

## ORDINANCE NO. 17-887

AN ORDINANCE TO AMEND ORDINANCE 13-804 FURTHER ESTABLISHING PROCEDURES FOR PUBLIC INSPECTION OF, ACCESS TO AND DUPLICATION OF PUBLIC RECORDS UNDER THE TENNESSEE PUBLIC RECORDS ACT (T.C.A. § 10-7-504, *et seq.*)

**WHEREAS**, it has been determined that it is in the best interest for the City of Goodlettsville to adopt procedures for public inspection of, access to and to duplication of records under the Tennessee Public Records Act as an Ordinance;

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT THE FOLLOWING IS HEREBY ADOPTED AS THE PUBLIC RECORDS POLICY FOR THE CITY OF GOODLETTSVILLE, TENNESSEE.**

### I. Definitions:

- A. Records Custodian: The office, official or employee lawfully responsible for the direct custody and care of a public record. See Tenn. Code Ann. § 10-7-503(a)(1)(C). The records custodian is not necessarily the original preparer of the record.
- B. Public Records: All documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency. See Tenn. Code Ann. § 10-7-503 (a)(1)(A).
- C. Public Records Request Coordinator: The individual, or individuals, designated in Section III, A.3 of this Policy who has, or have, the responsibility to ensure public record requests are routed to the appropriate records custodian and are fulfilled in accordance with the TPRA. See Tenn. Code Ann. § 10-7-503(a)(1)(B). The Public Records Request Coordinator may also be a records custodian.
- D. Requestor: A person seeking access to a public record, whether it is for inspection or duplication.

### II. Requesting Access to Public Records

- A. Public record requests shall be made to the Public Records Request Coordinator (“PRRC”) or his/her designee or via online submission in order to ensure public record requests are routed to the appropriate records custodian and fulfilled in a timely manner.
- B. Requests for inspection only cannot be required to be made in writing. The PRRC should request a mailing address or email address from the requestor for providing any written communication required under the TPRA.
- C. Requests for inspection may be made orally at Goodlettsville City Hall at 105 S. Main Street, Goodlettsville, TN 37072. Requests for inspection may also be made in writing using the

attached Form 1. This form may be mailed to 105 S. Main Street, Goodlettsville, TN 37072 or emailed to [abaker@goodlettsville.gov](mailto:abaker@goodlettsville.gov).

- D. Requests for copies, or requests for inspection and copies, shall be made in writing using the attached Form 1 at Goodlettsville City Hall 105 S. Main Street, Goodlettsville, TN 37072 or by emailing the form to [abaker@goodlettsville.gov](mailto:abaker@goodlettsville.gov).
- E. Proof of Tennessee citizenship by presentation of a valid Tennessee driver's license (or alternative acceptable form of ID) is required as a condition to inspect or receive copies of public records.
- F. Public notices, meeting agendas, resolutions and ordinances to be considered, and minutes for policy setting boards are available at [www.goodlettsville.gov](http://www.goodlettsville.gov). Inspection and/or copies of these records may be requested by following points C and D.

### **III. Responding to Public Records Requests**

#### **A. Public Record Request Coordinator**

- 1. The PRRC shall review public record requests and make an initial determination of the following:
  - a. If the requestor provided evidence of Tennessee citizenship;
  - b. If the records requested are described with sufficient specificity to identify them; and
  - c. If the Governmental Entity is the custodian of the records.
- 2. The PRRC shall acknowledge the receipt of the request and take any of the following appropriate action(s):
  - a. Advise the requestor of this Policy and the elections made regarding:
    - i. Proof of Tennessee citizenship;
    - ii. Form(s) required for copies;
    - iii. Fees, if applicable; and
    - iv. Aggregation of multiple and frequent requests.
  - b. If appropriate, deny the request in writing, providing the appropriate ground such as one of the following:

- i. The requestor is not, or has not presented evidence of being, a Tennessee citizen.
- ii. The request lacks specificity.
- iii. An exemption makes the record not subject to disclosure under the TPRA.
- iv. The Governmental Entity is not the custodian of the requested records.
- v. The records do not exist.

c. If appropriate, contact the requestor to see if the request can be narrowed.

d. Forward the records request to the appropriate records custodian in the City of Goodlettsville.

e. If requested records are in the custody of a different governmental entity, and the PRRC knows the correct governmental entity, advise the requestor of the correct governmental entity and PRRC for that entity if known.

