

ORDINANCE NO. 088-016

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE CODE OF ORDINANCES, TOWN OF ADDISON, BY AMENDING CHAPTER 2 ADMINISTRATION; ARTICLE III RECORDS MANAGEMENT BY PROVIDING FOR DEFINITIONS; PROVIDING THAT THE OPEN RECORDS ACT CONTROL; PROVIDING FOR COST OF COPIES AND CHARGES FOR ACCESS TO PUBLIC RECORDS; PROVIDING FOR REQUESTS REQUIRING MORE THAN TEN (10) HOURS TO PRODUCE; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING PENALTIES; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That the Code of Ordinances, Town of Addison, Texas, be, and the same is hereby amended by amending Chapter 2 Administration, Article III Records Management, to add thereto Secs. 2-55 through 2-58 which shall read as follows:

Sec. 2-55. Definitions. For the purposes of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a) "Town or City" shall mean the Town of Addison, Texas;
- b) "Custodian of Public Records" shall mean the City Records Manager or his/her designee of the Town of Addison, Texas;
- c) "Open Records Act" shall mean Art. 6252-17a of Vernon's Rev. Civ. Stat.

Sec. 2-56. Open Records Act to Control. All requests for information made under this chapter shall be considered under the direction of the Open Records Act. All provision or refusal to provide information by the custodian of public records shall be in compliance with and controlled by the Open Records Act.

Sec. 2-57. Cost of Copies and Charges for Access to Public Records. Fees for services rendered by the City in responding to requests for records made pursuant to the Open Records Act and this chapter shall be charged in accordance with schedules to be approved by the City Council.

Sec. 2-58. Requests Requiring More than Ten (10) Hours to Produce. If the custodian of public records determines that a request will require more than ten (10) employee hours to produce, he shall forward said request to the City Manager who shall determine the best method said records may be inspected and/or reproduced giving due regard to ensuring that the public records are produced efficiently, safely and without undue delay.

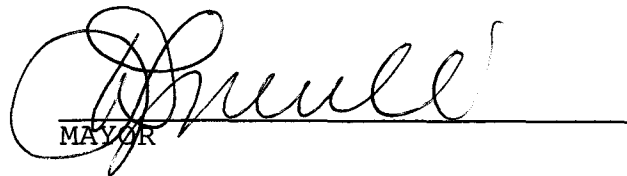
SECTION 2. All ordinances, or parts of ordinances, inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. If any article, paragraph or subdivision, clause or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a penalty of fine only not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 5. The fact that the present Code of Ordinances does not provide for access to public records and is therefore, inadequate to properly safeguard the general public health and safety, creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,  
TEXAS, on this the 22nd day of March, 1988.

  
MAYOR

ATTEST:

  
CITY SECRETARY

SCHEDULE OF COSTS OF COPIES AND CHARGES FOR ACCESS TO PUBLIC RECORDS

For the services expended in locating or making available records or copies of public records, the following charges shall be assessed:

COPIES. The cost for copies of noncertified photographic reproductions of pages up to legal size shall be (maximum of ten (10) copies per document will be supplied) \$1.00 for the first page and \$0.15 for each additional copy.

CERTIFICATION. - \$4.00 - For certification of true copies.

ATTESTATION. - \$3.00 - For attestation under the seal of the Town of Addison.

CLERICAL SEARCHES. A \$4.00 charge for each one quarter hour spent by clerical personnel in searching for and producing requested public records in any form including computer record banks, microfilm microfiche records, or other similar record-keeping systems.

NONROUTINE, NONCLERICAL SEARCHES. An \$8.00 charge for each one quarter hour spent where a request requires the time of researching by a professional or managerial personnel. This charge applies to public records in any form including computer record banks, microfilm microfiche records, or other similar record-keeping systems.

BUSINESS LISTS. The following charges shall be assessed:

\$10.00	hard copy
\$20.00 +	diskette material
\$ 5.00	supplements
\$10.00	route book
\$25.00	mailing labels

COURT REPORTS. - \$2.00 - all reports.

EXAMINATION AND RELATED TASKS IN SCREENING RECORDS. No charge shall be made for time spent in resolving legal or policy issues affecting access to records of known contents. In addition, no charge shall be made for the time involved in examining records in connection with determining whether they are exempt from disclosure.

OTHER CHARGES. When a response to a request requires services or materials other than those listed above, the direct cost of such services or materials to the government may be charged, but only if the request has been notified of such cost before it is incurred; and only after consultation with the State Board of Control.

"Adopted By Council, March 22, 1988"