

ORDINANCE 36

OPEN RECORDS REQUEST PROCEDURES

THE LOG CABIN CITY COUNCIL IS PROVIDING THIS ORDINANCE TO OUTLINE THE PROCESS, RIGHTS, AND RESPONSIBILITIES FOR AN OPEN RECORDS REQUEST. ACCORDING TO TEXAS GOVERNMENT CODE, CHAPTER 552 ALL GOVERNMENT INFORMATION IS PRESUMED TO BE AVAILABLE TO THE PUBLIC AND RELEASED IN A PROMPT MANNER.

SECTION I: RIGHTS OF REQUESTORS

Anyone requesting information has the right to the following:

- A. Prompt access to information that is not confidential or otherwise protected.
- B. Receive treatment equal to all other requestors, including accommodation in accordance with the American with Disabilities Act (ADA) requirements.
- C. Receive certain kinds of information without exceptions like the voting record or public officials and other information.
- D. Receive a written statement of estimated charges when charges will exceed \$40.00 in advance of work being started and opportunity to modify the request in response to the itemized statement.
- E. Choose whether to inspect the requested information (most often at no charge), receive copies of the information or both.
- F. A waiver or reduction of charges if the governmental body determines that access to the information primarily benefits the public.
- G. Receive a copy of the communication from the governmental body asking for a ruling on whether the information can be withheld under one of the accepted exceptions or if the communication discloses the requested information a redact copy.
- H. Lodge a written complaint about overcharges for public information with the City of Log Cabin and/or Office of Attorney General. Complaints of other possible violations may be filed with the county or district attorney of Henderson county.

SECTION II: RESPONSIBILITIES OF GOVERNMENTAL BODIES

All governmental bodies responding to information requests have the responsibilities to:

- A. Establish reasonable procedures for inspecting or copying public information and inform requestors of these procedures.
- B. Treat all requestors uniformly and shall give to the requestor all reasonable comfort and facility, including accommodation in accordance with ADA requirements.
- C. Be informed about open records laws and educate employees on the requirements of those laws.
- D. Inform requestors of the estimated charges greater than \$40.00 and any changes in the estimates above 20% of the original estimate and confirm that the requestor accepts the

charges has amended the request or has sent a complaint of overcharges to the City of Log Cabin, in writing before finalizing the request.

- E. Inform the requestor if the information cannot be provided promptly and set a date and time to provide it within a reasonable time.
- F. Request a ruling from the Office of the Attorney General regarding any information the City of Log Cabin wishes to withhold and send a copy of the request for ruling or a redacted copy to the requestor.
- G. Segregate public information from information that may be withheld and provide that public information promptly.
- H. Make a good faith attempt to inform third parties when their proprietary information is being requested from the City of Log Cabin.
- I. Respond in writing to all written communications from the Office of the Attorney General regarding charges for the information. Respond to the Office of the Attorney General regarding complaints about violations of the Act.
- J. The City of Log Cabin can not ask why a request is being submitted.

SECTION III: PROCEDURES TO OBTAIN INFORMATION

Anyone can request information by mail, fax, email or in person by filing out the proper form(s) and submitting to the City of Log Cabin City Secretary (contact information is in Section IV below). Once the request is submitted, the City of Log Cabin has 10 business days to respond in writing. The response needs to include the estimated charges, if additional or more specific information is needed, and set a reasonable date and time to provide the requested information. The requestor must confirm acceptance of the charges before the request is finalized.

If requestor does not respond in writing to the estimate of charges within 10 days of the date the notice was sent by the City of Log Cabin, the request is considered automatically withdrawn.

If estimated cost exceeds \$50.00 the City of Log Cabin may require bond, prepayment, or deposit.

Request may be submitted to the Log Cabin City Attorney by the City Secretary, other authorized employee or an elected official to ensure the proper information is being released.

SECTION IV: OPTIONS FOR SUBMITTING REQUEST

You can reach the Log Cabin City Secretary the following ways:

- A. By mail or in person: 14387 Alamo Road Log Cabin Texas 75148
- B. By email: citysecretary@logcabin.texas.gov
- C. By Phone: Log Cabin City Hall 903-489-2195
- D. By Fax: 903-489-0106

SECTION V: FEES

The following are the fees for information requests:

Standard-size paper copy (up to 8.5" x 14") *	\$0.10 per page
Nonstandard-size copy (oversize paper, specialty paper, etc.) *	\$0.50 per page

Labor Charge*	\$15.00 per hour
Overhead Charge*	20% of Labor charge
Postage & Shipping Charge*	Actual Cost

*If records are stored at a remote storage facility, at two or more separate buildings that are not connected, or consists of over 50 pages, then labor and overhead charges are applicable.

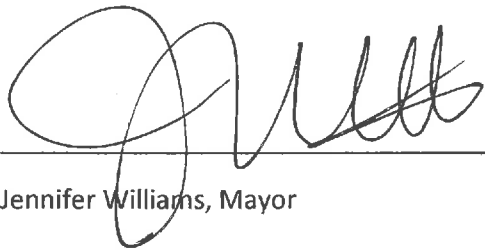
SECTION VI: ACCOMMODATIONS

If you need special accommodations pursuant to American Disabilities Act (ADA) please contact the City Secretary, contact information can be found in Section IV of this ordinance.

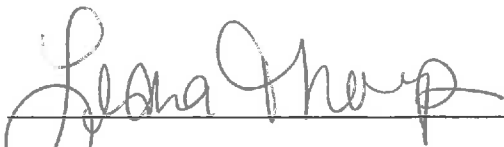
SECTION VII: COMPLAINTS

Anyone wishing to file a complaint regarding failure to release public information please contact the Mayor at mayor@logcabin.texas.gov (email) or 903.-489-2195 (city hall phone number).

PASSED AND APPROVE ON THE 17TH DAY OF MARCH 2022.



Jennifer Williams, Mayor



Leana Thorp, City Secretary