

THE CORPORATION OF THE DISTRICT OF OAK BAY

BYLAW NO. 3827

(\*\*amended by Bylaws No. 3888, 3995 and 4480)

A Bylaw to establish procedures for  
the administration of Municipal Records

The Municipal Council of The Corporation of The District of Oak Bay, in open meeting assembled, enacts as follows:

Interpretation

1 In this Bylaw:

"ACT" means the *Freedom of Information and Protection of Privacy Act, S.B.C. 1992, c.61*, as amended from time to time.

"COUNCIL" means the Municipal Council of The Corporation of The District of Oak Bay.

"CORPORATION" means The Corporation of the District of Oak Bay.

"DIGITAL DATA" means a data file that is electronically readable from a computer hardware data storage disk, floppy disk, magnetic tape, compact disc, or any other medium, the size in kilobytes which shall be determined were the file produced in an uncompressed text format.

(\*\*Bylaw 3888, adopted February 26, 1996)

"HEAD" means the head of the Corporation for the purposes of the *Act*.

"MUNICIPAL CLERK" means the Municipal Clerk of the Corporation, as designated by Council.

"RECORD" means a record as defined in the *Act*.

(\*\*Bylaw 4480, adopted August 17, 2009)

Designation of Head

2 (1) The Municipal Clerk is designated as the head of the Corporation for the purposes of the *Act*.

2) In the absence of the Municipal Clerk, the Deputy Municipal Clerk is designated as the head of the Corporation for the purposes of the *Act*.

(\*\*Bylaw 4480, adopted August 17, 2009)

Duties and Powers of Head

3 (1) The Head shall perform the duties of the head specified in the *Act*.

(2) The Head may designate those records of the Corporation which are available to the public, upon payment of the applicable fee set out in Schedule 1 attached hereto, without a request for access under the *Act* ("Routinely Available Records")

(3) For those records of the Corporation which are not designated pursuant to subsection (2), the fees for obtaining access to a record not exempted from disclosure under the *Act* shall be as set out in Schedule 2 attached hereto.

- 4 This Bylaw may be cited as the " RECORDS ADMINISTRATION BYLAW, 1994"
- 5 This Bylaw comes into force upon a regulation of the Lieutenant Governor in Council being deposited with the Registrar of Regulations to bring the relevant provisions of the *Freedom of Information and Protection of Privacy Act, 1992* into force.

READ a first, second and third time by the Municipal Council on October 11, 1994

ADOPTED and FINALLY PASSED by the Municipal Council on October 24, 1994

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Mayor

Sealed with the Seal of The Corporation of the District of Oak Bay

## Schedule 1

## Schedule of Maximum Fees

<b>ROUTINELY AVAILABLE RECORDS</b>		
<b>DESCRIPTION</b>	<b>FEE (exclusive of G.S.T.)</b>	
1.	For locating and retrieving a record	\$7.50 per 1/4 hour or portion thereof.
2.	For producing a record manually	\$7.50 per 1/4 hour or portion thereof.
3.	For producing a record from a machine-readable record other than records described below as Special Products.	(a) Printed Records: \$7.50 per 1/4 hour or portion thereof to produce the record plus \$0.30 per page of printout produced;  (b) Digital Data: \$7.50 per 1/4 hour or portion thereof to produce the record plus \$0.50 per kilobyte of digital data produced.
4.	For producing a record for disclosure and handling a record	\$7.50 per 1/4 hour or portion thereof.
5.	For shipping copies	Actual costs of shipping by method chosen by applicant.
6.	For copying records:	
	(a) Photocopies and computer printouts	(a) \$0.25 per single sided page, \$0.50 per double sided page (8.5 x 11, 8.5 x 14);  (b) \$0.30 per single sided page, \$0.60 per double sided page (11 x17)
	(b) Floppy disks	Actual cost.
	(c) Computer tapes	Actual cost.
	(d) Microfilm to paper duplication	Actual cost of reproduction.
	(e) Photographs	Actual cost of reproduction.
	(f) Hard copy laser print, B/W	\$0.25 per page.
	(g) Hard copy print, colour	\$2.00 per page.
	(h) Slide duplication	Actual cost of reproduction.
	(i) Existing plans	\$11.50 per lineal metre
	(j) Video/audio cassettes	Actual cost of reproduction.
7.	Plans produced on the Geographic Information System(G.I.S.) plotter other than records described below as Special Products	\$7.50 per 1/4 hour or portion thereof of preparation time plus \$11.50 per lineal metre.
8.	<b>Special Products (Digital)</b>	
	(a) Colour orthophoto of Municipality (1m pixel)	\$50.00
	(b) Colour orthophoto of Municipality (10m pixel)	\$25.00
	(c) Cadastral Survey Sheet (dxf file)	\$50.00
	(d) G.I.S. Lot Feature File - Lot Boundaries (line-work only)	\$25.00 per 500 m x 500 m quadrate.
	(e) G.I.S. Lot Feature File- Lot Boundaries and database with identifier code and house number attribute	\$30.00 per 500 m x 500 m quadrate
	(f) G.I.S. Planimetry Feature File- Curbs, edge of pavement, sidewalks, driveways, buildings	\$10.00 per 500 m x 500 m quadrate
	(g) G.I.S. Feature Files- Annotation showing house numbers and road names	\$5.00 per 500 m x 500 m quadrate
	(h) G.I.S. Feature Files- Underground mains (where available) with attributes	\$30.00 per 500 m x 500 m quadrate
	(i) G.I.S. Feature Files- Fire Hydrants with number attribute	\$30.00 per 500 m x 500 m quadrate

