

**PUBLIC RECORDS POLICY FOR
THE CITY OF DICKSON
Adopted in Resolution 2017-8**

Pursuant to Tennessee Code Annotated § 10-7-503(g), the following Public Records Policy for the City of Dickson is hereby adopted by the Council for the City of Dickson to provide economical and efficient access to public records as provided under the Tennessee Public Records Act ("TPRA") in Tennessee Code Annotated § 10-7-501, et seq.

The TPRA provides that all state, county and municipal records shall at all times during business hours be open for personal inspection by any citizen of this state, and those in charge of the records shall not refuse such right of inspection to any citizen, unless otherwise provided by state law. See Tennessee Code Annotated § 10-7-503(a)(2)(A). Accordingly, the public records of the City of Dickson are presumed to be open for inspection unless otherwise provided by law.

Personnel of the City of Dickson shall timely and efficiently provide access and assistance to persons requesting to view or receive copies of public records. No provisions of this Policy shall be used to hinder access to open public records. However, the integrity and organization of public records, as well as the efficient and safe operation of the City of Dickson, shall be protected as provided by current law. Concerns about this Policy should be addressed to the Public Records Request Coordinator for the City of Dickson or to the Tennessee Office of Open Records Counsel ("OORC").

This Policy is available for inspection and duplication in the office of the Recorder for the City of Dickson. This Policy is posted online at www.cityofdickson.com. This Policy shall be reviewed every two years.

This policy shall be applied consistently through the various offices, departments, and/or divisions of the City of Dickson except in circumstances where state, federal or other laws provide for the exemption of records to public inspection, including but not limited to medical records, open police and fire investigations, records ordered sealed by a court of competent jurisdiction, documents subject to attorney-client privilege or other exempt documents.

I. Definitions.

- A. *Records Custodian*: The office, official or employee lawfully responsible for the direct custody and care of a public record. See Tennessee Code Annotated § 10-7-503(a)(1)(c). The records custodian is not necessarily the original preparer or receiver of the record.
- B. *Public Records*: All documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or

other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency. See Tennessee Code Annotated § 10-7-503(a)(1)(A).

- C. *Public Records Request Coordinator*: The individual, or individuals, designated in Section III, A.3 of this Policy who has, or have, the responsibility to ensure public record requests are routed to the appropriate records custodian and are fulfilled in accordance with the TPRA. See Tennessee Code Annotated § 10-7-503(a)(1)(B). The Public Records Request Coordinator may also be a records custodian.
- D. *Requestor*: A person seeking access to a public record, whether it is for inspection or duplication.

II. Requesting Access to Public Records.

- A. Public record requests shall be made to the Public Records Request Coordinator ("PRRC") or his/her designee in order to ensure public record requests are routed to the appropriate records custodian and fulfilled in a timely manner.
- B. Requests for inspection only cannot be required to be made in writing. The PRRC should request a mailing or email address from the requestor for providing any written communication required under the TPRA.
- C. Requests for inspection may be made orally or in writing by using the Public Records Request Form at 600 East Walnut Street, Dickson, Tennessee 37055 or by phone at (615) 441-9508 or fax at (615) 446-4806.
- D. Requests for copies, or requests for inspection and copies, shall be made in writing using the Public Records Request Form available at 600 East Walnut Street, Dickson, Tennessee 37055 or online at www.cityofdickson.com.
- E. Proof of Tennessee citizenship by presentation of a valid Tennessee driver's license or other government-issued photo identification is required as a condition to inspect or receive copies of public records.
- F. Certain public notices, agendas, minutes and other public documents are posted online at www.cityofdickson.com.

III. Responding to Public Records Requests.

- A. Public Record Request Coordinator

1. The PRRC shall review public record requests and make an initial determination of the following:
 - a. If the requestor provided evidence of Tennessee citizenship by valid document;
 - b. If the records requested are described with sufficient specificity to identify them; and
 - c. If the City of Dickson is the custodian of the records.
2. The PRRC shall acknowledge receipt of the request and take any of the following appropriate actions:
 - a. Advise the requestor of this policy and the elections made regarding:
 - i. Proof of Tennessee citizenship;
 - ii. Form(s) required for copies;
 - iii. Fees and labor threshold and waivers, where applicable; and
 - iv. Aggregation of multiple or frequent requests.
 - b. If appropriate, deny the request in writing, providing the appropriate ground such as one of the following:
 - i. The requestor is not, or has not presented evidence of being, a Tennessee citizen.
 - ii. The request lacks specificity. The PRRC can offer assistance to clarify the request.
 - iii. An exemption makes the record not subject to disclosure under the TPRA, with recitation of the exemption cited.
 - iv. The City of Dickson is not the custodian of the requested records.
 - v. The records do not exist.
3. The designated PRRC(s) are:
 - a. The City of Dickson Recorder and Assistant Recorder

b. 600 East Walnut Street, Dickson, Tennessee 37055; (615) 441-9508; fax (615) 446-4806

4. The PRRC(s) shall report to the Council of the City of Dickson on a biennial basis about the city's compliance with the TPRA pursuant to this Policy and shall make recommendations, if any, for improvement or changes to this Policy.

