



IN
THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Dated: 5/19/2008

Sponsored by Councilmember(s): Rennia, Kramer, Massey, Gerchman, Weslar, Collins

Introduced by Committee(s) on: Finance

ORDINANCE
entitled

AN ORDINANCE AMENDING SECTION 5-24.H FEES
IN THE CODE OF ORDINANCES TO REQUIRE
PAYMENT FOR ALL COPIES UNDER THE
FREEDOM OF INFORMATION LAW

WHEREAS, by Permanent Ordinance 07-044 dated September 4, 2007, City Council amended the Code of Ordinances of the City of Binghamton, Chapter 5 *Administration of Government* § 5-24, *Public access to records, H. Fees*, to provide that "copies of records shall not exceed twenty-five cents per photocopy not in excess of nine inches by fourteen inches, or the actual cost of reproducing any other record, *except there shall be no fee for twenty or less copies of pages not in excess of nine inches by fourteen inches;*" and

WHEREAS, such Ordinance was based on inaccurate information; to wit, the City of Binghamton collected less than \$150.00 per year for fees under the Freedom of Information Law ("FOIL"); and

WHEREAS, it has since been determined that some City departments refer to "copy fees" rather FOIL fees and such fees are not always segregated from other accounts but are estimated to exceed \$2,000.00 per year; and

WHEREAS, based on such information Council wishes to revoke its prior amendment regarding copy fees under FOIL.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Code of the City of Binghamton, Chapter 5 *Administration of Government*, § 5-24. *Public access to records. H. Fees*, is deleted in its entirety and is replaced as follows: "Fees for copies of records shall not exceed twenty-five cents per photocopy not in excess of nine inches by fourteen inches, or the actual cost of reproducing any other record."

Section 2. That this ordinance shall take effect immediately.

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paragraph "L" as follows: "L. Each member of the Zoning Board of Appeals shall be paid an annual stipend of five hundred (\$500.00) dollars. Payments shall be made in four installments, on or about April 1, July 1, October 1, and January 1 (for the previous year). Any member joining the Zoning Board of Appeals other than prior to the first meeting of the year will be paid a proportionate amount of the stipend. Any member who is removed pursuant to the Code of the City of Binghamton ARTICLE I, *Vacancies Due to Nonattendance*, § 16-1, *Application*, § 16-2, *Determination of vacancy*, or § 410-91.D, *Removal of members*, shall not be paid for any missed meetings leading to dismissal."

Section 3. That this ordinance shall take effect immediately.