

## **TERMS AND CONDITIONS FOR HANDLING PUBLIC RECORDS REQUESTS**

The official Custodian of Records for the City of Pell City is the office of the City Clerk pursuant to the Code of Alabama 1975, Section 11-43-100. All access to public records must be requested through the City Clerk.

The purpose of the Open Records Act is to allow the public to monitor the manner in which public officers discharge their public duties. However, not all records are public; such as confidential information, sensitive personnel records, records pertaining to pending criminal investigations and records which, if disclosed, would be detrimental to the best interests of the public, as well as other categories of information that may not be appropriate for public disclosure.

In an effort to protect the City of Pell City from any potential litigation, to establish accountability, and to establish a good tracking system, the Request for Access to Public Records Policy is hereby implemented.

The municipal officials and employees have no greater rights to inspect records than do members of the public. Also, while the Council acting as a whole has the right to request to see certain documents, individual Councilmembers must demonstrate their interests in order to review records, just like private citizens.

The City of Pell City is entitled to recover its cost of providing requested information and is obligated to institute such procedures as are necessary to protect the public records and ensure their continued integrity. To those ends, the following shall apply to all public information requests of any kind:

1. Members of the public may request copies of governmental records of the City of Pell City Monday through Friday (except holidays) between the hours of 8:00 a.m. and 5:00 p.m.
2. A written request on the "Request for Access to Public Records" form provided by the City is required. Said request form containing a complete description of the specific records requested and the date needed, must be submitted to the City Clerk's Office at least ten (10) working days prior to the date the information is needed. A request form is available at the City Hall (1905 1<sup>st</sup> Avenue North) and on the City's website at [www.pell-city.com](http://www.pell-city.com). The request form may be submitted to the City Clerk in person, by mail, fax or email at [Pisbell@cityofpellcity.net](mailto:Pisbell@cityofpellcity.net). The applicant's signature certifies that the applicant has read, understands and agrees with the terms and conditions of the policy for handling requests for access to public records.
3. The person seeking to review or receive copies of public records must show that he/she has a direct, legitimate interest in the documents sought. The City is entitled to require verifiable information as to the identity of the person requesting the records, as well as that of the person receiving such information. Only the person requesting or his/her designee as listed on the Request for Access to Public Records form may receive copies

of records requested. The applicant's signature certifies that the documents he/she receives are not for public circulation and are being obtained for their personal informational use only.

4. All records must remain in the custody of a City employee at all times. The City Clerk, or their designee, will make an appointment with the applicant to review the records at City Hall. No records will be taken from City Hall under any circumstances. The City Clerk, or their designee, will be present with the applicant during the review of the records to ensure no damage occurs and no records are removed. As a measure to safeguard records, reproductions may not be made by anyone other than a City employee designated by the City Clerk.
5. Every effort will be made to make the requested information available within ten (10) working days. In some cases, however, circumstances (limited staff, location of stored records, large volume of records requested) may make it impossible to meet that goal. In the event that a request cannot be met within ten (10) working days, the requesting party will be notified of that fact and an estimated delivery date will be provided.
6. Copies of records in black and white will be available at twenty-five (25¢) cents per one-sided page of not more than 8½" x 14" (color copies at fifty {50¢} cents per page), plus \$35.00 per hour for the cost in connection with any charges for retrieval, researching, and staff time in filling the request. For certified copies, an additional \$2.00 will be added to the initial cost. If a request is made for a copy of a document larger than 8½" x 14", the City Clerk will calculate the cost involved and will notify the requesting party of the charges involved before proceeding. Prices are based on actual expenses such as employees' time locating records, making copies, copy materials, etc. Actual postage costs will be charged for mailing copies. Payment for reproduction of documents is to be received before release of any records.
7. The City will make every effort to fill reasonable requests for copies of fragile records, but is not required to furnish copies of fragile records if doing so would cause further damage to the records.