

ORDINANCE NO. 2022-0711 B
An Ordinance Regarding the Procedures
for Allowing Access to Public Records

The Common Council for the City of Attica, Indiana ordains as follows:

WHEREAS, it is necessary to make public records available to anyone who requests them, to insure requests are reviewed and answered in a timely manner, and to provide authorized records within a reasonable time, all in accordance with Indiana Code 5-14-3, et seq., regulating Access to Public Records; and

WHEREAS, it is necessary to prescribe the manner in which such requests are submitted, reviewed and responded to, so as to clarify those areas where Indiana Code is silent or allows for local discretion; and

WHEREAS, the Common Council desires to provide for the collection of fees for certification of documents, collection of a standard fee for copying law enforcement recordings and the use of common form by all departments within the City to receive public records requests.

NOW THEREFORE, pursuant to Indiana Code 5-14-3, et seq., be it **ORDAINED** as follows:

ACCESS TO PUBLIC RECORDS POLICY

A. The Common Council hereby designates the Clerk-Treasurer or his or her deputies as the responsible party for public records release decisions and this person(s) shall make the final determination of whether to approve or deny a request.

B. All requests for public documents shall be made in writing by completing a Request for Public Records Form, available from the City of Attica Clerk-Treasurer's Office, which form shall be created and/or reviewed by the City Attorney, and made available to the public by the City of Attica Clerk-Treasurer's Office.

1. The Request for Public Records Form shall be the only accepted form for making such requests.
2. The Request for Public Records Form shall be obtained from and submitted to the City of Attica Clerk-Treasurer's Office during regular business hours.
3. Each request shall identify with reasonable particularity the record being requested. A request identifies a law enforcement recording with reasonable particularity only if the request provides the following information regarding the law enforcement activity depicted in the recording:
 - (a) The date and approximate time of the law enforcement activity.
 - (b) The specific location where the law enforcement activity occurred.

- (c) The name of at least one (1) individual, other than a law enforcement officer, who was directly involved in the law enforcement activity.

C. To recover the costs of reproducing these records, the City of Attica Clerk-Treasurer's Office shall assess the person(s) making the request a charge of \$.10 per page for photocopying of black and white single-sided standard 8 ½ x 11 inch paper or 8 ½ x 14 inch paper, \$.25 per page for photocopying of color single-sided standard 8 ½ x 11 inch paper or 8 ½ x 14 inch paper, and \$.50 per page for photocopying of black and white single-sided 11 x 17 inch paper. The City of Attica Police Department shall assess a charge of \$8.00 per traffic accident report, pursuant to I.C. § 9-29-11-1. The fee for providing law enforcement recordings is \$150.00 per recording. For copying photographs, audio tapes, electronic media, non-standard documents, and other items that may not be duplicated on a standard photocopier, other than law enforcement recordings, the City of Attica Clerk-Treasurer's Office shall charge the direct cost for such copying, as defined by I.C. § 5-14-3-2, as that section may be amended from time to time.

D. Any City department required to provide certification of any document being provided to a person requesting such certification, shall pay a fee of \$1.00 per page certified, up to a maximum fee of \$5.00 per document certified.

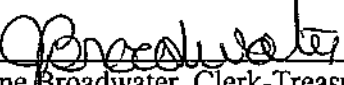
E. Any person(s) making a request for documents in an electronic format shall be required to purchase a USB storage drive from the City of Attica Clerk-Treasurer's Office at a cost of \$10.00 per storage drive.

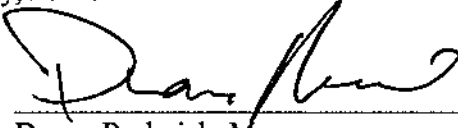
F. Pursuant to I.C. § 5-14-3-3, as that section may be amended from time to time, a person who obtains public records or information, which includes either the name, address, telephone number, property location, account balances, or any identifying information, shall not use the public records for commercial purposes, including to sell, advertise, or solicit the purchase of merchandise, goods, or services, or sell, loan, give away, or otherwise deliver the information obtained by the request to any other person for these purposes. Any person or organization that violates this provision shall be fined FIVE THOUSAND Dollars (~~\$5000.00~~) for each violation, and a each record obtained in violation of this provision shall constitute a separate violation.

All of which is Ordained this 11th day of July, 2022.


Sponsoring Council Member

ATTEST:


Joanne Broadwater, Clerk-Treasurer


Duane Roderick, Mayor

ATTEST:


Joanne Broadwater, Clerk-Treasurer

REQUEST FOR PUBLIC RECORDS

from Attica, Indiana

I. Person Submitting Request:

Name: _____

Address: _____

City/State/Zip: _____

Daytime Telephone Number: (_____) _____

E-Mail Address: _____

II. Please Identify with reasonable particularity the record

being requested: (Use a separate Form for each type of Record requested)

Return the completed form during regular business hours to City of Attica City Hall, 305 E. Main St., Attica, IN 47918. You will be notified within seven (7) days, as to whether your request was approved or denied.

