



**RECORDS COMMISSION
TUESDAY APRIL 20, 2021
3:00PM
VIRTUAL MEETING**

1. Call to Order

PRESENT: Prasher (Remote), Cicak (Remote), Shook (Remote 3:06 PM), Begeny (Remote)
ABSENT: Piek

2. Approval of Agenda

Clerk Prasher moved to approve the agenda as submitted. Second by Attorney Shook. Motion carried.

3. Approval of Minutes

a. Records Commission – Meeting – March 23, 2021

Auditor Cicak moved to approve the agenda as submitted. Second by Attorney Shook. Motion carried.

RESULT: ACCEPTED

4. Discussion

a. *Retention Schedules*

1. Update of Building Department Retention Schedule

Clerk Prasher explained that the Commission received an email from Shelley Slota in the Building Department providing an explanation regarding the 180 day retention period on several items.

Ms. Slota's response was as follows "The Ohio Building Code Section 104.2.1.4 requires that one (1) set of approval construction documents shall be retained by the building official for a period of not less than one hundred eighty days from date of completion of the permitted work. I was seeking to have our retention in line with the Ohio Building Code requirements. As far as Chris Shook's comment, once a project has been completed, we do not open it back up for amendments. It would require a new submittal."

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chris Shook, City Attorney
SECONDER:	Stephen M. Cicak, City Auditor
AYES:	Prasher, Cicak, Shook, Begeny

2. Update of Attorney Retention Schedule

Clerk Prasher explained that this schedule is just another update for the Attorney's office. There were no changes to any of the retention periods. The format was updated, numbering updated, items alphabetized, and addition of citywide routine items. The yellow highlighted areas will be updated with a description and AT-43 has a typo and should read TRC, not TRO.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mollie Prasher, Clerk of Council
SECONDER:	Stephen M. Cicak, City Auditor
AYES:	Prasher, Cicak, Shook, Begeny

b. Records Code, Policy & Poster

1. Review of Chapter 167 Records Commission

Clerk Prasher asked that the Commission recommend submitting an ordinance to Council to remove the "extra" pages that were accidentally left in and codified in 2015. Section 167.05 (a-g) on pages 39 and 40 should be removed from Chapter 167 making that Chapter accurate.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Stephen M. Cicak, City Auditor
SECONDER:	Mollie Prasher, Clerk of Council
AYES:	Prasher, Cicak, Shook, Begeny

5. Adjourn

The Records Commission will hold its next meeting on May 4th at 3:00pm as the Attorney's office will have a RC3 Destruction Schedule needing approval.

R CITY OF REYNOLDSBURG

RECORDS COMMISSION TUESDAY MARCH 23, 2021 3:00 PM VIRTUAL MEETING

1. Call to Order

PRESENT: Prasher (Remote), Shook, Begeny
ABSENT: Cicak, Piek

2. Approval of Agenda

The agenda was approved as submitted.

3. Approval of Minutes

a. Records Commission – Meeting – March 1, 2021

The March 1, 2021 minutes were approved as submitted.

RESULT:	ACCEPTED AS AMENDED [UNANIMOUS]
MOVER:	Chris Shook, City Attorney
SECONDER:	Mollie Prasher, Clerk of Council
AYES:	Prasher, Shook, Begeny
ABSENT:	Cicak, Piek

4. Discussion

a. *Retention Schedule*

1. Update Police Retention Schedule

Clerk Prasher explained that after discussing the issue with Chief Baker, the Commission is comfortable with the 30 days retention period for body/cruiser cameras as long as videos are saved when requested by the Attorney's office.

Clerk Prasher added that three additional records were added to the schedule since the last meeting - Citizen Complaints, Disciplinary Investigations and Internal Affairs Investigations. Each of these records had a seven years and no longer of legal value retention period.

Minutes Acceptance: Minutes of Mar 23, 2021 3:00 PM (Approval of Minutes)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chris Shook, City Attorney
SECONDER:	Mollie Prasher, Clerk of Council
AYES:	Prasher, Shook, Begeny
ABSENT:	Cicak, Piek

2. Service Department Retention Schedule

Other than formatting and adding the latest standardized record items, the Service Department schedule is the same as the existing schedule.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chris Shook, City Attorney
SECONDER:	Mollie Prasher, Clerk of Council
AYES:	Prasher, Shook, Begeny
ABSENT:	Cicak, Piek

3. Update of Building Department Retention Schedule

Attorney Shook questioned the reduction of the retention period for both commercial and residential Building Plans from five and three years respectively to 180 days.

Mayor Begeny suggested holding approval until the Building Department had an opportunity to clarify the change.

RESULT:	HELD	Next: 4/20/2021 3:00 PM
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b. Destruction Schedule

1. Supplemental Destruction Schedule

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mollie Prasher, Clerk of Council
SECONDER:	Chris Shook, City Attorney
AYES:	Prasher, Shook, Begeny
ABSENT:	Cicak, Piek

5. Adjourn

As there was no further business, the Mayor adjourned the meeting at 3:28pm.

Clerk of Council
Mollie Prasher
7232 East Main Street
Reynoldsburg OH 43068
614-322-6836 Phone

MOTION REQUEST

DATE: April 20, 2021
TO:
RE: Update of Building Department Retention Schedule

Approval:

Joe Begeny	Chris Shook	Stephen Cicak
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An updated Building Department retention schedule.

**Reynoldsburg Retention Schedule
Building Department**

(1)	(2)	(3)	(4)	(5) For use by Auditor of State or OHS-LGRP	(6) RC-3 Required by OHS-LGRP
ID #	Record Title and Description	Retention Period	Media Type		
BD-01	Accident/Incident Reports reports of accidents, thefts, vandalism, etc. involving city employees, property & equipment	2 years unless pending action	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-02	Administrative, Fiscal Files & Reports non-specific and periodic	Retain until no longer of administrative value, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-03	Annual Departmental Budget list of funds and anticipated revenues & expenses	3 years	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-04	Annual Budget Departmental Documents & Work Papers list of revenues & expenses by department	Until incorporated into Annual Report, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-05	Annual Report report of annual functions of the department	25 years, then appraise for historical value	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-06	Awards & Certificates	Permanent	multi	<input type="checkbox"/>	<input type="checkbox"/>
BD-07	Building Code code book governing city building guidelines	Until superceded, but retain one copy permanently	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-08	Building Complaints & Violations Case Files complaints & violations, citations	2 years after complaint is resolved or violations corrected	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-09	Building Inspection Reports inspection reports of all properties	3 years	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-10	Building Permit Applications applications for building permits	3 years Permanent	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
	Building Plans design & construction plans, additional documents				
BD-11	Commercial	5 years 180 days from issuance of Cert. of Occupancy or completi	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-12	Residential	3 years 180 days from issuance of Cert. of Occupancy or completi	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>

