

**CITY OF OTTAWA, KANSAS  
REQUEST FOR INSPECTION/COPY OF OPEN RECORDS**

NAME: \_\_\_\_\_  
Please Print

ADDRESS: \_\_\_\_\_  
Street City and State

TELEPHONE: \_\_\_\_\_ - \_\_\_\_\_  
Please include area code. Fax number if available.

SIGNATURE: \_\_\_\_\_

Record Sought: Please provide a specific description of the record(s) you desire to inspect/copy. Please include record titles, dates, and the names of city agencies or departments which produce or hold the record(s).

\_\_\_\_\_  
\_\_\_\_\_

Please Note: Most records will be produced within 3 business days. If request is delayed or denied and explanation will be provided. Prepayment is not refundable after a search has been conducted.

**PLEASE DO NOT WRITE BELOW THIS LINE**

Charges: A charge for providing access of public records is authorized by state law and has been established by the city governing body. These charges are set at a level to compensate the city for the actual costs incurred in honoring your request. The fee schedule established by the city is on the back of this form. **NOTE: Prepayment of estimated cost may be required.**

Estimated Prepayment of \$ \_\_\_\_\_ is \_\_\_\_\_ required \_\_\_\_\_ not required.

**Charges**

Number of Copies: \_\_\_\_\_ X \$ .25/page (a) \$ \_\_\_\_\_

Staff Time Involved: \_\_\_\_\_ Hours \_\_\_\_\_ Minutes (b) \$ \_\_\_\_\_  
(Staff hourly rate of pay plus benefits)

Less Prepayment: (c) \$ \_\_\_\_\_

The total charge for accessing the records requested is: (a+b-c) \$ \_\_\_\_\_

Request was received:	_____ Date	_____ Time	_____ Initials
Records Provided:	_____ Date	_____ Time	_____ Initials

**CERTIFICATION OF REQUESTER**

I, \_\_\_\_\_, having made a written request for access to and/or copies of \_\_\_\_\_, which is/are (a) public record(s) pursuant to the K.S.A. 45-220 (c)

Open Records Act (KORA), do hereby certify that I do not intend to, and will not:

- Use any list of names or addresses contained in or derived from the records(s) or information for the purpose of selling or offering for sale any property or service to any person listed or to any person who resides at any address listed; or
- Sell, give or otherwise make available to any person any list of names or addresses contained in or derived from the record(s) or information for the purpose of allowing that person to sell or offer for sale any property or service to any person listed or to any person who resides at any address listed.

\_\_\_\_\_  
Signature of Requester

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip Code

RESOLUTION NO. 1408-07

**A RESOLUTION ESTABLISHING FEES TO BE PAID BY PERSONS REQUESTING ACCESS TO PUBLIC RECORDS IN ACCORDANCE WITH THE MUNICIPAL CODE OF THE CITY OF OTTAWA, KANSAS, 1997.**

**WHEREAS**, the Municipal Code of the City of Ottawa, Kansas, provides that the fee to be paid by persons requesting access to public records shall be established by resolution,

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Ottawa, Kansas:

**Section 1. Statement of Purpose.** It is the purpose of this resolution to establish reasonable fees and charges for the provision of access to or copies of open public records in the possession of the City to avoid the necessity of using general public funds to subsidize services and benefits to a record requester. The City Clerk shall periodically recommend to the Governing Body such changes in this resolution as may be necessary to secure this purpose.

**Section 2. Inspection Fee/Copy Cost**

- (a) When a request has been made for inspection of any open public record that is available to the records custodian, but requires staff time to conduct a search, an inspection fee shall be charged at the rate of pay and benefits, per hour, per employee engaged in the search.
- (b) A fee of \$0.25 per page shall be charged for photocopying requested public records.
- (c) For copying public records that cannot be reproduced by the City's ordinary photocopying equipment, the requester shall be charged the actual cost to the city to include staff time, mileage and any other costs incurred to reproduce such records.
- (d) For maps produced by the city the requester shall be charged a rate sufficient to cover the cost of materials and labor as established from time to time.

**Section 3. Prepayment of Fees**

- (a) The records custodian may require prepayment of the fees established by this resolution whenever it is believed to be in the best interest of the City. The prepayment amount shall be an estimate of the costs incurred in fulfilling the request. Any overage or underage in the prepayment shall be settled prior to inspection or delivery of the requested copies.
- (b) Prepayment of inspection and/or copying fees shall be required whenever, in the best estimate of the records custodian, such fees are estimated to exceed \$25.00.
- (c) Where prepayment has been required, no record shall be made available until such prepayment has been made.

