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PIERCE TOWNSHIP PUBLIC RECORDS POLICY September 21, 2007 Revised January 13, 2009

The State of Ohio Public Records Act provides the public with:

1. The right to prompt inspection of public records.
2. The right to copies of public records within a reasonable period of time.

Requests may be verbal or in writing. The requestor does not have to provide an explanation for their request. "Prompt" and "reasonable" are relative terms that, when fulfilling a records request, take into account:

- request volume (the number of records requested)
- record proximity (location and method of record storage)
- time of request
- the necessity for legal review
- staff availability

Pierce Township reserves the right to respond to public record requests promptly and within a reasonable period of time.

This policy establishes guidelines, effective immediately, to assure compliance with the Public Records Act while protecting information that is not considered public record:

First, all record requests shall be processed by the following personnel only:

- a. Elected Officials
- b. Township Solicitor
- c. Administrator
- d. Department Heads or their designee (a.k.a. Records Specialist)

If an employee other than the above persons receives a request, they are to direct the request to their Department Records Specialist. Elected Officials or their designees are to receive a minimum of 3 hours certified public records training per term in office.

Step 1: All requests are to be logged on a Public Records Request Form (exception, see Note 2 below). Written requests should be affixed to the Form. Receivers of public records requests should ascertain as much information as possible from the requestor so that requests can be fulfilled in a timely and accurate manner. A requestor is not required to put their request in writing. If a requestor refuses to complete the attached Form, then the receiver should complete as much information on the Form as possible. The receiver should ascertain if the request is for document inspection, document copying or both.

Step 2: Request receivers are to forward Forms and attachments to their Department Records Specialist the same day or shortly after the request is received. The Records Specialist will then collect requested documents, if they exist, and prepare them accordingly. The Records Specialist will review all requested documents to determine if administrative or legal review is necessary.

Step 3: If necessary, the Administrator or Township Solicitor will review requested documents to determine if they contain redact-able information (information that is not considered public record). Documents that require redaction will be processed accordingly with notations advising the requestor of the type of information that was redacted and the ORC code for which such redaction is permitted.

Step 4: The Administrator and/or the Records Specialist will then notify the requestor that the documents are ready for pick-up or inspection and, if necessary, set a date/time for inspection during normal Township business hours (M-F 8am to 4:30pm).

Please note the following:

- Note 1: Not all records are open to the public. Certain public records or information contained on records may be legally redacted or otherwise withheld from examination. The Township Solicitor will determine what information can be redacted or withheld (this evaluation occurs during Step 3 above).
- Note 2: The above process may be condensed in the following circumstances:
 - When fulfilling “routine” records requests for documents that either known not to contain redact-able information or are pre-redacted documents.
 - When providing copies of approved Trustee, BZA or Zoning Commission meeting minutes or resolutions.
 - When providing instructional brochures, regulatory codes, newsletters or other educational or informational materials intended for public use or already published in a public forum.

In these circumstances, it is not always necessary to notify the Administrator or complete the Public Records Request Form however such requests should be documented in daily work activity reports.

- Note 3: Public Record Request Forms (blank copies and completed forms) are to be maintained on file in each Department.
- Note 4: Public records are never to be left solely in the possession of the requestor. A staff member must be present at all times when public records are being examined.
- Note 5: The Township charges five cents (\$.05) per paper page copy. Copies are to be made only by the Township. Monies received for copying are to be

submitted to the Fiscal Office and the requestor should receive a receipt. A receipt is one method of showing evidence that a request has been fulfilled.

- Note 6: Persons requesting copies of public records stored on or transferable to audio or video tapes or CD's are to provide blank tapes/ CD's that are comparable to or otherwise properly formatted to accommodate the type and volume of records requested. Tapes, CD's must be in original packaging. Used Tapes or CD's are not acceptable as they may carry viruses. Should a requester be unable to provide tapes/CD's, the Township may provide requested documents on Township owned or purchased tapes/CD's at cost to the requestor.
- Note 7: Requestors seeking to have records mailed to them are to be charged only actual postage and mailing supplies costs in addition to record copy costs. Such costs are to be paid by requestor prior to mail distribution.
- Note 8: Requests are to be honored promptly within reasonable time periods. Response time will vary dependant upon volume, staff availability, review time, etc. The Public Records Act does not require an immediate response even if the requestor insists on having immediate access to records. However, if staff and the requested documents are readily available and do not need review for redact able content, the record should be provided at time of request.
- Note 9: All public records are to be immediately returned to their proper files/locations after inspection or copy completion.
- Note 10: In most cases, the Township is not required to produce documents that do not already exist, even if a new document is simply a collection of existing information from multiple sources. Do not make new documents unnecessarily.
- Note 11: If you have questions or concerns about a request or applicable procedures, please consult with your Department Records Specialist or the Township Administrator before releasing public documents. While guidelines should be consistently followed, unique circumstances and/or changes in the law may require specific responses.

PUBLIC RECORDS REQUEST FORM

(Requestors are not required by law to complete this form)

Date of Request: _____ Attachments? Yes No

Requestor: _____ Phone: _____
Last Name First Name Email: _____

Address: _____
Number Street City State Zip

Received: in person phone fax email other (_____)

Documents Requested: _____

Please check request type: inspection copies both

FOR INTERNAL USE:

Received by: _____
Name Department

Administrator Review: _____ Yes No Legal Review: _____ Yes No
Date Date

Records or Data Redacted? Yes No

If yes, provide general reason and/or applicable ORC code
section: _____

Please check the appropriate box:

1. Documents inspected by and/or copies were provided to requestor on _____
Date
2. Copies mailed to requestor on _____
Date
3. Other: _____ / _____
Date