

CITY OF BEACHWOOD – PUBLIC RECORDS POLICY

A. PURPOSE OF THE PUBLIC RECORDS REQUEST POLICY

1. It is the policy of the City of Beachwood ("City") to comply with the Ohio Public Records Act. Records of the City that are not exempt from disclosure under the law are available for inspection and copying in accordance with the Ohio Public Records Act.
2. The City, in accordance with Ohio law, defines records as including the following: any document that is created or received by, or that comes under the jurisdiction of, a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the City are public unless they are specifically exempt from disclosure under the Ohio Revised Code.
3. It is the policy of the City that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are to be updated regularly and a copy shall be kept at a location readily available to the public.

B. RECORD REQUESTS

1. Each request for public records should be evaluated for a response using the following guidelines:
2. 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 City department to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must use reasonable effort to contact the requester for clarification, and should assist the requester in revising the request by informing the requester of the manner in which the department keeps its records.
3. It is within your rights not to: (a) disclose your identity to the City when you request records; (b) provide our office with a written request; (c) provide a reason why you have requested the records. It is the City's general policy that this information is not to be requested. You may direct your requests to: City of Beachwood Law Department, Attn: Law Director, 25325 Fairmount Blvd., Beachwood, Ohio 44122, (216) 595-5462 or law@beachwoodohio.com.
4. Public records are 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.
5. Any denial of public records requested must include an explanation, including legal authority. Contact the Law Department for assistance in providing this 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. If the initial request was provided in writing, the explanation also shall be provided to the requester in writing.

C. COSTS FOR PUBLIC RECORDS

1. Those seeking public records will be charged only the actual cost of making copies.
2. The charge for paper copies, 8 1/2 x 11" paper, is five cents (\$0.05) per page. For requests up to nineteen (19) 8 1/2" x 11" sized pages, the City may provide copies at no charge. Copies totaling more than nineteen (19) pages, color copies, or copies that are not 8 1/2 x 11" may be made by an outside copying service and the party requesting such copies shall pay the actual costs charged by the copying service, including any pickup and delivery charges.
3. The charge for downloaded computer files to a compact disc is the actual cost of the disc.
4. There is no charge for documents which are e-mailed
5. Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.
6. If a requester chooses to obtain a copy of a public record, the City may require the requester to pay in advance the cost involved in providing the copy, including postage.

D. E-MAIL

1. Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the City. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.
2. Records in private e-mail accounts used to conduct public business are subject to disclosure in accordance with the Ohio Public Records Law. All employees must comply with their department's record retention list and the City's Record Retention Ordinances and policies with regard to all e-mails in private accounts that document the organization, functions, policies, decisions, procedures, operations, or other activities of the City, and copy them to their business e-mail accounts or make them available to the department's records manager in a timely manner.
3. The records manager for each department is to treat the e-mails from private accounts as records of the City, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.

E. MANAGING RECORDS

1. City of Beachwood records are subject to records retention schedules. The office's current schedules are available at the City of Beachwood Law Department, a location readily available to the public as required by Section 149.43(B)(2) of the Ohio Revised Code.

F. FAILURE TO RESPOND TO A PUBLIC RECORDS REQUEST

1. The City recognizes that the consequences of failing to promptly respond to a public records request in accordance with the law may result in a court ordering the City to comply with the law and to pay the requester attorney's fees and statutory damages.