**Section 4. Payment.** All fees charged under this resolution shall be paid to the custodian of the records inspected and/or copied. All fees shall be paid to the City of Ottawa, Kansas.

**Section 5. Effective Date.** This resolution shall be in full force and effect upon its adoption.

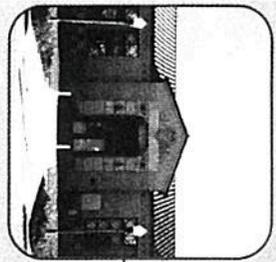
Adopted by the Governing Body of the City of Ottawa, Kansas, this 2nd day of May, 2007.

ATTEST:

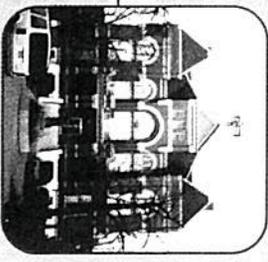
  
City Clerk

  
Mayor

The Kansas Open Records Act governs most records maintained by:



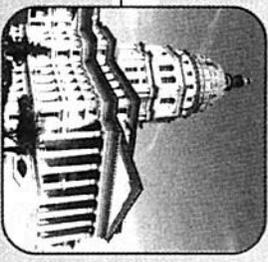
Cities



Counties



School Districts



State Agencies

**... and Other Public Entities**

For a complete copy of the Kansas Open Records Act, contact your local Freedom of Information Officer or go to [www.ink.org/public/legislative](http://www.ink.org/public/legislative), then click on the "Kansas Statutes" icon. The Kansas Open Records Act starts at K.S.A. 45-215.

**Questions?**

Contact your local Freedom of Information Officer if you have any questions concerning:

- ✓ What records are open and available;
- ✓ How to obtain a record;
- ✓ Any dispute relating to open records;
- ✓ The cost of an open record; or
- ✓ Any other question relating to open records.

The local Freedom of Information Officer for this public agency is:

*City Clerk*



League of Kansas Municipalities

**A Guide to**

**OPEN  
PUBLIC  
RECORDS**



KANSAS ASSOCIATION OF COUNTIES

## What Records Are Available?

Most records maintained by public entities are open for inspection and/or copying by individuals. Commonly requested records include:

- Ordinances
- Resolutions
- Minutes from open meetings
- Salaries of public officials
- Budgets

## Exceptions

The Kansas Open Records Act recognizes that some records contain information which is private in nature. For this reason, the Act lists a number of exceptions. Records which are closed for this reason may include:

- Personnel information of public employees;
- Medical treatment records;
- Records which are protected by the attorney-client privilege or the rules of evidence;
- Records containing personal information compiled for Census purposes;
- Notes and preliminary drafts;
- Criminal investigation records; and
- Several other specific records.

For a complete listing of exemptions, see K.S.A. 45-221.

## How to Request a Record

### - Step 1 -

Check with the records custodian or local Freedom of Information Officer to determine whether the information that you need is available. Please remember to be courteous and specific when requesting information so that the custodian will be able to serve you better.

### - Step 2 -

You may be asked to submit your request for information in writing. The records custodian may have a prepared form for this purpose. Make sure your request is as specific as possible so that your request may be filled quickly and completely. The records custodian may ask detailed questions in order to fulfill your request accurately.

### - Step 3 -

Most records will be produced within three business days from the time the request is received. If the request is denied, you will receive a written explanation for the delay or denial.

### - Step 4 -

If you have any questions about your request, contact your local Freedom of Information Officer.

## Fees

The Kansas Open Records Act authorizes public agencies to charge fees for providing access to or furnishing copies of public records. This fee may be requested in advance and may include:

- Cost of staff time required to make the information available.
- Cost of copying or reproducing the record.

## Why Would My Request be Denied?

Although every attempt will be made to provide the information requested, it is not always possible to fulfill the request. There are a number of reasons that a request may be denied:

- The specific record that was requested does not exist;
- The request was unclear and should be resubmitted with more detail;
- The record that was requested is closed to protect an important privacy interest (see the list of exceptions to the Kansas Open Records Act at K.S.A. 45-221).