

RESOLUTION NO. 12209.1

**A RESOLUTION  
APPROVING AND AUTHORIZING REVISED RULES AND  
REGULATIONS UNDER THE FREEDOM OF INFORMATION ACT**

**WHEREAS**, Public Act 96-0542, which becomes effective on January 1, 2010, amends the Open Meetings Act (5 ILCS 120/1 et seq.), the Freedom of Information Act (as amended, the "FOIA", 5 ILCS 140/1 et seq.) and the Attorney General Act (15 ILCS 140/0.01 et seq.) to make changes concerning the codification of the Public Access Counselor and changes to the FOIA; and

**WHEREAS**, the City of Berwyn, Cook County, Illinois (the "City") is a "public body" as defined by the FOIA; and

**WHEREAS**, Sections 3 and 6 of the FOIA provides that the City may promulgate rules and regulations in conformity with such Sections pertaining to the availability of records and procedures to be followed, including, but not limited to, (i) the times and places where requested records will be available, (ii) the persons from whom such requested records may be obtained, and (iii) the establishment of fees reasonably calculated to reimburse the City its actual cost for reproducing and certifying public records and for the use, by any person, of the equipment of the City to copy records, subject to being in accordance with the FOIA; and

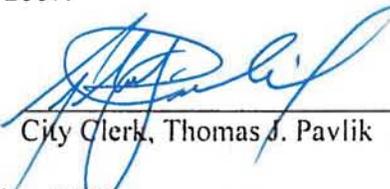
**WHEREAS**, there has been presented to and there is now before this meeting of the Corporate Authorities of the City a revised copy of such rules and regulations entitled "City of Berwyn Request for Inspection or Copying of Public Records, Rules and Regulations in Accordance with the Freedom of Information Act (5 ILCS 140) REVISED DECEMBER, 2009 (the "**Revised FOIA Rules and Regulations**")", a copy of which is attached hereto.

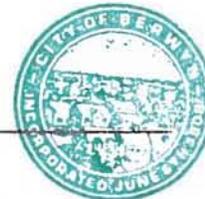
**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND MEMBERS OF THE CITY COUNCIL OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**, as follows:

**Section 1. Adoption.** That the Revised FOIA Rules and Regulations be and the same are hereby authorized, approved and adopted under and pursuant to the FOIA, such Revised FOIA Rules and Regulations to become effective on January 1, 2010.

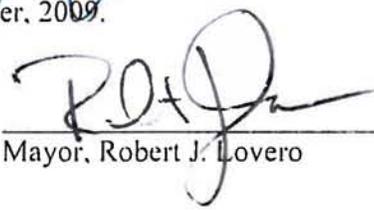
**Section 2. Designation.** That the City Clerk is hereby designated as the Freedom of Information Officer of the City under and pursuant to Section 3.5 of the FOIA and the Revised FOIA Rules and Regulations.

**PASSED** this 22<sup>nd</sup> day of December, 2009.

  
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City Clerk, Thomas J. Pavlik



**APPROVED** this 22<sup>nd</sup> day of December, 2009.

  
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Mayor, Robert J. Lovero