

## REQUEST FOR PUBLIC RECORDS

The City of Birmingham, Alabama  
Office of the City Clerk  
3<sup>rd</sup> Floor City Hall  
710 North 20<sup>th</sup> Street  
Birmingham, AL 35203-2290

Please submit this form by hand delivery or by U.S. Mail.

Pursuant to the §36-12-40, *et seq.*, Code of Alabama 1975, Inspection and Copying of Records, “Every resident has a right to inspect and take a copy of any public record of this state, except as otherwise expressly provided by applicable law.” The fee schedule to obtain copies of records and/or to inspect records and the statement of 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 \_\_\_\_\_

Agency or Department that you are requesting public records from: \_\_\_\_\_

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

This form may be submitted to the City Clerk’s Office, at the above address. This form may be submitted in person, or by United States Mail. If clarification of your request 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. Please provide Photo Identification. Identification will be required to demonstrate proof of permanent residency in the State of Alabama including, but not limited to, an Alabama driver license or voter registration card.

**Description of records requested.** Be as specific as possible. The City is not obligated to respond to a request that is vague, ambiguous, overly broad, or unreasonable in scope, nor is the City obligated to respond to a request that seeks records that do not exist or materials that are not public records. Additionally, extensive requests for public records may increase the fees to cover the administrative cost of searching and copying the requested records. Using names, record title, function of record, record date, and any other information that you feel will expedite your request, is recommended. 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.):

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**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 Requests for 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) Certified copies of “public records” shall be available at the additional rate of \$5.00 per certified copy.
- (d) There is no charge for a Standard Request 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.
- (e) 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.
- (g) Certified funds, Cash, or Money Orders are accepted for payment. Sorry, no credit cards.

**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 residents of the State of Alabama 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 any record protected from disclosure by applicable law, including but not limited to the following; 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 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 access to or copies of municipal “public records” must be in writing using the City of Birmingham’s Public Records Request Form and shall describe with some degree of certainty the documents requested.
3. Receipt of a hand-delivered public records request occurs when the request is received at the City Clerk’s Office. Receipt of a mailed public records request occurs on the date of actual receipt by the City Clerk. A certified mail receipt or similar signed postage receipt shall be prima facie evidence of receipt by the City Clerk.
4. No documents shall be released until the City of Birmingham has received payment for the “public record” and/or research services requested. Costs shall be assessed in accordance with the Records Duplication and Access Fee Schedule.
5. Copies of “public records” which are not Standard Requests that are 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.
6. If a request for “public records” necessitates the use of municipal computer time, a reasonable charge shall be assessed by the City.

7. The City will make reasonable attempts to promptly respond to lawful copying and/or research requests of “public records” within the timeframes required by applicable law. Time extensions are authorized where necessary for non-Standard Requests.

8. The City shall not be required to respond to requests that seek information or other materials that are not public records.

9. The City is not required to create a new public record if the requested record does not already exist. 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.

10. The City is not obligated to respond to a public records request that is vague, ambiguous, overly broad, or unreasonable in scope. Requests for “public records” which are not Standard Requests and/or are overly burdensome or time-consuming shall be subject to limitation by the City, time extensions, and/or denial of the documents.

11. The Public Records Law does not authorize a resident 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 resident or his or her agent as provided by law.

12. The City shall not be obligated to respond to a public records request that is not made pursuant to the City’s written procedures.

13. Identification will be required to demonstrate proof of permanent residency in the State of Alabama including, but not limited to, an Alabama driver license or voter registration card.

***Important - Payment of fees may be required before your request is fulfilled. By submitting this request, you certify that you are an Alabama resident with standing to make a request for public records pursuant to Alabama law. 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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Signature of Requester

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Printed Name

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Date