



POLICY NAME: **PUBLIC RECORDS REQUEST**

POLICY #: POL-2018-001 (REPLACES POL-2012-002)

ORIGINAL ADOPTION DATE: 7-10-18 REVISION DATE(S): —

ORIGINAL EFFECTIVE DATE: 7-10-18 REVISED PAGE(S): —

PURPOSE AND INTENT: The town desires to be a transparent local government and comply with North Carolina public records law when a person or entity requests public information. This policy addresses how a public records request is received, processed, and provided to the requestor. The intent is to provide uniform policies and procedures pursuant to NCGS Chapter 132 entitled "Public Records" within the areas that are relevant and applicable to Summerfield's limited-services, municipal government.

PROCEDURES:

- A. In order to facilitate record-keeping, a public records request shall be made in writing on a Town-provided form and delivered to the Clerk who will determine if the request is complete.
- B. The Clerk shall acknowledge receipt of the fully-completed request and shall create a record of the request and forward to the appropriate custodian(s) of the requested record for fulfillment. The Clerk shall also advise the requestor of the approved fee schedule, if applicable.
- C. The custodian(s) shall provide the record to the Clerk. If the custodian(s) has a concern whether the request complies with NCGS Chapter 132, he or she will advise the Manager who will advise, consult with the Town attorney, or forward the record to the Attorney for review and clarification. Also, any document(s) created by the Attorney will be reviewed by him/her prior to release.
- D. The Clerk is responsible for providing the written response directly to the requestor. In some situations, the Manager or Attorney may provide the response, but the Clerk must be provided with a copy for record-keeping. Potential responses include:
 - 1) providing the entire record;
 - 2) providing a partial record and outlining the reasons for only partially filling the request;
 - 3) providing a cost estimate and payment request if a service charge will be assessed for an extensive request (see "Fees"); or,
 - 4) denying the request.
- E. If a requester chooses to inspect the records in person rather than obtain copies, the Clerk will notify the requester when the records are available for inspection and any applicable fees will be paid prior to the review.



TOWN POLICY



FEES:

Fees for copies will be assessed as stated in the Town's current Comprehensive Fee Schedule and will be collected prior to release of the requested record. There will be no charge for electronic copies, provided no paper copies were required to produce the electronic version. NCGS § 132-6.2(b) authorizes public agencies to charge a "special service charge" for requests involving extensive use of information technology resources or extensive clerical or supervisory assistance. If the Manager deems a request involves a special service charge, a cost estimate will be provided to the requester and payment will be collected prior to further processing the request.

Approved:


Gail Dunham, Mayor

7-23-2018
date


Lance G. Heater, Town Clerk

7/19/18
date