



**Commissioner's Bulletin**  
**Inspectional Services Department**  
**Boston, MA**

**Number:** 2009-03

**Date:** December 31, 2009

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**Subject:** ADMINISTRATIVE PROCEDURE FOR ANSWERING REQUESTS  
FOR PUBLIC DOCUMENTS

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**Purpose:** This Commissioner's Bulletin is issued to ensure the City of Boston Inspectional Services Department (ISD) effectively and consistently complies with the requirements of the Massachusetts Public Records Law, G.L. c. 66 §10, which provides access to governmental records to members of the public. It replaces Commissioner's Bulletin 2000-04.

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**Determination:**

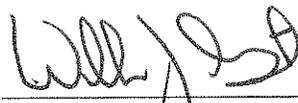
1. The public records law is administered by the Secretary of State who has issued guidelines for compliance with the law. The guidelines contained in this Commissioner's Bulletin comply with the guidelines published by the Secretary of State.
2. The public records law presumes that all records and documents, in possession of a governmental agency, are public. The public records law permits government agencies to redact exempt information so that they can comply with the law, although there are exceptions to this general principle.
3. To comply with public records law effectively and ensure consistency among divisions in answering requests for records, the following procedures are established:
  - 3.1 The supervisor of the Document Room is hereby designated the General Keeper of Records for the entire department.
  - 3.2 Each division in ISD shall appoint a designated Division's Keeper of Records who will be responsible for collecting records within that division.
  - 3.3 The General Keeper of Records is authorized to appoint a Deputy General Keeper of Records.
  - 3.4 All such designations shall be posted in the document room for public viewing.
  - 3.5 The General Keeper of Records shall oversee the processing of all record requests, including, but not limited to, the gathering of record requests by individual divisions.
  - 3.6 The document room shall serve as a central location in the department where members of the public will be able to schedule appointments, view records and pick up requested copies.
  - 3.7 A member of the public may request a copy and view the records.

Requests may be either oral (in person or by telephone) or written (fax, letter or email).

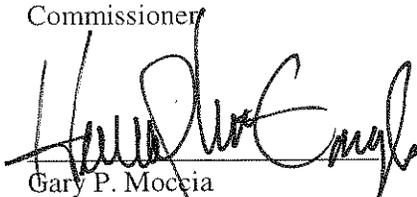
- 3.8 In order to expedite the request process, members of the public are asked to complete a public request records request form. The purpose of this form is to assist ISD in assembling the requested records and to inform the person making the request of both the costs associated with fulfilling requests and of the required response time.
  - 3.9 The person requesting a record is not legally required to provide his or her name or address on the request form. Therefore, employees shall complete the form in all circumstances where the member of the public either withholds name and address or requests a document by telephone.
  - 3.10 Upon receipt of request or letter all public records requests shall be responded to within ten (10) calendar days. Requested documents must be assembled and ready for delivery or appointments to view documents must be scheduled within the allotted ten-day period.
  - 3.11 If the ISD employee responsible for completing public records requests believes that the records requested or portions thereof, are not public, he or she shall consult his/her supervisor. The supervisor shall consult with the legal division of this department to determine whether the requested records may be released. If it is determined that the requested records are not public records as defined by M.G.L. c. 66, § 10, then the General Keeper of Records shall notify the person requesting the records within ten (10) days of the receipt date of the records request. The notification shall be in writing and contain the specific legal reasons why the requested documents will not be released.
  - 3.12 Pursuant to the Code of Massachusetts Regulations, Title 950 § 32.06 (2), if the estimated cost of copying and locating the records is greater than \$10.00, the person requesting the records shall be contacted, where possible, and informed of the expected cost.
  - 3.13 Copied records may be picked up in person or mailed to the petitioner upon receipt of payment.
4. Attached to this bulletin are copies of the Inspectional Services Department public request form.
  5. The above policy is effective immediately.

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Signed:

  
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William J. Good, III  
Commissioner

12.31.2009  
\_\_\_\_\_  
Date

*FW*  
  
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Gary P. Moccia  
Inspector of Buildings

12/31/2009  
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Date



The cost for copies of records will be .20¢ per page for photocopies and computer printouts. However, Massachusetts Regulations Title 950 § 32.06 (2) provides the Keeper of the Records may charge the applicant a fee based on the time it took to search, segregate, redact and photocopy the requested documents. This charge is based on the hourly wage of the lowest paid employee capable of performing the task.

**Note:**

*Pursuant to M.G.L. c. 66 §10, all records and documents in possession of a government agency are public records. However, government agencies must redact from all documents exempt information as defined by M.G.L. c.4, §7, 26<sup>th</sup> clause.*

Research of documents may incur additional fees:

In addition to the per page charge, the time for locating, pulling, copying and re-shelving the records, together with the time expended to delete exempt data from the public portion of a record, can be charged at the hourly rate of the lowest paid employee capable of performing the service. Please be advised that hourly rates are subject to change. The fee for computer search is the actual cost of that search. The cost of postage, if any, may also be charged.

Building	\$14.93 per hour
Environmental Services/Code Enforcement	\$14.93 per hour
Health	\$16.79 per hour
Housing	\$14.93 per hour
Legal	\$21.25 per hour
Weights and Measures	\$16.79 per hour

All requested documents dated three years or older are stored in an off-site storage facility. Please be further advised that any and all documents requested from this offsite facility will be subject to additional costs associated with and the document retrieval, return and transportation. *(Please see below.)*

Retrieval fee	\$1.00
Return	\$1.00
Transportation	\$1.00