

ORDINANCE NO. 2026-04-01

AN ORDINANCE OF THE CITY OF SHIDLER, OKLAHOMA, A MUNICIPAL CORPORATION, ADDING A NEW SECTION 2-801 TO THE CODE OF ORDINANCES OF THE CITY OF SHIDLER TITLED "OPEN RECORDS REQUESTS"; UPDATING THE ALLOWABLE FEE CHARGED FOR OPEN RECORDS COPIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER.

WHEREAS, the City of Shidler is authorized under the Oklahoma Open Records Act, Okla. Stat. tit. 51, §§ 24A.1 et seq., to establish reasonable fees to recover the direct costs of copying public records; and

WHEREAS, the City desires to set forth a clear and comprehensive fee schedule for providing copies of open records that balances the need for cost recovery with the goal of ensuring continued public access to government information; and

WHEREAS, the City recognizes the importance of transparency and accountability in government operations and seeks to promote these principles through the implementation of this Ordinance; and

WHEREAS, by majority vote of the Mayor and the City Council of the City of Shidler, Oklahoma at a Regular Meeting on the 1st day of April, 2026, it was deemed to be necessary to add a new Section 2-801 to the Code of Ordinances, City of Shidler, Oklahoma, titled "Open Records Requests".

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Shidler, Oklahoma, meeting at City Hall during a Regular Meeting on this 1st day of April, 2026, as follows:

Section One (1): That Section 2-801, titled "Open Records Requests" is hereby added and shall provide for and read, in its entirety, as follows, to wit:

SECTION 2-801 OPEN RECORDS REQUESTS

A: DEFINITIONS.

For the purposes of this Section, the following terms shall have the meanings ascribed to them:

- (i.) "Open Records Request" means a written request to inspect or copy public records pursuant to the Oklahoma Open Records Act.

- (ii). "Public Records" shall have the meaning set forth in the Oklahoma Open Records Act.
- (iii). "Requester" means any person submitting an Open Records Request.
- (iv). "Actual Cost" means the direct cost incurred by the City in fulfilling an Open Records Request, including but not limited to staff time, materials, and equipment usage.

B: FEES AND CHARGES

- (i). Standard Copying Fees. The City shall charge a fee of \$0.25 per page for standard 8.5" x 11" black and white copies of public records and \$0.50 per page for standard 8.5" x 11" color copies. For certified copies or copies of larger documents, the City shall charge a fee of \$1.00 per page. These fees are consistent with the maximum allowable copying charges under Oklahoma Open Records Act.
- (ii). Staff Time Fees. If the processing of an Open Records Request requires staff time, the City shall charge a fee of \$20.00 per hour for each hour of staff time expended, not to exceed the actual cost incurred by the City in responding to the request. This fee shall be prorated to the nearest quarter hour. If legal review and/or redaction is required, attorney time will be billed at \$85.00 per hour.
- (iii). Electronic Retrieval and Transmission Fees. If the requested records are maintained in an electronic/digital format, the City shall charge a fee of \$0.15 per page for the cost of retrieving and transmitting the records electronically. The City does not accept flash drives from Requesters. The cost of the flash drive will be charged to the Requestor.
- (iv). Actual Cost Fees. For any other costs incurred by the City in responding to an Open Records Request, including but not limited to the cost of specialized equipment or third-party services, the City shall charge

the actual cost incurred, not to exceed the maximum fees permitted under Oklahoma Open Records Act.

- (v). Advance Payment. The City requires advance payment of the estimated fees and charges prior to fulfilling an Open Records Request.

C: WAIVERS AND REDUCTIONS.

- (i). The Mayor, City Council, or their designee, may waive or reduce the fees established in this Ordinance if they determine that:

- (a.) The request is in the public interest;
- (b.) The waiver or reduction is in the best interest of the City; or
- (c.) The Requester demonstrates financial hardship.

- (ii). Where no staff time is required, but for providing copies, no fees shall be charged for the first ten (10) pages of records provided in response to an Open Records Request. This service shall apply to a one-time request per month only.

- (iii). The City may charge a fee for the inspection of public records, where the inspection requires more than fifteen (15) minutes of staff time to retrieve, prepare, and monitor the records for inspection. Staff Time Fees provided for above shall be applicable.

D: PROCEDURES FOR OPEN RECORDS REQUESTS.

- (i). Submitting Requests. Open Records Requests must be submitted in writing to the City Clerk's Office. The City shall make available a standardized form for submitting Open Records Requests but shall not require the use of this form as a condition of fulfilling the request.
- (ii). Response Timeline. The City shall respond to all Open Records Requests within three (3) business days, as

required by the Oklahoma Open Records Act. If the request cannot be fulfilled within this time frame, the City will provide an explanation for the delay and a good faith estimate of when the records will be available.

- (iii). Appeals. Requesters may appeal the denial of an Open Records Request or the assessment of fees to the City Council within ten (10) days of the decision. The City Council shall issue a decision on the appeal at its next regular meeting. The City Council's decision on the appeal shall be final.

Section Two (2): Severability. If any provision, Section, Subsection, sentence, clause, phrase or other portion of this Ordinance or the application thereof to any person or circumstance is held to be unconstitutional, illegal or in conflict, by a Court of competent jurisdiction, or by any federal agency, the remainder of this Ordinance, the application of such provisions to other persons and circumstances shall not be affected thereby, and to this end, such portion of the Ordinance shall be deemed a separate, distinct and independent, provision and not affecting the validity of the remainder of this Ordinance.

Section Three (3): Repealer. Any Ordinance or Code provision, or parts thereof, in conflict with this Ordinance are, to that extent, hereby repealed.