

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. The General Assembly presumes that public records should be available for public inspection without delay.

Open Records Request Procedure:

DEPARTMENT DESIGNEE

Each department will designate an employee who will be the person responsible to meet Open Records Requests. This person will be trained and will follow O.C.G.A. §50-18-70 thru 50-18-77.

1. When an Open Records Request is submitted directly to a department designee:
 - a. if the Request can be met the day it is received, enter the date received and met, and forward original to the city clerk.
 - b. if the Request cannot be met on the day it is received, enter date received and forward a copy to the city clerk. Forward original with the date met to city clerk when completed.
 - c. if the department designee determines that the Request cannot be met within three days, notify the city clerk immediately. Forward original with the date met to city clerk when completed.
 - d. if the department designee determines that certain records are not subject to the Open Records Act, notify the city clerk immediately.
2. A verbal Open Records Request is acceptable if it can be met at the time it is made. Forms only need to be filled out if the Request;
 - a. cannot be met immediately
 - b. is confusing as to specificity(The following should be forwarded to the city clerk to be met)
 - c. asks for emails
 - d. asks for personnel information
 - e. asks for information in a matter in which the city attorney has been involved

Open Records Request are to be met immediately, but in no case later than three days after received as required by law.

CITY CLERK

When an Open Records Request is directed to the city clerk it will be logged in and forwarded to the appropriate department designee on that same day.

The Clerk will also:

- a. log in all Requests and monitor compliance with Open Records Act statutory time limits.
- b. provide guidance to department designees in regard to statutory exclusions.
- c. manage all responses to requesters when the three day time limit cannot be met.
- c. manage all denials of Requests.
- d. manage all requests for emails, personnel files, and matters involving the city attorney.
- e. retain Requests for 5 years as required by law.

Appropriate Charges:

There is no charge for search/retrieval of records for the first 15 minutes. 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 can also charge \$.10 for copies, however, no charges will be made for fewer than 10 copies due to the time it takes to account for money received by the city.

It is expected that most 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 if it is more than 15 minutes.

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.

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

Requester Name: _____

Subject of Request: _____

Date of Records Request: _____ 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	//////////	.10 each		
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