

GRAND PRAIRIE WATER COMMISSION
RULES AND REGULATIONS IMPLEMENTING
THE ILLINOIS FREEDOM OF INFORMATION ACT

Adopted by Board of Commissioners on February 6, 2025

I. Purpose of Rules and Regulations

The purpose of these Rules and Regulations (“Rules”) is to establish instructions applicable to the availability of public records of the Grand Prairie Water Commission and procedures to be followed with respect to requests for information brought to the Commission under the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* (“FOIA” or “Act”), while protecting legitimate privacy interests and maintaining administrative efficiency.

These Rules establish a procedure to be followed by the public when requesting public records of the Commission. These Rules also set forth the procedures to be followed by the Commission in responding to requests for information.

II. Scope of Rules / Conflicts with FOIA

These Rules do not supersede the provisions of the Freedom of Information Act. In the event of a conflict between these Rules and the Act, the provisions of the Act will control.

III. Definitions

- A. Terms used in these Rules shall have the same meaning as in the Freedom of Information Act.
- B. Unless otherwise defined in these Rules or in the Act, the following definitions are applicable for purposes of these Rules:

“Business days” means calendar days other than Saturdays, Sundays and federal and state legal holidays and days when the offices of the Program Manager are not open and staffed for regular public business

"Commission" means the Grand Prairie Water Commission.

"FOIA" or “the Act” means the Freedom of Information Act.

"Freedom of Information Officer" or "FOI Officer" means an individual designated by the Board of Commissioners as responsible for receiving and responding to requests for public records.

"Program Manager" means the City of Joliet acting pursuant to its authority under the Intergovernmental Agreement for Program Management, dated July 2, 2024.

"Requester" means a person who submits a request for public records in accordance with these Rules.

IV. Procedures for Requesting Public Records

A. Person to Whom Requests are Submitted. Requests for public records shall be submitted to the Commission's FOI Officer by the methods set forth below.

1. The preferred method for FOIA requests is through the link entitled "FOIA Requests" located on the Commission's website at <https://www.gpwc-il.org>.
2. FOIA requests may be made by email to: info@gpwc-il.org. Email requests must include the term "FOIA Request" in the subject line of the email.
3. FOIA requests may be made in person or by mail to:

Joliet City Hall
150 W. Jefferson Street
Joliet, IL 60432
Attn: Grand Prairie Water Commissioner FOI Officer

Requests by mail will be deemed received on the date of actual receipt by the FOI Officer, regardless of date of mailing.

B. Written Requests Required. All requests for public records submitted to the Commission shall be in writing and shall include the following information in the request.

1. The Requester's full name, mailing address or email address and telephone number, including area code, at which the Requester can be reached during normal business hours.
2. A specific description of the public records sought.
3. Whether the request is for inspection of public records, copies of public records, or both.
4. A statement of purpose, indicating whether the Requester intends to use the records, or the information derived from those records, for sale, resale, solicitation, or advertisement for sales or services.
5. Identification of whether the Requester is a news media and non-profit, scientific, or academic organization and, if so, whether the principal purpose of the request is (a) to access and disseminate information concerning news and current or passing events, (b) for articles of opinion or features of interest to the public, or (c) for the purpose of academic, scientific, or public research or education.

V. Procedures for Commission Response to Request for Public Records

A. Timeline for Commission Response.

1. The Commission shall promptly either comply with or deny a request for public records within 5 business days after its receipt of the request.

2. The time for response may be extended by the Commission for not more than 5 business days from the original due date for any of the reasons set forth in Section 3(e) of FOIA.
3. The time periods for compliance or denial of a request to inspect or copy records set out in this Section shall not apply to requests for records made for a commercial purpose, requests by a recurrent requester, or voluminous requests. Such requests shall be subject to the provisions of Sections 3.1, 3.2, and 3.6 of the FOIA, as applicable.
4. Failure to respond by the Commission within the time required by FOIA may be considered by the Requester as a denial of the request subject to review by the Public Access Counselor.

