

**RESOLUTION No. 2018- 300**

**WHEREAS**, the City Council of the City of Phenix City, Alabama, recognizes and supports the public's right to inspect and get copies of public records from the City of Phenix City in accordance with the law and will make public records available for public inspection and copies on a reasonable basis to the policies established herein; and

**WHEREAS**, municipal records fall into different categories, most of which are available to the public for inspection and copying and some of which may not be. All requests to review and/or inspect public records must be made in writing on the "Public Record Request" form; and

**WHEREAS**, in order to assure the efficient processing of a request to review and copy public records and documents, each department within the City of Phenix City is hereby requested to require all persons and/or organizations requesting access to any public records or documents to complete the form; and

**WHEREAS**, to defer the costs incurred by providing copies of any documents, a search fee of \$2.50 shall be paid at time of request, plus \$.50 for each page copied thereafter that is obtained from the department. For documents produced in electronic format, there will be a charge of \$8.00 per media unit (CD, Flash Drive and E-Mail, etc.) in addition to the search fee plus a charge of \$0.10 per document (page) provided in the media unit; and


**WHEREAS** all responses to request, inspect, or copy public records will be in a time and in a manner that will not interfere with the normal operation of the City or the job duties of the employee.

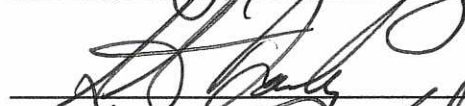
**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Phenix City, Alabama hereby adopts this policy and it shall become effective immediately.

**PASSED, APPROVED AND ADOPTED** this 20<sup>th</sup> day of November, 2018.

  
\_\_\_\_\_

MAYOR

  
\_\_\_\_\_

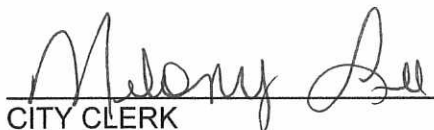
  
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\_\_\_\_\_

  
\_\_\_\_\_

MEMBERS OF THE CITY COUNCIL OF  
THE CITY OF PHENIX CITY, ALABAMA

ATTEST:

  
\_\_\_\_\_  
CITY CLERK



**PUBLIC RECORD REQUEST**

TO: \_\_\_\_\_ Department - City Clerk of the City of Phenix City, Alabama.

The undersigned wishes to examine the following public records of the City of Phenix City.

The purpose of this examination is: \_\_\_\_\_

I recognize that the city must provide security of public records and must make available an employee of the city during the examination of such records. I understand there is a charge for requested copies, as set forth in the schedule below. I agree to pay the fee for the copies as this policy sets out. A search fee of \$2.50 will be charged for search time in retrieving the requested documents at time of request.

Signature _____	Name Printed _____
Address _____	City _____ State _____ Zip _____
Phone number _____	Date copies received/records examined _____

**RESPONSE TO PUBLIC RECORD REQUEST**

You may come to our office at \_\_\_\_\_ o'clock a.m. / p.m. on \_\_\_\_\_ to review the requested documents.

\_\_\_\_\_ Date: \_\_\_\_\_  
Approved by / Dept. \_\_\_\_\_

**RECORD OF PUBLIC RECORDS COPIED AND RELEASED**

Number of copies received \_\_\_\_\_ Cost \_\_\_\_\_ Receipt # \_\_\_\_\_

Description of copies received: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Remit to: City of Phenix City	Copies provided by _____
Attn: _____ Dept.	_____
601 12 <sup>th</sup> Street	Title _____
Phenix City, AL 36867	
Telephone: (334) _____	

**REQUEST FOR PUBLIC RECORDS**

The City of Birmingham, Alabama  
c/o Chanda Temple, Public Information Officer  
3<sup>rd</sup> Floor City Hall  
710 North 20<sup>th</sup> Street  
Birmingham, AL 35203-2290

Please submit to:

[chanda.temple@birminghamal.gov](mailto:chanda.temple@birminghamal.gov)

cc: [emily.poole@birminghamal.gov](mailto:emily.poole@birminghamal.gov)

Pursuant to the §36-12-40, Code of Alabama 1975, Inspection and Copying of Records, "Every citizen has a right to inspect and take a copy of any public writing of this state, except as otherwise expressly provided by statute." The fee schedule to obtain copies of records and/or to inspect records and the statement of general public records policy are incorporated herein and attached hereto. Please read carefully before submitting your records requests or making inquiries.

Your Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zipcode \_\_\_\_\_

Phone Number \_\_\_\_\_ Email \_\_\_\_\_

Purpose of Request: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

This form may be submitted to the Office of Public Information or the City Clerk's office, in care of the Office of Public Information at the above address. This form may be submitted in person, by email, or courier service. If additional information is required, a records representative will contact you after receipt to secure additional information. *Do not remit payment until you have been advised of the fee amount.* Allow for a sufficient and reasonable time period for records to be made available for inspection or copying. The time will include making available staff that may be limited due to performance of critical day-to-day work assignments. In some cases, approved identification may be required when requesting records in order to determine legitimate inspection privileges and to safeguard privacy rights of citizens.

**Description of records requested.** (Please be as specific as possible, using names, record title, function of record, record date, and any other information that you feel will expedite your request. Please also identify the City department or office that maintains the requested records. Please use a separate form for each item requested. Only one requested item should be submitted per request form. If needed, use additional pages for description. (The City may find it necessary to redact sensitive information from the completed records request that is returned to you.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Records Duplication and Access Fee Schedule**  
*(Please Read Before Submitting Your Request).*

This fee schedule covers duplicating paper copies of records when the original record is paper, microfilm or electronic.

