

Public Records Request

Cleveland City Council

Public Records Policy

September 28, 2007

It is the policy of the Cleveland City Council (Council) to adhere to the State of Ohio's Public Records Act.

Public Records

In accordance with the Ohio Revised Code (ORC), public records are defined to include the following: any document – paper, electronic (including, but not limited to, email), or other format – that is created or received by or comes under the jurisdiction of a public office that documents the organization, function, policies, decisions, procedures, operations, or other activities of the office. All records of the Council are public unless they are exempt from disclosure under the ORC. All exemptions are construed to be in favor of disclosure as required by law and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the ORC. If the request is in writing, the explanation must also be in writing. If only a portion of a record is exempt, then only that portion may be withheld or redacted. Redactions must also be accompanied by an explanation.

It is the policy of the Council that, as required by Ohio law, records will be organized and maintained so that they are available for inspection and copying on accordance with the law. The Council record retention schedule is available in the Council Clerk's office in Room 216 of City Hall.

Record Requests

Requests for public records must clearly state the records and/or information being sought to allow the Council to identify, retrieve, and review the records. If a request is vague and overbroad, Council may deny the request, but must inform the requestor about the manner in which records are kept and how Council accesses the records so that the requestors can revise the request.

The requestor does not have to put the request in writing, and does not have to provide his/her identity or the intended use of the public record. Council does not limit or condition the availability of public records based on whether a written request is submitted or whether a requestor identifies himself/herself. However, Council may ask for a written request and may ask for the requestor's identity and/or intended use of the information requested if: 1-it would benefit the requestor by helping identify, locate, or deliver the records being sought; and, 2-the requestor is informed that a written request and the requestor's identity and intended use of the information are not required.

Public records are generally available for inspection during the normal operating hours of the Council offices, usually 8:30 a.m. – 4:30 p.m., Monday through Friday. Public records must be made available for inspection promptly and copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested, the proximity

of the location where the records are stored, and the necessity for any legal review of the records requested.

Each request will be evaluated for an estimated length of time required to gather the records. Most routine requests for records should be satisfied immediately if feasible to do so. Routine requests may include, but are not limited to, meeting minutes, salary information, and personnel rosters. If a limited number of copies are requested, or if the records are readily available in electronic format that may be emailed or downloaded easily, these records should be made as quickly as possible.

Council may charge for the actual cost of making copies of records. Council's current costs are as follows:

- Paper copy: 5 cents per page
- Diskette: \$1.00 each
- Compact Disk: \$2.50 each
- Audio tape: \$2.00 each
- Video tape: \$2.50 each
- Photos: \$1.00 per 5x7 photograph, \$2.00 per 8x10 photograph
- If an outside duplication service is requested, all charges from the outside duplication service will be passed on to requestor.