

NORTH AUGUSTA

SOUTH CAROLINA'S RIVERFRONT

FOIA 2022-51

Date: July 27, 2022

TO: Donald Branum
[REDACTED]

Copy to:
Kelly Zier - City Attorney
Mark Timmerman - Superintendent of Building
Standards

RE: FREEDOM OF INFORMATION REQUEST

PLEASE BE ADVISED that the City of North Augusta has received your Freedom of Information Act (FOIA) request the 27th day of July 2022. Such request has been forwarded to the appropriate department for response. In addition, a copy of said request has been forwarded to the office of the City Attorney for his review.

The City Attorney will make a determination as to whether the request is a proper request under the FOIA act. The appropriate department will advise as to what materials, documents, etc. may be available. That department will also provide information indicating the approximate time involved related to the retrieval of the documentation, and also the amount of material that would need to be copied in order to comply with the request. At such time as a response is received from the City Attorney and the appropriate department, we will then notify you of the response of the City to your FOIA request. In the event that the request is deemed appropriate and permissible under the FOIA act, we will advise you of same and also provide an estimate of the costs that would be related to responding to said request. In the event that it is determined that the FOIA request is not proper and not permitted by the act, you'll also be advised of that decision.

A response to your request will be made within the time limits as established by section 20-4-30(c) of the FOIA act. Specifically, this requires that said response be provided within 10 business days for any record requested that is less than 24 months old. A request for a record that is more than 24 months old, is to be responded to within 20 business days from the date of the receipt of your request. The City would not normally require the full period in order to respond, but reserves its right under the act to do so.

The response as required by the Act as referred to in the above paragraph is NOT the delivery of the documents. It is a response advising the person making the FOIA request of the City's determination as to the public availability, of the requested public records. The ACT further provides that if the request is granted, the document must be furnished or made available for inspection or copying no later than thirty (30) calendar days from the date on which the final determination as to the availability of the documents is made, unless the record are more than twenty-four (24) months old, in which case the Public Body is to provide such records no late than thirty-five (35) calendar days from the date on which the final determination was provided. In the event that a deposit for the costs of providing the documentation is required, the providing of the

NORTH AUGUSTA

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documents would be based upon the date on which the deposit is received. In such case, the time remains thirty (30) or thirty-five (35) calendar days based upon the age of the documents requested.

In the event that the response to your request is positive and the costs associated with retrieving and providing the data is minimal, in most cases, the City would forward the documentation to you with a statement for the costs. An example of charges would be 15¢ per page for black and white copies, 20¢ per page for color copies. The City does not charge for search and retrieval for fifteen minutes or less. For any time required to research and retrieve the requested information more than 15 minutes, the City charges, a minimum of \$8.00 per 30 minutes. Pursuant to the act, the charge for searching, retrieving, and redacting records is not to exceed the hourly wage of the lowest paid employee on the public body staff, who has the skill and training to fulfill the request. Therefore, the charge could be in excess of the \$8.00 per 30 minutes, if a regular clerical person is unable to perform the services. The specific FOIA Fee schedule, as adopted by the City is available for review online. In the event that the costs are considered to be of more than a nominal amount, the City would reserve the right to require a deposit of 25% of anticipated costs to be made before assembling, copying and delivering the materials. This would also provide to you the opportunity to determine if you desired to proceed with the request in light of the costs.

NOTICE: SOUTH CAROLINA LAW PROVIDES THAT "IT IS A CRIME TO KNOWINGLY OBTAIN OR USE PERSONAL INFORMATION FROM A PUBLIC BODY FOR COMMERCIAL SOLICITATION." Section 30-2-50

Sharon Lamar

Sharon Lamar, City Clerk

City of North Augusta, South Carolina

Re: FOIA 2022-45

Donald Branum [REDACTED]

Tue 7/26/2022 7:53 PM

To: Lamar, Sharon <SLamar@northaugustasc.gov>

Sharon -

Please see the below request from SC Dept. of Labor, Licensing and Regulations. I need a copy of the building permit application and the final CO.

Can you help me with this?

Don Branum

LLR Business Complaints <Business.Complaints@llr.sc.gov>

to me [REDACTED]

Dear Mr. Branum:

This is a request for additional information in connection with a recent complaint you submitted regarding Nathan Patrick. Please provide the information requested below. Once the information is received, I will review it and determine how to proceed with your complaint.

Please provide the following document(s):

- A copy of the building permit application, linking [REDACTED] to the construction of the residence. This document is available from your local building official's office;
- A copy of the Certificate of Occupancy. This document can also be obtained from the local building official; and
- A specific list and description of any substandard work issues not included in the original complaint. Please note the Department was unable to open the documents attached to the original complaint.

Without these documents I will be unable to proceed with the analysis of your complaint. You may send the documents by e-mail to Business.Complaints@llr.sc.gov, fax or regular mail. When sending these documents by fax or regular mail, please include a copy of this letter so that it may be matched with the appropriate file.

If the requested documentation has not been received by 8/10/22, the file will be closed.

Please note that the South Carolina Residential Builders Commission does not have the authority to intercede in civil/contractual matters, arbitrate disputes or require a licensee to make repairs. Upon receipt of the requested information the Department may be able to open a case to investigate if the licensee can be disciplined for failing to perform work according to code or the South Carolina Residential Construction Standards (the "Standards") or other violations of the applicable license law.

Sincerely,

Roy W. Boggs

Program Coordinator II/Complaint Analyst

Office of Investigations and Enforcement

SC Dept of Labor, Licensing and Regulation

110 Centerview Drive

Columbia, SC 29210

Phone: 803-896-4460

Fax: 803-896-4656

On Fri, Jul 8, 2022 at 3:17 PM Lamar, Sharon <SLamar@northaugustasc.gov> wrote:

Attached is the Inspection Activity/History Report for [REDACTED] provided by the Building Standards department. This completes FOIA 2022-45.

Sharon Lamar

City Clerk

City of North Augusta

100 Georgia Avenue

North Augusta, SC 29841

803.441.4202

*Please update my email address to reflect the change to .gov (slamar@northaugustasc.gov)

From: Lamar, Sharon

Sent: Tuesday, July 05, 2022 3:20 PM

To: brnumd16@gmail.com; Kelly Zier (kzier@zierlawfirm.com) <kzier@zierlawfirm.com>; Timmerman, Mark <MTimmerman@northaugustasc.gov>; Fulton, Christine E. <CFulton@northaugustasc.gov>

Cc: City Council <CityCouncil@northaugustasc.gov>; Clifford, Jim <JClifford@northaugustasc.gov>; Moody, Rachele <RMoody@northaugustasc.gov>

Subject: FOIA 2022-45

Attached is our response to your FOIA request received July 5, 2022. Please confirm receipt.

Sharon Lamar

City Clerk