

City of Anniston, Alabama Public Records Request Policy

The City of Anniston acknowledges and supports the public's right to inspect and make copies of public records as allowed by Alabama law. This Policy was adopted and implemented pursuant to City of Anniston Resolution No. 15-R-10, and in accordance with The Open Records Law of the State of Alabama, Alabama Code Section 36-12-40, the Alabama case law governing and interpreting the public's right to inspect public records, and Chapter 2, Article II, Section 2.11 of the Anniston, Alabama Code of Ordinances.

Intent

This Policy is intended to (a) ensure that the inspection of public records held by the City of Anniston is performed by those with a legitimate interest in the requested records, (b) to maintain the integrity of the public records, (c) to provide an orderly process to facilitate the citizenry's right to inspect public records, and (d) to promote the public's interest in having the business of government carried on efficiently and without under interference.

Records Available for Public Inspection

Many records of the City are available to the public for inspection, including the following commonly requested records:

- Ordinances, Resolutions and minutes of City Council meetings;
- City issued permits and licenses;
- Deeds, easements and right-of-way information;
- The front of Uniform Incident/Offense Reports;
- Original bids and all documents related to awarding public contracts;
- The names and resumes of applicants for City employment, or summaries thereof; and
- The names, titles, and compensation of City employees.

However, as proscribed by the Code of Alabama and interpretive court decisions, some records are not available for public inspection. Records typically not subject to public inspection include those where privacy or security issues are of overriding importance, or where documents are not necessary to record the status and condition of business carried out by the City. Such exceptions from disclosure may include, but not be limited to:

- Information received by a public officer in confidence;
- Sensitive personnel records;
- Law enforcement investigative reports;
- Banking records;
- Tax returns and financial statements;
- Records which would be detrimental to the best interests of the public if disclosed, such as those related to security plans, procedures, assessments, measures, or systems, and any other records relating to, or having an impact upon, the security or safety of persons,

structures, facilities, or other infrastructures, including without limitation information concerning critical infrastructure and critical energy infrastructure;

- Documents regarding pending, threatened or anticipated litigation or arbitration, and other documents created by or at the direction of the City's attorney(s) or communications by and between the City and its attorney(s) where legal advice is sought, discussed and/or received.

Procedure for Requesting Public Records

To request public records, a requesting party must complete a Public Records Request Form (PRRF), available at the reception desk at Anniston City Hall, 1200 Gurnee Avenue. PRRFs are available during normal business hours, Monday through Friday. If submitting the completed PRRF in person, please return it to the receptionist on duty at the time of your visit to City Hall. If returning the PRRF by mail, please address it as follows:

Anniston City Hall
Attn: City Clerk - Public Records Request
1200 Gurnee Avenue
Anniston, Alabama 36201

The submission of a fully completed PRRF is the exclusive procedure for requesting public records from the City of Anniston, including its employees, agents and representatives. The City of Anniston will not respond to any request for public records submitted through any other process other than that set forth herein. Furthermore, the City of Anniston will not respond to any incomplete PRRF. A party who submits an incomplete PRRF may resubmit a fully completed PRRF, which the City of Anniston will treat as a separate and distinct request to inspect public records.

Cost for Inspection and Copying of Public Records

It is necessary for the City to assess a reasonable charge to all requesting parties for certain costs associated with a public records request.

Time. If a request is deemed, or becomes, time-intensive, defined as requiring more than one hour of City employee time to complete, a fee of \$25 per hour will be charged beginning with the second hour. Partial hours will be billed in quarter hour increments (i.e. \$6.25 per 15 minute increment). If it is estimated charges will reach or exceed \$50, a cash deposit of half the estimated amount will be required before City personnel undertake a search for the requested records.

Copying Expenses. Photocopies of letter or legal size records subject to public inspection may be obtained at a cost of \$0.25 per page. The cost of specialized documents, such as maps or large documents are subject to a higher fee as determined on a case-by-case basis based upon the size of the document requested and whether the document can be reproduced in-house or must be sent to an outside vendor for replication. The City will provide requesting parties the cost of such reproduction prior to copying and the City may require full or partial payment in advance.

Electronic copies of public records subject to public inspection may be obtained at a cost of \$25.00 per DVD or 8GB flash drive required to copy the requested records.

