



# INTEROFFICE MEMORANDUM

*Human Resources Department*

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**TO:** City of Green Employees

**FROM:** Jeanne Greco

*cc:* Mayor Norton, City Council

**DATE:** November 17, 2008

**SUBJ: AMENDED POLICY - PUBLIC INFORMATION INQUIRIES**

The City of Green desires to provide a process for reasonably prompt delivery of public records and/or access to public records to fully comply with the provisions of §149.3 of the Ohio Revised Code. The City of Green also desires to protect confidential information of its employees, citizens and vendors. The City desires to eliminate inefficiencies regarding the processing of public record requests and insure consistency and fairness regarding the fulfillment of public record requests. The City also desires to have a policy which allows the City and its employees to conduct regular day-to-day business without interference from burdensome, voluminous requests.

Since the City of Green is responsible for any violations of the Public Records Act, this Public Information Inquiries Policy shall apply to all employees and elected officials of the City.

Effective immediately, the City's policy regarding Public Information Inquiries as set forth in the Non-Bargaining Employment Policy Handbook is:

### Public Information Inquiries

City policy regarding public records requests is to comply with the Ohio Revised Code. Ohio's Open Meeting and Public Records laws ensure state and local government business is conducted in the open, that citizens have access to public documents, and the privacy of citizens is protected.

Upon receiving a proper request for public information, the employee shall ask the individual making the request to complete a Public Records Request Form (attached) or make their request in writing. If the individual refuses, the employee shall complete the form and then confirm the description of the documents requested with the requesting party. The responsible department Director shall forward the request to the Law Department for review and provide the date the document(s) will be available. The responsible Director shall provide the documents in his possession responsive to the request to the Law Department.

Revised Code Section 149.43 permits the City of Green to ask a Requestor to make the request in writing, ask the Requestor's identity and inquire about the intended use of the information requested. However, the City of Green cannot require a written request, the identity of the Requestor or the intended use of the information. Before you ask a person for information identified on the Public Request written form, you **MUST** notify the person that they do not have to put the request in writing and that they can decline to reveal their identity or the intended use of

the requested documents. The Public Record Request Form is designed to benefit the Requestor by enhancing the ability of the City of Green and its employees responsible for public records to identify, locate and deliver the public records sought by the Requestor.

Under law, some categories of records are excluded from public information reports as “confidential” and will not be provided. The Law Department shall be responsible for determining what information may be legally provided.

The cost to copy city records has been established as follows:

8½ x 11	\$ .10 per copy*
8½ x 14	.10 “ ” *
11 x 17	.10 “ ”
18 x 24	1.00 “ ”
22 x 34	2.00 “ ”
24 x 36	3.00 “ ”
36 x 48	4.00 “ ”

- \* The initial 25 copies of this size provided to an individual each month are without charge; if an individual obtains more than twenty-five (25) photocopies during any month, the individual shall pay for all copies obtained during that month at the applicable rates.

There will be no charge for records requested by other government entities or for records forwarded via e-mail if the records are maintained electronically and are in an e-mail accessible format.

If copy charges or mail/delivery charges are owed to the City, the Law Department will notify the requesting party of the amount due. Payments will be directed to the Law Department. Upon receipt of amounts owed, the Law Department will advise the appropriate department/division payment has been received; then the requested information can be copied and forwarded to the Law Department for pick up or delivery.

Requests delivered by using the U.S. postal service or any mail service will be sent after receipt of any applicable copy charges including delivery costs.

All public records requests will be recorded on an Excel spreadsheet. The spreadsheet can be accessed on the S drive saved as Track Public Records Requests.

Absent special circumstances, an employee shall endeavor to provide the public information requested within five (5) business days. If the employee promises to produce the records by a certain date, the employee must take reasonable steps to ensure that the records are provided by the date promised. If the employee cannot provide the information requested within five (5) business days, the employee shall notify the Law Department of the reason for the delay so that proper notification can be given to the requesting party.

Please provide copies of this policy amendment among all your employees who have access to your department/division records, and have the Policy Acknowledgment form signed and returned to Human Resources. Where applicable, insert a copy of this policy amendment into the Non-bargaining Employee Handbook–Page 46.

## Receipt and Acknowledgement of the Amended Policy regarding Public Information Inquiries

I have received, reviewed and understand the City of Green's Revised (11/17/08) policy regarding Public Information Inquiries.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

*Please return only this page to Human Resources.*