

# **VILLAGE OF TIMBERLAKE**

## **ORDINANCE NO. 28-2021**

### **AN ORDINANCE AMENDING SECTION 208.03, PUBLIC RECORD REQUEST POLICY OF THE CODIFIED ORDINANCES OF THE VILLAGE OF TIMBERLAKE AND DECLARING AN EMERGENCY**

**WHEREAS**, Pursuant to Ohio Revised Code Section 149.43, the Village of Timberlake Ohio has adopted a Public Records Policy on January 15, 2008, Resolution 2008-7

**WHEREAS**, The Village of Timberlake Council Finance Committee makes the recommendation that the Public Records Request Policy be amended to grant a reasonable amount of time to respond to such requests.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Timberlake, County of Lake, and State of Ohio that:

#### **Section 1.**

Section 208.03, Record Request is hereby amended to read as

#### **208.03 RECORD REQUEST**

Each request for public records should be evaluated for a response using the following guidelines:

- (a) Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the Village to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which the Village keeps its records.
- (b) The requester does not have to put a records request in writing and does not have to provide his or her identity or the intended use of the requested public record. It is general policy that this information is not to be requested.
- (c) Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

(d) (1) Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so. Routine requests include, but are not limited to, meeting minutes (both in draft and final form), budgets, salary information, forms and applications, personnel rosters, etc. If fewer than twenty pages of copies are requested or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, these should be made as quickly as the equipment allows.

(2) All requests for public records must either be satisfied or acknowledged in writing by the Village within ten business days following the Village's receipt of the request. If a request is deemed significantly beyond "routine", such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following:

1. An estimated number of business days it will take to satisfy the request.
2. An estimated cost if copies are requested.
3. Any items within the request that may be exempt from disclosure.

(e) Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

### **Section 2.**

It is found and determined that all actions of Council concerning and relating to the adoption of this Ordinance were so adopted in meetings open to the public and Council and its committees acted in full compliance with Section 121.22 of the Ohio Revised Code.

### **Section 3.**

This Ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public peace, property, health and safety of the citizens of the Village of Timberlake, and therefore, provided that the Ordinance receives the requisite vote, it shall take effect and be in force after its passage; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

  
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Mayor John Marra

Adopted: December 21, 2021

Attest: \_\_\_\_\_  
Joanne Clapp, Fiscal Officer