

Introduction to Freedom of Information Act (FOIA)

Under the Illinois Freedom of Information Act (5 ILCS 140), records in possession of public agencies may be accessed by the public upon written request. Pursuant to Section 2 (c) of the Act, a public record is any documentary material 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. Some records are, however, not subject to release via the FOIA process; these types of records are described under Section 7

(1) (a) thru (y) of the Act. Some records may also be subject to confidentiality provisions imposed by other state statutes; the FOIA process does not supersede these other applicable statutory and judicial mandates.

How to File a FOIA Request with the Sanitary District of Decatur

1. The Sanitary District of Decatur does not require the completion of a standard form to file your written FOIA request. However, including the phrase “Freedom of Information Act Request” or “FOIA Request” will help alert us that your request requires compliance with FOIA timelines and regulations. You may submit your written request via hand delivery, mail, fax or e-mail.

Please direct your FOIA request to:

FOIA Officer – Kent D. Newton
Sanitary District of Decatur

501 Dipper Lane
Decatur, IL 62522
Fax: (217) 423-8171
E-mail: FOIA@sddcleanwater.org

2. Please be as specific as possible when describing the records you are seeking. Remember, FOIA is designed to allow you to inspect or receive copies of records. It is not designed to require a public body to answer questions. To the extent that you wish to ask questions of a representative of the Sanitary District, you may call our Office at (217) 422-6931 to be directed to the proper person.
3. Please tell us if you wish to examine the records in person or if you would like an electronic or paper copy of the requested records. You have the right to either option.
4. If you are requesting an electronic copy, please specify the electronic format you prefer. If the Sanitary District does not have the technology to provide documents in the format you request, you will be given the choice of receiving the documents in the electronic format in which the documents are maintained by the Sanitary District or as a paper copy.

5. There is no fee for up to fifty (50) pages of black and white (B&W), standard size, paper copies. There is a \$0.15 charge for each page over fifty (50) pages. (For example there would be a \$0.30 fee for a request for a 52 page B&W letter size document but no charge for a 49 page B&W letter size document). If you request color copies, non-standard paper sizes, or electronic media, there will be a fee equal to the actual consumable cost. The Sanitary District will provide you with an estimated cost before your request is processed so you can decide if you want to pay the fee or receive the information in a different format.
6. FOIA requests for commercial purposes are subject to different timelines and a lower priority than non- commercial requests as outlined in Section 3.1 of the Act. Therefore, you must include a phrase similar to “this request is for a commercial purpose” in the written request if you are making a commercial purpose FOIA request. Section 2 (c)(10) of the Act defines "Commercial purpose" as the use of any part of a public record or records, or information derived from public records, in any form for sale, resale, or solicitation or advertisement or sales or services.
7. You are permitted to ask for a waiver of copying fees for a non-commercial FOIA request but you must include a specific explanation as to why your request is in the public interest—not simply your personal interest—and merits a fee waiver. The decision to grant a fee waiver request is at the sole discretion of the Sanitary District.
8. Please include contact information such as your name, preferred telephone number(s), mailing address, and your email address in your written request so the Sanitary District can comply with notification requirements or contact you if we need more information to process your request.

****Note to Requester: You should retain a copy of your written request from the Sanitary District. If you eventually need to file a Request for Review with the Public Access Counselor in the Attorney General’s Office, you will be required to submit a copy of your FOIA request.****

Authority

This website information concerning the FOIA is being provided as required by Section 4 of the FOIA. This website information may be revised and/or updated in the future.