Attachment: 2021 Building Retention Schedule (Building Department Retention Schedule)

			Auditor of State	OHS-LGRP	
BD-13	Bulletins, Posters & Notices signs describing events, meetings, issues, etc.	Retain until no longer of administrative value, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-14	Business Cards/Rotary/Rolodex Files address and phone number information	Until obsolete or superseded, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-15	Calendars - Council & Committee/Boards	1 year & no longer of administrative value, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-16	Condemnation & Demolition Records reports by property of demolition/condemnation	10 years, then appraise for historical value	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-17	Contractor Registration, Performance Bonds, Surety Bonds / Contractors bonds & registration applications from contractors	4 years	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>					
Correspondence					
BD-18	Executive - Manager, Council, executive & staff letters/memos dealing with significant aspect of administrative office including agency policies, programs, fiscal, legal & personnel matters	1 year and no longer of administrative or legal value	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-19	General - Both internal & external correspondence from all sources requesting information or miscellaneous inquiries	30 days and no longer of administrative value	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-20	Transient - Serves to convey information of a temporary importance in lieu of oral communications.	Retain until no longer of administrative value, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-21	Unsolicited - Generic mail, advertisements, catalogs, invitations, etc.	Retain until no longer of administrative value, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-22	Drafts and Informal Notes materials used to support final documentation	Retain until no longer of administrative value, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-23	Electronic Mail (Email) & Attachments contains email messages, Tweets, recorded conversations, instant message created or received	Within 30-days, print a paper copy & file according to content or save to electronic folder using Correspondence as retention period. Following this procedure, emails may be deleted after 30-days	electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-24	Equipment Operating & Maintenance Manuals manuals provided with equipment purchases	Life of equipment, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>

Attachment: 2021 Building Retention Schedule (Building Department Retention Schedule)

			Auditor of State	OHS-LGRP
BD-25	Fax & Copier Journal Reports / Cover Sheets / Confirmation Notices automatic reports showing copiers & fax use	Retain until no longer of administrative value, then destroy	paper	<input type="checkbox"/>
BD-26	Fixed Asset Inventory list of department assets and value	Until superseded, retain one copy until audited	paper/electronic	<input type="checkbox"/>
	General Orders, Directives, Rules, Regulations codes, memos, personnel policies, procedures administrative policies & regulations			
BD-27	County, State or Federal	Until superseded, then destroy	paper/electronic	<input type="checkbox"/>
BD-28	City of Reynoldsburg	6 years after revised, superceded or discontinued	paper/electronic	<input type="checkbox"/>
	Grant Applications			
BD-29	Funded	6 years after expiration and audited	paper/electronic	<input type="checkbox"/>
BD-30	Not Funded	1 year	paper/electronic	<input type="checkbox"/>
BD-31	Inspection Cards field inspections	2 years	paper/electronic	<input type="checkbox"/>
BD-32	Inspection Department Database inspection results & comments	10 years	paper/electronic	<input type="checkbox"/>
BD-33	Management & Operational Reports monthly & yearly reports - OBBS	5 years	paper/electronic	<input type="checkbox"/>
BD-34	Messages phone or visitor messages	Erase when no longer of administrative/legal value	paper	<input type="checkbox"/>
BD-35	Monthly Census Reports Census information provided monthly	3 years	paper/electronic	<input type="checkbox"/>
BD-36	Monthly Permit Activity Summary monthly reports containing permit information	3 years	paper/electronic	<input type="checkbox"/>
BD-37	Nuisance Abatement Files	4 years & no actions or claims pending	paper/electronic	<input type="checkbox"/>
BD-38	Ohio Public Records Compliance File records of retention and destruction schedules	Permanent	paper/electronic	<input type="checkbox"/>

Attachment: 2021 Building Retention Schedule (Building Department Retention Schedule)

			Auditor of State	OHS-LGRP
BD-39	Official Staff & Committee Rosters —master directories of employees, Council members —& board/commission members contact information	1 year after superseded or obsolete	paper/electronic	<input type="checkbox"/>
BD-40	Official Thoroughfare Plan Maps / City Maps —records of retention and destruction schedules	10 years after, revised, superseded or discontinued and no longer of administrative value	paper/electronic	<input type="checkbox"/>
BD-39	Certificates of Occupancy City issued occupancy permit	Retain permanently	paper/electronic	<input type="checkbox"/>
BD-40	Photographs, Negatives, Digital Images	Until no longer of administrative or legal value, then assessed for historical value	multi	<input type="checkbox"/>
BD-41	Plan Review Addendum & Certificate of Plan Approval construction plans/approvals	180 days from issuance of Certificate of Occupancy or completion	paper/electronic	<input type="checkbox"/>
BD-42	Planning, Scheduling, Calendar & Training calendars, planners, software programs (Outlook) appointment books, publications (outside sources)	Continually updated, revised or erased	paper/electronic	<input type="checkbox"/>
BD-43	Press Releases/Public Service Announcements notices sent via mail & electronic regarding general information, reminders	3 years or no longer of administrative/historical value	paper/electronic	<input type="checkbox"/>
BD-44	Professional Magazines & Publications publications from outside sources	Retain until no longer of administrative value, then destroy	paper/electronic	<input type="checkbox"/>
BD-45	Public Record Requests and Log public records requests (forms & records)	2 years until no longer of administrative value	paper/electronic	<input type="checkbox"/>
BD-46	Receipt Books / Transaction Receipts receipt books for payment of fees	3 years, provided audit	paper	<input type="checkbox"/>
BD-47	Records Retention Documents RC 1, RC 2, RC 3	25 years	paper/electronic	<input type="checkbox"/>
BD-48	Reference Publications & Directories information collected, received or used for reference purposes	Retain until no longer of administrative value, then destroy	paper/electronic	<input type="checkbox"/>
BD-49	Requisitions / Purchase Orders	≥ 3 years, provided audited	electronic	<input type="checkbox"/>

Attachment: 2021 Building Retention Schedule (Building Department Retention Schedule)

			Auditor of State	OHS-LGRP	
BD-50	Security & Surveillance Videos (Loop System) contact information, brochures, etc.	30 days, continually updated	electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-51	Special Flood Hazard Area Development Permits permits for flood districts	Permanent	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-52	Vendor & Supplier Catalogues & Files	Until no longer of administrative or fiscal value	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
BD-53	Voice Mail - phone and/or cell phone messages left on voice mail or answering machines	Erase when no longer of administrative/legal value	electronic	<input type="checkbox"/>	<input type="checkbox"/>

Clerk of Council
Mollie Prasher
7232 East Main Street
Reynoldsburg OH 43068
614-322-6836 Phone

MOTION REQUEST

DATE: **April 20, 2021**

TO:

RE: **Update of Attorney Retention Schedule**

Approval:

Joe Begeny	Completed Chris Shook	Stephen Cicak
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Like all of the previous retention schedules the Commission has updated, this schedule is from the City Attorney's department. No changes are made other than utilizing the new format, removing duplicate items, and adding generic items like emails, voicemails, and accident/incident reports.

