "District") to permit access to and copying of public records in accordance with the Illinois Freedom of Information Act (5 ILCS 140/1) et seq. (the "Act"), balanced, however, by the limited exceptions recognized in the Act to safeguard individual privacy and the efficient operation of the District.

#### **Brief Description of the District**

Grayslake Fire Protection District ("District"), Lake County, Illinois, is a fire protection district organized pursuant to the Illinois Fire Protection District Act 70 ILCS 705/1 et seq. to provide fire protection and other emergency services to the residents of the District. The District's operating budget is comprised of tax collections for both fire and ambulance services along with grants, donations, and other miscellaneous forms of revenue. There are thirty-two (32) Full-Time employees including a Fire Chief, Deputy Chief, Division Chief of Health and Safety, and an Administrative Assistant, and twenty-nine (29) Part Time employees. The Administrative Offices are located at Grayslake Fire Protection District Station 1, 160 Hawley Rd., Grayslake, Illinois 60030. The administrative office is open Monday through Friday, 8:00 a.m. to 4:00 p.m. The telephone number is (847) 223-8960.

#### **Public Records**

"Public records" are defined in FOIA as "all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of any public body." (5 ILCS 140/2(c)).

The District will make available its public records to any person requesting access pursuant to the provisions of the Act, as well as other applicable law. The District will not provide access to public records or portions thereof that are exempt from disclosure under the Act or as provided by other applicable law. Denials of requests for records will contain a detailed factual basis for the denial.

#### **Freedom of Information Act (FOIA) Officers**

Section 3.5 of the Act requires that each public body appoint at least one FOIA officer and that the FOIA Officer(s) complete an annual electronic training developed by the Illinois Attorney General's Public Access Counselor.

A Freedom of Information Act Officer ("FOIA Officer") will be appointed by the District to ensure that the District complies with the Act. The FOIA Officer's responsibility will be to receive FOIA requests from the public and to send responses in compliance with FOIA. Whether to designate more than one FOIA Officer is a decision left to the discretion of the public body.

Current FOIA Officers: Administrative Secretary Donna Van Steenhuyse, Fire Chief John Christian



Grayslake Fire Protection District  
160 Hawley Street  
Grayslake, Illinois 60030

Freedom of Information Act

---

### **Document Listing**

The following information is supplied by the Grayslake Fire Protection District pursuant to Sections 4 and 5 of the Illinois Freedom of Information Act (5 ILCS 140/4 & 5):

A. Descriptive Statement:

1. The Grayslake Fire Protection District is a public fire protection district organized and operating under the provisions of the Illinois Fire Protection District Act (70 ILCS 705/0.01 et seq.)
2. It is located in the following county: Lake
3. It operates a fire department from the following locations:  
Station #1, 160 Hawley St., Grayslake, IL 60030  
Station #2, 1200 Brae Loch, Grayslake, IL 60030  
Station #3, 22405 W. Behm, Grayslake, IL 60030
4. The mailing address of the Grayslake Fire Protection District is 160 Hawley St., Grayslake, IL 60030.
5. Persons desiring to contact the District may contact the following: District's Freedom of Information Act Officer, Grayslake Fire Protection District, 160 Hawley St., Grayslake, IL 60030.
6. The District is governed by a Board of Trustees consisting of 3 persons. Meetings of the Board are held monthly on the third Wednesday at 9:00 a.m. at Station #1, 160 Hawley St., Grayslake, IL 60030.
7. The District's annual budget total estimated appropriations is \$9,538,660.

B. The District maintains the following types and categories of records:

1. General Ordinances.
2. Budget and Appropriation Ordinances adopted annually.
3. Property Tax Levy Ordinances adopted annually.
4. Financial Reports prepared annually.
5. Minutes of meetings of the Board of Trustees and Treasurer's Reports.
6. Vouchers, Bank Statements and Records, and other financial records pertaining to receipts and disbursements of the District.
7. Policies and procedures regarding the District operations.
8. Correspondence.
9. Fire and incident reports.
10. Personnel and training records.

