

July 28, 2016

28(1)

Dear 28(1) :

Re: Access to Information Request #2016-043 – Winnipeg Street – 9th Avenue North to Inland Drive

This is further to your access to information request and application fee payment received by the City on July 22, 2016, quoted as follows:

“A report on the maintenance of, and associated costs of, the stretch of Winnipeg Street North from 9th Ave N to Inland Drive. I would like this annually for the past decade. As well as any traffic count studies along that same stretch of road, if any exist.

On July 22, 2016 you provided clarification that the records you are interested in is the portion of gravel on Winnipeg Street North from 12th Avenue North the City of Regina is responsible for.

In response to your request, the City is able to provide the enclosed traffic count studies. The report you requested for maintenance and associated costs annually for the past decade does not exist. The City has no responsibility under *The Local Authority Freedom of Information and Protection of Privacy Act* to create records that do not otherwise exist. This notification has been provided pursuant to section 7 of LAFOIPP.

If you wish to exercise your right to request a review of this decision, you may do so by completing a Request for Review form and forwarding it to the Saskatchewan Information and Privacy Commissioner within one year of this notice. A copy of this form can be found at <http://www.qp.gov.sk.ca/documents/Forms/L27-1R1-B.pdf> or you may contact the Office of the Information and Privacy Commissioner at (306) 787-8350.

If you have any questions, please contact Darlene Loucks at 306-777-7070 or by email at lafoipp@regina.ca.

Yours truly,

A handwritten signature in black ink, appearing to read 'Jim Nicol', with a stylized flourish at the end.

Jim Nicol
Chief Legislative Officer & City Clerk

JN/del

Enclosure(s)

6

c. L-27.1

LOCAL AUTHORITY FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY

Application

6(1) An applicant shall:

- (a) make the application in the prescribed form to the local authority in which the record containing the information is kept; and
 - (b) specify the subject matter of the record requested with sufficient particularity as to time, place and event to enable an individual familiar with the subject matter to identify the record.
- (2) Subject to subsection (4) and subsection 11(3), an application is deemed to be made when the application is received by the local authority to which it is directed.
- (3) Where the head is unable to identify the record requested, the head shall advise the applicant, and shall invite the applicant to supply additional details that might lead to identification of the record.
- (4) Where additional details are invited to be supplied pursuant to subsection (3), the application is deemed to be made when the record is identified.

1990-91, c.L-27.1, s.6.

Response required

7(1) Where an application is made pursuant to this Act for access to a record, the head of the local authority to which the application is made shall:

- (a) consider the application and give written notice to the applicant of the head's decision with respect to the application in accordance with subsection (2); or
 - (b) transfer the application to another local authority or to a government institution in accordance with section 11.
- (2) The head shall give written notice to the applicant within 30 days after the application is made:
- (a) stating that access to the record or part of it will be given on payment of the prescribed fee and setting out the place where, or manner in which, access will be available;
 - (b) if the record requested is published, referring the applicant to the publication;
 - (c) if the record is to be published within 90 days, informing the applicant of that fact and of the approximate date of publication;
 - (d) stating that access is refused, setting out the reason for the refusal and identifying the specific provision of this Act on which the refusal is based;
 - (e) stating that access is refused for the reason that the record does not exist; or
 - (f) stating that confirmation or denial of the existence of the record is refused pursuant to subsection (4).
- (3) A notice given pursuant to subsection (2) is to state that the applicant may request a review by the commissioner within one year after the notice is given.