

Shenandoah County General Registrar and Electoral Board  
Freedom of Information Act (FOIA) Cost Assessment Policy

**Purpose**

Pursuant to Section 2.2-3704.1 of the Code of Virginia, a public body is required to establish a written policy regarding the assessment of charges provided in response to a Freedom of Information Act (FOIA) request. The following policy:

1. Explains how the Shenandoah County General Registrar and Electoral Board assesses charges for accessing or searching for requested records; and
2. Notes the current fee charged, if any, by the public body for accessing and searching for the requested records.

**Background**

Pursuant to Section 2.2-3704 (F) of the Code of Virginia a public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records and shall make all reasonable efforts to supply the requested records as the lowest possible cost. No public body shall impose any extraneous, intermediary or surplus fees or expenses to recoup the general costs associate with creating or maintaining records or transacting the general business of the public body.

**Charges to Produce Records**

Prior to submitting a FOIA request, individuals should be aware that they may have to pay for the records they have requested from Shenandoah County General Registrar and Electoral Board. Charges will be assessed for any request requiring more than one hour to fulfill. Before proceeding with a request, the General Registrar will notify the requester of any estimated charges to fulfill the request and will request approval for the charges from the requester.

*Cost Assessment*

To fulfill a FOIA request, the General Registrar must assess, search, review, copy, supply, redact and prepare the records for release. The estimated cost of the records request is based on the hourly salary of the person performing the work and the actual time required to fulfill the request.

(Cost = hourly salary of General Registrar or staff member X time required to fulfill the request)

If the volume of the requested records necessitates any type of medium to supply the records, the General Registrar shall charge for the cost of such medium, not to exceed the actual cost.

*Deposits*

Pursuant to Section 2.2-3704 (H) of the Code of Virginia, in any case where the General Registrar determines that charges for producing the requested records are likely to exceed \$200, the General Registrar shall, before continuing to process the request, require the requester to pay a deposit.

- The deposit shall be credited toward the final cost of supplying the requested records.
- Estimates between \$200 and \$2,500 will require the requester to pay a 50% deposit before the General Registrar will proceed in fulfilling the request.
- Estimates more than \$2,500 will require the entire amount of the estimate to be paid in full before the General Registrar will proceed in fulfilling the request.
- The period within which the public body shall respond under this section shall be tolled for the amount of time that elapses between notice of the advance determination, the estimate, and the response of the requester.

Before processing a subsequent request for records, the General Registrar will require the requester to pay any amounts owed for previous requests for records that remain unpaid 30 days or more after billing.

### **Payments**

The General Registrar will provide a requester with an itemized invoice which outlines the estimated charges to fulfill the request, and the method in which payments can be made.

- Payments for FOIA requests will require a copy of the invoice.
- Payments for FOIA requests may be made in the form of credit card or check.
  - Checks are made payable to “Shenandoah County” and can be delivered to:

600 North Main Street  
Suite 103  
Woodstock, VA. 22664

- Payment by credit card may be made by calling the Shenandoah County Treasurer’s office at phone at (540) 459-6180
  - There is a service fee for credit card transactions