

**ORDINANCE NUMBER: 2026-07**

**AN ORDINANCE AMENDING TITLE I “ADMINISTRATION”, CHAPTER 9  
“MISCELLANEOUS PROVISIONS” OF THE CODE OF ORDINANCES FOR THE  
VILLAGE OF POPLAR GROVE**

**WHEREAS**, the Village of Poplar Grove (“Village”) had adopted a Code of Ordinances (“Code”); and

**WHEREAS**, the Village wishes to amend Title I “Administration”, Chapter 9 “Miscellaneous Provisions” of the Code to add Section 1-9-2 “Freedom of Information Act Fees”; and

**WHEREAS**, the Village has determined that it is in the best interest of the Village and its citizens to approve amendments to the Chapter of the Code regarding Village Purchasing Procedures.

**NOW THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Poplar Grove, Illinois as follows:

1. The above recitals are incorporated herein and made a part hereof.
2. Chapter 9 “Miscellaneous Provisions” of Title I “Administration” of the Code of Ordinances for the Village of Poplar Grove, shall and hereby is amended, and Section 1-9-2 “Freedom of Information Act Fees” is added to read as follows (deletions shown as ~~strikethroughs~~ and new language as **bold** and underlined):

**“Section 1-9-2. – FREEDOM OF INFORMATION ACT FEES.**

**A. Freedom of Information Act (FOIA) Fees Authorized Generally**

**The fees local governments are authorized to charge for responses to FOIA requests are established by state statute. All fees charged by the Village are derived from the authority in 5 ILCS 140/1 et. seq. whether or not explicitly stated in this Article.**

**B. Definitions**

**The terms in this Article shall have the same meaning as 5 ILCS 140/1 et. seq. including, but not limited to:**

- (1) **Commercial purpose means the use of any part of a public record or records, or information derived from public records, in any form for sale, resale, or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered to be made for a “commercial**

purpose” when the principal purpose of the request is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education.

- (2) Public records means all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of any public body. “Public records” does not include junk mail as defined in 5 ILCS 140/2(j).
- (3) Voluminous request means a request that: (i) includes more than 5 individual requests for more than 5 different categories of records or a combination of individual requests that total requests for more than 5 different categories of records in a period of 20 business days; or (ii) requires the compilation of more than 500 letter or legal-sized pages of public records unless a single requested record exceeds 500 pages. “Single requested record” may include, but is not limited to, one report, form, e-mail, letter, memorandum, book, map, microfilm, tape, or recording. “Voluminous request” does not include requests made by news media and non-profit, scientific, or academic organizations which are not considered made for a commercial purpose.

### C. FOIA Fees

#### (1) Physical records:

- a. There shall be no charge for the first Fifty (50) pages of black and white copies made responsive to a FOIA request for records when paper size is letter or legal.
- b. After Fifty (50) pages of black and white copies are provided free of charge, Fifteen (.15) cents shall be assessed per black and white page, when paper size is letter or legal.
- c. The Village charges its actual cost for reproducing records when the record is color copies or copies provided in a size other than legal or letter.
- d. When records are requested to be placed on a recording medium, such as a disc or a universal serial bus (USB), a charge will be assessed for the actual cost for the recording medium used.

#### (2) Voluminous requests for electronic records:

- a. For records not in a portable document format (PDF), Twenty (\$20.00) dollars for not more than 2 megabytes of data, Forty (\$40.00) dollars for more than 2 but not more than 4 megabytes of

data, and One hundred (\$100.00) dollars for more than 4 megabytes of data.

b. For records in a PDF, Twenty (\$20.00) dollars for not more than 80 megabytes of data, Forty (\$40.00) dollars for more than 80 megabytes but not more than 160 megabytes of data, and One hundred (\$100.00) dollars for more than 160 megabytes of data.

(3) Commercial requests are subject to additional charges including Ten (\$10.00) dollars per hour spent searching for, retrieving, and examining the record for necessary redactions, after eight (8) hours are provided by personnel at no charge.

(4) One \$1.00 (dollar) shall be assessed to certify a record.”

3. Except as amended by this Ordinance, all other provisions and terms of the Village Code of Ordinances shall remain in full force and effect as previously enacted except that those ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

4. This Ordinance shall be in full force and effect after its approval, passage and publication in pamphlet form as required by law.

PASSED UPON MOTION BY \_\_\_\_\_

SECONDED BY \_\_\_\_\_

BY ROLL CALL VOTE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026

AS FOLLOWS:

VOTING “AYE”: \_\_\_\_\_

\_\_\_\_\_

VOTING “NAY”: \_\_\_\_\_

\_\_\_\_\_

ABSENT, ABSTAIN, OTHER \_\_\_\_\_

\_\_\_\_\_

APPROVED \_\_\_\_\_, 2026

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PRESIDENT

ATTEST:

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VILLAGE CLERK