

VILLAGE OF OTTAWA HILLS POLICY REGARDING PUBLIC RECORDS

Introduction

It is the policy of the Village of Ottawa Hills that openness and knowledge 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 interest of the people, it is the intent of the Village of Ottawa Hills to fully comply with and abide by the Ohio Public Records Act and the Ohio Open Meetings Act.

Defining Public Records

All records of the Village of Ottawa Hills are public unless they are specifically exempted from disclosure by the Ohio Revised Code or other governing legal authority. Records are to be organized and maintained so that they are readily available for inspection and copying.

Public records are defined to include the following: Any document – paper, electronic (including, but not limited to, e-mail), or other format that is created or received by or comes under the jurisdiction of the Village of Ottawa Hills that documents the organization, function, policies, decisions, procedures, operations or activities of the Village.

Records retention schedules are to be updated regularly and posted prominently. This policy shall be available for public review through posting in prominent locations in the Village offices, and shall be available on the Village's website.

Records Request

Public records are to be available for inspection during regular business hours (8:00 a.m. – 5:00 p.m. Monday – Friday). Nothing herein shall prohibit the Village from making records available for inspection during other times if reasonable. Public records shall be promptly made available for inspection during regular business hours. Copies of public records must 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, time for necessary searching and retrieval of records, other concurrent responsibilities of the custodian of the records, and the necessity for any legal review of records requested.

Each request should be evaluated for an estimated length of time required to gather the records. Routine request for records should be satisfied immediately if feasible to do so. Routine requests include but are not limited to meeting minutes (both in draft and in final form), budgets, ordinances and resolutions, forms and applications, etc. If fewer than 20 pages of copies are requested records or if the records are readily available in electronic

format and can be e-mailed or downloaded easily, these should be made as quickly as possible.

Requests for public records must either be satisfied or acknowledged in writing within three business days following the office's receipt of the request.

Nature of Records Request

Although no specific language is required to make a request, the requester must identify the records requested with sufficient clarity to allow the office to identify, retrieve and review records. If it is not clear what records are being sought the office shall attempt to seek clarification by contacting the requester, if possible. The office should also assist the requester in revising the request by informing the requester of the manner in which the office keeps the records. It is not the intent of this policy to withhold documents from any requester.

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 for public record. It is this office's general policy that information regarding the identity or the intended use is not to be requested.

In processing the request, the Village of Ottawa Hills 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 the computer is already programmed to produce the record through simple sorting, filtering or querying. Nothing contained herein is intended to prohibit or discourage the custodian of the record from generating new records in order to make otherwise public records available and protect records that are legitimately exempt from disclosure, 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 the inspection to make certain original records are not taken or altered. It is recognized that the staffing levels of the Village of Ottawa Hills are limited and therefore, a request for inspection of a public record may have to be scheduled at a time which does not adversely affect other operations of the Village of Ottawa Hills.

Cost for Public Records

Those seeking public records may be charged only the actual cost of making copies.

The charge for a paper copy is five cents per page.

The charge for downloading a computer file onto a compact disc is \$1.00 per disc.

There is no charge for documents e-mailed.

Requesters may ask that the documents be mailed to them and they will be charged the actual cost of postage and mailing supplies in addition to the cost for reproduction of the records.

The Village may require advance payment of costs including postage cost.

E-mail

Documents in electronic format are records as defined by the Ohio Revised Code when the content of those records meets the definition of public records contained herein. An e-mail record is to be treated in the same fashion as any other record, and should follow the same retention schedules.

Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of the Village of Ottawa Hills are required to copy their e-mails that relate to public business to their business e-mail accounts and retain them in accordance with the applicable records retention schedules.

Denial or Redaction of a Request

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 are to be redacted and the rest released. All redactions shall be plainly visible. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.