

**VILLAGE OF SUFFERN**

**LOCAL LAW 2 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.