

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____ 20____

CITY OF BELPRE
ORDINANCE NO. 7 (2014-15)

**AN ORDINANCE TO APPROVE THE CITY OF
BELPRE PUBLIC RECORDS POLICY**

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL
OF THE CITY OF BELPRE, OHIO, THAT:

SECTION I

This Council hereby adopts and approves the City of Belpre Public Records Policy, a copy of which is hereto attached.

SECTION II

This Ordinance is hereby declared to be an emergency measure deemed necessary for the immediate preservation of the public health, safety and welfare of the City, and to prevent further delay in implementing this policy. Wherefore, this Resolution shall take effect and be in full force from and immediately after its passage by Council and signing by the Mayor.

PASSED: July 14, 2014 _____
PRESIDENT OF COUNCIL
ATTEST: [Signature]
Clerk Potem
PRESENTED TO MAYOR: _____
[Signature]
MAYOR
APPROVED BY MAYOR: 7/14/14

CLERK'S CERTIFICATION OF PUBLICATION

The undersigned Clerk of the Council of the City of Belpre, Ohio, does hereby certify that on 7/14/14, this Ordinance was published by posting a copy of the same at the five public places designated by the City Council in Ordinance No. 18 (2006-07).

7-14-2014 _____
Date CLERK [Signature]
Clerk Potem

CITY OF BELPRE, OHIO

OPEN RECORDS MISSION STATEMENT

Consistent with the premise that government at all levels exists first and foremost to serve the interests of the people, it is our mission and intent to at all times fully comply with and abide by both the spirit and the letter of Ohio's Open Records Act and Open Meetings Act.

RESOLUTION ON STATEMENT OF PRINCIPLES

In order to accomplish the mission of fully, complying with both the letter and spirit of the Open Records and Open Meetings Act, we do hereby adopt the following Statement Of Principles.

STATEMENT OF PRINCIPLES

We will enact a formal resolution memorializing the Mission Statement;

We will ensure that all personnel become and remain fully trained in and aware of the provisions of the acts;

We will adopt policies that encourage employees to immediately report incidents of non-compliance with the acts that they may observe;

We will do nothing that abridges the public's right to obtain information about their government of that inhibits or discourages citizens from doing so;

We will do everything possible to aid those who are seeking information, including but not limited to, fully explaining the scope and operation of the acts and assisting citizens in the formulation of requests;

We will construe the provisions of the acts in a manner that favor compliance with requests for information;

We will seek guidance from the Office of the Ohio Attorney General whenever a question arises about the application of the acts or about the appropriateness of a request for information; and

We will clearly and concisely state the reason or reasons why a request for information has been denied.

CITY OF BELPRE, OHIO

PUBLIC RECORDS POLICY

INTRODUCTION

It is the policy of the City of Belpre, Ohio, that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the City of Belpre, Ohio, to strictly adhere to the state's Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

SECTION 1. PUBLIC RECORDS

This office, in accordance with the Ohio Revised Code, defines records as including the following: Any document - paper, electronic (including, but not limited to, e-mail), or other format - that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the City of Belpre, Ohio, are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

SECTION 1.1

It is the policy of the City of Belpre, Ohio, that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying (See Section 4 for the e-mail record policy). Record retention schedules are to be updated regularly and posted prominently.

SECTION 2. RECORD REQUESTS

Each request for public records should be evaluated for a response using the following guidelines:

SECTION 2.1

Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and should assist the requester in revising the request by informing the requestor of the manner in which the office keeps its records.

SECTION 2.2

The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. It is this office's general policy that this information is not to be requested.

SECTION 2.3

Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

SECTION 2.4

Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so. Routine requests include, but are

not limited to, meeting minutes (both in draft and final form), budgets, salary information, forms and applications, personnel rosters, etc. If fewer than 20 pages of copies are requested or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, these should be made as quickly as the equipment allows. If more copies are requested, an appointment should be made with the requester or when the copies or computer files can be picked up. All requests for public records must either be satisfied (see Section 2.4) or be acknowledged in writing by the City of Belpre, Ohio, within three (3) business days following the office's receipt of the request. If a request is deemed significantly beyond "routine," such as seeking a voluminous number of copies or requiring extensive research, the acknowledgment must include the following:

SECTION 2.4a

An estimated number of business days it will take to satisfy the request, which shall be no longer than twenty (20) days.

SECTION 2.4b

An estimated cost if copies are requested.

SECTION 2.4c

Any items within the request that may be exempt from disclosure.

SECTION 2.5

Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

SECTION 3. COSTS FOR PUBLIC RECORDS

Those seeking public records will be charged only the actual costs of making copies.

SECTION 4.2

The records custodian is to treat the e-mails from private accounts as records of the public office, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.

SECTION 5. FAILURE TO RESPOND TO A PUBLIC RECORDS REQUEST

The City of Belpre, Ohio, recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, the City of Belpre, Ohio's failure to comply with a request may result in a court ordering the City of Belpre, Ohio, to comply with the law and to pay the requester attorney's fees and damages.