

CITY OF HUMBOLDT, TENNESSEE

**POLICY FOR THE INSPECTION AND COPYING OF PUBLIC RECORDS UNDER  
THE TENNESSEE OPEN RECORDS LAW-T.C.A. 10-7-504 ET SEQ**

**General Policy**

It is the policy and intent of the city to:

(1) Comply with Tennessee's Open Records Law (T.C.A. 10-7-504 et seq.) by permitting the inspection and copying of the public records of the city-

Each department head shall be responsible for carrying out this policy. Requests for the inspection and copying of public records of the city shall be handled by each department head of the city as expeditiously as possible. However, each department head shall also have the responsibility to:

(1) Preserve the confidentiality of public records that are confidential under the Tennessee Open Records Law (T.C.A. 10-7-504 et seq.).

(2) Protect public records from damage or disorganization;

(3) Balance the allocation of personnel to records inspection and copying duty against the prevention of excessive interference with other essential functions of the city.

**Definitions**

In the interpretation and application of this policy, the following terms shall have the meanings indicated:

(1) "Confidential record" is any record, or part of a record, with is defined by the Tennessee Open Records Law as being exempt from public inspection, including, but not limited to, those records listed in T.C.A., § 10-7-504

(2) "Department head" means the city clerk, treasurer, police chief, fire chief, the director of public works, the personnel director, and any other person designated a department head by the city charter or the municipal code, or his or her designee or designees.

(3) "Public record" means all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, or other material, made or received pursuant to law or ordinance in connection with the transaction of official business by the city.

**Procedure for Inspection of Records**

**Request.** Persons wishing to inspect or copy city records shall make a request for inspection to the department of the city which maintains the records. If the requester does not know which department maintains the records, the request shall be made to the city clerk, who will direct the requests to the appropriate department. The request shall be made upon the form prescribed in **Appendix A**,

**Assistance in location and deliver of records for inspection-**

The department head shall provide the requester with the necessary assistance to help the requester find the record. If it is not practical to provide the records immediately, the department head has the discretion to delay for a reasonable amount of time the delivery of the records for inspection. That discretion is to be governed and limited by such variables as: the kind, amount, and nature of the records requested; uncertainty as to what records are requested; the location of the records requested; the format in which the records are requested; the extent of the department head's resources to locate such records at the time the request is made; intervening emergencies, problems, and other events that might

reasonably delay the delivery of the records for inspection; and the propensity of the request to create undue disruption of other essential department functions. In all events, the department head shall not unnecessarily delay the delivery of records for inspection. If the records are not provided within ten working days of the request, the department head shall notify the requestor, explain the delay, and give an approximate date the records will be ready for inspection.

#### **Limitations on disclosure of confidential records.**

Upon receiving a request to inspect a copy of a public record, the department head shall grant the request unless it determines that the record requested is confidential, in whole or in part, under the Tennessee Open Records Law. In cases of records that are confidential in part, the department head shall deliver for inspection that part of the record that is not confidential. Where the department head is uncertain whether a requested record is confidential, he or she shall as expeditiously as possible consult with the city clerk. If after consultation with the clerk, uncertainty still exists, the department head and the city clerk shall as quickly as possible consult with the city attorney. The department head shall inform the requester that uncertainty exists as to the confidentiality of the record, and on the request indicate the reason for the uncertainty with as much specificity as possible, and the approximate date the uncertainty will be resolved.

If the department head determines that the record is confidential he or she shall notify the requester and specifically supply him with a rejection of the request noting the reason that the record is confidential, citing, if possible, the statute upon which he relies.

**Costs of inspection.** Generally, there shall be no charge for the inspection of public records.

In the event that the public records requested are electronic records, special computer programs may have to be created in order to retrieve the records in the requested format. The department head shall estimate the cost of creating such programs, including labor, and the requestor shall pay the estimated costs in advance.

**Custody of records.** The city's records shall remain in the physical custody of the department head, and/or city clerk or agent thereof, at all times.

#### **Procedure for Copying Public Records**

**Generally.** Any requestor who has submitted to the city a request for records shall be entitled to a copy of any record open for inspection. To the extent possible copies shall be made on the city's copying equipment. Where such equipment does not exist, is inoperative, is not designed to copy the records requested, or the requestor wants the copies in a format the city's equipment cannot duplicate, such copies may be made on commercial copying equipment. Commercial copies will be provided to the requestor on an actual cost basis. The requestor will be required to pay the estimated costs for commercial copying in advance.

#### **Cost of copies-city's equipment.**

Requester must pay for copies of records based on a per page cost contained in **Appendix B**. Payment for the cost of copies shall be made by the requester before the copies are made. The payment shall be based on approximate number of copies requested.

APPENDIX A

CITY OF HUMBOLDT, TENNESSEE  
REQUEST FOR CITY RECORDS INSPECTION

PERSON MAKING REQUEST \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

PHONE NUMBER (HOME): \_\_\_\_\_ (WORK): \_\_\_\_\_

RECORDS REQUESTED (BE AS SPECIFIC AS POSSIBLE, INCLUDING DATES)

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

SIGNATURE OF REQUESTOR \_\_\_\_\_

PERSON RECEIVING REQUEST \_\_\_\_\_

ACTIONS TAKEN ON REQUEST

RECEIVED (DATE/TIME) \_\_\_\_\_ / \_\_\_\_\_ (SIGN) \_\_\_\_\_

DELIVERED (DATE/TIME) \_\_\_\_\_ / \_\_\_\_\_ (SIGN) \_\_\_\_\_

DELAY (EST. DELIV. D/T) \_\_\_\_\_ / \_\_\_\_\_ (SIGN) \_\_\_\_\_

OTHER:(DATE/TIME) \_\_\_\_\_ / \_\_\_\_\_ (SIGN) \_\_\_\_\_

COPIES

MADE BY \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_

NUMBER: \_\_\_\_\_ NUMBER OF PAGES: \_\_\_\_\_ CHARGE PER PAGE: \_\_\_\_\_

RECEIPT NUMBER: \_\_\_\_\_ AMOUNT RECEIVED: \_\_\_\_\_

Any person desiring to inspect the city's public records, or to copy such records,  
must make his or her request upon this form.



## APPENDIX B

### CITY OF HUMBOLDT, TENNESSEE COPYING COSTS FOR PUBLIC RECORDS

THE FOLLOWING SCHEDULE OF COSTS SHALL APPLY TO THE  
PROVISION OF COPIES OF PUBLIC RECORDS:

TYPE OF RECORD (EACH PAGE)	Cost Per Page
8-1/2 x 11 or 8-1/2 x 14	
ORDINANCES AND RESOLUTIONS	1.00
DEEDS	1.00
MINUTES	1.00
CONTRACTS	1.00
CHECKS AND INVOICES	1.00
PERMITS AND LICENSES	1.00
ACCIDENT REPORTS	4.00
CERTIFIED COPIES	6.00 for the first page, 2.00 for each additional page.

This schedule of costs is based on the capability of the city's copying equipment. When the city's copying equipment is not capable of reproducing requested copies of the city's records, or such equipment is inoperative, the person requesting copies of the records has the option of having the records commercially-copied by the city. The city will provide commercial copies on an actual cost basis as outlined in the city's records inspection and copying policy.