

# REQUEST FOR DIGITAL INFORMATION

**Leelanau County Planning & Community Development**  
Phone: 1-866-256-9711, Ext. 6 (toll free), or 256-9812 Fax: (231) 256-0174  
8527 E. Government Center Dr., Suite 108 Suttons Bay MI 49682

Today's Date: \_\_\_\_\_  
This form completed by: \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Phone #: \_\_\_\_\_

Date this request is needed by: \_\_\_\_\_  
Organization Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Email: \_\_\_\_\_

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**Delivery Method:** CD (mailed) CD (pick up) Email FTP File Transfer

**Geographic Extent:** County *or* Township \_\_\_\_\_

**Data layers requested:\***

- |  |  |
|--|--|
| <input type="checkbox"/> <b>Zoning</b>   | <input type="checkbox"/> <b>Soils</b> (includes septic suitability, agricultural suitability, water table, etc.) |
| <input type="checkbox"/> <b>Parcel maps</b> (linked to ownership/tax information—includes federal and state ownership, school districts, etc.) | <input type="checkbox"/> <b>1990 Land Use/Land Cover</b>   |
| <input type="checkbox"/> <b>Government Buildings, Schools</b>  | <input type="checkbox"/> <b>2000 Land Use/Land Cover</b>   |
| <input type="checkbox"/> <b>Roads</b>  | <input type="checkbox"/> <b>Other Services</b> (Specify the project requested)                                   |
| <input type="checkbox"/> <b>Section lines</b>  |  |

\*For files in an AutoCAD format, please contact the Equalization Department at (231) 256-9823

**Director's Review:** Priority Level of request: \_\_\_\_\_ (Low, medium, high, or immediate)

Estimated Charges for this project: \$ \_\_\_\_\_

**Acceptance:** By signing below, I/We agree to the terms of the Enhanced Access for Records Policy (attached), and the estimated charges and time to complete. Please proceed with this order and send the completed order, upon receipt of our payment, to: \_\_\_\_\_

Accepted by: \_\_\_\_\_ (Name & Organization)

Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_

**Office use:**

Date completed: \_\_\_\_\_ Final project cost: \$ \_\_\_\_\_ Date paid: \_\_\_\_\_

Delivered to or picked up by: \_\_\_\_\_ Project completed by: \_\_\_\_\_

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Please explain the project or program this information will be used for or a part of:

**Is the information or service requested:**

- Critical to public health or safety
- Required for non-profit research purposes such as academic or public interest research
- Required to meet legal, programmatic, or governmental objectives

**Acceptance: By signing below, I/We agree that the information we've requested, will not be used for any purposes other than that specified above.**

**Accepted by:** \_\_\_\_\_  
**(Name & Organization)**

**Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**LEELANAU COUNTY  
BOARD POLICY**

GENERAL SUBJECT: Information Technology Policy No. **44**  
(Information Technology and Planning & Community Development)

SPECIFIC SUBJECT: Enhanced Access To Records Policy      Adopted: 11/21/2000  
Revised: 10/08/2002  
Revised: 10/10/2006  
Revised: 04/15/2008  
Revised 04/16/2013

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APPLIES TO: All departments, elected official offices, and agencies of Leelanau County government.

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PURPOSE: This policy is established pursuant to the authority of the Enhanced Access to Public Records Act, 1996 PA 462, as amended. The policy is intended to outline procedures for providing certain records to the public and establishing a fee for such records as allowable by law.

1. Authority: Leelanau County Board of Commissioners.
2. Responsibility: County elected officials, department heads, agencies, boards, commissions and councils legally responsible for the creation, preparation, ownership, custody, control, maintenance, preservation, guardianship, retention, possession or use of a public record shall select which records may be made public through enhanced access.
3. Definition(s):
  - a. "Enhanced Access" means a public record's immediate availability for public inspection, purchase or copying by digital means. Enhanced access does not include the transfer of ownership of a public record.
  - b. "Geographical Information System" (GIS) means an informational unit or network capable of producing customized maps based upon a digital representation of geographical data.
  - c. "Person" means that term as defined in Section 2 of the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.232.
  - d. "Public Body" means that term as defined in Section 2 of the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.232.

