



# CITY OF ROCKY TOP

*Proud Past • Bright Future*

## PUBLIC RECORDS

### ***RESPONSIBLE FOR ADMINISTERING POLICY***

City Manager, City Council

### ***I. PURPOSE***

Pursuant to TCA § 10-7-503(g), the following Public Records Policy is hereby adopted by the City of Rocky Top to provide economical and efficient access to public records as provided under the Tennessee Public Records Act (“TPRA”) in TCA § 10-7-501, et seq.

### ***II. SCOPE***

This policy applies to all City departments, officials, employees, and any entity acting on behalf of the City that creates, receives, or maintains public records.

### ***III. DEFINITIONS***

- **Public Record:** All documents, papers, letters, maps, books, photographs, microfilm, electronic data, emails, and other materials made or received pursuant to law or in connection with official City business.
- **Records Custodian:** The City Recorder, or a designated employee responsible for maintaining and producing public records.
- **Requestor:** A Tennessee citizen requesting access to public records.
- **Confidential Record:** Any record exempt from disclosure under Tennessee law.

### ***IV. RECORDS CUSTODIAN***

The designated Public Records Request Coordinator (PRRC) is:

Rocky Top City Recorder

Contact information:

Rocky Top City Recorder

195 S. Main Street

Rocky Top, TN 37769.

Phone number 865.426.2838

The City Recorder (PRCC) shall:

- Receive and log all public records requests
- Coordinate with departments to gather responsive records
- Ensure compliance with TPRA
- Maintain records in accordance with retention schedules

## **V. ACCESS PUBLIC RECORDS REQUESTS**

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 or email address from the requestor for providing any written communication required under the TPRA.

C. Requests for inspection may be made in writing using the Request Form (attached and available online at [www.rockytopn.org](http://www.rockytopn.org)), or in person at 195 S. Main St. Rocky Top TN. 37769

D. Requests for copies or requests for inspection and copies, shall be made in writing using the attached Request Form (also available online at [www.rockytopn.org](http://www.rockytopn.org)), by mail or in person to City of Rocky Top - 195 S. Main Street Rocky Top TN 37769.

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 documents, financial reports, and the City's charter are posted on the City's website ([www.rockytopn.org](http://www.rockytopn.org)) and readily available for public access.

## **VI. 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 City of Rocky Top is the custodian of the records.

2. The PRRC shall acknowledge 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 (and labor threshold and waivers, if applicable); and
- iv. Aggregation of multiple or 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 City of Rocky Top 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.

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

## **VII. Response Time**

The City shall respond within seven (7) business days as required by TPRA by:

- Providing the requested records
- Denying the request in writing with legal justification
- Providing a written estimate of time needed to fulfill the request

## **VIII. FEES AND CHARGES**

A. Fees shall be assessed in accordance with the Office of Open Records Counsel (OORC) Schedule of Reasonable Charges:

1. \$.15 per page for letter- and legal-size black and white copies.
2. \$.50 per page for letter- and legal-size color copies.
3. If an outside vendor is used, the actual costs are assessed by the vendor.

4. Labor: First one (1) hour is free; additional labor charged at the rate of the employee performing the work
5. Electronic copies: Actual cost of media

B. Payment is to be made by cash, check, money order, or credit card to the City of Rocky Top presented to the records custodian.

C. Payment in advance will be required when costs are estimated to exceed \$10.00.

## **IX. INSPECTION OF RECORDS**

- Records shall be available during normal business hours
- The location for inspection of records within the offices of the City of Rocky Top should be determined by either the PRRC or the records custodian.
- 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.
- No original records shall be removed

## **X. EXEMPTIONS AND REDACTIONS**

A. 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.

B. 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.

## **XI. ELECTRONIC RECORDS**

Records maintained electronically shall be provided in their existing format if reasonably accessible. The City is not required to create new records or compile information.

## **XIII. DISRUPTION OF OPERATIONS**

The City may:

- Require appointments for large requests
- Limit inspection times
- Manage requests to prevent disruption of essential operations

#### **XIV. 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.

#### **XV. POLICY REVIEW**

This policy shall be reviewed periodically and updated as necessary to ensure compliance with state law.