3. The designated PRRC(s) are:

a. Allison Baker, City Recorder **(Primary)**

105 S. Main Street

Goodlettsville, TN 37072

Office: 615-851-2234 Fax: 615-851-2212

[abaker@goodlettsville.gov](mailto:abaker@goodlettsville.gov)

b. Elizabeth Simpson, City Clerk

105 S. Main Street

Goodlettsville, TN 37072

Office: 615-851-2209 Fax: 615-851-2212

[esimpson@goodlettsville.gov](mailto:esimpson@goodlettsville.gov)

#### B. Records Custodian

1. Upon receiving a public records request, a records custodian shall promptly make requested public records available in accordance with Tenn. Code Ann. § 10-7-503. If the records custodian is uncertain that an applicable exemption applies, the custodian may consult with the PRRC, counsel, or the OORC.

2. If not practicable to promptly provide requested records because additional time is necessary to determine whether the requested records exist; to search for, retrieve, or otherwise gain access to records; to determine whether the records are open; to redact records; or for other similar reasons, then a records custodian shall, within seven (7) business days from the records custodian's receipt of request, send the requestor a

completed Public Records Request Response Form which is attached as Form 2, based on the form developed by the OORC.

3. If a records custodian denies a public records request, he or she shall deny the request in writing as provided in Section III.A.2.b using the Public Records Request Response Form.
4. If a records custodian reasonably determines production of records should be segmented because the records request is for a large volume of records, or additional time is necessary to prepare the records for access, the records custodian shall use the Public Records Request Response Form to notify the requestor that production of the records will be in segments and that a records production schedule will be provided as expeditiously as practicable. If appropriate, the records custodian should contact the requestor to see if the request can be narrowed.
5. If a records custodian discovers records responsive to a records request were omitted, the records custodian should contact the requestor concerning the omission and produce the records as quickly as practicable.

C. Redaction

1. If a record contains confidential information or information that is not open for public inspection, the records custodian shall prepare a redacted copy prior to providing access. If questions arise concerning redaction, the records custodian should coordinate with counsel or other appropriate parties regarding review and redaction of records. The records custodian and the PRRC may also consult with the OORC.
2. Whenever a redacted record is provided, a records custodian should provide the requestor with the basis for redaction. The basis given for redaction shall be general in nature and not disclose confidential information.

**IV. Inspection of Records**

- A. There shall be no charge for inspection of open public records.
- B. The location for inspection of records within the offices of the City of Goodlettsville should be determined by either the PRRC or the records custodian.
- C. Under reasonable circumstances, the PRRC or a records custodian may require an appointment for inspection or may require inspection of records at an alternate location.

**V. Copies of Records**

- A. A records custodian shall promptly respond to a public record request for copies in the most economic and efficient manner practicable.
- B. Copies will be available for pickup at a location specified by the records custodian.

- C. Upon payment for postage, copies will be delivered to the requestor's home address by the United States Postal Service.
- D. A requestor will not be allowed to make copies of records with personal equipment.

