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EXECUTIVE COMMITTEE OF COUNCIL

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

**SUBJECT: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY
LEGISLATION**

RECOMMENDATION:

1. THAT Burnaby Council authorize amendment of Burnaby Freedom of Information Bylaw, No. 10183 to appoint the City Clerk as Information and Privacy Coordinator in accordance with the terms and conditions as set out in the Bylaw.

REPORT

The Executive Committee of Council, at its 'Open' meeting held on 2007 May 14, received and adopted the attached report requesting authorization to amend the Burnaby Freedom of Information Bylaw to appoint the City Clerk as Information and Privacy Co-ordinator in accordance with the terms and conditions set out in the Bylaw.

Respectfully submitted,

Councillor P. Calendino
Chair

Councillor N. Volkow
Vice Chair

Councillor L. Rankin
Member

Copied to: -City Manager

TO: CHAIR AND MEMBERS
EXECUTIVE COMMITTEE OF COUNCIL

DATE: 2007 April 19

FROM: DEPUTY CITY MANAGER

**SUBJECT: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY
LEGISLATION**

PURPOSE: To request Council authorize an amendment to Burnaby Freedom of Information Bylaw, No. 10183 to appoint the City Clerk as Information and Privacy Coordinator in accordance with the terms and conditions set out in the Bylaw.

RECOMMENDATION:

1. **THAT** Burnaby Council authorize amendment of Burnaby Freedom of Information Bylaw, No. 10183 to appoint the City Clerk as Information and Privacy Coordinator in accordance with the terms and conditions as set out in the Bylaw

REPORT

In 1995 Burnaby City Council adopted the Burnaby Freedom of Information Bylaw (see attached) in compliance with the Provincial Freedom of Information and Protection of Privacy Act.

At that time the Executive Committee was designated the “Head” of the City for the purposes of the Act and the Deputy City Manager was appointed as the Information and Privacy Coordinator to act for the City on behalf of the Executive Committee.

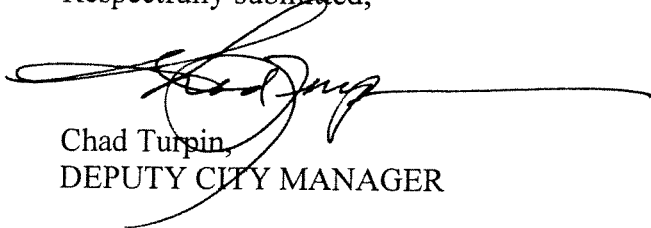
Duties and responsibilities have changed over time and the number of FOIPOP applications have continued to increase. During the past several years the Deputy City Manager has taken on additional responsibilities, particularly but not limited to World Police and Fire Games. As a result FOIPOP responsibilities have been administered as much as possible by the Clerks Department while remaining in compliance with the Bylaw.

In order to formalize this operating structure and recognize the changes to duties and responsibilities that have evolved over time, it would be appropriate to amend the Burnaby

To: *Executive Committee of Council*
From: *Deputy City Manager*
Re: *Freedom of Information and Protection of Privacy
Legislation*
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Freedom of Information Bylaw to appoint the City Clerk as the Information and Privacy Coordinator for the City.

Respectfully submitted,



Chad Turpin,
DEPUTY CITY MANAGER

CT:dc

Copied to: City Manager
City Solicitor

FREEDOM OF INFORMATION BYLAW - No. 10183

CITY OF BURNABY

BYLAW NO 10183

A BYLAW respecting the administration of the Freedom
of Information and Protection of Privacy Act

