

Ordinance No. 20-004

AN ORDINANCE AMENDING THE TOWN OF KINGSTON SPRINGS PUBLIC RECORDS POLICY

WHEREAS, by Ordinance 17-001, the Town of Kingston Springs Board of Commissioners adopted the Town of Kingston Springs Public Records Policy; and

WHEREAS, the Town of Kingston Springs Board of Commissioners has determined that certain provisions of such Public Record Policy should be amended.

NOW, THEREFORE, BE IT ORDAINED by the Town of Kingston Springs that the Town of Kingston Springs Public Records Policy shall be amended as follows:

1. Section II. A. shall be amended by deleting the existing section in its entirety and replacing it with the following:

II. Requesting Access to Public Records

- A. Public record requests shall be made to the Public Records Request Coordinator ("PRRC") or his/her designee in accordance with this policy in order to ensure public record requests are routed to the appropriate records custodian and fulfilled in a timely manner.

2. SECTION VI. shall be amended by deleting the existing section in its entirety and replacing it as follows:

VI. Fees and Charges and Procedures for Billing and Payment

- A. Fees and charges for copies of public records should not be used to hinder access to public records.
- B. Records custodians shall provide requestors with an itemized estimate of the charges using the rates outlined in Section VI-D of this policy prior to producing copies of records and may require pre-payment of such charges before producing requested records.
- C. No duplication costs will be charged for requests for less than \$2.00 (two dollars)
- D. For requests for electronic copies or email copies of documents, a fee will be charged for each page of a record that must be physically printed in order to fulfill the request or in order for the record to be redacted or otherwise prepared pursuant to Tennessee law. Further, a fee for labor will be charged for such production when the labor spent in producing and providing the electronic or emailed copy exceeds one (1) hour.
- E. Fees and charges for copies are as follows:
 - 1. \$0.15 per page for letter- and legal-size black and white copies.
 - 2. \$0.50 per page for letter- and legal-size color copies.
 - 3. Labor when time exceeds 1 (one) hour. Such labor charge shall be based upon the base salary of the employee and does not include benefits. If an employee is not paid on an hourly basis, the hourly wage shall be determined by dividing the employee's annual salary by the required hours to be worked per year.
 - 4. If an outside vendor is used, the actual costs assessed by the vendor.
 - 5. The actual cost of any flash drive or disk or other storage device used by the Town to provide the requested copies.
 - 6. Any actual delivery costs incurred or that will be incurred by the Town if the Town must send the requested records via First Class U.S. Mail to the Requestor.

- F. Payment is to be made in cash, by personal check or by credit card (credit card payments will be assessed an additional processing fee of 5% of the total) payable to The Town of Kingston Springs, presented to PRRC or Town Clerk.
- G. Payment in advance will be required when costs are estimated to exceed \$5 (Five dollars) or when the records must be mailed to the Requestor.
- I. Aggregation of Frequent and Multiple Requests
1. The Town of Kingston Springs, Tennessee will not aggregate record requests in accordance with the Frequent and Multiple Request Policy promulgated by the OORC when more than (4) requests are received within a calendar month (either from a single individual or a group of individuals deemed working in concert).

All other provisions of the said Town of Kingston Springs Personnel Policy remain unchanged and in effect and are hereby readopted by reference as if fully set forth verbatim herein.

This Ordinance shall take effect 15 days after its passage, the public welfare demanding it.

Passed on First Reading May 21, 2020, 2020

Public Hearing NA, 2020

Passed on Second Reading June 18, 2020, 2020

Francis A. Gross III

Francis A. Gross III, Mayor of Kingston Springs, Tennessee

ATTEST:

Debbie K. Finch

Debbie Finch, Assistant City Manager / Recorder

APPROVED AS TO FORM:

[Signature]
City Attorney