**Duplicating Fees for Routine/Standard Records Requests**

The following fees shall apply to all standard business documents of not more than 8 ½ by 14 inches which are contained within filing systems that are used in the normal business process of City departments. These records would require nominal clerical time to locate, duplicate or provide access.

- (a) For paper copies – there will be a charge of 50 cents (\$0.50) per one-sided document (page) for duplicated copies of not more than 8 inches by 14 inches. For two-sided documents (pages) of up to 8 inches by 14 inches, the charge to duplicate both sides shall be 75 cents (\$0.75) per sheet of paper. All paper copies will be produced in black and white only. Color copies will not be produced.
- (b) For documents produced in electronic format there will be a charge of eight dollars (\$8.00) per media unit (CD, Flash Drive and E-mail, etc.) plus a charge of 10 cents (\$0.10) per document (page) provided in the media unit.
- (c) There is no charge to inspect records that are routine in nature and require nominal clerical time to locate or provide minimal supervised inspection. Extended supervision cost and time scheduling will be based on an individual basis.
- (d) Pre-payment is not accepted. Do not pre-pay. We will advise you of the total fee amount for your request, once it is prepared. The records will not be released until full payment is received.
- (e) Certified funds, Cash, or Money Orders are accepted for payment. Sorry, no credit cards.
- (f) Allow a sufficient and reasonable time period for records to be made available for reproduction or inspection.

**Duplicating and Access/Research Fees for Non-Routine Records Requests or Use of Information Technology Resources**

If the nature or volume of public records requested to be inspected or copied requires extensive use of Information Technology resources or extensive clerical or supervisory assistance, then the City may require payment of a surcharge in addition to the routine duplication fee. This charge shall be reasonable and based on the cost incurred for such extensive use of Information Technology resources and labor cost, including inspection supervision, of the personnel providing the service that is actually incurred by the City. This also includes using computing resources for generating records when records have been archived off-line and are not readily accessible. The City reserves the right to refuse requests to produce

or provide records or reports not already being produced in the normal course of business or to provide them in a different format.

## PUBLIC RECORDS POLICY

**Purpose:** To develop a uniform policy regarding supplying the general public with copies of public records.

**“Public Records”** shall include written, typed or printed books, papers, letters, ordinances, resolutions, reports, records, pleadings, exhibits, documents and maps made or received by municipal public officials, employees, committees or board members in the normal course of conducting business on behalf of the City of Birmingham.

**“Confidential Documents”** shall include records, papers, letters and other written documents concerning the good name and character of individuals; internal personnel matters; W-2 forms; matters of a personal nature where disclosure would constitute a clearly unwarranted invasion of privacy; trade secrets, commercial and financial information obtained in confidence and/or which is privileged or which, if revealed would interfere with the efficient operations of municipal government; investigatory records of law enforcement agencies which, if revealed, could be life threatening, harmful to the public, or prevent the accused from receiving a fair trial; and also, “work product” generated by the, City Attorney, any Assistant City Attorney, or any other lawyers retained to work on behalf of the City of Birmingham.

1. Members of the public may, either orally or in writing, set up an appointment to view municipal “public records” during normal City of Birmingham business hours, but under no circumstances shall “public records” be removed from the custody of the custodian of the records in question.
2. Requests for copies of municipal “public records” must be in writing and shall describe with some degree of certainty the documents requested.
3. Copies of “public records” which are maintained in the normal course of municipal business and which involve no research or extra labor time on the part of the city shall be 50 cents (\$0.50) per one-sided document (page) for duplicated copies of not more than 8 inches by 14 inches. For two-sided documents (pages) of up to 8 inches by 14 inches, the charge to duplicate both sides shall be 75 cents (\$0.75). All paper copies will be produced in black and white only. Color copies will not be produced. For documents produced in electronic format there will be a charge of \$8.00 per media unit (CD, Flash Drive and E-mail, etc.) plus a charge of 10 cents (\$0.10) per document (page) provided in the media unit. An additional reasonable charge may be assessed for copies of municipal maps or where otherwise posted.
4. Copies of “public records” which are not easily retrievable because the documents are not regularly maintained in the normal course of business and therefore require research and extra time of City employees to compile shall be charged at the rates listed above along with an additional administrative research surcharge.

5. Certified copies of "public records" shall be available at the additional rate of \$5.00 per certified copy.
6. If a request for "public records" necessitates the use of municipal computer time, a reasonable charge shall be assessed by the Office of Public Information.
7. The City will make a reasonable attempt to promptly respond to lawful copying and/or research requests of "public records" within one week of receipt. Requests for "confidential documents" shall be denied in writing by the City within 10 days. Time extensions are authorized where necessary.
8. No documents shall be released until the City of Birmingham has received payment for the "public record" and/or research services requested.
9. Requests for "public records" which are unduly burdensome, time-consuming, and those which are intended to harass the City of Birmingham, or any City employee, shall be subject to limitation by the City, time extensions, and/or denial of the documents.
10. The Public Records Law does not authorize a citizen to shift to the custodian of public documents the tasks of inspecting them and identifying the ones to be copied or the expense of copying those and does not require the custodian to undertake the burden and expense of mailing or otherwise delivering the copies. The burden and expense of copying the writings and taking the copies must be borne by the citizen or his or her agent as provided by law.
11. Creation of documents or reports upon request is not the responsibility of City personnel nor is it required that they provide more than what is present in existing documents or information systems.

***Important - Your signature is required for processing and as your acknowledgement of and agreement to all of the terms and conditions herein:***

*Sign Here:*

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