

VILLAGE OF COAL CITY

DENIAL OF REQUEST FOR PUBLIC RECORDS

To: _____

On _____, the Village received your request for inspection, copying, or certification of certain Village public records ("**Your Request**").

I. **Denial of Request**

After review, Your Request is hereby denied as to the following records ("**Specified Records**"): _____

II. **Justification for Denial**

Your Request is being denied with respect to the Specified Records because the Specified Records are exempt from disclosure pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.*, for the following specific reasons (include detailed factual basis): _____

Citation to the specific section or sections of the Act containing the applicable exemption or exemptions is identified below:

- The Specified Records you have requested are not "public records" under the definition provided in Section 2(c) of the Act.
- The Specified Records are not maintained by the Village, would require the Village to create a responsive document, or are not within the Village's possession or control. § 1
- Contractors' employees' addresses, telephone numbers, and social security numbers have been redacted from certified payroll records. § 2.10
- The Specified Records constitute arrest report or history record information not required to be disclosed. § 2.15(c)
- Your Request, couched in categorical terms, is unduly burdensome because the burden on the Village of complying with Your Request outweighs the public interest in providing the Specified Records, and efforts to reduce Your Request to manageable proportions have been unsuccessful. § 3(g)
- Your Request is unduly burdensome because you have repeatedly requested the same Specified Records that are unchanged or identical to previous requests provided or properly denied. § 3(g)

- Disclosure of the Specified Records is prohibited by Federal or State law, rule, or regulation. § 7(1)(a)
- The Specified Records constitute “private information.” § 7(1)(b)
- The Specified Records constitute “personal information,” the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. A notice of intent to deny based on this exemption has been filed with the Public Access Counselor. § 7(1)(c)
- The Specified Records were created in the course of administrative enforcement proceedings, or any law enforcement or correctional agency for law enforcement purposes and disclosure would (i) interfere with a pending or actually and reasonably contemplated law enforcement proceedings; or (ii) interfere with active administrative enforcement proceedings; or (iii) create a substantial likelihood that a person would be deprived of a fair trial or impartial hearing; or (iv) unavoidably disclose the identity of a confidential source, confidential information furnished only by a confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies, except for traffic accident and rescue reports, or (v) disclose unique or specialized investigative techniques and disclosure would result in demonstrable harm to the Village; or (vi) would endanger the life or safety of law enforcement personnel or other person; or (vii) obstruct an ongoing criminal investigation. § 7(1)(d)
- The Specified Records relate to the security of detention facilities. § 7(1)(e)
- The Specified Records are preliminary drafts, notes, recommendations, memoranda, or other records in which opinions are expressed or policies or actions are formulated. A notice of intent to deny based on this exemption has been filed with the Public Access Counselor. § 7(1)(f)
- The Specified Records contain trade secrets or commercial or financial information that is furnished under a claim that they are proprietary or confidential and disclosure would cause competitive harm. § 7(1)(g)
- The Specified Records constitute proposals or bids for a contract, grant, or agreement that has not been finally awarded and executed or would, if disclosed, frustrate or compromise the Village’s procurement procedures. § 7(1)(h)
- The Specified Records are valuable formulae, computer geographic systems, designs, drawings, or research data if disclosure could reasonably be expected to produce private gain or public loss. § 7(1)(i)
- The Specified Records are educational data not required to be disclosed, including test data, evaluation information, student disciplinary information, and faculty course or research materials. § 7(1)(j)
- The Specified Records are architects’ plans, engineers’ technical submissions, or other construction related technical documents not constructed in whole or in part with public funds, or where disclosure would or could compromise the security of a public building. § 7(1)(k)