**Reynoldsburg Retention Schedule
City Attorney**

(1)	(2)	(3)	(4)	(5) For use by Auditor of State or OHS-LGRP	(6) RC-3 Required by OHS-LGRP
ID #	Record Title and Description	Retention Period	Media Type		
AT-01	Accident/Incident Reports reports of accidents, thefts, vandalism, etc. involving village employees or village property and/or equipment	2 years unless pending action	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-02	Administrative Reports & Fiscal Files - General non-specific and periodic	Retain until no longer of administrative value, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-03	Annual Budget list of funds and anticipated revenues & expenses	3 years	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-04	Annual Budget Departmental Documents & Work Papers list of revenues & expenses by department	Until incorporated into Annual Report, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-05	BCI-CCH Files background & criminal background inquiries	Retain until no longer of administrative value, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-06	Bulletins, Posters & Notices signs describing events, meetings, issues, etc.	Retain until no longer of administrative value, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-07	Business Cards/Rotary/Rolodex Files address and phone number information	Until obsolete or superseded, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-08	Case Dispositions summary of case outcomes	3 years, no longer of administrative or legal value, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-09	Case Files contents of litigation files	1 year after case closed & no action or pending appeals, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-10	Calendars - Council & Committee/Boards	1 years	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-11	Charge of Case Review	2 years, no longer of administrative or legal value, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>

Attachment: 2021 Attorney Retention Schedule (Update of Attorney Retention Schedule)

			Auditor of State	OHS-LGRP	
AT-12	Civil Litigations	Until litigated, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-13	Correspondence Executive - Manager, Council, executive & staff letters/memos dealing with significant aspect of administrative office including agency policies, programs, fiscal, legal & personnel matters	1 year and no longer of administrative or legal value	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-14	General - Both internal & external correspondence from all sources requesting information or miscellaneous inquiries	30 days and no longer of administrative value	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-15	Transient - Serves to convey information of a temporary importance in lieu of oral communications.	Retain until no longer of administrative value, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-16	Unsolicited - Generic mail, advertisements, catalogs, invitations, etc.	Retain until no longer of administrative value, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-17	CRB Files criminal misdemeanor cases	3 years after closed & no actions or appeals pending, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-18	CVH petitions for limited driving privileges after OVI	3 years after closed & no actions or appeals pending, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-19	Deeds & Easements recorded easement & deed documents	Permanent	paper	<input type="checkbox"/>	<input type="checkbox"/>
AT-20	Drafts and Informal Notes materials used to support final documentation	Retain until no longer of administrative value, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-21	Electronic Mail (Email) & Attachments email messages, Tweets, Facebook, recorded conversations, or other social media formats	Within 30-days, print a paper copy & file according to content or save to electronic folder using Correspondence as retention period. Following this procedure, emails may be deleted after 30-days	electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-22	ERB Files environmental misdemeanor cases	3 years after closed & no actions or appeals pending, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-23	Equipment Operating, Maintenance Manuals, Repair manuals provided with equipment & repair records	Life of equipment, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>

Attachment: 2021 Attorney Retention Schedule (Update of Attorney Retention Schedule)

			Auditor of State	OHS-LGRP	
AT-24	Fax & Copier Journal Reports / Cover Sheets / Confirmation Notices reports generated automatically showing copier and fax use	Retain until no longer of administrative value, then destroy	paper	<input type="checkbox"/>	<input type="checkbox"/>
AT-25	Fixed Asset Inventory list of department assets and value	1 year after superseded, retain one copy provided auditee		<input type="checkbox"/>	<input type="checkbox"/>
	General Orders, Directives, Rules, Regulations codes, memos, personnel policies, procedures administrative policies & regulations				
AT-26	County, State or Federal	Until superseded, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-27	City of Reynoldsburg	Until superseded, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
	Grant Applications				
AT-28	Funded	6 years after expiration and audited	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-29	Not Funded	1 year	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-30	Legal Opinions - from all legal counselors information received from legal counsel	15 years, appraise for historical value	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-31	Messages phone or visitor messages	Erase when no longer of administrative/legal value	paper	<input type="checkbox"/>	<input type="checkbox"/>
AT-32	Ohio Public Records Compliance File records of retention and destruction schedules	Permanent	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-33	Official Staff & Committee Rosters master directories of employees, Councilmembers & board/commission members	1 year after superseded or obsolete	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-34	Photographs, Awards, Certificates	Permanent	multi	<input type="checkbox"/>	<input type="checkbox"/>
AT-35	Press Releases/Public Service Announcements notices sent via mail & electronic regarding general information, reminders	2 years or no longer of administrative/historical value	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-36	Professional Magazines & Publications publications from outside sources	Retain until no longer of administrative value, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-37	Receipt Books receipt books for payment of fees	3 years or until audit	paper	<input type="checkbox"/>	<input type="checkbox"/>

Attachment: 2021 Attorney Retention Schedule (Update of Attorney Retention Schedule)

			Auditor of State	OHS-LGRP
AT-38 Record Requests public records requests (forms & records)	2 years	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-39 Reference Publications & Directories information collected, received or used for reference purposes	Retain until no longer of administrative value, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-40 Requisitions / Purchase Orders	2 years, provided audited	electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-41 TRD Files traffic violation cases	1 years after case closed & no actions or appeals pending then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-42 Treasury Investment Bond Minutes minutes of the TIB monthly meeting	Permanent	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-43 TRO Files OVI traffic violation cases	7 years after case closed & no actions or appeals pending then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-44 Vendor & Suppliers Information contact information, brochures, etc.	Until obsolete or superseded, then destroy	paper/electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-45 Voice Mail - phone and/or cell phone messages left on voice mail or answering machines	Erase when no longer of administrative/legal value	electronic	<input type="checkbox"/>	<input type="checkbox"/>
AT-46 Visitor Logs / Speaker Forms	1 year	paper	<input type="checkbox"/>	<input type="checkbox"/>

Clerk of Council**Mollie Prasher****7232 East Main Street****Reynoldsburg OH 43068****614-322-6836 phone****Memo**

DATE: **April 20, 2021**

TO:

CC:

RE: **Review of Chapter 167**

Attorney Shook and I have discussed amending Chapter 167 Records Commission. Last year, this committee approved a new records request policy, form and poster. The police department called into question the fees listed on these documents. After several months of research, I discovered that Chapter 167 was updated in late 2014 or 2015. I have not found the ordinance updating this chapter yet, but what I did find in the codification pages for 2015 was the last page with scribbled notes saying this page was left in and evidently not omitted and should be cleaned up during the next codification. All of the information on the last page (front and back) duplicates items already in the earlier pages, EXCEPT the first 2 items on the first page. I recommend we amend the code to remove those duplicated items and include it as part of our upcoming codification as a clean up item.

