



*City of Urbana, 205 South Main Street, Urbana, Ohio 43078 (937) 652-4300*

## **CITY OF URBANA'S PUBLIC RECORDS POLICY**

All records of the City of Urbana are public, unless they are specifically exempt from disclosure under the law. "Record" includes any document, device or item, whether paper, electronic, or other format, which is created or received under the jurisdiction of this office and which documents the organization, functions, policies, decisions, procedures, operations, or other activities of the City of Urbana. See Administrative Regulation 6 for more details.

### **Record request**

No specific language is required to make a request, but the requester must identify records with sufficient clarity to allow the City of Urbana to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian should ask the requester for clarification, and assist the requester in revising the request by informing them of the manner in which the City of Urbana maintains and accesses its records. The requester need not put a request in writing, or provide his or her identity or the intended use of the requested records.

### **Notice of receipt**

All requests for public records should be acknowledged in writing by the City of Urbana within three business days following receipt of the request if not satisfied within that time frame. Notice of receipt should include any need for clarification of the records sought, and the estimated cost of copies or reproduction if applicable (see below).

### **Production of requested records**

Public records must be made available for inspection promptly. Copies of public records must be made within a reasonable period of time. Requests for inspection may be satisfied by providing copies promptly. "Promptly" and "reasonable" take into account the volume of records, where and how the records are stored, and time required for legal review and/or redaction. Records prepared for inspection may be viewed during regular business hours. The City of Urbana will provide copies of public records on paper, on the medium on which they are kept, or on any other medium consistent with normal operations as determined by the City of Urbana. If portions of a record are public and portions are exempt, the exempt portions will be redacted and the other portions released. Denial of a request for all or any part of a public record shall include an explanation for the denial, including legal authority.

### **Costs for public records**

There is no charge for viewing (inspecting) public records, while duplication of public records may be charged at the following rates (actual costs):

- Paper copies – 10 cents per page for black & white copies up to 8 1/2 x 14; 15 cents per page for color copies up to 8 1/2 x 14, or B&W 11 x 17 copies; 20 cents per page for color 11 x 17 copies.
- Electronic records: copied to a compact disc or DVD, \$1 per disc; to a flash drive or data card, \$15; to a high-capacity external hard drive (more than 16 GB) \$150.
- Electronic records: e-mailed to the requester or downloaded to a requester-owned device such as a flash drive, data card or external hard drive— no charge. To avoid virus and malware proliferation, a device must be new-in-package and sealed when presented to the City for the record duplication.

Requesters may have records mailed to them by paying the City of Urbana, in advance, the actual cost of postage and mailing supplies.

### **Electronic records**

If the content of an e-mail, text message or other electronic communication meets the definition of a public record (see "Records" above), it is subject to disclosure, whether it is in a public, or private account. Requests for electronic records will be treated in the same fashion as records in other formats.

### **Failure to respond to public records request**

If a person believes the City has failed to comply with the Public Records Policy, a court petition in mandamus may be filed to: 1) to compel the City to comply with the request, 2) to seek payment of statutory damages, 3) for court costs, and 4) to have the City pay the requester's attorney fees.

As an alternative to mandamus, the Ohio Attorney General offers mediation between local governments and public records requesters in some situations. For more information on mediation or Ohio's public records laws, contact the Ohio Attorney General's Public Records Unit at 1-888-958-5088 or visit [ohioattorneygeneral.gov](http://ohioattorneygeneral.gov).

Effective May 2013