

**UPPER MORELAND-HATBORO JOINT SEWER AUTHORITY  
MONTGOMERY COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 707**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE UPPER MORELAND-HATBORO JOINT SEWER AUTHORITY STATING THE AUTHORITY'S POLICY REGARDING REQUESTS UNDER THE PENNSYLVANIA RIGHT TO KNOW LAW SUBMITTED BY ANONYMOUS REQUESTERS, OR SUBMITTED BY THIRD PARTIES ON BEHALF OF ANONYMOUS REQUESTERS**

**WHEREAS**, the Pennsylvania Right to Know Law (65 P.S. §§ 67.101 through 67.3104) (“RTKL”) defines a requester as “a person that is a legal resident of the United States and requests a record pursuant to this act” (65 P.S. § 67.102); and

**WHEREAS**, a request submitted anonymously does not provide information sufficient to determine whether the requester is a legal resident of the United States; and

**WHEREAS**, a request submitted by a third party on behalf of an anonymous requester does not provide information sufficient to determine whether the requester is a legal resident of the United States; and

**WHEREAS**, section 506(a) of the RTKL provides that [a]n agency may deny a requester access to a record if the requester has made repeated requests for that same record and the repeated requests have placed an unreasonable burden on the agency (65 P.S. § 506(a)); and

**WHEREAS**, a request submitted anonymously does not provide information sufficient to determine if the same requester has made repeated request for the same record; and

**WHEREAS**, a request submitted by a third party on behalf of an anonymous requester does not provide information sufficient to determine whether the requester has made repeated requests for the same record; and

**WHEREAS**, section 702 of the RTKL (65 P.S. 67.702) provides, in relevant part, that “agencies *may* fulfill verbal, written or *anonymous verbal or written request* for access to a record under this act” (emphasis added); and

**WHEREAS**, the Pennsylvania Office of Open Records interprets this section as affording agencies the discretion to fulfill or ignore anonymous requests (*In the Matter of Ryan v. Cumberland County*, Pa. Office of Open Records Docket No. Ap 2024-0349, p. 2).

**NOW, THEREFORE**, the Board of Directors of the Upper Moreland-Hatboro Joint Sewer Authority does hereby **RESOLVE** as follows:

1. It is the policy of the Upper Moreland-Hatboro Joint Sewer Authority to not accept anonymous verbal or written requests for access to public records under the RTKL.

2. For the purposes of this Resolution, anonymous requests include requests submitted by named third parties on behalf of an unnamed requester.

3. All requests for access to public records submitted to the Upper Moreland-Hatboro Joint Sewer Authority under the RTKL must include the requester's first and last name and mailing address. Nothing contained in this Resolution shall be interpreted to prevent requesters from providing additional contact information, including but not limited to telephone numbers and email addresses, but the requester's first and last name and mailing address must be provided.

4. In the event that any section, sentence, clause or word of this Resolution shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose the validity of the remaining portions of this Resolution.

5. All resolutions or parts of resolutions inconsistent or in conflict herewith, or inconsistent or in conflict with any of the provisions of this Resolution, are hereby repealed, but only to the extent of such inconsistencies or conflicts.

6. This Resolutions shall be effective as of the date of its adoption by the Board of Directors of the Upper Moreland-Hatboro Joint Sewer Authority.

**RESOLVED** and **ADOPTED** this 7th day of August, 2024.

UPPER MORELAND-HATBORO  
JOINT SEWER AUTHORITY

Attest:

  
\_\_\_\_\_  
William Tompkins, Secretary

By:   
\_\_\_\_\_  
Alex Kalnajs, Chair  
Board of Directors