B. Records Custodian

1. Upon receiving a public records request, a records custodian shall promptly make requested public records available in accordance with Tennessee Code Annotated § 10-7-503. If the records custodian is uncertain that an applicable exemption applies, the custodian may consult with the PRRC, counsel, or the OORC.
2. If not practicable to promptly provide the requested records because additional time is necessary to determine whether the requested records exist; to search for, retrieve, or otherwise gain access to records; to determine whether the records are open; to redact records; or for other similar reasons, then a records custodian shall, within seven (7) business days from the records custodian's receipt of the request, send the requestor a completed Public Records Request Response Form.
3. If a records custodian denies a public record request, he or she shall deny the request in writing as provided in Section III.A.2.b using the Public Records Request Response Form.
4. If a records custodian reasonably determines production of records should be segmented because the records request is for a large volume of records, or additional time is necessary to prepare the records for access, the records custodian shall use the Public Records Request Response Form to notify the requestor that production of the records will be in segments and that a records production schedule will be provided as expeditiously as practicable. If appropriate, the records custodian should contact the requestor to see if the request can be narrowed.
5. If a records custodian discovers records responsive to a records request were omitted, the records custodian should contact the requestor concerning the omission and produce the records as quickly as practicable.

C. Redaction

1. If a record contains confidential information or information that is not open for public inspection, the records custodian shall prepare a redacted copy prior to

providing access. If questions arise concerning redaction, the records custodian should coordinate with counsel or other appropriate parties regarding review and redaction of records. The records custodian and the PRRC may also consult with the OORC.

2. Whenever a redacted record is provided, a records custodian should provide the requestor with the basis for redaction. The basis given for redaction shall be general in nature and not disclose confidential information.

IV. Inspection of Records

- A. There shall be no charge for inspection of open public records.
- B. The location for inspection of records within the offices of the City of Dickson should be determined by either the PRRC or the records custodian. No original records of the City of Dickson shall be removed from the location in which they are maintained for any reason.
- C. Under reasonable circumstances, the PRRC or a records custodian may require an appointment for inspection or may require inspection of records at an alternate location. Appointments for inspection shall be made within the normal business hours of the location of the records custodian.

V. Copies of Records

- A. A records custodian shall promptly respond to a public record request for copies in the most economic and efficient manner practicable.
- B. Copies will be available for pickup at a location specified by the records custodian.
- C. Upon payment for postage, copies will be delivered to the requestor's home or business address by the United States Postal Service.
- D. A requestor will not be allowed to make copies or records with personal equipment but will be allowed to provide a digital storage device such as a thumb drive or writable compact disc for receipt of records in digital form.

VI. Fees and Charges and Procedures for Billing and Payment

- A. Fees and charges for copies of public records should not be used to hinder access to public records.

- B. Records custodians shall provide requestors with an itemized estimate of the charges prior to producing copies of records and may require pre-payment of such charges before producing requested records.
- C. When fees for copies and labor do not exceed two dollars (\$2.00), the fees may be waived. Requests for waivers for fees above two dollars (\$2.00) must be presented to the City Administrator, who is authorized to determine if such waiver is in the best interest of the City of Dickson and for the public good. Fees associated with aggregated records will not be waived.
- D. Fees and charges for copies are as follows:
 - 1. \$0.15 per page for letter- and legal-sized black and white copies.
 - 2. \$0.50 per page for letter- and legal-sized color copies.
 - 3. \$2.50 per page for maps, photographs, blueprints or other documents larger than legal-sized paper in black and white.
 - 4. \$5.00 per page for maps, photographs, blueprints or other documents larger than legal-sized paper in color.
 - 5. Labor when time exceeds one (1) hour at the record custodian's current rate of pay in hourly increments, rounded to the next highest hour.
 - 6. If an outside vendor is used, the actual costs assessed by the vendor.
- E. Payment is to be made in cash or by credit or debit card presented to the PRRC.
- F. Payment in advance will be required when costs are estimated to exceed fifty dollars (\$50.00).
- G. Aggregation of Frequent and Multiple Requests
 - 1. The City of Dickson will aggregate record requests in accordance with the Frequent and Multiple Request Policy promulgated by the OORC when more than four (4) requests are received within a calendar month, either from a single individual or a group of individuals deemed to be working in concert.
 - 2. When aggregating requested records:
 - a. The level at which records requests will be aggregated is across all departments of the City of Dickson.

- b. The PRRC is responsible for making the determination that a group of individuals is working in concert. The PRRC or the records custodian must inform the individuals that they have been deemed to be working in concert and that they have the right to appeal the decision to the OORC.
- c. Routinely released and readily accessible records excluded from aggregation include, but are not limited to:
 - i. Agendas of public meetings
 - ii. Minutes of public meetings
 - iii. Public notices
 - iv. Advertisements for Bids
 - v. Job Postings
 - vi. Other such records as determined by the PRRC

Adopted by the Council of the City of Dickson on the 1st day of May, 2017.