- The Specified Records are minutes of closed meetings of the Village and are not subject to public inspection pursuant to the Open Meetings Act. § 7(1)(l)
- The Specified Records constitute or reflect communications between the Village and an attorney or auditor that are not subject to discovery in litigation or were prepared or compiled at the request of an attorney advising the Village in anticipation of criminal, civil, or administrative proceedings or an internal audit of the Village. § 7(1)(m)
- The Specified Records relate to a Village's adjudication of employee grievances or disciplinary cases. § 7(1)(n)
- Disclosure of the Specified Records would jeopardize the security of a data processing system or the data contained therein. § 7(1)(o)
- The Specified Records relate to employee collective bargaining matters and do not constitute a final collective bargaining agreement. § 7(1)(p)
- The Specified Records are examination data used to determine the qualifications of a applicant for a license or employment. § 7(1)(q)
- The Specified Records relate to pending negotiations for the purchase or sale of real estate or pending or contemplated eminent domain proceedings and are not subject to discovery pursuant to the rules of the Illinois Supreme Court. § 7(1)(r)
- The Specified Records are proprietary information related to the operation of an intergovernmental risk management association, self-insurance pool, or jointly self-administered health and accident cooperative or pool, or are insurance or self insurance claims, loss, or risk management information, records, data, or communications. § 7(1)(s)
- The Specified Records relate to the supervision of financial institutions or insurance companies. § 7(1)(t)
- The Specified Records are information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs, or private keys intended to be used to create electronic or digital signatures. § 7(1)(u)
- The Specified Records concern vulnerability assessments, security measures, or response policies or plans designed to identify, protect, or respond to potential attacks on a community's population or systems, facilities, or installations. § 7(1)(v)
- The Specified Records are maps or other records regarding the location or security of utility facilities. § 7(1)(x)
- The Specified Records relate to proposals, bids, or negotiations for electric power procurement. § 7(1)(y)
- The Specified Records are confidential under Section 4002 of the Technology Advancement and Development Act. § 7.5(a)
- The Specified Records identify library users with specified materials. § 7.5(b)

- The Specified Records are received by or prepared by the Experimental Organ Transplantation Procedures Board. § 7.5(c)
- The Specified Records relate to known or suspected cases of sexually transmissible disease. § 7.5(d)
- The Specified Records are exempt under Section 30 of the Radon Industry Licensing Act. § 7.5(e)
- The Specified Records are evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act. § 7.5(f)
- The Specified Records are exempt under Section 50 of the Illinois Prepaid Tuition Act. § 7.5(g)
- The Specified Records are exempt under the State Officials and Employees Ethics Act. § 7.5(h)
- The Specified Records relate to the Village's local emergency energy plan. § 7.5(i)
- The Specified Records relate to data concerning the distribution of surcharge moneys collected and remitted by wireless carriers. § 7.5(j)
- The Specified Records relate to law enforcement officer identification information or driver identification information compiled by a law enforcement agency t. § 7.5(k)
- The Specified Records are exempt under the Abuse Prevention Review Team Act. § 7.5(l)
- The Specified Records relate to the predatory lending database created by Article 3 of the Residential Real Property Disclosure Act. § 7.5(m)
- The Specified Records are exempt under the Capital Crimes Litigation Act. § 7.5(n)
- The Specified Records are exempt under Section 4 of the Illinois Health and Hazardous Substances Registry Act. § 7.5(o)
- The Specified Records relate to security records compiled, collected, or prepared by or for the RTA. § 7.5(p)
- The Specified Records are exempt under the Personnel Records Review Act. § 7.5(q)
- The Specified Records are exempt under the Illinois School Student Records Act. § 7.5(r)
- The Specified Records are exempt under Section 5-108 of the Public Utilities Act. § 7.5(s)
- Other: _____

III. **Responsible Official**

The Village's FOIA Officer is the official responsible for this denial.

IV. **Notice of the Right to Review and Appeal**

You have the right to file a review of this denial with the Public Access Counselor at: 500 S. 2nd Street, Springfield, Illinois 62706 or 217-558-0486. You also have the right to judicial review under Section 11 of the Act. If you file a request for review with the Public Access Counselor, we request a Notice of Appeal be filed with the FOIA Officer. A Notice of Appeal form is available upon request.

Dated: _____.

VILLAGE OF COAL CITY

By: _____
FOIA Officer