

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
James Quattro,

FINAL DECISION

Complainant

Docket #FIC84-254

against

January 3, 1986

Town of East Hartford and
East Hartford Town Clerk's
Office,

Respondents

The above captioned matter was heard as a contested case on October 30, 1985 at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record the following facts are found:

1. The respondent town clerk is a public agency within the meaning of §1-18a(a), G.S.

2. By letter of complaint filed with the Commission on December 17, 1984 the complainant alleged that on November 23, 1984 he was denied access by the respondent to inspect and purchase the State of Connecticut Basic Building Code.

3. It is found that on November 23, 1984 the complainant made a request at the office of the respondent to inspect the State of Connecticut Basic Building Code. The respondent was provided with two volumes, which he examined in the respondent's office.

4. Following the complainant's examination of the volumes he asked to purchase a volume for himself and was told that extra copies of the Code were not available for sale. The complainant was advised that pages in either volume could be photocopied for him, which offer was declined.

5. The complainant claims that the respondent is required by statute and city charter to keep volumes of the Basic Building Code available for sale.

6. It is found that nothing in the Freedom of Information Act requires that original volumes of public records be made available for sale. The respondent met the requirements of the Act when it offered to photocopy pages from the Basic Building Code.

7. The complainant also claims that the respondent did not have in its office the 1978 version of the Basic Building Code, as required by city charter and state statute.

8. It is found that nothing in the Freedom of Information Act mandates the updating of public records and that this Commission is without jurisdiction to enforce any such requirements which may be imposed by other state statute or city charter.

The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint.

1. The complaint is hereby dismissed.

Approved by order of the Freedom of Information Commission at its special meeting of January 3, 1986.



Mary Jo Jolicoeur
Clerk of the Commission