C. Records of the District which are available for immediate disclosure are: none.

D. Records of the District which are subject to disclosure under the Freedom of Information



Grayslake Fire Protection District  
160 Hawley Street  
Grayslake, Illinois 60030

## Freedom of Information Act

---

Act may be requested in writing from the Freedom of Information Act Officer listed above. Requests are to be submitted in writing delivered to the attention of the Freedom of Information Officer listed above, at the above address. Requests will be processed within the time permitted by the Freedom of Information Act, five (5) business days for noncommercial requests and twenty-one (21) business days for commercial requests, unless additional time, as permitted by the Act is required to process the request, in which case the person making the request will be notified in writing of the action taken with reference to the person's request. Records will generally be made available at the District's fire station for inspection at a mutually convenient time. Copies of records will be furnished in accordance with the provisions of the Freedom of Information Act. (First 50 pages of material will be provided without charge, additional pages will be charged at the rate of 15 cents per page. Color or oversize copies will be supplied at actual cost.) Any request for a waiver of copying fees must be in writing and accompany the request for copies.

- E. A denial of any records request will be made in writing to the person making the request and a request for review of any denial may be made to the Public Access Counselor, Public Access Bureau, Office of the Attorney General, 500 South Second Street, Springfield, Illinois 62706 (217) 558-0486 under Section 9.5 of the Freedom of Information Act (5 ILCS 140/9.5) within sixty (60) days of the date of denial. Persons whose request is denied may also seek judicial relief under Section 11 of the Freedom of Information Act (5 ILCS 140/11).

### **Request Procedures**

All public requests for information and/or records will be directed to the FOIA Officer, Grayslake Fire Protection District Administrative Offices, 160 Hawley St., Grayslake, Illinois 60030.

### **Initiation of Request**

FOIA provides that requests for public records must generally be made in writing, although the District may, at its discretion, honor an oral request. If it is not possible to fill an oral request while the requesting party waits, however, the requester may be asked to put that request into writing. (5 ILCS 140/3(c)).

The District will make a form available for oral or written requests. However, the District does not require that a request be submitted on its form or require the requester to specify the purpose for a request, except to determine whether the records are requested for a commercial purpose or in conjunction with a request for a fee waiver. The Act does not require a request to be signed or to include the requester's name. (5 ILCS 140/3(c)).

A request means a written document (or oral request, should the District choose to honor oral requests) that is submitted to the District FOIA Officer via personal delivery, mail, fax, electronic mail, or other means available to the District and that identifies the particular public record the requester seeks. One request may identify multiple records to be inspected or copied. (5 ILCS 140/2(g)).

All requests for inspection or copying that are received by the District will immediately be forwarded to its FOIA Officer or his or her designee.

A "business day" means a day during the week, Monday through Friday. Saturdays, Sundays



Grayslake Fire Protection District  
160 Hawley Street  
Grayslake, Illinois 60030

## Freedom of Information Act

---

and State holidays are not business days and are not counted in computing the five (5) business day time period.

### Response to Request

The FOIA Officer is responsible for receiving FOIA requests submitted to the District, ensuring that the District responds to the requests in a timely fashion and issuing responses to FOIA requests. For each FOIA request, a FOIA Officer is required to:

- Note the date the public body receives the written request;
- Compute the day on which the period for response will expire and make a notation of that date on the written request;
- Maintain an electronic or paper copy of a written request, including all documents submitted with the request until the request has been complied with or denied; and
- Create a file for the retention of the original request, a copy of the response, a record of written communications with the requester, and a copy of other communications.

The District will either comply with or deny the written request for public records within five (5) working days after its receipt.