CHAPTER 167
City Records Commission

167.01	Organization.	167.03	Record and document management.
167.02	Functions.	167.04	Security and infrastructure records.
		167.05	Fee schedule.

CROSS REFERENCES

Photostat or microfilm reading - see Ohio R.C. 9.01
State law provisions - see Ohio R.C. 149.39

167.01 ORGANIZATION.

There is hereby created a City Records Commission composed of the Mayor or the Mayor's designee, the Auditor or the Auditor's designee, the City Attorney or the City Attorney's designee, the Clerk of Council or the Clerk of Council's designee, and a City resident who is a member of the local Historical Society to be appointed by the Mayor for four-year term(s).

- (a) Chairman. The Mayor or the Mayor's designee shall serve as the chairman of the Commission or at the request of the Mayor a chairman shall be elected from the Commission to serve four-year term(s).
- (b) Secretary. The Commission shall appoint a secretary who may or may not be a member of the Commission and shall serve at the pleasure of the Commission. The secretary shall serve in the capacity of City Records Administrator and shall maintain a permanent file of all schedules of records retention, applications for one-time disposal, and certificates of records disposal of all municipal offices; prepare forms and carry out such other duties as directed by the Commission.
- (c) Rules. The Commission shall establish rules of procedure for the operation of the Commission including meeting dates which shall be at least every six months.
(Ord. 57-93. Passed 4-26-93; Ord. 70-04. Passed 6-28-04.)

167.02 FUNCTIONS.

The functions of the Commission shall be to provide rules for retention and disposal of records of the City of Reynoldsburg and to review applications for one-time records disposal and schedules of records retention and disposition submitted by municipal offices. The commission pursuant to the procedure outlined in this chapter may dispose of records. The commission may at any time review any schedule it has previously approved, and for good cause shown may revise that schedule.
(Ord. 57-93. Passed 4-26-93; Ord. 70-04. Passed 6-28-04.)

167.03 RECORD AND DOCUMENT MANAGEMENT.

(a) Purpose. The City of Reynoldsburg, hereafter referred to as the City, acknowledges that it maintains many records that are used in the administration and operation of the City. In accordance with state law and the Records Commission, the City has adopted Schedules of Records Retention and Disposition

(RC-2) that identify these records. These schedules identify records that are stored on a fixed medium that are created, received, or sent under the jurisdiction of the City and documents the organization, functions, policies, decisions, procedures, operations, or other activities of the City. The records maintained by the City and the ability to access them are a means to provide trust between the public and the City.

(b) Scope.

- (1) Each office, department or function that maintains records has a designated employee who serves as the custodian of all records maintained by the office, department or function.
- (2) The period of time for which the City stores or maintains records was determined by assessing the administrative, legal, fiscal, and/or historical value of the records to the City, efficient business practices, and by reviewing the suggested retention periods developed by the Local Government Records Program for the Ohio Historical Society.

(c) Definitions.

- (1) "Records" (as used in Ohio R.C. 149.011(G)): includes any document, device, or item, regardless of physical form or characteristic, created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.
- (2) "Public record" (as used in Ohio R.C. 149.43(A)(1)): records kept by any public office, including, but not limited to, state, county, City, village, township, and school district units, and records pertaining to the delivery of educational services by an alternative school in Ohio kept by a nonprofit or for profit entity operating such alternative school pursuant to Ohio R.C. 3313.533 [3313.53.3]. For definition of what a "public record" does not mean please refer to division (k) of this section.
- (3) Definitions as used in Ohio R.C. 1347.01:
 - A. "Maintains" means state or local agency ownership of, control over, responsibility for, or accountability for systems and includes, but is not limited to, state or local agency depositing or information with a data processing center for storage, processing, or dissemination. An agency "maintains" all systems of records that are required by law to be kept by the agency.
 - B. "Personal information" means any information that describes anything about a person, or that indicates actions done by or to a person, or that indicates that a person possesses certain personal characteristics, and that contains, and can be retrieved from a system by, a name, identifying number, symbol, or other identifier assigned to a person.

(d) Fees.

- (1) The City, in accordance with Ohio R.C. 149.43, has established the following fees for providing copies or reproductions of public records maintained by the City:
 - A. For photocopies of either letter or legal size documents there shall be no fee for the first twenty-four pages. For request for photocopies that exceed twenty-four pages the fees shall be five cents (\$.05) per photocopy calculated from the first photocopy. Advance payment is required for all requests that exceed twenty-four pages before any copies are prepared. Two sided photocopies shall be charged at a rate of five cents (\$.05) per sheet.
 - B. For video tapes, cassette tapes or for any other type of media, the fee shall be the replacement cost or the reproduction (copying) cost. Reproduction costs may only be

charged if a commercial or professional service is contracted to provide the copy. If the City creates the copy, a reproduction fee may not be charged.

