

CITY OF ROCKLEDGE
PUBLIC RECORDS POLICY AND PROCEDURES

SECTION 1. REFERENCE.

1.1 Florida Statutes, Chapter 119, Section 07 (§119.07 F.S.)

The statutory obligation of the City is to provide access to or copies of the public records being requested.

SECTION 2. PURPOSE

2.1 To set forth consistent policy and procedure, in compliance with public records laws, to safeguard the integrity of records and provide public access to non-exempt public records.

SECTION 3. POLICIES & PROCEDURES

3.1 The State of Florida has determined that providing access to public records is a statutory duty imposed by the Legislature upon all record custodians and should not be considered a profit-making or revenue-generating operation. The supervision and safekeeping of records is one of the prime duties custodians assume when they take office and the law fixes no compensation for such duties.

3.2 Every person who has custody of a public record shall permit the record to be inspected and examined by any person desiring to do so, at any (1) reasonable time, (2) under reasonable conditions, and (3) under supervision by the custodian(s) of the public record or their designee.

1) A waiting period may not be imposed before allowing access to public records. "Reasonable time" is that time allowed the custodian to retrieve the record and delete those portions of the record the custodian asserts are exempt.

a. If satisfying the request immediately would unduly interfere with the operation of the department, the custodian will arrange a mutually satisfactory time for fulfilling the request. This will vary according to the number of records requested, the number of years being reviewed, the department's filing system, storage of the records, etc.

2) "Reasonable conditions" do not refer to conditions that must be fulfilled before review is permitted, but to reasonable regulations that would permit the custodian of the records to protect them from alteration, damage, or destruction.

3.3 When a request is made to inspect or duplicate a record:

- 1) Individuals are not required to identify themselves or make the request in person, in writing or in any other particular format, nor give a reason for such request.
- 2) Individuals may not be denied access to records due to the lack of specifics of the record they wish to inspect or copy.
- 3) While written requests are not required, the City Clerk has developed internal instructions requiring written requests for inspection or duplication of public records.
 - a. Public Records Request Forms are available in the City Clerk's Office for the convenience of the public and to ensure that a record of the request is maintained in the City's files.
 - b. Requests received by telephone or other verbal communication will be recorded on the Public Records Request Form by the clerical staff member receiving the verbal request.
- 4) The City is not required to produce a record that does not exist.
- 5) Records custodians or clerical staff members are not required to verbally provide information from records. The statutory obligation of the City is to provide access to or copies of the public records being requested.
- 6) Records custodians or clerical staff members are not required to produce records in a particular form or format as demanded by the requestor, nor tailored to the requestor's specific needs, if the records are not ordinarily created, filed, produced, maintained, or used in that form by the City.
- 7) If any attorney requests the examination or duplication of records or information on which a lawsuit is pending with the City, the City Attorney shall be contacted and advised of same. The City Attorney will determine the City's response to the request.
- 8) A fee may not be imposed for the mere inspection and examination of public records by the general public unless the nature or volume of the public records to be inspected is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance.

SECTION 4. FEES

4.1 Uniform fees for copies, per page, are as follows:

- 1) 14" x 8 1/2" or less, one-sided \$0.15
 - 2) 14" x 8 1/2" or less, two-sided..... \$0.20
 - 3) 11" x 17" \$0.25
 - 4) Green bar, computer \$0.25
 - 5) Greater than 11" x 17", one-sided \$1.00
- 4.2 Certified copies, per page, in addition to copy fee..... \$1.00
- 4.3 Audio Cassette Tapes, 90-minute, per tape \$1.00 + tax
- 4.4 CDs, format-embedded, each \$10.00 + tax
- 4.5 Preparation of letter/written correspondence confirming zoning classification, liens, or any other information \$10.00 per letter
- 4.6 Outside Reproduction \$10.00 Admin Fee
plus the actual cost incurred by the City for the reproduction. Outside production is required for duplication of larger, specialty records, such as construction plans, photographs, etc.
- 4.7 Extensive Clerical or Supervisory Assistance.
- 1) There shall be no charge for the first 15 minutes, as the word "extensive" has been defined to mean longer than 15 minutes.
 - 2) The amount to be charged shall be \$10.00 per hour.
 - 3) Costs shall be calculated in 15-minute increments, and shall include time spent for researching, supervising, and/or copying, but shall not include time spent retrieving records from an off-site storage facility.
 - 4) These costs are in addition to actual costs of duplication.
 - 5) The estimated costs of extensive research and copying must be paid in advance. Any difference will be collected or refunded when materials are picked up by the requestor.
- 4.8 Exceptions
- 1) Meeting Agendas. Copies of full agenda packages (including the agenda and support documentation) for any public meeting of the City Council or any of the City's boards or committees are available free of charge to those who have requested said copy prior to the production of the agenda.

- a. Post-production requests for full agenda packages will be subject to costs indicated herein.
- 2) Educational Requests. Reasonable exceptions will be made for local students, Boy Scouts, Girl Scouts, or any other youth program that promotes citizenship and community involvement.
- 3) Professional Courtesy. Reasonable exceptions will be made for local governments and their divisions.

SECTION 5. ELECTRONIC TRANSMITTAL

- 5.1 Electronic transmittal shall not be utilized to fulfill public records requests received from the general public. Copies should be provided in accordance with the above.