Responding to Requests for Inspection of Public Records

The City of Anniston endeavors to provide timely responses to requests received in accordance with this Policy. The length of time it takes the City to respond to a request is dependent upon a number of factors, including, but not limited to:

- The age, location and availability of the records sought;
- Whether the records sought are kept in electric or paper form;
- Resolution of any legal issues that may exempt or prohibit particular records from disclosure;
- The availability of City staff to undertake the search for and/or copying of the requested records;
- If any search and/or copying of requested documents cannot be completed by the City within ten business days, the individual requesting the records will be notified.

The City will make a reasonably diligent search for the records requested. The City will not assemble reports or compile data that isn't already being assembled or compiled in the normal course of business. When appropriate, information resources will be provided to enable the requestor to assemble or compile their own reports or data. If providing this information requires staff time and other resources, these costs will be borne by the requesting party.

Unless otherwise requested, and subject to any corresponding payment obligations, the City will make available for inspection the records it discovers pursuant to a request and that it determines are subject to inspection. The City will not unilaterally reproduce records. When records are available for inspection, the City will respond to set a mutually convenient date and time, and reasonable timeframe for the inspection. Absent extraordinary circumstances, an inspection shall only be allowed on regular business days, Monday through Friday, between 9:00 a.m. and 3:00 p.m. When copies of records are provided, they may be obtained during the same hours.

Revisions to Policy

This policy is subject to revision as permitted or required by changes to Alabama law governing the disclosure public records.

City of Anniston, Alabama Public Records Request Form

Please type or print all requested information in the fields provided and submit completed form in-person or via mail to:

**Anniston City Hall
Attn: City Clerk - Public Records Request
1128 Gurnee Avenue
Anniston, Alabama 36201**

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

I Request to:

Inspect the following public records of the City of Anniston. I agree that I will not cause harm or damage to any public record and further agree that these records will not be removed from City premises at any time. I understand I will be required to pay fees as described in the Public Records Request Policy if my request is deemed time-intensive.

Receive Copies of the following public records of the City of Anniston. I understand that I will be required to pay fees as described in the Public Records Request Policy.

Electronic Copies - If available, please provide electronic copies of documents on _____ DVD-R or _____ USB Flash Drive. I understand that electronic documents will likely be provided in PDF format.

The City of Anniston reserves the right to require inspection before copies are provided.

Description of Document(s) and Purpose of Request:

Description of Document(s) Requested: _____

Purpose of Request: _____

The Alabama Open Records Act and related case law allows municipalities to require a reason be provided to show a direct, legitimate interest in the specific document(s) requested. Statements should communicate a direct interest in the specific materials requested (i.e. "I am a student doing a paper on...") and should not be general statements of entitlement (i.e. "I am a taxpayer" or "It is a public document.").

The Requesting Party will be notified:

- 1) Of the estimated costs associated with completing the request*;
- 2) If their request is expected to take longer than ten business days; and
- 3) Upon completion of the search and/or copying of the public records request.

**Estimates exceeding \$50 will require a deposit of half the estimated amount. Please see the Public Records Request Policy for details.*

Signature of Requesting Party

Date

FOR STAFF USE ONLY

Date received and reviewed by City Clerk: _____ Initials: _____

Reviewed by City Attorney Y/N?: _____ Date: _____ Initials: _____

Action Taken (check one): Approved Denied

Responding Department(s): _____

Estimated Time to Complete: _____ Actual Time to Complete: _____

Estimated Completion Date: _____ Actual Completion Date: _____

Is this a time-intensive request Y/N?: _____ Deposit Required Y/N?: _____ Amount: \$ _____

Notes: _____

Signature of Employee(s) Fulfilling Request: _____ Date: _____

_____ Date: _____

Complete Upon Fulfillment of Request

Total Page Count: _____ Copies Provide on Electronic Media Y/N?: _____

Amount Paid by Requesting Party: \$ _____ Receipt Provided Y/N?: _____

Description or List of All Documents Provided to Requesting Party for Inspection and/or Copying:

Signature of Custodian of Records

Date

COMPLETED FORM MUST BE RETURNED TO THE OFFICE OF CITY MANAGER