

CITY OF MAUMEE PUBLIC RECORDS POLICY

MISSION STATEMENT

Openness leads to a better informed citizenry, which leads to better government and better public policy. Consistent with the premise that government at all levels exists first and foremost to serve the interests of the people, it is the mission and intent of the City of Maumee to fully comply with and abide by both the spirit and the letter of Ohio's Public Records Act at all times.

DEFINITION OF PUBLIC RECORDS

All records kept by the City of Maumee are public unless they are exempt from disclosure under Ohio law. Records that are exempt under Ohio Revised Code Section 149.43 or any other applicable statute or law, will not be provided. All public records must be organized and maintained in such a way that they may be made available for inspection and copying.

A record is defined to include the following: A document in any format – paper, electronic (including, but not limited to, business e-mail) – which is created, received by, or comes under the jurisdiction of the City of Maumee and which documents the organization, functions, policies, decisions, procedures, operations, or other activities of the City.

RESPONSE TIMEFRAME

Public records are available for inspection during regular business hours, with the exception of published holidays. Public records will be made available for inspection promptly. Copies of public records will 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 and redaction of the records requested.

It is the goal of the City of Maumee that all requests for public records should be acknowledged in writing or, if possible, satisfied as promptly as possible.

HANDLING REQUESTS

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

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 the City of Maumee's general policy that this information is not to be requested. However, the law does permit the office to ask for a written request, the requestor's identity, and/or the intended use of the information requested, but only (1) if a written request or disclosure of identity or intended use would benefit the requestor by enhancing the office's ability to identify, locate, or deliver the public records that have been requested; and (2) after telling the requestor that a written request is not required and that the requester may decline to reveal the requestor's identity or intended use.

In processing the request, the City of Maumee does not have an obligation to create new records or perform new analysis of existing information. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through simple sorting, filtering, or querying. Although not required by law, the City of Maumee may accommodate the requestor by generating new records when it makes sense and is practical under the circumstances.

In processing a request for inspection of a public record, an office employee must accompany the requester during inspection to make certain original records are not taken or altered.

This office will limit to ten the number of copies of public records provided per month by mail to a requester by US mail, unless the requester certifies in writing that they do not intend to use or forward the requested records, or the information contained therein for commercial purposes.

A copy of the most recent edition of the Ohio Sunshine Laws manual is available via the Attorney General's internet website (www.ohioattorneygeneral.gov) for the purpose of keeping employees of the office and the public educated as to the office's obligations under the Ohio Public Records Act, Open Meetings Act, records retention laws and Personal Information Systems Act.

ELECTRONIC RECORDS

Records in the form of e-mail, text messaging, and instant messaging, including those sent and received via a hand-held communications device (such as a Blackberry) are to be treated in the same fashion as records in other formats, such as paper or audiotape.

Public record content transmitted to or from private accounts or personal devices is subject to disclosure. All employees or representatives of this office are required to retain their e-mail records and other electronic records in accordance with applicable records retention schedules.

DENIAL OR REDACTION OF RECORDS

If the requester makes an ambiguous or overly broad request or has difficulty in making a request for public records, the request may be denied, but the denial must provide the requester an opportunity to revise the request by informing the requester of the manner in which records are maintained and accessed by the office.

Any denial of public records requested must include an explanation, including legal authority. If the initial request was made in writing, the explanation must also be in writing. If portions of a record are public and portions are exempt, the exempt portions may be redacted, and the rest released. When making public records available for public inspection or copying, the office shall notify the requestor of any redaction or make the redaction plainly visible. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

COPYING AND MAILING COSTS

Those seeking public records will be charged only the actual cost of making copies, not labor. The charge for photocopying, printing, **and scanning** are as follows:

8 ½ x 11 or 14	- 5 cents per page-black and white.
11 x 17 copies	-15 cents per page-black and white.
8 ½ x 11 or 14	- 35 cents per page-color.
11 x 17 copies	-60 cents per page-color.
Larger (Blueprint or Plotter copies)	-actual cost of materials

The charge for duplication of records provided in other media (i.e., audiotape, videotape, CD, DVD, photograph, floppy disc, flash drive, etc.,) is the actual cost of materials, fees, and charges incurred by the City.

In the event circumstances make it reasonable for Maumee to hire an outside contractor to make copies of requested records, the requester will be charged the actual cost paid to the outside contractor for the copying service. These circumstances may include but are not limited to a lack of in-house photocopying resources or labor.

In the event of a conflict between the costs schedule set out in this section and the costs schedule set forth in the concurrently effective Schedule of Rates and Fees Ordinance, that costs schedule adopted latest in time shall supersede the earlier enactment.

A requester shall be required to pay in advance for costs involved in providing the copy. The requester may choose whether to have the record duplicated upon paper, upon the same medium in which the public record is kept, or upon any other medium on which the office determines that the record can reasonably be duplicated as an integral part of the office's normal operations.

If a requester asks that documents be mailed, he or she shall be charged the actual cost of the postage and mailing supplies. There is no additional transmittal charge for documents that are e-mailed.

MANAGING RECORDS

The City of Maumee's records are subject to records retention schedules. The City of Maumee's current record retention schedules are available at the office of the Director of Finance on the second floor of the Municipal Building, 400 Conant Street, Maumee, Ohio 43537, which is readily available to the public as required by §149.43(B)(2), Ohio Revised Code.