- C. Bulk commercial requests and special extraction costs will follow Ohio R.C. 149.43(E)(2)(b).
 - D. Established costs/fees under this policy shall be clearly posted and visible to the public at all locations authorized to provide copies of public records.
- (2) Cost and fees established under this policy represent the actual cost. The actual cost means the cost of depleted supplies, records storage media costs, actual mailing and alternative delivery costs, or other transmitting cost, and any direct equipment operating and maintenance costs, including actual costs paid to private contractors for copying services.
- (e) Availability.
- (1) All public records maintained by the City shall be promptly prepared and made available for inspection to any person during regular business hours as well as a copy of the City's current records retention schedule(s). Departmental, office or functional records are the property of the City. No record shall be removed, changed, modified or destroyed except by a City employee in the performance of their official duties and as authorized under Ohio law.
 - (2) Individuals requesting access to inspect public records and/or receive copies of public records will be asked to voluntarily complete a written request (Form RC100) explaining or identifying the records they wish to inspect and/or receive copies of. In no event shall an individual be denied access to inspect and/or obtain copies of public records based on their refusal to complete a written request.
 - (3) With the exception of personnel records for current and past employees of the City, requests for the inspection and/or copies of public records shall be directed to the office, department or function that maintains the record.
 - (4) The regular business hours for the offices, departments and functions for City are 8:00 a.m. to 5:00 p.m., Monday through Friday except holidays.
 - (5) Each office, department and/or function has designated an employee within every department, office or function under their direction to act as the custodian of records for their assigned unit.
 - (6) Mailed requests for public records:
 - A. Upon receiving a written request for copies of a public record made in accordance with Ohio R.C. 149.43 via the United States Postal Service, the City shall promptly respond to the request.
 - 1. An authorized employee of the City shall, by any means practical, contact the requestor and advise them that advance payment is required prior to providing copies of public records via the United States Mail System, and in addition, the fee shall also include the cost of postage and the envelop.
 - 2. When practical, the City may forward copied records by any other means reasonably acceptable to the requestor.
 - B. In accordance with Ohio R.C. 149.43(B)(7), the City limits the number of public record requests submitted via the U.S. Postal Service, to be transmitted through the U.S. Mail, to a maximum of ten records per month, unless the requestor certifies that the records or information in them will not be used for commercial purposes.
 - 1. "Commercial purposes" shall be narrowly construed and does not include reporting or gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research.

- C. Authorized City employees shall comply with the following procedures upon receiving a valid public record request through the United States Postal System:
1. City employees shall promptly process requests.
 2. Requestors shall be charged the postage fees and the cost of the envelope required to properly send the requested records through the mail.
- (7) Requests for inspection and/or copies of public records, which are not maintained or are prohibited from release pursuant to applicable state or federal law, shall be processed in the following manner:
- A. If the City receives a request for a record that it does not maintain or the request is for a record which is no longer maintained, the requestor shall be so notified in writing utilizing City Form RC101 that one of the following applies:
1. Their request involves records that have never been maintained by the City, or
 2. Their request involves records that are no longer maintained or have been disposed of or transferred pursuant to applicable City schedules of record retention and disposition (RC-2), or
 3. Their request involves a record that has been disposed of pursuant to an application of the one-time records disposal (RC-1).
 4. If the record that is requested is prohibited from release due to applicable state or federal law the responsible City employee shall complete City Form RC101 and mark the appropriate box indicating the applicable state or federal law.
 5. If the record that is requested is not a record used or maintained by the City an authorized employee of the City shall complete City Form 101 notifying the requestor that in accordance with Ohio R.C. 149.40, that the City is under no obligation to create records to meet public record requests.
- (8) Ambiguous or overly broad request for public records. If a requestor makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records under Ohio R.C. 149.43 such that the public office or the City employee responsible for the requested public record cannot reasonably identify what public records are being requested, the public office or City employee responsible for the requested public record may deny the request, but shall provide the requestor with an opportunity to revise the request by informing the requestor of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office's or City employees duties.
- (9) Denial.
- A. If a request is ultimately denied, in part or whole, the responsible City employee shall provide the requestor with an explanation, including legal authority, setting forth why the request was denied.
 - B. If the initial request was provided in writing then the explanation shall also be provided in writing.
 - C. The explanation shall not preclude the City from relying upon additional reasons or legal authority in defending an action commenced under law.
 - D. The City is not required to permit a person that is incarcerated pursuant to a criminal conviction or a juvenile adjudication to inspect or to obtain a copy of any public record concerning what would be a criminal investigation or prosecution if the subject of the investigation or prosecution were an adult, unless the request to inspect or to obtain a copy of the record is for the purpose of acquiring information that is subject to release as a public record under this section and the judge who imposed the sentence or made the

adjudication with respect to the person, or the judge's successor in office, finds that the information sought in the public record is necessary to support what appears to be a justiciable claim of the person.

- (10) Written requests for public records.
- A. For the purpose of enhancing the ability of the City to identify, locate or deliver the public record(s) sought by the requestor, the City shall provide to the requestor City Form RC100 for the requestor to complete.
 - B. Although the City requests the requestor to make the request in writing, ask for the requestor's identity, and may inquire about the intended use of the information requested, the requestor shall be advised that a written request is not mandatory, and that the requestor may decline to reveal his identity or the public records intended use.
 - C. The requestor's refusal to complete City Form RC100 does not impair the requestors right to inspect and/or receive copies of the public record.
- (11) Media types/distribution of records.
- A. If a person requests a copy of a public record, the City shall permit the requestor to choose to have the public record duplicated on paper or upon the same medium upon which the City maintains the public record or upon any other medium on which the record can reasonably be duplicated as an integral part of the normal operations of the public office, or the responsible City employee for the public record. The request shall be acted upon and a copy of the public record prepared within a reasonable period of time. Fees shall apply in accordance with division (d) of this policy.
 - B. Persons seeking copies of public records are not permitted to make their own copies or utilize their copying or reproduction equipment.
- (12) Grievances. If a person allegedly is aggrieved, due to the inability to inspect a public record or due to the inability to receive a copy of the public record; the person shall be advised that they may:
- A. Contact the Office of the City Attorney. If the person is not satisfied with the results they shall be advised that Ohio R.C. 149.43 provides a legal means for addressing their complaint in these disputes.
- (f) Personnel and Personal Information.
- (1) The Mayor and their designee manage the personnel management function for the City.
 - (2) To better facilitate requests for inspection or information and/or copies of records involving current or past employees of the City inquiries shall be directed to the Human Resources Department.
 - A. To better facilitate, manage and administer this process the City has adopted a Schedule of Records Retention and Disposition (RC-2) for Personnel Records and implemented a Personnel Record Management policy that has been approved by the City.
 - B. To the extent practical, current and past employees should be notified in the event that a request has been made to inspect or obtain a copy of their employment related records. Current and past employees shall have the right to be present during the inspection and if they so request, receive a duplicate copy of any record requested at no charge.
- (g) Exempted and/or Restricted Information.
- (1) In accordance with the Federal Privacy Act, 5 U.S.C. 552a, no public record shall be released which contains a Federal Social Security number. Public records containing Federal Social Security numbers will have that information redacted prior to their release.

