

City of Canton, Georgia

Open Record Request Policy and Procedure

Open Records Request Policy:

The City of Canton supports the Open Records Act, O.C.G.A. §50-18-70 thru 50-18-77.

The purpose of the Open Records Act is to both encourage public access to information and to foster confidence in government through its 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 is believed to be in the public interest.

Open Records Request Procedure:

1. Each department will designate an employee who will be the person responsible to fill Open Record Requests. That person will be trained and will follow O.C.G.A. §50-18-70 thru 50-18-77. When the department designee is not available, the City Clerk or another department designee should fill the Request. When the City Clerk is not available the Clerk's responsibilities shall be performed by her/his designee.
2. Normally, all Open Record Requests should be addressed to the City Clerk.

The City Clerk will log in the Open Record Request in order to monitor compliance with statutory time limits; on that same day the request will be forwarded to the appropriate authorized department designee to be filled.

The Open Record Request is to be filled as soon as possible, but in no case later than three days after it is received by the City.

Unless the department designee is able to fill the Request on the day it is received, a response acknowledging the Request and providing an expected date of readiness will be sent to the requester. If the department designee is unable to fill the Request within three days, notice will be provided to the City Clerk immediately.

3. If an Open Record Request is submitted to a department designee, the date and time of receipt will be entered on the Request form and the form immediately forwarded to the City Clerk to be logged in. This should be done in an email if possible.

The department designee should then proceed to fill the request as stated above.

4. Should a verbal Open Record Request be made, the department designee will fill out an Open Request Form and forward it to the City Clerk immediately. This should be done in an email if possible.

The Department designee should then proceed to fill the request as stated above.

5. Once the Request has been filled, the Department designee will forward the original request form, response, supporting documentation, and cost form to the City Clerk to be maintained for the required retention period (5 years). This should be done in an email if possible.

Note: If an Open Record Request is not “the usual” or if the department designee has any questions about the scope of the request, confer with the City Clerk since some record requests require extraordinary responses.

All requests that concern a personnel file should be directed to the City Clerk for filling.

Appropriate Charges:

There is no charge for search retrieval and other direct administrative costs for the first ¼ hour spent in filling an Open Record Request. Thereafter, the City will 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. As allowed by law, the City will also charge \$.10 for copies.

It is expected that nearly all requests will be able to be responded to by email. In that case, the only charge will be for the time expended by the employee.

In the unusual case that the cost for the requested records may be more than \$25.00 the requester needs to be notified prior to preparing the records and the requester should acknowledge and agree to pay the cost. If the record is expected to cost more than \$500.00 a prepayment will be required.

The department designee will fill out a cost form and include that form with documents to be picked up or mailed, and included in any email response for payment.

When calculating cost that is expected to be paid by check, keep in mind the time it will take for the payment to be handled once it is submitted to the City.

City of Canton, Georgia Open Records Request – ESTIMATE/COST

Requestor Name: _____

Subject of Request: _____

Date of Records Requested: _____ Date Estimate Provided: _____

Estimate Sent Via: _____ Email _____ Fax _____ In Person

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.

ESTIMATE CALCULATIONS:

	# of Hours	Hourly Wage	# of Copies	TOTALS
Search/Retrieval				
Copies				
Postage				
TOTALS				

- ___ Requestor agrees to estimated charges – proceed with request.
- ___ Requestor has changed mind and would rather come in and view documents first.
- ___ Requestor withdraws request – do not proceed with request.
- ___ Other:

Signature of Requestor Date Received by/Date