

# CITY OF SEMMES

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## POLICY STATEMENT

January 19, 2012

### Access to Public Records

#### **Purpose:**

The purpose of this Policy Statement is to set forth guidelines on public access to records maintained by The City of Semmes.

#### **Policy:**

The City of Semmes recognizes and supports the public's right to inspect and make copies of public records in accordance with the law and to that end it will make public records available for public inspection and copying on a reasonable basis subject to the guidelines set forth below.

#### **Records custodian:**

The City Clerk shall serve as records custodian and shall route requests for public records to the appropriate personnel for gathering such information.

#### **Procedures:**

**Request.** Citizens requesting access to public records shall complete the City of Semmes "Request for Access to Public Records" form. The request must include a valid reason (e.g., explanation of the purpose or reason of interest). The person seeking access to records must show that he or she has a direct, legitimate interest in the documents sought. There is no right of inspection when it is sought to satisfy a whim or to create scandal or for any other improper or useless purpose. The completed form shall be given to the records custodian.

**Review and Disposition of Request.** The records custodian shall review the request and complete the bottom portion of the form. If for any reason, the records custodian is concerned about approving the request, he or she should consult the City Attorney.

If the request is approved, the records custodian shall designate a reasonable time and place for the records to be reviewed. The records custodian may set reasonable limitation on the number of people reviewing records and the number of records being

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reviewed at any one time. Response to requests may be delayed if the document is not described with specificity, research is necessary to locate the records or a review of the records is required to determine their status, or the records are so voluminous or not of a standard size or format that it may take longer to identify or produce. 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 employees.

**Denial of Request.** If the request is denied, the records custodian must state a reason. A request may be denied if the request is for "recorded information received by a public officer in confidence, sensitive personnel records, and record the disclosure of which would be detrimental to the best interests of the public." *Stone v. Consolidate Publishing Co.*, 404 So. 2d at 681. In addition, certain information in litigation files, communications with attorneys employed by the City, working papers or drafts of documents, information relating to taxes paid or licenses purchased by a particular business, and records not subject to disclosure or copying by law or by licensing agreement, may not be available for public inspection or copying. This policy does not apply to making records available to parties with whom the City has a contractual, professional, or similar relationship or where the release of records is to the benefit of the City.

**Removal of documents.** Individuals seeking access to public records shall not be allowed to remove original documents from City Hall. Original documents shall remain under the custody of the records custodian.

**Duplication and Examination Fee.** The records custodian shall collect a ONE DOLLAR and FIFTY CENTS (\$1.50) per page duplication fee for copies of 8 ½ x 11 or 8 ½ x 14 pages. Actual cost will be charged for other sized or formatted documents. The first (1) hour of Town staff time responding to a request is free; thereafter, a fee of twelve dollars and fifty cents (\$12.50) per hour or portion thereof will be charged per employee responding to the request. Requests cannot be split to avoid charges.

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The records custodian shall maintain a file of all "Request for Access to Public Records" forms.

**ADOPTED AND APPROVED THIS THE 19<sup>TH</sup> DAY OF JANUARY, 2012.**

/s/ Judith Hale  
Judith Hale - Mayor

**Attest:**

/s/ Alisha Madaris  
Alisha Madaris – Acting City Clerk