- (2) In the event a request is made to inspect and/or obtain a copy of a record maintained by the City whose release may be prohibited or exempted by either state or federal law, the request may be forwarded to legal counsel for the City for research and/or review. The person submitting the request shall be advised that their request is being reviewed by legal counsel to ensure that protected and/or exempted information is not improperly released by the City.
- (3) Records, whose release is prohibited or exempted by either state or federal law, shall NOT be subject to public inspection. The following represents a partial list of records maintained by the City, that may not be inspected or copied:
- A. Confidential law enforcement records.
 - B. Information pertaining to medical treatment.
 - C. Trial preparation records.
 - D. Taxpayer records.
 - E. Expunged records.
 - F. Peace officer, firefighter, EMT, parole officer, prosecuting attorney, assistant prosecuting attorney, correctional employee, and youth services employee's residential and familial information.
 - G. Victim impact statements.
 - H. Infrastructure and security records including security & data codes.
 - I. Records pertaining to the recreational activities of a person under the age of eighteen.
- (4) Residential and familial information is exempted from release under the provisions of Ohio R.C. 149.43(A)(1)(p) except as specifically provided in Ohio R.C. 149.43(B)(9).
- A. In accordance with Ohio R.C. 149.43(A)(7), the following employee classifications: peace officer, firefighter, EMT, prosecuting attorney, or assistant prosecuting attorney residential and familial information means the following:
 - 1. Any of specified employee's information maintained that discloses any of the following:
 - a. The address of the actual personal residence except for the state or political subdivision in which specified employees reside;
 - b. Information compiled from referral to or participation in an employee assistance program of specified employee;
 - c. The social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of, or any medical information that pertains to the specified employees;
 - d. The name of any beneficiary of employment benefits, including, but not limited to, life insurance benefits, provided to the specified employees;
 - e. The identity and amount of any charitable or employment benefit deduction made by the specified employees unless the amount of the deduction is required by state or federal law;
 - f. The name, the residential address, the name of the employer, the address of the employer, the social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of the spouse, a former spouse, or any child of the specified employees.
 - 2. Any record that identifies a person's occupation of the specified employees other than statements required to include the disclosure of that fact under the campaign finance law.

- B. Upon written request made and signed by a journalist, on or after December 16, 1999, the City employee responsible for the public record, having custody of the records shall disclose to the journalist the address of the actual personal residence of specified employee, and if specified employee's spouse, former spouse, or child is employed by a public office, the name and address of the employer of the specified employee. The request shall include the journalist's name and title and the name and the address of the journalist's employer and shall state the disclosure of the information sought would be in the public interest.
- (5) "Information pertaining to the recreational activities of a person under the age of eighteen" is exempted from release and means information that is kept in the ordinary course of business by a public office, that pertains to the recreational activities of a person under the age of eighteen years, and that discloses any of the following:
- A. The address or telephone number of a person under the age of eighteen or the address or telephone number of that person's parent, guardian, custodian, or emergency contact person;
 - B. The social security number, birth date, or photographic image of a person under the age of eighteen;
 - C. Any medical record, history, or information pertaining to a person under the age of eighteen;
 - D. Any additional information sought or required about a person under the age of eighteen for the purpose of allowing that person to participate in any recreational activity conducted or sponsored by a public office or to use or obtain admission privileges to any recreational facility owned or operated by a public office.
- (6) Infrastructure and security records are exempted from release under the provisions of Ohio R.C. 149.433.
- A. "Infrastructure record" means any record that discloses the configuration of a public office's critical systems including, but not limited to, communication, computer, electrical, mechanical, ventilation, water, and plumbing systems, security codes, or the infrastructure or structural configuration of the building in which a public office is located. "Infrastructure record" does not mean a simple floor plan that discloses only the spatial relationship of components of a public office or the building in which a public office is located.
 - B. "Security record" means either of the following:
 1. Any record that contains information directly used for protecting or maintaining the security of a public office against attack, interference, or sabotage;
 2. Any record assembled, prepared, or maintained by a public office or public body to prevent, mitigate, or respond to acts of terrorism, including any of the following:
 - a. Those portions of records containing specific and unique vulnerability assessments or specific and unique response plans either of which is intended to prevent or mitigate acts of terrorism, and communication codes or deployment plans of law enforcement or emergency response personnel;
 - b. Specific intelligence information and specific investigative records shared by federal and international law enforcement agencies with state and local law enforcement and public safety agencies;
 - c. National security records classified under federal executive order and not subject to public disclosure under federal law that are shared by federal agencies, and

- other records related to national security briefings to assist state and local government with domestic preparedness for acts of terrorism.
- (7) A record kept by a public office that is a security record or an infrastructure record is not a public record under Ohio R.C. 149.43 and is not subject to mandatory release or disclosure under that section.
- A. Notwithstanding any other section of the Ohio Revised Code, a public office's or a public employee's disclosure of a security record or infrastructure record that is necessary for construction, renovation, or remodeling work on any public building or project does not constitute public disclosure for purposes of waiving division (g)(2) of this section and does not result in that record becoming a public record for purposes of Ohio R.C. 149.43.
- (8) Information related to/and maintained in accordance with the Americans with Disability Act (ADA), the Family and Medical Leave Act (FMLA) and the Health Insurance Portability and Accountability Act (HIPAA) requires that qualifying personal medical information be kept separate from regular personnel information and maintained in a secured area. Such information may only be released to:
- A. Supervisors and managers in order to provide information regarding work restrictions.
- B. First aid or safety personnel if the disability would require treatment or procedures related to the disability.
- C. Government officials investigating compliance with ADA, FMLA and HIPAA provisions.
- D. With respect to Bureau of Workers' Compensation second injury funds or in compliance with workers' compensation laws.
- E. To insurance companies which require medical exams to provide health or life insurance for the employee.
- (h) Redacting Exempted Records/Procedure.
- (1) "Redaction" means obscuring or deleting any information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a "record" in Ohio R.C. 149.011.
- (2) If a public record contains certain information that is exempt from the duty to permit public inspection or to copy the public record, the responsible City employee for the public record shall make available all of the information within the public record that is not exempt.
- (3) When making that public record available for public inspection or copying that public record, the public office or the person responsible for the public record shall notify the requestor of any redaction or make the redaction plainly visible.
- (4) Redaction shall be deemed a denial of a request to inspect or copy the redacted information, except if federal or state law authorizes or requires a public office to make the redaction.
- (5) If a request is ultimately denied in part or in whole, the public office or the person responsible for the requested public record shall provide the requestor with an explanation, including legal authority, setting forth why the request was denied.
- (6) The releasing employee shall then reproduce a copy of the page with the redactions; the resulting copy shall be the page that is released to the requester.
- (7) The first reproduction page, with the original redactions made by the employee, is the work sheet. It shall be attached to the original record, and maintained in accordance with the retention period established for the original document.

(i) American with Disabilities Act (ADA) Compliance.