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY FREEDOM OF INFORMATION BYLAW**.
2. In this Bylaw, unless the context otherwise requires,
 - (a) "**Act**" means the Freedom of Information and Protection of Privacy Act, S.B.C. 1992, Chapter 61;
 - (b) "**commercial applicant**" means a person who makes a request for access to a record to obtain information for use in connection with a trade, business, profession or other venture for profit;
 - (c) "**co-ordinator**" means the person designated in section 3 of the Information and Privacy Co-ordinator;
 - (d) "**Executive Committee of Council**" is a standing committee of Council established by the mayor pursuant to section 239 of the Municipal Act;
 - (e) "**head**" means the person or group of persons designated as head of the City for the purposes of the Act;
 - ~~_____~~(f) "**request**" means a request under section 5 of the Act.
3. (1) The Executive Committee of Council is designated head for the purposes of the Act.
- ~~_____~~(2) The Deputy City Manager Corporate Services is Information and Privacy Co-ordinator.
4. The co-ordinator is hereby authorized to perform any duty and exercise any function that the head is authorized or empowered to perform or exercise under Act.
5. An applicant who makes a request under section 5 of the Act shall pay to the City the fees set out in Schedule "A".

Read a first time this 13th day of MARCH 1995
Read a second time this 13th day of MARCH 1995
Read a third time this 13th day of MARCH 1995
Reconsidered and adopted this 20th day of MARCH 1995

(SIGNED) "W.J. COPELAND"
MAYOR

(SIGNED) "M. PASQUA"
DEPUTY CITY CLERK

SCHEDULE "A"

SCHEDULE OF FEES

1. FOR APPLICANTS OTHER THAN
COMMERCIAL APPLICANTS:

- (a) for locating and retrieving a record \$7.50 per 1/4 hour after the first 3 hours
- (b) for producing a record manually \$7.50 per 1/4 hour
- (c) for producing a record from a machine \$16.50 per minute for cost of use readable record of central mainframe processor and all locally attached devices plus \$7.50 per 1/4 hour for developing a computer program to produce the record
- (d) for preparing a record for disclosure \$7.50 per 1/4 hour
- (e) for shipping copies actual cost of shipping method chosen by applicant
- (f) for copying records
 - (i) photocopies and computer printouts \$.25 per page (8.5" x 11", 8.5"

- x 14") \$.30 per page (11" x 17")
- (ii) floppy discs \$10.00 per disk
 - (iii) computer tapes \$40.00 per tape, up to 2400 feet
 - (iv) microfiche \$10.00 per fiche
 - (v) 16 mm microfilm duplication \$25.00 per roll
 - (vi) 35 mm microfilm duplication \$40.00 per roll
 - (vii) microfilm to paper duplication \$.50 per page
 - (viii) photographs (colour or black and white) \$5.00 to produce a negative
 - \$12.00 each for 16" x 20"
 - \$9.00 each for 11" x 14"
 - \$4.00 each for 8" x 10"
 - \$3.00 each for 5" x 7"
 - (ix) photographic print of textual, graphic or cartographic record (8" x 10") black and white \$12.50 each

SCHEDULE "A"

(Continued)

- (x) hard copy laser print, B/W, 300 dots/inch \$.25 each
- (xi) hard copy laser print, B/W 1200 dots/inch \$.40 each
- (xii) hard copy laser print, colour \$1.65 each
- (xiii) photomechanical reproduction of 105 mm cartographic record/plan \$3.00 each
- (xiv) slide duplication \$.95 each
- (xv) plans \$1.00 per square metre

- (xvi) audio cassette duplication recording \$10.00 plus \$7.00 per 1/4 hour of recording
- (xvii) video cassette (1/4 " or 8 mm) \$11.00 per 60 minute cassette plus \$7.00 1/4 hour of recording; \$20.00 per 120 minute cassette plus \$7.00 per 1/4 hour of recording
- (xviii) video cassette (1/2") duplication per 1/4 hour of recording \$15.00 per cassette plus \$11.00
- (xix) video cassette (3/4") duplication per 1/4 hour of recording \$40.00 per cassette plus \$11.00

2. FOR COMMERCIAL APPLICANTS the actual cost of providing that
 FOR EACH SERVICE LISTED IN ITEM 1 service