

RESORT MUNICIPALITY OF WHISTLER

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY AMENDMENT BYLAW (APPLICATION FEE) NO. 2345, 2022

A BYLAW TO AMEND THE “FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY BYLAW NO. 1088, 1995”

WHEREAS the Council has adopted “Freedom of Information and Protection of Privacy Bylaw No. 1088, 1995”;

AND WHEREAS the Council deems it necessary and expedient to amend the Resort Municipality of Whistler “Freedom of Information and Protection of Privacy Bylaw No. 1088, 1995”;

AND WHEREAS the *Freedom of Information and Protection of Privacy Act*, S.B.C. 1992, c.61, as amended, was updated and restated as the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, Chapter 165 (FOIPPA);

AND WHEREAS amendments to FOIPPA received Royal Assent on November 25, 2021 including the introduction of a new application fee for Freedom of Information requests.

NOW THEREFORE the Council of the Resort Municipality of Whistler in open meeting assembled, **ENACTS AS FOLLOWS:**

CITATION

1. This Bylaw may be cited for all purposes as the Resort Municipality of Whistler “Freedom of Information and Protection of Privacy Amendment Bylaw (Application Fee) No. 2345, 2022”.

AMENDMENTS

2. “Freedom of Information and Protection of Privacy Bylaw No. 1088, 1995” is amended as follows:
 - a. Introductory Section
 - i. “Section 76.1” of FOIPPA is replaced with “Section 77”;
 - b. Section 2 - Designation of Head
 - i. “The Clerk of the Resort Municipality of Whistler” is replaced with “The “Corporate Officer of the Resort Municipality of Whistler”;
 - c. Section 3 – Authorization of Assistance for Head
 - i. “The Deputy Clerk of the Resort Municipality of Whistler” is replaced with “The Legislative and Privacy Coordinator of the Resort Municipality of Whistler”;

- d. Schedule A – “SCHEDULE OF MAXIMUM FEES” is replaced by Schedule A – “Schedule of Maximum Fees” attached to and forming part of this Bylaw.

GIVEN FIRST, SECOND and THIRD READINGS this ___ day of _____, 2022.

ADOPTED this ___ day of _____, 2022.

Jack Crompton,
Mayor

Pauline Lysaght,
Corporate Officer

I HEREBY CERTIFY that this is a true copy of "Freedom of Information and Protection of Privacy Amendment Bylaw (Application Fee) No. 2345, 2022".

SCHEDULE A
Schedule of Maximum Fees¹

| Item | Column 1 | Column 2 |
|-------------|---|---|
| | Description of Services | Management Fees |
| 1 | For applicants other than commercial applicants: | |
| | (a) for locating and retrieving a record | \$7.50 per 1/4 hour after the first 3 hours |
| | (b) for producing a record manually | \$7.50 per 1/4 hour |
| | (c) for producing a record from a machine readable record from a server or computer | \$7.50 per 1/4 hour for developing a computer program to produce the record |
| | (d) for preparing a record for disclosure and handling a record | \$7.50 per 1/4 hour |
| | (e) for shipping copies | actual costs of shipping method chosen by applicant |
| | (f) for copying records | |
| | (i) floppy disks | \$2 per disk |
| | (ii) CDs and DVDs, recordable or rewritable | \$4 per disk |
| | (iii) computer tapes | \$40 per tape, up to 2 400 feet |
| | (iv) microfiche | \$3 per fiche |
| | (v) microfilm duplication | \$25 per roll for 16 mm microfilm, \$40 per roll for 35 mm microfilm |
| | (vi) microfiche or microfilm to paper duplication | \$0.50 per page (8.5" x 11") |
| | (vii) photographs, colour or black and white | \$5 to produce a negative |
| | | \$12 each for 16" x 20" photograph |
| | | \$9 each for 11" x 14" photograph |
| | | \$4 each for 8" x 10" photograph |
| | | \$3 each for 5" x 7" photograph |
| | (viii) photographic print of textual, graphic or cartographic record, black and white | \$12.50 each (8" x 10") |
| | (ix) dot matrix, ink jet, laser print or photocopy, black and white | \$0.25 per page (8.5" x 11", 8.5" x 14" or 11" x 17") |
| | (x) dot matrix, ink jet, laser print or photocopy, colour | \$1.65 per page (8.5" x 11", 8.5" x 14" or 11" x 17") |
| | (xi) scanned electronic copy of a paper record | \$0.10 per page |
| | (xii) photomechanical reproduction of 105 mm cartographic record/plan | \$3 each |
| | (xiii) slide duplication | \$0.95 each |
| | (xiv) audio cassette tape (90 minutes or fewer) duplication | \$5 per cassette plus \$7 per 1/4 hour of recording |
| | (xv) video cassette recorder (VHS) tape (120 minutes or fewer) duplication | \$5 per cassette plus \$7 per 1/4 hour of recording |
| 2 | For commercial applicants for each service listed in Item 1 | the actual cost to the public body of providing that service |
| 3 | Application Fee | \$10 per application (non personal) |

¹ Freedom of Information and Protection of Privacy Regulation