- (1) The City and its employees shall facilitate all requests made by persons, regardless of handicap or disabilities. Employees authorized to release public records shall take all reasonable steps to ensure that no one is denied access to public information based on a handicap or disability.
- (2) The City and its employees shall follow all standards and guidelines established by local, state and federal laws or mandates, as it pertains to the Americans with Disabilities Act and other applicable laws.

(j) Training and Education. In accordance with Ohio R.C. 149.43(E)(1) the City provides continuing education reference the City's obligations pursuant to Ohio R.C. Chapter 149 and all other appropriate local, state, and federal laws.

(k) Addendum A. "Public record" does not mean any of the following:

- (1) Medical records;
- (2) Records pertaining to probation and parole proceedings or to proceedings related to the imposition of community control sanctions and post-release control sanctions;
- (3) Records pertaining to actions under Ohio R.C. 2151.85 and division (C) of Ohio R.C. 2919.121 and to appeals of actions arising under those sections;
- (4) Records pertaining to adoption proceedings, including the contents of an adoption file maintained by the Department of Health under Ohio R.C. 3705.12;
- (5) Information in a record contained in the putative father registry established by Ohio R.C. 3107.062, regardless of whether the information is held by the Department of Job and Family Services or, pursuant to Ohio R.C. 3111.69, the Office of Child Support in the Department or a child support enforcement agency;
- (6) Records listed in division (A) of Ohio R.C. 3107.42 or specified in division (A) of Ohio R.C. 3107.52;
- (7) Trial preparation records;
- (8) Confidential law enforcement investigatory records;
- (9) Records containing information that is confidential under Ohio R.C. 2710.03 or 4112.05;
- (10) DNA records stored in the DNA database pursuant to Ohio R.C. 109.573;
- (11) Inmate records released by the Department of Rehabilitation and Correction to the Department of Youth Services or a court of record pursuant to division (E) of Ohio R.C. 5120.21;
- (12) Records maintained by the Department of Youth Services pertaining to children in its custody released by the Department of Youth Services to the Department of Rehabilitation and Correction pursuant to Ohio R.C. 5139.05;
- (13) Intellectual property records;
- (14) Donor profile records;
- (15) Records maintained by the Department of Job and Family Services pursuant to Ohio R.C. 3121.894;
- (16) Peace officer, firefighter, or EMT residential and familial information;
- (17) In the case of a City hospital operated pursuant to Ohio R.C. Chapter 339 or a municipal hospital operated pursuant to Ohio R.C. Chapter 749, information that contains a trade secret, as defined in Ohio R.C. 1333.61;
- (18) Information pertaining to recreational activities of a person under the age of eighteen;
- (19) Records provided to, statements made by review board members during meetings of, and all work products of a child fatality review board acting under Ohio R.C. 307.621 to 307.629, other than the report prepared pursuant to Ohio R.C. 307.626;

- (20) Records provided to and statements made by the executive director of a public children services agency or a prosecuting attorney acting pursuant to Ohio R.C. 5153.171 other than the information released under that section;
- (21) Test materials, examinations, or evaluation tools used in an examination for licensure as a nursing home administrator that the Board of Examiners of Nursing Home Administrators administers under Ohio R.C. 4751.04 or contracts under that section with a private or government entity to administer;
- (22) Records the release of which is prohibited by state or federal law;
- (23) Proprietary information of or relating to any person that is submitted to or compiled by the Ohio venture capital authority created under Ohio R.C. 150.01;
- (24) Information reported and evaluations conducted pursuant to Ohio R.C. 3701.072; and
- (25) Financial statements and data any person submits for any purpose to the Ohio Housing Finance Agency or the controlling board in connection with applying for, receiving, or accounting for financial assistance from the Agency, and information that identifies any individual who benefits directly or indirectly from financial assistance to the Agency.
(Ord. 57-93. Passed 4-26-93; Ord. 136-98. Passed 12-21-98; Ord. 70-04. Passed 6-28-04; Ord. 68-07. Passed 10-8-07.)

167.04 SECURITY AND INFRASTRUCTURE RECORDS.

- (a) A record kept by a public office that is a security record or an infrastructure record is not a public record in accordance with Section 149.433 of the Revised Code, and is not subject to mandatory release or disclosure.
- (b) "Security record" means either of the following:
 - (1) Any record that contains information directly used for protecting or maintaining the security of a public office against attack, interference, or sabotage;
 - (2) Any record assembled, prepared, or maintained by a public office or public body to prevent, mitigate, or respond to acts of terrorism, including any part of the following:
 - A. Those portions of records containing specific and unique vulnerability assessments of specific and unique response plans either of which is intended to prevent or mitigate acts of terrorism, and communication codes or deployment plans of law enforcement or emergency response personnel;
 - B. Specific intelligence information and specific investigative records shared by federal and international law enforcement agencies with state and local law enforcement and public safety agencies;
 - C. National security records classified under federal executive order and not subject to public disclosure under federal law that are shared by federal agencies, and other records related to national security briefings to assist state and local government with domestic preparedness for acts of terrorism.
- (c) "Infrastructure record" means any record that discloses the configuration of a public offices critical systems including, but not limited to, communication, computer, electrical, mechanical, ventilation, water, and plumbing systems, security codes, or the infrastructure or structural configuration of the building in which a public office is located. "Infrastructure record" does not mean a simple floor plan that discloses only the spatial relationship of components of a public office or the building in which a public office is located.

(d) "Act of terrorism" means an act that is committed within or outside the territorial jurisdiction of this state or the United States, that constitutes a specified offense if committed in the state or constitutes an offense in any jurisdiction within or outside the territorial jurisdiction of the United States containing all of the essential elements of a specified offense, and that is intended to do one or more of the following:

- (1) Intimidate or coerce a civilian population;
- (2) Influence the policy of any government by intimidation or coercion;
- (3) Affect the conduct of any government by the act that constitutes the offense.

(e) A record kept by a public office that is a security record or an infrastructure record is not a public record under Section 149.43 of the Revised Code and is not subject to mandatory release or disclosure under that section.

(f) Notwithstanding any other section of the Revised Code, a public officer or a public employee's disclosure of a security record or infrastructure record that is necessary for construction, renovation, or remodeling work on any public building or project does not constitute public disclosure for purposes of waiving number (5) of this section and does not result in that record becoming a public record for purposes of Section 149.43 of the Revised Code.

(g) Public access.

