

CHAPTER 109

PUBLIC RECORDS

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109.01 RECORD REQUEST PROCEDURE.

This policy is a very general summary of Ohio's current Public Records Law and establishes a protocol, as set forth in Section 109.02, for responding to requests for records. This protocol supersedes any and all previous City of Parma protocols on public records requests.

109.02 PROTOCOL.

When a non-routine public records request is received by any City employee, **WHETHER WRITTEN OR ORAL**, the matter should be discussed immediately with their Department Head; who in turn shall contact the ~~Law Director and Mayor~~ **COMMUNICATIONS DIRECTOR**.

109.03 FORM OF THE REQUEST.

- (a) Any person may ask to inspect and/or receive copies of public records.
- (b) "Any person" includes individuals or corporations and is not limited to City residents.
- (c) The Law Department should be contacted regarding all non-routine records requests so that a determination can be made as to whether the records requested are public records and/or must be redacted before disclosure.
- (d) Use of the designated Public Records Request Form, as set forth in Exhibit A, is mandatory. The requestor shall be asked to complete the form with his or her name and contact information and sign and date it. If he or she refuses, then the City employee shall complete the form to the best of their ability and sign and date it.
- (e) The request should specifically and particularly describe the record being sought. A request for information, as opposed to a particular record, may not be a legally adequate



request. Although Ohio law does not require a written request, to avoid misunderstandings as to the records requested, it is preferable to have the request in writing.

(f) The requestor is not required to give a reason for the request. However, it is permissible to ask the reason for the request if, for example, understanding the use for which the information is sought will assist the City in determining the records best suited for that purpose.

(g) The City is under no legal duty to create a new record or perform a new analysis of existing records in response to a public records request. However, if the City's computers are currently programmed to create the requested output, the City should provide the record as requested.

(h) The requestor has a right to **INSPECT OR** receive the record, ~~duplicated on paper,~~ upon the same medium upon which the City keeps it (e.g., ~~computer disk or magnetic tape~~ **PAPER FORMAT**), or upon any other medium that the City determines it can reasonably be duplicated as part of normal operations (e.g., ~~a photo ID which is put through a scanner into an electronic format~~).

~~—(i) To maintain the integrity of the City's records, it is the City's policy that the City will duplicate all requested records.~~

~~—(j)~~ **(i)** To insure the integrity of the City's records, a City employee should accompany the requestor during any inspection to make certain original records are not taken or altered.

109.04 TIME.

(a) When copies of public records are requested, the City must provide such records within a reasonable period of time **IN ACCORDANCE WITH STATE LAW.**

(b) When inspection of public records is requested, the City must promptly prepare and make them available for inspection at all reasonable times during regular business hours (8:30 a.m. to 4:30 p.m.). The City should promptly arrange an appointment for inspection at a mutually convenient time.

109.05 COST.

(a) For duplication of public records on paper, the City may charge the requestor the City's actual cost of five cents (\$0.05) per page for each photocopy. For duplication of public records on any other medium (e.g., ~~computer disk~~ **DISC, USB**, etc.) the City may charge its actual cost ~~to accomplish the duplication~~ **OF THE MEDIUM.**

(b) If requested, copies of public records must be mailed via the United States **Postal Service** within a reasonable period of time after receiving the request. The City ~~may require~~ **S** the requestor to pay in advance for all copies, as well as the cost of postage and mailing supplies, before mailing the copies.

(c) THE CITY MAY REQUIRE, PURSUANT TO STATE LAW, THAT A REQUESTOR PAY AN ESTIMATED TOTAL FOR LARGE PUBLIC RECORDS REQUESTS IN ADVANCE OF THE REQUEST COMPLETION. (e.g., COST OF MULTIPLE DISCS PROJECTED TO COMPLETE THE PROJECT.)

109.06 EXCEPTIONS.

There are several exceptions to the general availability of public records.

(a) Medical records that relate to a patient's medical condition and were generated and maintained in the process of medical treatment are not subject to public disclosure.

(b) Correspondence seeking legal advice from the Law Director is not subject to public disclosure.

(c) Social Security numbers.

(d) The residential and familial information of any peace officer, firefighter, or EMT is not subject to disclosure to the general public.; however, it can be disclosed to a journalist who submits a written request including the journalist's name, title, employer's name and address, and states that release of the information is in the public interest.

(e) Infrastructure records that disclose **DISCLOSE** the configuration of a public office's critical systems, such as its computer system and/or security codes.

(f) ANY OTHER EXCEPTIONS OUTLINED BY THE OHIO ATTORNEY GENERAL'S SUNSHINE LAW MANUAL AND STATE LAW.



PARMA CITY HALL PUBLIC RECORDS REQUEST FORM

This form is not mandatory to submit a request.

If you complete this form, it may help us better understand what record you are seeking and provide the public record in a timely fashion. Parma City Hall belongs to the citizens. We conduct business activities in the open and are proud of our strong commitment to this important principle of democracy.

Name of Requestor: _____

Home Address: _____

Email Address: _____

Phone Number: _____ Today's Date: _____

Specifically describe below what records you would like to review.

For duplication of public records on paper, the City of Parma will charge the requestor the City's actual cost of five cents per page for each photocopy. There is no charge if the total pages provided is nine pages or less per day. For duplication of public records on any other medium (e.g. disc, USB, etc.) the City may charge its actual cost of the medium.

There is no charge to inspect records in person. There is no charge if records are emailed.

Please check your preference below.

1. I want these records emailed to me. (If available in a format that can be emailed.)
2. I want these records copied, and I will pick up the copies when ready.
3. I want these records copied and mailed to me. (Postage charges apply).
4. I want these records transferred to disc/USB, and I will pick up the item when it is ready.
5. I want these records transferred to disc/USB and mailed to me. (Postage charges apply).
6. I want to inspect these records in the building when they are available.

Employee handling request

Date request was filled