

Union Township Public Records Policy

Fees:

Photocopies shall be \$.05 per copy.

Payment for the actual reproduction of public records requested and for the cost of transmission of the records to the requester may be required prior to the creation of copies of the records requested, but in no event later than the time of pick-up.

There are no fees for copies which are e-mailed or faxed.

There are no charges for the time of township employees expended in responding to a public records request.

Availability:

A. All public records maintained by this office shall be promptly prepared and made available for inspection to any person during regular business hours. (R.C.) 149.43 (B) (1)). (Promptness is to be determined by the facts and circumstances of public records request and shall reflect a "reasonable time" for response.

B. The person requesting records must identify those records with sufficient clarity to allow us to identify, retrieve and review the records. Solely for the purpose of enhancing our ability to identify requested records, provide for prompt inspection of the requested items in a reasonable period of time.

C. Any person, including corporations, individuals, and governmental agencies may request public records, and will be allowed prompt inspection of public records and copies within a reasonable amount of time upon request.

D. In the event a request is made to inspect and/or obtain a copy of a record maintained by these Offices whose release may be prohibited or exempted by either state or federal law, the request shall be forwarded to the Prosecutor's Office for research and/or review. The person submitting the request shall be advised that their request is being reviewed by the Prosecutor's Office to ensure that protected and exempted information is not improperly released.

Public Records Requests:

A. A staff person will evaluate the request and estimate the length of time required to gather the records, considering the volume of records; the proximity of the record storage; and the necessity for any legal review of the records requested. The requestor will be advised that advance payment may be required prior to providing copies of public records, and in addition, if mailed, or, if provision of the records by another delivery service is requested by the requester, the fee shall include the cost of postage and the envelope or the cost of the delivery service. (R.C. 149.43(B) (7)).

B. When practical, we may forward copies of records by any other means reasonably acceptable to the requestor.

C. In all cases the receipt of a public records request will be acknowledged. If a request is voluminous, housed in an off-site location or will require legal review, an acknowledgement letter will include the estimated number of business days to satisfy the request, an estimated cost if copies are requested and the estimated cost of delivery, if applicable. Any denial will include an explanation including legal authority.

D. Persons seeking copies of public records are not permitted to make their own copies of the requested documents by any means. (R.C. 149.43(B) (6)).

Denial of Record:

A. Union Township may deny a request for a record maintained by Union Township, if the release of the public record is not mandated under state or Federal law.

B. Employees of Union Township shall consult the Prosecutor's Office if they are unsure of whether the record requested should be withheld from disclosure.

C. Otherwise, the Prosecutor's Office will respond with the legal authority for denial.

Redacting Exempted Records/Procedure:

A. "Redaction" means obscuring or deleting any information that is exempt from duty to permit public inspection or copying from an item that otherwise meets definition of a "record" in section 149.011 of the Ohio Revised Code (R.C. 149.43 (A)(11)).

1. A redaction shall be deemed a denial of a request to inspect or copy the redacted information. (R.C. 149.43 (B)(1)).

2. If a request is ultimately denied, in part or in whole, an explanation shall be provided to the requestor, including legal authority setting forth why the request was denied (R.C. 149.43 (B)(3));

3. When making a redacted document available for public inspection or copying the requester will be notified of any redaction or make the redaction plainly visible (R.C. 149.43 (B)(1)).

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