



VILLAGE OF SUFFERN

LOCAL LAW X OF 2021

**AMENDING CHAPTER 213-7 OF THE CODE OF THE VILLAGE OF SUFFERN
ENTITLED DENIAL OF ACCESS TO RECORDS**

BE IT ENACTED by the Board of Trustees of the Village of Suffern, as follows:

Section 1. Section 213-7, entitled Denial of Access to Records, is hereby amended. As amended the said section of the Code shall read as follows (additions are underlined, deletions are strikethrough):

- A. The Board of Trustees of the Village of Suffern, or its designee, shall hear appeals for denial of access to records under the Freedom of Information law.
- B. Denial of access shall be in writing, stating the reason therefor and advising the requester of his or her right to appeal to the Board of Trustees.
- C. If the records access officer fails to provide requested records promptly, as required in § 213-6B of this chapter, such failure shall be deemed a denial of access by the records access officer.
- D. The time for deciding an appeal by the Board of Trustees, or its designee, shall commence upon receipt of written appeal identifying:
 - (1) The date and location of requests for records.
 - (2) The records to which the requester was denied access.
 - (3) The name and return address of the requester.
- E. The Board of Trustees of the Village of Suffern, or its designee, shall inform the requester of its decision in writing within ~~seven~~ ten days of receipt of an appeal.
- ~~F. A final denial of access to a requested record, as provided for in Subsection E of this section, shall be subject to court review as provided for in Article 78 of the Civil Practice Law.~~
- F. A person denied access to a record in an appeal determination may bring a proceeding for review of such denial pursuant to article seventy-eight of the civil practice law and rules.

Section 2. This Local Law shall take effect immediately upon filing with the Secretary of State.