

Subject: Open Records Policy
Policy No.: 300-0003
Effective Date: 12/12/2006
Codified: Revised 11.12.2012 (Pursuant to Changes in HB 397)

Purpose: To define the policies and procedures for CITY OF WOODSTOCK production of records under the Open Records Act, O.C.G.A. 50-18-70 thru 50-18-76.

I. Background: The purpose of the Open Records Act is both to encourage public access to information and to foster confidence in government through openness to the public. The intent of the General Assembly is to afford to the public at large a right of access to government records generally, while permitting some narrow categories of information to be withheld where nondisclosure was believed to be in the public's best interest.

II. The Open Records Process:

A. Who Can Receive An Open Records Request:

1) General Records Kept by the City Clerk or City Departments

The City Clerk shall receive requests that pertain to records maintained by her office; records that are maintained by more than one department; requests that require research; requests where records are off-site and/or not readily available or are exempt under the Open Records Act. In her absence these requests should be forwarded to the Deputy City Clerk or City Manager immediately upon receipt.

Attention: City Clerk/Open Records
12453 Highway 92
Woodstock, Georgia 30188
770 592-6002 or 770 592-6001
rpezzello@woodstockga.gov or chenrv@woodstockga.gov
Fax: 770 926-1375

2) Police/Court Records Kept by Police and Court Records Division

Police Department Administrative Staff as well as Police/Court Records Staff shall receive requests pertaining to any and all Police or Court related records, including but not limited to: Police Reports, Accident Reports, Incident Reports, Criminal Statistics, Court Records or Police/Court Related Matters. *(The City Clerk will be sent a copy of the request and any and all documents given to requestor if the requestor is an attorney, the request pertains to pending or potential litigation against the City or one of its employees or involves additional departments such as Human Resources.)*

Attention: Police/Court – Open Records
12453 Highway 92
Woodstock, Georgia 30188
770 592-6030 or 770 592-6012
dgreene@woodstockga.gov or pbehrend@woodstockga.gov
Fax: 770 517-4018

3) Day-to-Day Operational Records Kept by Departments

Record Coordinators or Administrative Staff may provide open records to the general public for records they maintain within their department that are not exempt under the Open Records Act. Examples of non-exempt records would be copies of ordinances, building codes, policies, correspondence, operational reports, forms, applications (redaction may be necessary), City maps, etc. Exempt records would include Copyrighted materials/plans, medical records, records that require redaction of personal information.. *(The City Clerk will be sent a copy of the request and any and all documents given to requestor if the requestor is an attorney, the request pertains to pending or potential litigation against the City or one of its employees or involves additional departments.)*

B. How are Open Records Requests Received

Requests may be received in writing via email, fax, regular mail or in person – but it is not required. Staff may receive verbal requests and can complete an Open Records Form for the requestor.

C. How are Open Records Requests Answered

1. **Readily Available Records:** When a staff member has no question as to the availability of the record(s), the record(s) should be produced as soon as is practicable
2. **Records to be Viewed by Requestor:** In the event a request is made to view the records or files of a department, the Requestor must make an appointment with the Records Custodian of those records (or his/her designee) at a reasonable time agreeable to both parties. Should a dispute arise, the City Clerk and or City Manager should be contacted immediately. The requestor will be charged for the hourly rate of the lowest paid person that can supervise the research/viewing of the records and will be advised of the estimated cost to do so PRIOR to the meeting. **AT NO TIME WILL A REQUESTOR BE ALLOWED TO HAVE ACCESS TO CITY COMPUTERS, PASSWORDS OR SOFTWARE PROGRAMS.**
3. **Records Not Readily Available:** If any or all records are not readily available at the time of the request, the City Clerk or her designee shall submit within three business days a Cost Estimate and Timeline to the Requestor. A record of this action will be kept with the Open Records File for a period of five years.
4. **Records Requested but Never Picked Up:** Should a requestor fail to pay for their records request, they will not be allowed to receive any additional requests until that initial request is paid for in full.
5. **Records Available Via Electronically or on the Web:** Should the request be made for records that are easily accessible via the City's website or via electronically – City Staff shall provide the URL, website or a scanned copy of those records at no charge to the requestor. The only time a charge may apply is if the document(s) have to be sent via a website that charges to send large files, or if there is extensive research/redaction time involved with preparing the request. The Requestor will be notified of any charges in advance. *Electronic document, that need redaction and cannot be electronically redacted will not be sent electronically to the Requestor.*

D. Delivery of an Open Records Request

1. **Pickup:** Open Records Requests will be available for the Requestor to Pickup at a time and location determined by City staff.
2. **US Postal Service:** The Requestor will be charged for any postal charges incurred if they request records be sent via mail.
3. **Overnight Mail:** The City uses Federal Express for Overnight Mailing. Only if the Requestor provides a personal or business fed-x account number prior to noon on the day of pickup will a request be sent via overnight mail. Fed-X must pick up the package at the Woodstock City Annex – 12453 Highway 92, Woodstock, GA. We do not provide drop-off service unless requested by our City Manager or City Attorney to do so.
4. **Electronically:** Documents will be sent electronically as long as they can be 1) sent at no cost to the City (or paid for in advance by Requestor); 2) can be safely sent via the City's email server with no undue hardship on the system or the City.

E. Fees and Charges

The City will not charge for search retrieval and other direct administrative costs for the first ¼ hour of complying with the request. Thereafter, the City shall charge the salary of the lowest paid full-time employee, who in the discretion of the custodian of the records has the necessary skill and training to perform the request. Additionally, the City shall charge for copies, such fees as are specifically authorized by the Council or by law and in the absence of such prescribed fee shall charge \$.10 cents per page. See Fee Schedule for additional information.