NOTICE:

(1) You will be charged:
\$.10 per page for standard B&W copies;
\$.25 per page for standard color copies;
\$.50 per page for 11" x 17" copies;
\$1.00 per perforated page copies;
\$8.00 per traffic accident report;
\$150 per law enforcement recording; or
The direct cost all other reproductions;
\$1 per page, up to \$5, for certifications.

(2) A person who obtains a information that includes a name, address, telephone number, property location, account balance, or any identifying information shall not use the information for commercial purposes, including to sell, advertise, or solicit the purchase of goods, or services, or sell, loan, give away, or deliver the information to others for these purposes. **Violators are subject to FINE.**

THIS SPACE FOR OFFICE USE ONLY:

To Whom It May Concern:

Date of Reply: _____

On _____, th City of Attica received your request and after careful review, the above request is (DENIED _____) (APPROVED _____). The statements marked below apply to your request:

These records are copied and available at the Attica Clerk-Treasurer's Office. You are responsible for a charge of \$_____ for the costs of copying of your records.

After a diligent search of the City's files, the records could not be located or do not exist.

The City is conducting a search and/or attempting to assemble these records, which will be done in a reasonable time. You will be notified when the records are available.

Your request was unclear or did not identify with reasonable particularity the record(s) you were requesting. Please contact our office, if you would like assistance clarifying this request.

The records you requested are Exempt from Public Access in accordance with Indiana Code.

Other: _____

If your request was denied and you have further questions, you may notify the Attica Clerk-Treasurer's Office of your concerns and you will be contacted by the person responsible for making these decisions.

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ORDINANCE NO. 2025-~~0414~~
**An Ordinance Amending the Procedures
for Allowing Access to Public Records**

The Common Council for the City of Attica, Indiana ordains as follows:

WHEREAS, it is necessary to make public records available to anyone who requests them, to insure requests are reviewed and answered in a timely manner, and to provide authorized records within a reasonable time, all in accordance with Indiana Code 5-14-3, et seq., regulating Access to Public Records; and

WHEREAS, it is necessary to prescribe the manner in which such requests are submitted, reviewed and responded to, so as to clarify those areas where Indiana Code is silent or allows for local discretion; and

WHEREAS, the Common Council desires to provide for the reimbursement of research fees for the Clerk-Treasurer's Office for requests that take additional time to locate records.

NOW THEREFORE, pursuant to Indiana Code 5-14-3, et seq., that the City's Access to Public Records Policy is amended as follows:

ACCESS TO PUBLIC RECORDS POLICY

C. To recover the costs of reproducing these records, the City of Attica Clerk-Treasurer's Office shall assess the person(s) making the request a charge of \$.10 per page for photocopying of black and white single-sided standard 8 ½ x 11 inch paper or 8 ½ x 14 inch paper, \$.25 per page for photocopying of color single-sided standard 8 ½ x 11 inch paper or 8 ½ x 14 inch paper, and \$.50 per page for photocopying of black and white single-sided 11 x 17 inch paper. The City of Attica Police Department shall assess a charge of \$8.00 per traffic accident report, pursuant to I.C. § 9-29-11-1. The fee for providing law enforcement recordings is \$150.00 per recording. For copying photographs, audio tapes, electronic media, non-standard documents, and other items that may not be duplicated on a standard photocopier, other than law enforcement recordings, the City of Attica Clerk-Treasurer's Office shall charge the direct cost for such copying, as defined by I.C. § 5-14-3-2, as that section may be amended from time to time. *Pursuant to Ordinance 2020-0928, as amended, the City Clerk-Treasurer's may also charge a Research Fee of \$30/hour for public records requests that require an extensive amount of research. Such Research Fee shall be charged in half-hour increments.*

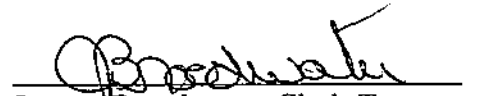
All other provisions of the City's Access to Public Records Policy shall remain the same.

All of which is Ordained this 14th day of April, 2025.

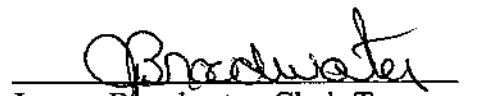

Sponsoring Council Member


Larry Grant, Mayor

ATTEST:


Joanne Broadwater, Clerk-Treasurer

ATTEST:


Joanne Broadwater, Clerk-Treasurer