

FOIA Appeal an Excess Fee Form

Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Date Received: _____ **Received Via:** Hand Delivered Mail E-Mail Fax Other

Request for: Copy Certified Copy Record Inspection Electronic Format Subscription

Delivery Method: Pick-Up Make own copies onsite Mailed Emailed Electronic Format

Requester Information – please print or type:

Name:		Phone:
Business/Organization:		Fax:
Address:		Email:
City:	State:	ZIP:

Describe the public record(s) you requested (listed here or see attached copy of original request):

REASON(S) FOR APPEAL

The appeal must specifically identify how the required fee(s) exceed the amount permitted. You may use this form or attach additional sheets:

Requester's Signature: _____ **Date:** _____

CITY OF ESCANABA'S RESPONSE/DETERMINATION

The City of Escanaba must provide a response within 10 business days after receiving this appeal, including determination or taking one 10 day extension.

City of Escanaba Extension: We are extending the date to respond to your FOIA fee appeal for no more than 10 business days. Only one extension may be taken per FOIA appeal. Unusual circumstances warranting extension: _____

If you have any questions regarding this extension, contact the City Clerk's office at 906-786-1194.

City of Escanaba Determination: Fee Waived Fee Reduced Fee Upheld

Written basis for determination: _____

Notice of Requester's Right to Seek Judicial Review

You are entitled under Section 10a of the Michigan FOIA Act, MCL 15.240a, to appeal a FOIA fee that you believe exceeds the amount permitted under the City's written Procedures and Guidelines to the City Manager, or to commence an action in the Circuit Court for a fee reduction within 45 days after receiving the notice of the required fee or a determination of an appeal to the City Council. If a civil action is commenced in court, the City of Escanaba is not obligated to complete processing the request until the Court resolves the fee dispute. If the Court determines that the City required a fee that exceeded the permitted amount, the Court shall reduce the fee to a permissible amount.

Signature of FOIA Coordinator: _____

Date: _____



Mission Statement:

Enhancing the enjoyment and livability of our community by providing quality municipal services to our citizens.
The City of Escanaba is an equal opportunity employer and provider.