- The District's time for response may be extended for not more than five (5) additional working days for any of the following reasons:
  - The requested records are stored in whole or in part at other locations than the office having charge of the requested records;
  - The request requires the collection of a substantial number of specified records;
  - The request is couched in categorical terms and requires an extensive search for the records responsive to it;
  - The requested records have not been located in the course of routine search and additional efforts are being made to locate them;
  - 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 Act or should be revealed only with appropriate deletions;
  - The request for records cannot be complied with by the District within five (5) working days without unduly burdening or interfering with the operations of the public body;
  - There is a need for consultation, which will be conducted with all practicable speed, with another public body or among two or more components of the District having a substantial interest in the determination or in the subject matter of the request.
- When an extension of time for response is taken for any of these reasons, the District will, within five (5) business days after receipt of the original request, notify the person making the request and specify the reason for the extension and the date when a response will be forthcoming. (5 ILCS 140/3(f)).
- Failure of the requester to respond to a written request for Notice To Meet And Confer To Narrow Categorical Request For Public Records To Manageable Proportions from



Grayslake Fire Protection District  
160 Hawley Street  
Grayslake, Illinois 60030

## Freedom of Information Act

---

the District within five (5) working days after its receipt will be considered a denial of the request.

- The response times contained in this Section may be extended with the written agreement of the requester; and
- The FOIA Officer will maintain a copy of each request, response and written communications with the requester and all documents submitted.

### Procedure for Inspection or Copying

- Inspection of District public records not excluded from inspection under the Act will be scheduled with the District Administrative Office during regular business hours.
- Inspection and copying of records will be conducted at the District Administrative Office, records will not be removed from the District Administrative Office.
- The FOIA Officer or designee will be present during inspection of District records.
- Inspection will not be allowed when records are in immediate use by persons exercising official duties which require use of the records.
- Copies of requested records will be provided by the District within the limitations of District copying equipment.

### Fees

- Letter-sized, black and white copies will be charged at \$.15 per page after the first 50 copies. Each color copy will be charged at \$.25 per page. Persons requesting electronic or oversized copies of District public records will reimburse the District for the actual cost for reproducing public records prior to release of the records.
- Documents will be furnished without charge or at a reduced charge, as determined by the Board of Trustees, if the person requesting the documents states the specific purpose for the request and indicates that a "waiver or reduction of the fee is in the public interest" pursuant to Section 6(b) of the Act (5 ILCS 140/6(b)). In setting the amount of the waiver or reduction, the District will take into consideration the amount of materials requested and the cost of copying.
- The Act defines public records to include electronic documents and communications. The District will provide the record in electronic formation specified by the request, if the request is feasible for the District. If it is not feasible, the District will present the information in the format in which it is maintained by the District or in a paper format at the option of the requester. The District may charge a fee for the actual cost of purchasing the recording medium, such as a CD, but will not charge a fee for its search for or review of the information. The District is not, however, required to obtain new programs or equipment solely to comply with a request.
- Section 1 of the Act declares that it is a fundamental obligation of government to provide public records as expediently and efficiently as possible in compliance with the Act. Although a requester may be offered the opportunity to pick up records, it is incumbent on the public body to mail or e-mail the records upon request. Further, Section 6, which



Grayslake Fire Protection District  
160 Hawley Street  
Grayslake, Illinois 60030

## Freedom of Information Act

---

provides for certain copying fees, does not provide for public bodies to charge for normal postage costs. In the event a requester asks for special handling, such as overnight mail, the public body will recover those costs.

### Nonexempt Materials Contained in Exempt Records

The District will delete any information which is exempt from disclosure under the Act from a public document which contains nonexempt material, and make the remaining information available for inspection and copying.

### Redactions

The District will redact any information which is exempt from disclosure under the Act from a public document which contains nonexempt material, and make the remaining information available for inspection and copying.