B. Types of Commission Responses.

1. The Commission shall respond to a request in one of three ways:
 - a. Approving the request;
 - b. Approving in part and denying in part; or
 - c. Denying the request.
2. When a request for public records has been approved, the Commission shall give notice that the requested material will be made available upon receipt of payment from the Requester for reproduction costs, if applicable, or give notice of the time and place for inspection of the requested material.
3. Requests for public records shall be denied only for the reasons stated in Section 7 or Section 7.5 of the FOIA. A denial of a request shall be made in writing and shall provide the reasons for the denial, including a detailed factual basis and citation to legal authority for the application of any exemption claimed, and the names and titles or positions of individuals responsible for the decision to deny the request. Each notice of denial must also include a statement that the Requester has the right to review of the denial by the Public Access Counselor and provide the address and phone number for the Public Access Counselor. Each notice of denial shall inform the Requester of the right to judicial review under Section 11 of FOIA.
4. Categorical requests creating an undue burden upon the Commission may be denied only after extending to the Requester an opportunity to narrow the request to manageable proportions in accordance with Section 3(f) of the FOIA.

- C. Maintenance of Denial Notices. Copies of all notices of denial shall be retained by the Commission in a single central office file that is open to the public and indexed according to the type of exemption asserted and, to the extent feasible, according to the types of records requested.

- D. Records Maintained Online. The Commission is not required to copy a public record that is published on the Commission's website. In any instance where the records requested are located on the Commission's website, the FOI Officer, or his or her designee, will notify the Requester of the website where the record can be reasonably accessed. If the Requester is unable to reasonably access the record online after being directed to the Commission's website, the Requester may re-submit his or her request for the record stating his or her inability to reasonably access the record online. Thereafter, the Commission will make the requested record available for inspection or copying in accordance with these Rules.
- E. No Obligation to Create New Records or Interpret or Advise. Except as provided in Section VIII of these Rules, the Act and these Rules do not require the Commission to create records that the Commission does not already maintain in record form. Neither the Act nor these Rules require the Commission to interpret or advise Requesters as to the meaning or significance of the public records of the Commission.

VI. Inspection of Public Records

- A. Public records approved by one of the Commission's Freedom of Information officers (each a "FOI Officer") will be made available for inspection between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except on State and City holidays, at the office of the Commission's Program Manager, the City of Joliet, located at 150 W. Jefferson Street, Joliet, IL 60432.
- B. Prior to inspection, Requesters are required to contact the Commission's FOI Officer at the Commission's email address at info@gpwc-il.org or by telephone at (815)724-4220 to schedule a date and time to review the public records. All contacts must be directed to the Grand Prairie Water Commission FOI Officer.
- C. Before the scheduled date of inspection, Commission records will be reviewed by the Commission's FOI Officer or their designee and exempt or confidential information shall be redacted or removed before a Requester is permitted to inspect the public records.
- D. The Commission's FOI Officer or designee shall be present at all times during the Requester's inspection of public records.
- E. Requesters may not remove or place any markings on the public records during the inspection. Public records that the Requester wishes to have copied shall be segregated or otherwise identified during the course of the inspection. All copying will be performed by the FOI Officer or their designee and will be provided to Requester upon payment of all applicable fees set forth in Section VII below.

VII. Fees for Copies of Public Records

- A. Copies of public records will be provided to the Requester only upon payment of any fees which are due.
- B. Standard fees for copying public records shall be the same as the fees assessed by the Commission's Program Manager for FOIA requests, and may include all other fees as authorized by the Act.

- C. Fees may be waived or reduced by the FOI Officer if the total charge for copies of the public records is less than \$10, or if the request is in the public interest as defined in Section 6 of the FOIA.
- D. There will be no fee charged for inspection of records or the Commission's costs in searching and reviewing records, unless permitted by the Act.

VIII. Display of Information

- A. The Commission's FOI Officer, or his or her designee, shall create and make available for public inspection, copying, and mailing, a document or documents containing the following information:
 - 1. a brief description of the Commission;
 - 2. a brief description of the methods whereby the public may request information and public records;
 - 3. a directory designating the Commission's FOI officers;
 - 4. the address where requests for public records should be directed;
 - 5. fees allowable under Section 6 of the FOIA and as set forth in Section VII of these Rules; and
 - 6. a reasonably current and detailed list of all types or categories of records under the control of the Commission in order to aid persons in obtaining access to the Commission's public records pursuant to the Act.
- B. The information set forth above in paragraph A of this Section, along with these Rules, shall be prominently displayed at the main administrative offices of the Program Manager, and shall also be posted on the Commission's website and on the Commission's main bulletin board located at the Village Hall of the Village of Shorewood.