

**RESOLUTION NO. 3912
CONFIRM CITY PROCEDURE
REQUEST FOR ACCESS AND/OR COPIES OF PUBLIC RECORDS**

WHEREAS, affirmations were made by the Supreme Court of Alabama, October Term 1991-1992, in the case of Blankenship vs. City of Hoover " (Court Case No. 1901358) and other cases involving public records; and

WHEREAS, since as early as 1992, the City of Hueytown established operating procedures is in compliance with said Supreme Court of Alabama ruling applicable to the receiving and processing of requests for access and/or requests for copies of public records of the City; and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUEYTOWN, ALABAMA, at a regular meeting duly assembled, a quorum being present, that the City's current procedure regarding processing of requests for access and/or requests for copies of public records of the City of Hueytown is hereby confirmed as set out in the attached "**Exhibit A - Request For Access And/Or Copies Of Public Records - Operating Procedure**" and the attached "**Exhibit B - Request for Access and/or Copies of Public Records**" form (which may be updated as applicable by the City Clerk); and


FURTHER THAT all employees and department heads of the City of Hueytown shall handle any requests for any public records in the manner set forth in this procedure except in a situation wherein there is a designated procedure for accident, court or investigative reports.

ADOPTED this 9th day of September, 2008.



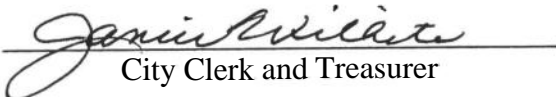
President of City Council

APPROVED this 9th day of September, 2008.



Mayor

ATTEST:



City Clerk and Treasurer

“EXHIBIT A”
REQUEST FOR ACCESS AND/OR COPIES OF PUBLIC RECORDS
OPERATING PROCEDURE

Many documents at City Hall are public records and persons may request to see public records. In order to view public documents or to obtain copies of documents, there is a standard request form required entitled “Request for Access and/or Copies of Public Records”. Request forms should be kept by a designated person (or persons) in each department or in a designated location in each department accessible to employees of that department. See “Note” at bottom for special situations.

The information space provided by the request form is required to assure that the requested inspection is for a legitimate or proper purpose and allows the City to maintain the integrity of its records in a practical and workable manner, without undue interference.

Copies of public documents may be obtained at a nominal charge of not less than \$1.00 per sheet to defer the costs incurred by the City for providing copies of any documents which may be requested. (Charges may vary for accident, court or investigative reports for which the City has a separate specific procedure for charges for such reports.)

When someone requests to view or obtain copies of public records, the form "Request for Access and/or Copies of Public Records" should be filled out. It is imperative that the actual item(s) being viewed or copied is listed correctly in Item No. 1 on the sheet and that all other portions of the form are completed in a legible manner. The person should be informed that the form will be presented to the department head (or his or her designee) for approval and as soon as possible, the person will be notified by telephone as to when they may see the records or pick up copies. If time permits, the department head (or his or her designee) may approve the form at time of request and access and/or copies may be made while the person waits.

Documents requested for viewing should be gathered by a City employee and the person requesting to view the documents should be shown to a an office space where they may view the documents while, at the same time, being observed by a City employee.

Once a request for copies has been approved, the documents will be copied by a City employee. The person requesting copies will be contacted by telephone, told the cost of the copies and where to pick up the copies unless there have been provisions for the copies to be made while the person waits as stated above if time permits and the department head (or his or her designee) has approved the form. This allows the person to get such copies as they have requested while making sure that the regular business of the department can be properly carried on without undue interruption.

Receipt for payment should be issued. If the department making the copies does not have the ability to issue receipts, the completed form along with the copies should be taken by a City employee to the Revenue Division window of the City Clerk’s office so that a receipt may be issued to the person picking up the copies.

Before taking the request form and the copies to the Revenue Division window, the employee who makes the copies should fill in the bottom section showing the number of sheets copied and the correct amount due.

The clerk who receipts the money will mark the “Amount Paid”; initial "Received By" and send the completed request form to the City Clerk’s secretary where it will be filed accordingly.

In departments that have the ability to receipt money, completed request forms should be placed in a specified file within that department’s records.

FAXED OR E-MAILED COPIES: Payment must be received in advance of processing any requests for copies handled via telephone or electronically. All requests should be made in person unless that is not feasible (out-of-town request, etc.) The form must be completed either by faxing or E-mailing it to the person requesting copies; having them complete and return by fax or E-mail at which time, the usual approval procedure shall take place. After the request is approved, the employee should calculate the number of pages that will be faxed or E-mailed plus any postage and notify the requestor of the amount. Once payment has been received in the office, the requested copies may be mailed, faxed or E-mailed to the requestor.

NOTE: If there is ever a question as to whether there is a direct, legitimate reason for the request for access and/or copies or if there is a question as to whether the records involved are truly public information, the opinion of the City Clerk (Custodian of Records) should be sought prior to approval, access or copying of the request.

CITY OF HUEYTOWN

REQUEST FOR ACCESS AND/OR COPIES OF PUBLIC RECORDS

1. I REQUEST:

_____ TO REVIEW THE FOLLOWING PUBLIC RECORDS

_____ COPIES OF THE FOLLOWING PUBLIC RECORDS

NO. OF COPIES PER PAGE REQUESTED _____
(There is a charge of \$1.00 per page.)

2. THE REASON(S) I DESIRE TO REVIEW AND/OR RECEIVE COPIES OF THESE RECORDS IS: (CHECK APPLICABLE BOX OR BOXES)

_____ To gain information regarding City finances

_____ To gain information regarding City operations

_____ Other (Explain) _____

DATE _____

SIGNED _____

PRINT NAME _____

ADDRESS _____

PHONE _____

THIS SPACE FOR OFFICIAL USE

_____ REQUEST APPROVED

_____ REQUEST DENIED/REASON FOR DENIAL:

=====

TOTAL COPIES..... AMOUNT PAID..... RECEIVED BY.....