- **The Requestor must agree in writing to pay for estimates from \$50 to \$499. A faxed, scanned or original signed copy of this estimate must be received in our office prior to the request being fulfilled.**
 - **Requestor must pay in advance for estimates of \$500 or more prior to the request being fulfilled. We accept Visa, Mastercard, Cash, Check (Check must clear first) or Money Order. Requestor will be refunded if payment exceeds actual costs.**
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III. Files Related to Open Records Act Requests: All Open Records Act requests and responses and supporting documentation pertaining to those requests will be maintained in the Office of the City Clerk for the required retention period.

IV. Designees: The City Clerk will assign a Records Coordinator within each Department (with Department Director approval) to be the authorized designee to carry out from time to time, specific requirements within this policy.

V. Question or Disputes. The City Clerk, or in the City Clerk's absence, the City Manager or his designee, shall make the determination as to the accessibility of the requested records and in the event of a question, shall consult the City Attorney.

VI. Notification to Mayor and Council. The City Clerk, or in the City Clerk's absence, the City Manager or his designee, shall notify the Mayor and Council of all formal open records requests received within 72 hours (3 business days) of receipt of said request.

**City of Woodstock, Georgia
Open Records Request Form**

Requestor Name: _____

Requestor Firm/Business: _____

Requestor Address: _____

City: _____ State: _____ Zip: _____

Requestor Cell #: _____ Home/Office#: _____

Requestor Email Address: _____

Subject of Request: _____

Request Type: View Only View/Copy Would Like Copies Only

If files contain or are suspected to contain information exempt pursuant to the Georgia Open Records Act, the records may need to be redacted prior to being open for viewing/copying by the general public. If there is a question or dispute, the City Clerk will be advised by the City Attorney on how to proceed. Additional costs may be incurred if redaction is necessary for research time. No charge for first quarter hour.

Below, please list specifics of request such as dates, subject matter, type of files, etc.

Requestor's Signature Date

For Office Use Only:
Request Received Via: ___ Email; ___ Fax; ___ Regular Mail: ___ In Person
Date Received: _____ Time Received: _____ Initials: _____

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OPEN RECORDS REQUEST ESTIMATE AND TIMELINE
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To be Provided to Requestor within 3 Business Days of Request if Information Requested is Voluminous, Not Readily Available, Requires Research, Redaction or City Attorney Approval

Requestor Name: _____

Name of Individual/Subject of Request: _____

Date(s) of Records Requested: _____ Date Estimate Given: _____

Estimate Sent Via: Email Fax Given In Person (Attach Copy of Request)

If files contain or are suspected to contain information exempt pursuant to the Georgia Open Records Act, the records may need to be redacted prior to being open for viewing/copying by the general public. If there is a question or dispute, the City Clerk will be advised by the City Attorney on how to proceed. Additional costs may be incurred if redaction is necessary for research time. No charge for first quarter hour.

SECTION A

Hourly Rate: *NTE \$39.00/hour and NO LESS THAN \$15.00/hour (No Charge for first ¼ hour)

Per Page Charge: \$.10/page for 8 ½ x 11 and 8 ½ x 14

Details	# Hours	Amount	Hrly Rate	Charge	TOTAL
Number Hrs Search, Retrieval, Copying, Redacting, Review					
Copy Charges		# of Pages		\$.10/page	
Police Reports @ \$5/Report					
Certified Copy (\$2/page or doc)				\$2.00	
SUBTOTAL					\$

SECTION B

The Following Additional Costs May Be Applicable	Amount	Charge	TOTAL
Maps or Documents Larger than 8 ½ x 14			
Audio/Video Recordings			
Photographs			
CD's, DVD's or Other Media Files			
Postage			
Estimated Cost for you to View Records in Presence of Records Custodian			
SUBTOTAL			\$

ESTIMATE AND TIMELINE

Subtotal A: \$ _____ + Subtotal B: \$ _____ = \$ _____ (TOTAL ESTIMATE)

Records will be ready for you to view/pickup on: _____, 20____ at _____ am/pm.

Or

Please call _____ @ _____ to make an appointment to view the records you have requested.

Documents Being Withheld Pursuant to Exemptions in the Georgia Open Records Act Law	Specific Title/Section of Law

- By signing below, the Requestor agrees to pay for estimates from \$50 to \$499. A faxed, scanned or original signed copy of this estimate must be received in our office prior to the request being fulfilled.
- Requestor must pay in advance for estimates of \$500 or more prior to the request being fulfilled. We accept Visa, Mastercard, Cash, Check (Check must clear first) or Money Order. You will be refunded if payment exceeds actual costs.

Mail Payments To: Attention City Clerk/Open Records or Court/Police Records Request
 Woodstock City Annex
 12453 Highway 92
 Woodstock, Georgia 30188

Email: Rhonda Pezzello, City Clerk – rpezzello@woodstockga.gov

Fax To: 770 926-1375 (City Clerk/General Requests)
 770 517-4018 Court/Police Records Requests

If Questions: 770 592-6002 (City Clerk/General Requests)
 770 592-6030 (Court/Police Records Requests)

Credit Card Payments

Visa Mastercard Name on Card: _____

Card #: _____ Exp Date: _____

Zip Code: _____ Three Digit # on Back of Card: _____ Payment Amt: \$ _____

Signature of Requestor *Date*

OFFICE USE ONLY:

____ Completed Form; ____ Payment Received by: _____ on _____, 20____.

Payment Cleared On: _____, 20____ (Can begin processing once cleared.)