- e. "Public Record" means that term as defined in Section 2 of the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.232.
- f. "Software" means that term as defined in Section 2 of the Enhanced Access to Public Records Act, 1996 PA 462, as amended, MCL 15.442.
- g. "Reasonable Fee" means a charge calculated to enable Leelanau County to recover only those operating expenses directly related to the public body's provision of enhanced access.
- h. "Operating Expenses" includes, but is not limited to, Leelanau County's direct cost of creating, compiling, storing, maintaining, processing, upgrading or enhancing information or data in a form available for enhanced access, including the cost of computer hardware and software, system development, employee time and the actual cost of supplying the information or record in the form requested by the purchaser.

4. Policy:

a. Authorization

- (1) Pursuant to 1996 PA 462, as amended, all Leelanau County public bodies may provide enhanced access for the inspection, copying, or purchasing of a public record that is not confidential or otherwise exempt by law from full disclosure.
- (2) This policy does not require a public body to provide enhanced access to any specific public record.
- (3) This policy does not limit the inspection and copying of a public record pursuant to the Freedom of Information Act.
- (4) Principles and policies to be considered in determining which public records shall be made available through enhanced access include, but are not limited to the following:
  - (a) Management principles applied to information resources should be the same as those applied to other governmental resources.
  - (b) Elected officials, department heads, agencies, boards, commissions, councils and other county public bodies legally responsible for the creation, preparation, ownership, custody, control, maintenance, preservation, guardianship, retention, possession or use of a public record have the responsibility, authority and accountability for the management of public record information.
  - (c) Information resource investments must be driven by legal, programmatic and governmental requirements.

- (d) Leelanau County government, in trust for the people of Leelanau County, has a duty to ensure that ownership of information products and County-created intellectual property is protected and maintained.

b. Fees

- (1) It is the policy of Leelanau County to charge a reasonable fee for providing enhanced access to a public record. It is not the intent of this policy to sell actual data maintained as public records. Rather, the fee is intended as a reasonable method to recover costs for providing enhanced access to the data in the various forms available through technological enhancements, i.e., online access via the internet, direct dial-in service to a county computer, server, etc., CD-ROM, DVD-ROM, flash drive, paper products, and labels generated by computerized means.
- (2) Except as otherwise provided by law, the Leelanau County Board of Commissioners shall establish reasonable fee(s) for enhanced access to a public record or for access to any proposed Geographical Information System (GIS) or the output from a GIS. All fee(s) shall be approved by the Board of Commissioners before they shall become effective.
- (3) Except as otherwise provided by law or this policy, all persons shall be charged the reasonable fees approved by the Board of Commissioners for enhanced access to a GIS or the output from a GIS.
- (4) Leelanau County may furnish access or enhanced access without a charge or at a reduced charge if in the county's determination a waiver or reduction of the fee is in the public interest because access or enhanced access can be considered as primarily benefitting the general public. Examples of such instances might include, but are not limited to:
  - (a) The information is critical to public health or safety.
  - (b) The information is required for non-profit research purposes such as academic or public interest research.
  - (c) The information is required to meet legal objectives.
- (5) Waiver or fee reductions for enhanced access to public records shall be decided by the elected official, department head, agency, board, commission, council, or other county public body legally responsible for the creation, preparation, ownership, custody, control, maintenance, preservation, guardianship, retention, possession or use of the public record(s) in question.

- (6) An individual elected or appointed to a board of the County shall not have an ownership interest in or accept compensation from a person who sells information that is obtained from a public record of the County.

c. Disclaimer

- (1) Recipients of access or enhanced access receive all information "as is." Leelanau County, its officers, officials, employees, agents, volunteers, contractors, or its public bodies make no warranties of any kind, including but not limited to warranties of accuracy, fitness for a particular purpose or of a recipient's right of use. Recipients are solely responsible for investigating, litigating and settling such complaints that may arise regarding the data accessed, including the payment of any damages or costs, unless the Leelanau County Board of Commissioners by resolution agrees to participate in the process at the County's expense.
- (2) Unless authorized by resolution of the Leelanau County Board of Commissioners, no other officer, employee, agent, volunteer, contractor or other person or public body may make any representation or warranty on behalf of Leelanau County, or one of its public bodies.
- (3) Information from a GIS, or the output of a GIS, shall not, in any way, be transmitted, distributed, or sold to any third party, without the express written consent of the Leelanau County Board of Commissioners.