

**COMMON COUNCIL FOR THE
CITY OF LEBANON, INDIANA**

ORDINANCE 2014-10

COPY FEES SCHEDULE AND PROCEDURES

WHEREAS, I.C. 5-14-3-8 (d) permits a public agency to establish a copying fee schedule by way of local Ordinance of the Fiscal Body; and

WHEREAS, Indiana law requires a public agency to provide one copy of public documents where there is reasonable access to a copy machine, and, if not, a person, as defined by I.C. 5-14-3-2 requesting such copy is entitled to inspect and manually transcribe the record in question, subject to those exclusions and exceptions permitted by law; and

WHEREAS, the City of Lebanon ("Lebanon"), Indiana, a public agency, may require that the payment for such requested copying costs be made in advance; and

WHEREAS, the amount of Ten Cents (\$.10) per photocopy (for each page copied for 8 ½" by 11" or 8 ½" by 14" paper) is believed by the Fiscal Body of the City to reflect an accurate cost of providing such a service for copy/transmission of an 8 ½" x 11" or 8 ½" by 14" sheet of copy; the amount of Twenty-Five Cents (\$.25) for color photocopies of 8 ½" by 11" or 8 ½" by 14" (for each page copied) accurately reflects the cost of providing such services; and the cost of Five Dollars (\$5.00) for the reproduction of a CD or DVD accurately reflects the costs of providing such service.

NOW THEREFORE BE IT ORDAINED BY THE LEBANON CITY COUNCIL AS FOLLOWS:

SECTION 1: All offices of the City of Lebanon, Indiana ("City") (not otherwise covered by Statute or Ordinance) shall henceforth charge a uniform fee of Ten Cents (\$.10) per page for each photographic reproduction (per page) of black and white copies and Twenty-Five Cents (\$.25) for color copies (per page) for public records provided pursuant to any request made of an office maintaining the public record being sought. These fees shall apply to standard size documents of 8 ½" by 11" or 8 ½" by 14" in size. Other documents in excess of these standard sizes shall be reproduced at their actual cost. CDs or DVDs will be reproduced at the rate of Five Dollars (\$5.00) per disc.

SECTION 2: Those requests for copies from an office subject to this Ordinance received through the United States Mail shall be charged postage for the return of those items requested at the prevailing rate per ounce established by the United States Postal Service for First Class Postage. If the requestor provides the appropriate amount of postage in advance with the copy request, then no postage shall be assessed upon the request for copies.

SECTION 3: The fees established by this Ordinance shall not apply, nor do they supersede, the Schedules set by Indiana law for copy or facsimile charges for those City Offices or records governed by State Statute or Court Order as outlined in I.C. 5-14-3-8 (f).

SECTION 4: Persons requesting copies from a City Office subject to this Ordinance shall complete a written request on a form provided for such service by the City Office, which specifies with reasonable particularity the record being requested. The completion of the written request will permit the calculation of service fees, and postage where applicable, to be accurately determined and invoiced for providing the service. Payment of the specified fee shall be made to the City Office prior to receipt of the copies requested. Form requests for copies may be submitted at any time during the normal hours in which the City Office is open for the transaction of the public's business.

SECTION 5: The City Office from which the request for copies is made shall have a reasonable opportunity to provide the requested information, and, shall make a reasonable effort to do so taking into consideration the following factors: (for example, and not limited to) available staffing, equipment, and the volume of information requested. Compilation and copying of public documents may not unreasonably interfere with the business of the public agency.


SECTION 6: In the event any City Office provides information in booklet or pamphlet form, the booklet or pamphlet shall be provided to the public at the actual unit price or for the printing of the booklet or pamphlet rounded to the next even dollar.

SECTION 7: Only those persons duly authorized by the City may reproduce, store, grant access, deliver, or sell any information obtained from a City Office or department to any other person, partnership or corporation. Information obtained from the City's data base may not be used for the purposes of advertising, selling or solicitation for the purchase of goods and services or merchandise, or to sell, loan, give away, or otherwise deliver information obtained by a copy request to any other person.

SECTION 8: A person who violates the provisions of this Ordinance shall be guilty of an infraction as defined by Indiana law and may be fined up to a maximum amount of Two Thousand Five Hundred Dollars (\$2,500.00). Each violation of the provisions of this Ordinance shall constitute a separate offense.

SECTION 9: This Ordinance shall take effect upon passage and any publication that may be required of the same by law.

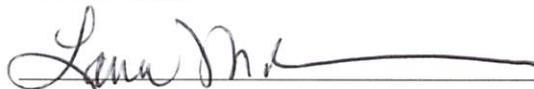
ALL OF WHICH IS CONSIDERED AND ADOPTED BY THE COMMON COUNCIL
OF THE CITY OF LEBANON, INDIANA, THIS 23rd DAY OF June, 2014.



Harold "Huck" Lewis, Mayor

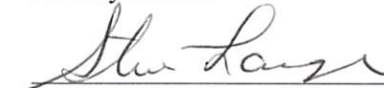

Keith Campbell


John Copeland


Mike Kincaid

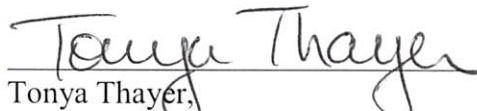

Lana Kruse


Jeremy Lamar


Steve Large


Preston Myers

ATTEST:


Tonya Thayer,
Clerk-Treasurer, City of Lebanon, Indiana