

THE BORDENTOWN SEWERAGE AUTHORITY

OPEN PUBLIC RECORDS ACT PUBLIC NOTICE

Please take notice that the New Jersey Open Public Records Act provides a right to appeal from a denial of, or failure to provide, access to a government record for the purpose of inspection, examination or purchasing copies. Specifically, N.J.S.A. 47:1A-6 provides that any person who is denied access to a government record by the custodian of the record, at the option of the requestor, may:

- institute a proceeding to challenge the custodian's decision by filing an action in Superior Court which shall be heard in the vicinage where it is filed by a Superior Court Judge who has been designated to hear such cases because of that judge's knowledge and expertise in matters relating to access to government records; or
- in lieu of filing an action in Superior Court, file a complaint with the Government Records Council established pursuant to section 8 of P.L.2001, c.404 (C.47:1A-7).

The right to institute any proceeding under this section shall be solely that of the requestor. Any such proceeding shall proceed in a summary or expedited manner. The public agency shall have the burden of proving that the denial of access is authorized by law. If it is determined that access has been improperly denied, the court or agency head shall order that access be allowed. A requestor who prevails in any proceeding shall be entitled to a reasonable attorney's fee.