### Unwarranted Invasion Of Personal Privacy

The Act has a presumption that all information is public, unless the public body proves otherwise. There are several exceptions to public disclosure that include but are not limited to:

- Private information, which is defined as “unique identifiers, including a person’s social security number, driver’s license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal e-mail addresses.” Under the Act, “private information also includes home addresses and personal license plate numbers, except as otherwise provided by law or when compiled without possibility of attribution to any person.”
- Personal information that, if disclosed, would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the person who is the subject of the information. Under the Act, the “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.” Disclosing information that relates to the public duties of public employees is not considered an invasion of personal privacy.
- Law enforcement records that, if disclosed, would interfere with a pending or reasonably contemplated proceeding or that would disclose the identity of a confidential source.
- Information that, if disclosed, might endanger anyone’s life or physical safety.
- Preliminary drafts or notes in which opinions are expressed or policies are formulated, unless the record is publicly cited and identified by the head of the public body.
- Business trade secrets or commercial or financial information that is proprietary, privileged or confidential and disclosure would cause competitive harm to the person or business.
- Proposals and bids for any contract, until a final selection is made.
- Requests that are “unduly burdensome.”



Grayslake Fire Protection District  
160 Hawley Street  
Grayslake, Illinois 60030

## Freedom of Information Act

---

### Unduly Burdensome

- Requests calling for all records falling within a category will be complied with unless compliance with the request would be unduly burdensome for the District and there is no way to narrow the request, and the burden on the District outweighs the public interest in the information.
- Before invoking this exemption, the District will extend to the person making the request an opportunity to confer with it in an attempt to reduce the request to manageable proportions.
- The District will invoke this exemption in writing to the person making the request specifying the reasons why it would unduly burden the District and the extent to which compliance would so burden the operations of the District.
- Repeated requests for the same public records by the same person will be deemed unduly burdensome under this provision.

### Commercial Requests

- A commercial request exists when the requester seeks to use part or all of the public records for sale, resale, or solicitation or advertisement for sales or services. Requests received from news media, non-profit, scientific or academic organizations will not be considered commercial requests.
- Within twenty-one (21) business days after the receipt of the commercial purpose request, the FOIA Officer will respond to the requester. Such response will either:
  - Provide the requested records;
  - Advise when the records will be provided and the costs;
  - Deny the request pursuant to one or more exemptions found in the Freedom of Information Act; or
  - Notify the requester that the request is unduly burdensome and extend an opportunity to the requester to reduce the request to manageable proportions.
- When estimating the time required for responding to a commercial records request, the FOIA Officer should consider the size and complexity of the request. Priority will be given to non-commercial requests.

Public Act 97-579, effective August 26, 2011, added the following language applicable to commercial requests:

- The District may charge up to \$10 for each hour spent by personnel in searching for and retrieving a requested record. No fees will be charged for the first eight (8) hours spent by personnel in searching for or retrieving a requested record. The District may charge the actual cost of retrieving and transporting public records from an off-site storage facility when the public records are maintained by a third-party storage company under contract with the public body. (5 ILCS 140/6(f)).
- If The District imposes fees in accordance with this subsection, it will provide the requester with an accounting of all fees, costs, and personnel hours in connection with



Grayslake Fire Protection District  
160 Hawley Street  
Grayslake, Illinois 60030

## Freedom of Information Act

---

the request for public records. This section applies only to commercial requests.

### Agreement to Extend

- A person making a request for records and the public body may agree in writing to extend the time for compliance for a period to be determined by the parties. If the requester and the District agree to extend the period for production, a failure by the District to comply with the statutory deadlines will not be treated as a denial of the request for the records. (5 ILCS 140/3(e)).

### Failure to Respond

- If The District fails to respond to a request within five (5) business days, or within an extension of the period for response if one is properly taken, but subsequently provides the requester with copies of the requested records, the District may not impose a fee for copying those documents. Further, The District may not treat the request as being unduly burdensome under subsection 3(g) of FOIA. (5 ILCS 140/3(f)).

### Recurrent Requests

Public Act 97-579, effective August 26, 2011, added section 3.2 to the Act, which created new guidelines for handling frequent requests for information from the same requester.

