

REQUEST FOR DECISION 044-2025

Title: Policy#120-010 Routine Access Policy Amendments
Date: 2025-12-02 updated for Town Council 2025-12-16
Prepared by: Laura Morrison, Town Clerk & Manager of Administration
Contributors: Council Policy Review Task Force



SUMMARY

POLICY #120-010 ROUTINE ACCESS POLICY AMENDMENTS

At the regular Town Council meeting on October 21, amendments to the Routine Access Policy #120-010 were adopted to allow staff more time to process requests and to provide guidelines to the public and staff on when a request may be disregarded.

Further feedback received caused staff to take another look at the policy and in collaboration with the Town Solicitor and the Council Policy Review Task Force, further amendments have been incorporated as follows:

- i. The role of staff and the Responsible Officer, as that position is described under Part XX of the MGA, in disregarding a request which falls under Section 5.6 of the policy.
- ii. The addition of point 5.9, clarifying that nothing in the Routine Access policy prohibits a member of the public submitting a request under FOIPOP as described in Part XX of the MGA.

The changes are highlighted in red in the attached draft, and the request being made of council is to approve these additional amendments.

At the COW discussion on December 2, Council requested the addition of definitions of the Responsible Officer and the Review Officer as defined in the MGA. However, as the Review Officer is not referenced in the policy, only the definition for the Responsible Officer has been included. As well, based on public feedback, “as that term is defined in the Municipal Government Act” has also been added immediately following the term personal information in section 5.8.

DRAFT MOTION:

THAT COUNCIL APPROVE THE AMENDMENTS TO ROUTINE ACCESS POLICY #120-010 AS DISCUSSED AND WITH FURTHER AMENDMENTS INCLUDED IN UPDATED REPORT RFD 044-2025.

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1) CAO COMMENTS

The CAO supports the recommendation of staff.

2) LEGISLATIVE AUTHORITY

- Municipal Government Act

3) STAFF RECOMMENDATION

Staff recommend amending the Routine Access Policy as noted below.

4) REFERENCES AND ATTACHMENTS

1. Municipal Government Act, Part XX

5) DISCUSSION

Recently, amendments were made to Part XX of the MGA under Freedom of Information and Protection of Privacy on when certain requests could be disregarded. These same guidelines were adopted into the Town's Routine Access Policy at the Town Council meeting of October 21, 2025.

Based on feedback received, staff felt that further clarity on staff/Responsible Officer's role in disregarding requests was required.

After consulting with the Town's Solicitor and the Council Policy Review Task Force, amendments have been made as follows:

- i. The role of staff and the Responsible Officer, as that position is described under Part XX of the MGA, in disregarding a request which falls under Section 5.6 of the policy.
- ii. The addition of point 5.9, clarifying that nothing in the Routine Access policy prohibits a member of the public submitting a request under FOIPOP as described in Part XX of the MGA.

These amendments provide clarity for the user and Council are being asked to approve the revised policy.

6) FINANCIAL IMPLICATIONS

- n/a

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7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

- n/a

8) COMMUNICATION REQUIREMENTS

Revised policy will be posted on the website.

9) ALTERNATIVES

Council may not approve the proposed changes and/or offer alternatives.



POLICY

Routine Access Policy	
Policy Number: 120-010	Supersedes Policy Number: Not applicable
Effective Date: 2015-02-17 2024-02-27	Approval By Council Motion Number: 18-01-15 42-02-24

1.0 Purpose

The purpose of this policy is to clarify which records of the Municipality are available routinely upon request, without having to go through the Freedom of Information and Protection of Privacy (FOIPOP) process under Part XX of the *Municipal Government Act*.

2.0 Scope

- 2.1 This Policy will improve public access to records of the Town which are not released through active publication, without having to submit a request under Part XX of the Municipal Government Act.
- 2.2 This Policy will provide greater certainty to staff and the public as to which records can be routinely accessed by the public, and which records can be accessed only by application to the Responsible Officer under Part XX of the Municipal Government Act.

3.0 References

- 3.1 Nova Scotia Municipal Government Act Part XX

4.0 Definitions

- 4.1 **Council** means the Town Council of the Town of Wolfville
- 4.2 **Responsible Officer** means, in the case of a regional municipality, town or county or district municipality, the chief administrative officer, if one has been appointed or, if one has not been appointed, the clerk.
- 4.3 **Town** means the Town of Wolfville.
- 4.4 **Town Clerk** means the Town Clerk for the Town of Wolfville.

