ORDINANCE NO. 183

An Ordinance Establishing Fees To Be Charged To Persons For Accessing And/Or Copying Open Public Records.

Be it Ordained by the Governing Body of the City of Basehor, Kansas:

Section 1: Statement of Purpose, Review. It is the purpose of this Ordinance 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 of the City to subsidize special services and benefits to a record requester. The official record custodian shall periodically recommend to the Governing Body such changes in this Ordinance as may be necessary to secure this purpose.

Section 2: Inspection Fee. (a) Where a request has been made for inspection of any open public record which is readily available to the record custodian, there shall be no inspection fee charged to the requester. (b) In all cases not covered by subsection (a) of this section, a record inspection fee shall be charged at the rate of $ 7.50 per hour per employee engaged in the record search. A minimum charge of $ 5.00 shall be charged for each such request.

Section 3: Copying Fee. (a) A fee of $ .50 per page shall be charged for photocopying public records, such fee to cover the cost of labor, materials and equipment. (b) For copying any public records which cannot be reproduced by the City's photocopying equipment, the requester shall be charged the actual cost to the City, including staff time, in reproducing such records.

Section 4: Prepayment of Fees. (a) A record custodian may demand prepayment of the fees established by this Ordinance

whenever he or she believes this to be in the best interest of the City. The prepayment amount shall be an estimate of the inspection and/or copying charges accrued in fulfilling the record request. Any overage or underage in the prepayment shall be settled prior to inspection of the requested record or delivery of the requested copies. (b) Prepayment of inspection and/or copying fees shall be required whenever, in the best estimate of the record custodian, such fees are estimated to exceed $ 10.00 . (c) Where prepayment has been demanded by the record custodian, no record shall be made available to the requester until such prepayment has been made.

Section 5: Payment. All fees charged under this Ordinance shall be paid to the custodian of the records inspected and/or copies unless the requester has established an account, for purposes of billing and payment, with the City. All fees received shall be paid to the City Treasurer whenever the amount of fees collected totals $ 20.00 , but not less than monthly.

Section 6: Effective Date. This Ordinance shall take effect on January 1, 1984 and upon its publication as required by law.

Adopted by the Governing Body of the City of Basehor, Kansas, this 3rd day of July , 1984.

FORREST TUTER, Mayor

Attest:

SUSAN GUY, City Clerk