"Recurrent requester" is defined in Section 2(g) of the Act as a person who, in the 12 months immediately preceding the request, has submitted to the same public body:

- A minimum of 50 requests for records,
- A minimum of 15 requests for records within a 30-day period,
- A minimum of 7 requests for records within a 7-day period.

Within five (5) business days after receiving a request from a recurrent requester, The District will notify the requester:

- That the request is being treated as a recurrent request;
- The reason(s) why the request is being treated as a recurrent request; and
- That the District will send an initial response within 21 business days after receipt of the request, in accordance with Subsection 3.2(a) of the Act.

The District will also notify the requester of the proposed responses that can be asserted to a recurrent requester.

### Commercial Request Recurrent Requester

The District will respond to a request for records from a recurrent requester within 21 business days of receipt of the request by:

- Providing the records;
- Providing an estimate of the time when the records will be furnished and the fees to be charged, which the District may require the requester to pay in full before copying the



Grayslake Fire Protection District  
160 Hawley Street  
Grayslake, Illinois 60030

## Freedom of Information Act

---

responsive documents;

- Denying the records pursuant to one or more exemptions in the Act; or
- Advising the requester that the request is unduly burdensome and extending an opportunity to the requester to narrow the request to manageable proportions. (5 ILCS 140/3.2 (a)).

Unless the records are exempt from disclosure, the District will comply with a request within a reasonable period considering the size and complexity of the request. (5 ILCS 140/3.2(c)).

### Advice Regarding Compliance with the Act

- The District will ask for advisory opinion from the Attorney General's Public Access Counselor in the event of uncertainty if certain records must be disclosed under the Act. Such request will be written and contain sufficient accurate facts for the Public Access Counselor to make a determination.
- The District that relies on good faith on an advisory opinion of the Attorney General's Public Access Counselor in responding to a request is not liable for penalties under the Act, as long as the public body fully and fairly disclosed to the Attorney General's Public Access Counselor the facts upon which the opinion is based.

### Denial of Request for Public Records; Appeal

Any person denied access to inspect or copy any public record may appeal the denial to:

Public Access Counselor  
Office of the Attorney General  
500 S. Second Street  
Springfield, Illinois 62706



Grayslake Fire Protection District
160 Hawley Street
Grayslake, Illinois 60030

Freedom of Information Act

Freedom of Information Act Request for Records

\*\*Note to Requester: Retain a copy of this request for your files. If you eventually need to file a Request for Review with the Public Access Counselor, you will need to submit a copy of your FOIA request.\*\*

Name and Address of Public Body Receiving Request:

Grayslake Fire Protection District, 160 Hawley Street, Grayslake, Illinois 60030

Date Requested:

Request Submitted By: \_\_\_ E-mail \_\_\_ U.S. Mail \_\_\_ Fax \_\_\_ In Person \_\_\_ Verbal

Name of Requester:

Street Address:

City/State/County Zip:

Telephone:

Fax:

E-mail:

Records Requested (required):

\*Provide as much specific detail as possible so the public body can identify the information that you are seeking. You may attach additional pages, if necessary.

Do you want copies of the documents? \_\_\_ Yes \_\_\_ No

Do you want Electronic Copies or Paper Copies?

If you want Electronic Copies, in what format?

Is this request for a Commercial Purpose? \_\_\_ Yes \_\_\_ No

(It is a violation of the Freedom of Information Act for a person to knowingly obtain a public record for a commercial purpose without disclosing that it is for a commercial purpose, if requested to do so by the public body. (5 ILCS 140.3.1(c)).

Are you requesting a fee waiver? \_\_\_ Yes \_\_\_ No

(If you are requesting that the public body waive any fees for copying the documents, you must attach a statement of the purpose of the request, and whether the principal purpose of the request is to access or disseminate information regarding the health, safety and welfare or legal rights of the general public. (5 ILCS 140/6(c))