<b>ROUTINELY AVAILABLE RECORDS</b>	
<b>DESCRIPTION</b>	<b>FEE (exclusive of G.S.T.)</b>
9.	<b>Special Products (Hard Copy):</b>
(a)	Cadastral Survey Sheet \$10.00
(b)	Oak Bay Addresses 1:5000 Colour Plot \$15.00
(c)	Oak Bay Colour Orthophoto 1:5000 \$15.00
(d)	Street Atlas (1:500 booklet) \$5.00
(e)	Street Map (12" x 24") \$2.00
(f)	G.I.S. Generated property plan (8.5" x 11") \$1.00
(g)	Consolidated Zoning Bylaw \$15.00
(h)	Official Community Plan \$15.00

*(\*\*Bylaw 3888, adopted February 26, 1996)*

*(\*\*Bylaw 3995, adopted August 17, 1998)*

## Schedule 2

## Schedule of Maximum Fees

<b>RECORDS AVAILABLE PURSUANT TO A REQUEST UNDER THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT</b>		
<b>DESCRIPTION</b>		<b>FEE (exclusive of G.S.T.)</b>
1.	For locating and retrieving a record	\$7.50 per 1/4 hour or portion thereof after the first three hours
2.	For producing a record manually	\$7.50 per 1/4 hour or portion thereof
3.	For producing a record from a machine-readable record.	(a) Printed Records: \$7.50 per 1/4 hour or portion thereof to produce the record plus \$0.30 per page of printout produced;  (b) Digital Data: \$7.50 per 1/4 hour or portion thereof to produce the record plus \$0.50 per kilobyte of digital data produced.
4.	For producing a record for disclosure and handling a record	\$7.50 per 1/4 hour or portion thereof.
5.	For shipping copies	Actual costs of shipping by method chosen by applicant.
6.	For copying records:	
	(a) Photocopies and computer printouts	(c) \$0.25 per single sided page, \$0.50 per double sided page (8.5 x 11, 8.5 x 14);  (d) \$0.30 per single sided page, \$0.60 per double sided page (11 x17)
	(b) Floppy disks	Actual cost.
	(c) Computer tapes	Actual cost.
	(d) Microfilm to paper duplication	Actual cost of reproduction.
	(e) Photographs	Actual cost of reproduction.
	(f) Hard copy laser print, B/W	\$0.25 per page
	(g) Hard copy print, colour	\$2.00 per page
	(h) Slide duplication	Actual cost of reproduction.
	(i) Existing plans	\$11.50 per lineal metre
	(j) Video/audio cassettes	Actual cost of reproduction.
7.	Plans produced on the Geographic Information System (G.I.S.) plotter	\$7.50 per 1/4 hour or portion thereof of preparation time plus \$11.50 per lineal metre.

(\*\*Bylaw 3888, adopted February 26, 1996)

(\*\*Bylaw 3995, adopted August 17, 1998)