

Town of Eatonville

Public Records Request Policy

I. INTRODUCTION

It is the policy of the Town of Eatonville that all municipal records with the exception of exempted records identified by Florida Statutes or other applicable sections of Florida Statutes, shall be open for personal inspection by any person.

“Public Records” means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission made or received pursuant to law or Ordinance or in connection with the transaction of official business by the Town.

II. OBJECTIVE

The purpose of this policy is to affirm the public’s right to access Town records to set forth the procedures that will facilitate accessibility of information to members of the public, and to establish fees to be levied by the Town to cover the cost of responding to Public Records Requests.

III. PROCEDURE

A. Processing Public Records Requests

1. Requests for Readily Available Documents

Readily available documents” are those that are easily retrievable, regularly disseminated to the public and do not require additional review in order to determine whether they contain exempt information, such as Meeting Minutes, Ordinances, Resolutions, Contracts, engineering maps, and personnel files (which have already had exempt information redacted).

Any Town employee who receives this type of information should comply as soon as practicable by referring it to the Town Clerk or Department Supervisor, or providing review and/or a copy of the information requested as appropriate.

After assisting the requestor, staff should transmit information regarding any unusual requests to the Town Clerk’s Office. Since the documents are readily available, there should not be any charge for the labor in retrieving the requested documents, but any copies purchased by the requestor should be charged as indicated in this Policy.

B. Requests for other documents

- 1.** Although it cannot be required of them, all requestors should be encouraged to put their public records requests in writing. This will assist staff in clarifying the exact scope of the request. Requestors should specify whether they wish to simply inspect records or obtain copies.
- 2.** Staff should forward the request(s) to the Town Clerk's office via email by forwarding emailed requests, scanning and then emailing written requests, or summarizing verbal requests.
- 3.** As soon as reasonably possible, after the receipt of the Public Records Request, the Town Clerk's office will acknowledge the request and forward it to the appropriate Town Departments that may have records responsive to the request.
- 4.** Department Heads receiving an emailed Public Records Request from the Town Clerk's office will respond as soon as possible as to whether they have any responsive documents and what the estimated amount of retrieval time will be. If any of the responsive documents are stored off-site, the Department will promptly notify the Town Clerk's office as to the estimated time for retrieval.
- 5.** If Departments that have responsive records in their possession indicate that the retrieval of the records will take more than one-half hour, the Town Clerk's office will contact the requestor with an estimated labor charge for the retrieval. They should select the lowest paid employee capable of efficiently retrieving the records. No benefits multiplier shall be added to the labor charge.
- 6.** The Town Clerk's office shall notify the requestor of the estimate and confirm whether the requestor is willing to pay the labor charges and copying charges, if any. The Town Clerk's office will confirm with the requestor that the Town must be paid in advance of the requestor's receipt of the records. For large requests (those requiring more than \$100.00 in labor charges or more than \$100 in copy charges), the Town shall require an advance deposit of 100% of the estimated sums prior to beginning retrieval.
- 7.** The Town shall make every effort to respond fully to all Public Records Act requests as quickly as possible and the Town Clerk's office shall be responsible for monitoring timely performance.
- 8.** Requests for documents which may contain information which is exempt from disclosure under Florida law may be delayed until the records can be reviewed and redacted as necessary by the custodian of records. The

Town's Attorney should be contacted for clarification of exemptions under F.S. 119.

9. Florida law provides a schedule for the length of retention of various types of public records. Staff shall contact the office of the Town Clerk for assistance in determining the correct retention schedules and to arrange for destruction in accordance with the State mandated procedures. In no event shall staff proceed with destruction of records that are the subject of Public Records Act request or records that are currently at issue in pending litigation.

C. Media Requests

Requests from the media for Public Records shall be handled consistently with the procedures already outlined in this Policy. All staff members receiving a request directly from the media shall immediately inform the Chief Administrative Officer and Town Clerk's office of the request.

D. Charges for Public Records

1. Charges

- a. The charge for a duplication of a one-sided letter size (8 ½ " x 11"), legal size (8 ½" x 14") or oversize (11" x 17") document, capable of being reproduced on existing Town equipment, shall be twenty-five (\$.25) per copy.
- b. For large, single documents not covered above (i.e., blueprints, maps, plats, etc.), the charge shall be the actual cost to the Town for outside reproduction.
- c. For books, and other multi-page volumes printed by the Town (i.e., annual budget, various financial reports), the charge shall be the actual cost for outside production.
- d. The charge for a certified copy of a public record shall be one dollar (\$1.00) per certification, plus applicable copying charges.
- e. The charge for copies of cassette tapes, video tapes shall be the cost of the tapes.
- f. For extraordinary requests requiring more than 30 minutes of staff time, a labor charge will be imposed of the actual employee's hourly rate of pay.
- g. A reasonable special service charge will be imposed based on the actual labor cost for clerical personnel who may be required due to the nature or volume of a public records request to safeguard such records from loss or destruction during the requestor's inspection.

E. Collection and Receipts

A receipt for payment of costs associated with Public Records shall be given to the requestor upon payment of the levied fee along with an invoice outlining the Records being charged. All fees collected shall be forwarded to the Finance Department for deposit.

F. Access to Records

For the purpose of this Policy, "reasonable time" to provide access to public records is during normal working hours. Monday through Friday, 8:00 a.m., to 5:00 p.m. At all times records will be inspected, reviewed, and copied under supervision by the custodian of the Public Records requested or the custodian's designee, pursuant to F.S. 119.07(4)(d).

G. Law Enforcement Records

Copies of Law Enforcement records shall be subject to fees as outlined in F.S. 321.23.

Please submit requests for Public Records to:

Cathlene Williams, Town Clerk
307 E. Kennedy Boulevard
Eatonville, Florida 32751
cwilliams@townofeatonville.org
Office #: 407-623-8910
Fax #: 407-623-8919