5.0 Policy

- 5.1 Applications for routine release of information may be made in person, or in writing, to the staff person having custody of the record.



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- 5.2 Applicants are required to specify the subject matter of the records requested with sufficient particulars to enable an individual familiar with the subject matter to identify the records.
- 5.3 Any applications for records exceeding one copy of a single record must be made in writing to the Town Clerk and such applicants may be expected to pay for the staff time and costs required to process the application.
- 5.4 A charge may also apply for the reproduction of any map.
- 5.5 Staff having custody of the requested record will release one copy, at no charge (unless otherwise noted), of any of the following records within thirty days of a request.
- a. All Policies and Bylaws approved by Council.
 - b. Any document received by Council or any Committee of Council at a meeting which is not a “closed session” under Sections 22 or 203 of the Municipal Government Act. For greater certainty, this includes all financial statements and reports, as well as all Council approved and/or received studies and reports.
 - c. All approved minutes of any meeting of Council or any Committee of Council which are not associated with a “closed session” under Sections 22 or 203 of the Municipal Government Act. For greater clarity, draft minutes that have not yet been approved by Council or any Committee of Council are not considered to be routine access.
 - d. All agendas of any meeting of Council or any Committee of Council which is not a “closed session” under Sections 22 or 203 of the Municipal Government Act.
 - e. Any permit or approval issued by any employee of the Town except that the mailing address of the permit holder shall be excised. This specifically does not include the application for such permit or approval, nor any document which is not directly referenced by the permit or approval. Copies of any document directly referenced by the permit or approval will not be routinely copied, however can be reviewed at the Town upon request.
 - f. Any finished map created and published by the Town. This specifically does not include
 - i. raw data such as shape files or data tables required to produce the map; and
 - ii. printed copies of map images or other information pages produced by Property Online.

Raw data may be shared upon approval through the execution of a data sharing agreement. There may be a charge incurred by the applicant associated with the reproduction of any maps.



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- g. Any newsletter, advertisement or other document publicly distributed by the Town.
 - h. Any document published by the Town on its website.
 - i. Civic address, Property Identification Number, Assessment Account Number, and assessed value of any property within the Town. This specifically does not include the capped assessment figure or the owner mailing address.
 - j. The amount of taxes or other debts owed to the Town.
 - k. The job description and salary band of any employee or Council member of the Town.
 - l. The expense claims of any employee or Council member of the Town, including all associated receipts and documentation, in accordance with Town Policy 120-008.
 - m. Correspondence addressed to all Town Council whether received via email or mail or hand delivered to the Town.
 - n. Organizational charts and contact information for departments.
- 5.6 Staff having custody of a requested record shall not release the requested record and shall refer the request to the Responsible Officer under Part XX of the Municipal Government Act if any of the following apply:
- a. The requested record is not clearly listed or defined in Section 5.5 of this policy.
 - b. The applicant has not provided sufficient detail to be able to identify the record(s).
 - c. In the opinion of the staff having custody of the record:
 - i. the requests are trivial, frivolous or vexatious i.e. made to waste time, harass, or annoy with no serious purpose.
 - ii. The requests are for information already provided to the applicant.
 - iii. The requests amount to an abuse of the right to make a request because they are
 - A. unduly repetitive or systematic i.e. making the same request repeatedly or submitting multiple overlapping requests.
 - B. excessively broad or incomprehensible i.e. vague, confusing or huge in scope that it can't reasonably be answered, or
 - C. responding to the requests would unreasonably interfere with the operations of the public body and the requests are repetitious or systematic in nature.
- 5.7 The Responsible Officer may disregard a request for a record that has been referred to the Responsible Officer under Section 5.6 a, b or c of this Policy.



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- 5.8 Staff shall protect the privacy of individuals' personal information, **as that term is defined in the Municipal Government Act**, contained in public correspondence before any disclosure to the public if it is deemed to be an unreasonable invasion of their personal privacy.
- 5.9 Nothing in this Policy prevents or prohibits any person from applying for any record under the provisions of Part XX of the Municipal Government Act.

CAO

Date