

RESOLUTION 2013-17

Sponsor: Foster

A RESOLUTION ESTABLISHING PROCEDURES FOR INSPECTION OR DUPLICATION OF PUBLIC RECORDS

WHEREAS, the citizens of the City of Hendersonville entrust the safe keeping and maintenance of the City's public records to its city government; and

WHEREAS, the City has always maintained a policy of transparency and openness with respect to its records; and

WHEREAS, personnel of the City's government wish to maintain open public records in an effective manner and provide access to those requesting to view and copy those records in a fair and timely manner:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF HENDERSONVILLE, TENNESSEE, that access to open public records for viewing or copying shall be accomplished according to the following procedures:

1. Persons requesting to inspect records must show photo identification verifying Tennessee citizenship. Requests for copies of public documents shall be made in writing on the attached "Inspection/Duplication of Records Request" form and processed by the Mayor's office.
2. Confidential information, as defined by State law, will be kept confidential. When possible, documents containing confidential information will be redacted before being made available for inspection or copies.
3. The department receiving the request will determine, based upon their current workload, a reasonable response time, not to exceed seven (7) days, and will advise the City Recorder, who will contact the individual making the request as to when the material will be available.
4. Copies of information provided will be charged as per the attached "Schedule of Charges" form. All fees are to be paid in full prior to delivering the copied records to the requestor. Calculation of those charges will be in accordance with the policy of the Office of Open Records Counsel of the Comptroller's Office of the State of Tennessee. There will be no charge for the first five (5) pages of requested copies per person per month.
5. The requestor shall be charged for the staff time reasonably necessary to produce copies of the requested records. Staff time includes the time spent locating, retrieving, reviewing, redacting, programming and reproducing the record. After

the first hour, all labor charges associated with a request for copies must be paid by the requestor to obtain the copies.

6. There is no charge to review records; however charges will apply for time spent locating, retrieving, redacting, and programming of the record when copies are requested.
7. Custody of the original record shall not be relinquished. The person requesting to inspect the record must do so in the presence of a staff member.
8. No cameras or personal copying equipment of any kind will be allowed. Should a copy be requested, a staff member will make the copy.
9. Appointments will be scheduled for inspection times to ensure that staffing is available. A requestor's failure to appear for an inspection within thirty (30) minutes of the time scheduled may require the appointment to be rescheduled on another day. When copies of documents are requested, the requestor will be notified when the copies are prepared and available for pick up.
10. Records requested of the Fire and Police Departments are exempt from this Resolution.

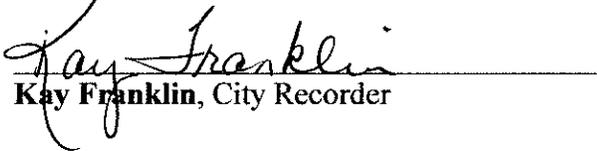
Adopted this 23rd day of July, 2013

APPROVED:



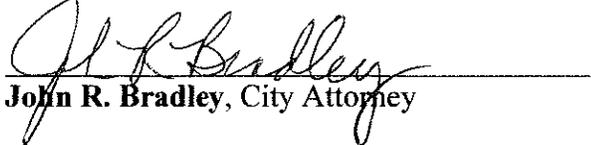
Scott Foster, Mayor

ATTEST:



Kay Franklin, City Recorder

APPROVED AS TO FORM AND LEGALITY:



John R. Bradley, City Attorney



INSPECTION/DUPLICATION OF RECORDS REQUEST

Requestor Instructions: To make a request for copies of public records fill in sections 1-5, and sign and date section 9 at the time the request is made. Requestors who are retrieving the requested records from the office of the records custodian in person should not sign and date section 11 until the records are received

Custodian Instructions: For requests to inspect, the **records custodian** is to fill in sections 1-6, 8, and sign and date section 10 at the time the request is made. Section 12 should not be signed and dated until the requestor inspects the records. For requests for copies or duplicates, the records custodian is to fill in sections 6-8 and sign and date section 10 at the time the request is made. Section 12 should not be signed and dated until the records are retrieved by or delivered to the requestor.

Note: Tenn. Code Ann. § 10-7-503(a)(7)(A) provides that unless another provision in law specifically requires a written request, a request to inspect public records may not be required to be in writing nor can a fee be assessed for inspection of records.

1. Name of requestor: _____
(Print or Type; Initials of requestor are required for copy requests)

2. Form of identification provided:
 Photo ID issued by governmental entity including requestor's address
 Other: _____

3. Requestor's address and contact information:

4. Request for: inspection/access copy/duplicate
[previously inspected on _____ (date) Or inspection waived]

5. Record(s) requested:
Type of record: _____
 - a. Detailed Description of the record(s) including relevant date(s) and subject matter:

6. Request submitted to: _____
(Name of Governmental Entity, Office or Agency)
 - a. Employee receiving request: _____
(Print or Type and Initial)
 - b. Date and time request received: _____
 - c. Response: Same day Other _____

7. Costs (if assessed):
 - a. Number of pages to be copied: _____ Estimated
 - b. Deposit Required. Amount: _____

- c. Cost:
 - (1) per page letter or legal sized:
 - \$ _____ (\$0.15) per black and white
 - \$ _____ (\$0.50) per color;
 - (2) per page other sized or other medium _____
 - \$ _____

- 7. Costs continued:
 - d. Estimate of labor costs to produce the copy (for time exceeding 1 hour): _____
 - Labor at \$ _____ /hour for _____ hour(s).
 - Labor at \$ _____ /hour for _____ hour(s).
 - Labor at \$ _____ /hour for _____ hour(s).
 - e. Programming cost to extract information requested: _____
 - f. Method of delivery and cost: _____ Estimated
 - On-site pick-up U.S. Postal Service Other: _____
 - g. Estimate of total cost to produce request: _____
 - h. Estimate provided to requestor: in person by U.S.P.S. by phone Other: _____

- 8. Payment:
 - Form of payment: Cash Check Other _____
 - Amount of payment: _____
 - Date of payment: _____
 - Actual cost (and adjustment if prepaid/ less deposit): _____

9. _____
 Signature of Requestor _____
 Date Records Requested

10. _____
 Signature of Records Custodian _____
 Date of Receipt of Request

11. _____
 Approval from Mayor's Office _____
 Date of Approval

12. Delivery/Retrieval of Records:

Signature of Requestor	Date Records Delivered/Reviewed
Signature of Records Custodian	Date Records Delivered/Reviewed

SCHEDULE OF CHARGES

- 8 ½ x 11 \$.15
- 8 ½ x 14 \$.15
- 8 ½ x 11 color \$.50
- 8 ½ x 14 color \$.50
- Duplex copies above rates apply
- Plats (18 x 24) \$5.00
- Site Plans (18 x 24) \$5.00
- Plats (larger than 18 x 24) \$10.00
- Site Plans (large) \$10.00
- Cassette tape \$2.00
- DVD \$1.00
- The requestor shall be charged for the staff time reasonably necessary to produce the requested records when copies are requested. Staff time includes the time spent locating, retrieving, reviewing, redacting, programing and reproducing the record. All labor charges associated with requests for copies or records, after the first hour, must be paid by the requestor to obtain copies.