- (1) All public records shall be promptly prepared and made available for inspection to any person at all reasonable times during regular business hours. Upon request, the city or person responsible for the requested public records shall make copies available at cost, within a reasonable period of time. In order to facilitate broader access to public records, the City of Reynoldsburg shall maintain public records in a manner that they can be made available for inspection in accordance with this chapter.
- (2) If any person chooses to obtain a copy of a public record the City of Reynoldsburg or person responsible for the public record shall permit that person to choose to have the public record duplicated upon paper, upon the same medium upon which the city or person responsible for the public record keeps it, or office or person responsible for the public record determines that it reasonably can be duplicated as an integral part of the normal operations of the city or person responsible for the public record. When the person seeking the copy makes a choice under this chapter, the city or person responsible for the public record shall provide a copy of it in accordance with the choice made by the person seeking the copy.
- (3) Upon request made in accordance with this chapter, the city or person responsible for public records shall transmit a copy of a public record to any person by United States Mail within a reasonable period of time after receiving the request for the copy. The city or person responsible for the public record may require the person making the request to pay in advance the cost of postage and other supplies used in the mailing.
- (4) The City of Reynoldsburg shall adopt a policy and procedures that it will follow in transmitting within a reasonable period of time after receiving a request, copies of public records by United States Mail pursuant to this chapter.
- (5) The City of Reynoldsburg limits the number of records requested by a person that the city will transmit by United States Mail to ten per month, unless the person certifies to the city in writing that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes. For purposes of the division, "Commercial" shall be narrowly construed and does not include reporting or gathering

- information to assist citizen oversight or understanding of the operation or activities of government, or educational research.
- (6) The City of Reynoldsburg or person responsible for public records is not required to permit a person who is incarcerated pursuant to a criminal conviction or to juvenile adjudication to inspect or obtain a copy of any public record concerning a criminal investigation or prosecution or concerning what would be a criminal investigation or prosecution were an adult, unless the request to inspect or obtain a copy of the record is for the purpose of acquiring information that is subject to release as a public record under this section and the judge who imposed the sentence or made the adjudication with respect to the person, or the judge's successor in office, finds that the information sought in the public record is necessary to support what appears to be a justifiable claim of the person.
 - (7) Upon written request made and signed by a journalist on or after December 16, 1999, the city person responsible for public records, having custody of the records of the department employing a specific peace officer shall disclose to the journalist the address of the actual personal residence of the peace officer and, if the peace officer's spouse, former spouse, child is employed by a public office, the name and address of the peace officer t spouse, former spouse, or child, the request shall include the journalists name and title and the name and address of the journalists employer and shall state that disclosure of the information sought would be in the public interest
 - (8) As used in this section, "Journalist" means a person engaged in, connected with, or employed by any news medium, including a newspaper, magazine, press association, news agency or wire service, a radio or television station, or similar medium, for the purpose of gathering, processing, transmitting, compiling, editing or disseminating information for the general public.

(h) **REQUEST PROCESS.** Requests for access for inspection and/or copies of public records maintained by the City of Reynoldsburg shall be directed to the office, department or function where the public record is maintained. Each office, department or function shall designate certain employees as authorized to facilitate requests submitted by the public record is maintained. Each office, department or function shall designate certain employees as authorized to facilitate requests submitted by the public for inspection, copying or transmittal of public records.

(i) Any requests for inspection and/or copying of records maintained by the City of Reynoldsburg which are exempted by an act of law from inspection shall be directed to the Office of the City Attorney. Examples of exempted records are confidential law enforcement investigatory records, medical treatment information, municipal income tax returns, trial preparation records, probation records and any record the release of which is exempted by state or federal law.

(Ord. 57-93. Passed 4-26-93; Ord. 136-98. Passed 12-21-98; Ord. 70-04. Passed 6-28-04.)

167.05 FEE SCHEDULE.

(a) Copies of letter/legal size document

For the first (1) to the twenty-fifth (25) copy, there shall be no charge to the requestor.

For requests of twenty-six (26) to fifty (50) copies, there shall be a charge of five cents (\$.05) per copy prorated back to the first copy. Requests made within this category shall not require an advance payment.

For requests for fifty-one (51) or more copies, there shall be a charge of five cents (\$.05) per copy prorated back to the first copy. Requests made within this category shall require an advance payment.

Color Copies
 Certified Copies
 Computer Tapes
 Audio Tapes
 Video Tapes
 Computer Disks
 Photographs
 Negatives
 Maps, Prints
 Drawings
 Plats, Plans

\$0.25 per sheet

\$1.00 per sheet

Actual Replacement or
 reproduction costs

Other costs as allowed by O.R.C.

(b) **Improper Disclosure.** Persons improperly disclosing records, which have been clearly designated as confidential, may be subject to prosecution under Ohio R.C. 102.03(B) as well as other disciplinary action. Amendments. Proposed amendments to this policy section may be made by three members at any meeting of the Records Commission and then submitted to City Council for approval and codification.

(Ord. 57-93. Passed 4-26-93; Ord. 136-98. Passed 12-21-98; Ord. 70-04. Passed 6-28-04.)

(h) REQUEST PROCESS. Requests for access for inspection and/or copies of public records maintained by the City of Reynoldsburg shall be directed to the office, department or function where the public record is maintained. Each office, department or function shall designate certain employees as authorized to facilitate requests submitted by the public record is maintained. Each office, department or function shall designate certain employees as authorized to facilitate requests submitted by the public for inspection, copying or transmittal of public records.

(i) Any requests for inspection and/or copying of records maintained by the City of Reynoldsburg which are exempted by an act of law from inspection shall be directed to the Office of the City Attorney. Examples of exempted records are confidential law enforcement investigatory records, medical treatment information, municipal income tax returns, trial preparation records, probation records and any record the release of which is exempted by state or federal law.

(Ord. 57-93. Passed 4-26-93; Ord. 136-98. Passed 12-21-98; Ord. 70-04. Passed 6-28-04.)

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\$0.25 per sheet

\$1.00 per sheet

Actual Replacement or reproduction costs

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- Audio Tapes
- Video Tapes
- Computer Disks
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- Negatives
- Maps, Prints
- Drawings
- Plats, Plans

Other costs as allowed by O.R.C.

(b) Improper Disclosure. Persons improperly disclosing records, which have been clearly designated as confidential, may be subject to prosecution under Ohio R.C. 102.03(B) as well as other disciplinary action. Amendments. Proposed amendments to this policy section may be made by three members at any meeting of the Records Commission and then submitted to City Council for approval and codification.

(Ord. 57-93. Passed 4-26-93; Ord. 136-98. Passed 12-21-98; Ord. 70-04. Passed 6-28-04.)

Keep
should be removed next codification

Duplicate

Attachment: Removal of Section for Chapter 167 (Review of Chapter 167)

