

**CITY OF JOHNSTOWN**  
**PUBLIC RECORDS POLICY**

**I. PURPOSE:**

Provide general guidelines that will allow the City of Johnstown (“City”) to provide each requester prompt inspection and copies of all public records in a reasonable amount of time. Copies of this policy are located with the (1) designated records custodian; (2) at every location in which the public may access public records; and (3) in the City’s Employee Handbook of Personnel Policies. All employees receive public records training, including this policy.

**II. RECORDS RETENTION AND MANAGEMENT:**

The City retains record(s) in accordance with its Schedule of Records Retention and Disposition (RC-2). The RC-2 is located with the records custodian, as well as, at every location in which the public may access public records. The City strives to create and maintain record(s) in all formats (e.g. paper, email, videotape, disc, etc...) that effectively document the functions, purpose, and mission of this Office. All employees receive records management training.

**III. REQUEST FOR RECORDS:**

- A. Each requester must identify the record(s) requested with sufficient clarity so that the City can identify the record(s) requested. Should the request be overly broad and ambiguous, this Office will work with the requester to identify the requested record(s).
- B. For the purpose of enhancing the ability of the City to identify the requested record(s), the City shall provide to the requester a Public Records Request Form for the requester to complete.
- C. Although the City may ask the requestor to make the request in writing, for the requestor's identity, and may inquire about the intended use of the information requested, the requester shall be advised that failure to provide this information will not prevent the City from providing the requester prompt inspection and copies of the requested record(s) in a reasonable amount of time.
- D. If the request identifies record(s) that do not exist at the time of the request because either (1) the City did not create the record(s); and/or (2) the City destroyed the record(s) pursuant to its Schedule of Records Retention (RC-2), the request will be denied as the City is under no obligation to create or recreate the requested record(s). (See Ohio Revised Code § 149.40).

#### **IV. DISCLOSURE OF PUBLIC RECORDS:**

- A. The City may withhold the requested record(s) from disclosure if permitted by state or federal law.
- B. Ohio Revised Code § 149.43 (A)(1) lists all of the specific statutory exceptions, as well as, incorporates any other exemption recognized by state or federal law.
- C. The City will review each requested record(s) and will disclose to the requester if no exemption applies to the record(s).
- D. Some of the requested record(s) may be withheld in part. The City will only redact portions of the requested record(s) that meet the specific exemption applied.
- E. If a requested record is withheld in whole, or in part, the City will cite the specific exemption applied in response to the requester.

#### **V. PROMPT INSPECTION:**

Once the records have been sufficiently identified, and found to be subject to disclosure the records shall be promptly prepared and made available for inspection to any person during regular business hours. Regular business hours for the City are Monday through Friday (except holidays), from 8:00 am to 4:30 pm. Promptness is to be determined by the facts and circumstances of each public records request, as well as, allows time for legal review of the request.

#### **VI. COPIES IN A REASONABLE AMOUNT OF TIME:**

Upon request, the City shall permit the requestor to choose to have the public record duplicated on (1) paper; (2) upon the same medium upon which the City maintains the record; or (3) upon any other medium on which the record can reasonably be duplicated as an integral part of the normal operations of the City.

#### **VII. FEES:**

The City has established the following fees for providing copies or reproductions of requested record(s):

- A. For photocopies [5 cents for black & white / 10 cents for color / additional 2 cents for sizes larger than 8 ½ x 11] per photocopy.
- B. For video tapes, cassette tapes, or for any other type of media, the fee shall be the replacement cost or the reproduction (copying) cost.
- C. Advance payment for postage is required if record(s) are to be mailed.
- D. Advance payment for all copies is required.