

**TITLE 21. MISCELLANEOUS  
CHAPTER LXXI. BATTERY PARK CITY AUTHORITY  
PART 9000. PUBLIC ACCESS TO RECORDS**

**21 NYCRR Part 9000 Notes (2007)**

**Part 9000 Notes**

Statutory authority: Public Officers Law, § 87 (1) (b)

Added Part 9000 on 3/30/87.

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PART 9000. PUBLIC ACCESS TO RECORDS**

**21 NYCRR § 9000.1 (2007)**

**§ 9000.1 Purpose**

This Part, governing public access to certain records of the corporation, is promulgated for the purpose of implementing the provisions of the Freedom of Information Law.

Statutory authority: Public Officers Law, § 87 (1) (b)

Added 9000.1 on 3/30/87.

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**21 NYCRR § 9000.2 (2007)**

**§ 9000.2 Applications for and the inspection and copying of records**

(a) A request to inspect and/or copy records of the corporation or any of its subsidiaries shall be made to the secretary of the corporation at the main office of the authority, One World Financial Center, New York, NY 10281. Such request shall be made in writing and shall reasonably describe the record or records sought. Whenever possible, the person requesting records should supply information regarding dates, file designations or other information that may help to describe the records.

(b) records shall be made available for inspection and/or copying during regular business hours at the location or locations within the authority's facilities designated by the corporate secretary.

(c) Within five business days after receipt of such request, the corporation shall:

(1) provide access to the records sought;

(2) deny access to the records sought, such denial to be in writing setting forth the

reason therefor and right to appeal; or

(3) furnish a written acknowledgment of receipt of the request and a statement of the approximate date when the request will be granted or denied.

(d) If the requested records cannot be located the secretary shall certify that the authority is not the custodian, or that the records cannot be found after diligent search.

(e) Upon request, the corporate secretary shall certify to the correctness of any copy provided under this Part.

Statutory authority: Public Officers Law, § 87 (1) (b)

Added 9000.2 on 3/30/87.

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**21 NYCRR § 9000.3 (2007)**

**§ 9000.3 Appeal from denial of access to records**

(a) Any person who is denied access to any record may, within 30 days of such denial, appeal the denial in writing to: President, Battery Park City Authority, One World Financial Center, New York, NY 10281.

(b) The time for deciding an appeal shall commence upon receipt of a written appeal identifying:

(1) the date of the request for records;

(2) the records that were denied; and

(3) the name and return address of the applicant.

(c) The president of the authority shall inform the appellant and the Committee on Public Access to Records, in writing, of the authority's determination within seven business days of an appeal.

Statutory authority: Public Officers Law, § 87 (1) (b)

Added 9000.3 on 3/30/87.

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**21 NYCRR § 9000.4 (2007)**

**§ 9000.4 Fees for services**

(a) It is the policy of the authority to provide routine information and to permit public inspection of record without charge. Fees may be charged in the following situations:

- (1) reproduction, duplication or copying of records; and
- (2) where a fee is otherwise prescribed by law.

(b) Records will be photocopied by the authority if practicable. The person requesting a copy will be charged a fee of 25 cents per page for copies not exceeding 9 x 14 inches, or the actual cost of reproducing such records if larger copies are required. If it is not practicable for the authority to photocopy any such record, it will be copied commercially and the person requesting the copy will be charged a fee equal to the cost of such commercial reproduction.

(c) Any fee charged by the authority pursuant to this Part shall be paid by the person making the request, by certified check or bank cashier's check, or, in the sole discretion of the authority, by cash, in advance of the delivery of copies of any record referred to in this Part.

Statutory authority: Public Officers Law, § 87 (1) (b)

Added 9000.4 on 3/30/87.

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**21 NYCRR § 9000.5 (2007)**

**§ 9000.5 Creation of records**

Documents will not be created by compiling selected items from other documents at the request of a member of the public, nor will records be created to provide the requesting party with data such as ratios, proportions, percentages, frequency distributions, trends correlations or comparisons.

Statutory authority: Public Officers Law, § 87 (1) (b)

Added 9000.5 on 3/30/87.