## **VI. Fees and Charges and Procedures for Billing and Payment**

- A. Fees and charges for copies of public records should not be used to hinder access to public records.
- B. Records custodians shall provide requestors with an itemized estimate of the charges prior to producing copies of records and may require pre-payment of such charges before producing requested records.
- C. When fees for copies and labor do not exceed \$3.00, the fees may be waived.
- D. Fees and charges for copies are as follows:
  - 1. \$0.15 per page for letter- and legal-size black and white copies.
  - 2. \$0.50 per page for letter- and legal-size color copies.
  - 3. \$0.15 per copy for accident reports (\$0.50 maximum)
  - 4. Maps, plats, electronic data, audio discs, video discs, and all other materials shall be duplicated at actual costs to the city.
  - 5. Labor when time exceeds 1 hour.
- E. Payment is to be made in cash, check, or by credit card payable to the City of Goodlettsville.
- F. Payment in advance will be required when costs are estimated to exceed \$50.00.
- G. Aggregation of Frequent and Multiple Requests
  - 1. The City of Goodlettsville will aggregate record requests in accordance with the Frequent and Multiple Request Policy promulgated by the OORC when more than (4) requests are received within a calendar month (either from a single individual or a group of individuals deemed working in concert).
    - a. The PRRC is responsible for making the determination that a group of individuals are working in concert. The PRRC or the records custodian must inform the individuals that they have been deemed to be working in concert and that they have the right to appeal the decision to the OORC.

- b. Routinely released and readily accessible records excluded from aggregation include, but are not limited to: minutes from policy setting boards, resolutions and ordinances, and meeting agendas.

**Passed Second Reading: February 23, 2017**

**CITY OF GOODLETTSVILLE**  
**PUBLIC RECORDS REQUEST FORM**

**FORM 1**

*The Tennessee Public Records Act grants Tennessee citizens the right to access open public records that exist at the time of the request. The TPRA does not require records custodians to compile information or create or recreate records that do not exist.*

\_\_\_\_\_  
Requestor

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email Address

Is the requestor a Tennessee citizen?       Yes    No

**Records Requested:**

*Under the TPRA, record requests must be sufficiently detailed to enable a governmental entity to identify the specific records sought.*

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

Inspection (The TPRA does not permit fees or require a written request for inspection only.)

Copy/Duplicate

Delivery preference:    On-Site Pick-Up  
    Electronic

USPS First-Class Mail  
 Other: \_\_\_\_\_

I, the undersigned, have read and understand the City of Goodlettsville Ordinance 17-887 that establishes procedures for accessing and copying open public records. Furthermore, I agree to abide by all provisions of the Ordinance.

\_\_\_\_\_  
Signature of Requestor and Date Submitted

\_\_\_\_\_  
Signature of Public Records Request Coordinator and Date Received

**CITY OF GOODLETTSVILLE  
PUBLIC RECORD REQUEST RESPONSE FORM**

In response to your records request received on \_\_\_\_\_, our office is taking the action(s) indicated below:

The public record(s) responsive to your request will be made available for inspection:

Location: \_\_\_\_\_

Date & Time: \_\_\_\_\_

Copies of public record(s) responsive to your request are:

Attached;

Available for pickup at the following location:

\_\_\_\_\_ ; or

Being delivered via:  USPS First-Class Mail       Electronically       Other: \_\_\_\_\_

Your request is denied on the following grounds:

Your request was not sufficiently detailed to enable identification of the specific requested record(s).

You need to provide additional information to identify the requested record(s).

No such record(s) exists or this office does not maintain record(s) responsive to your request.

No proof of Tennessee citizenship was presented with your request. Your request will be reconsidered upon presentation of an adequate form of identification.

You are not a Tennessee citizen.

You have not paid the estimated copying/production fees.

The following state, federal or other applicable law prohibits disclosure of the requested records:

\_\_\_\_\_

It is not practicable for the records you requested to be made promptly available for inspection and/or copying because:

It has not yet been determined that records responsive to your request exist; or

The office is still in the process of retrieving, reviewing, and/or redacting the requested records.

The time reasonably necessary to produce the record(s) or information and/or to make a determination of a proper response to your request is: \_\_\_\_\_.

If you have any additional questions regarding your record request, please contact the Public Records Request Coordinator.

\_\_\_\_\_  
Allison Baker, Public Records Request Coordinator

City Recorder

105 S. Main Street

Goodlettsville, TN 37072

Office: 615-851-2234 Fax: 615-851-2212

[abaker@goodlettsville.gov](mailto:abaker@goodlettsville.gov)