

ORDINANCE 18-2023

**AN ORDINANCE AMENDING CHAPTER 2, ARTICLE I,
SECTION 2-4 OF THE OWENSBORO MUNICIPAL CODE
TO UPDATE THE OPEN RECORDS POLICY.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF OWENSBORO, AS
FOLLOWS:**

Section 1. That Chapter 2, Article I, Section 2-4 of the Owensboro Municipal Code
be, and the same is hereby amended, to read as follows:

Sec. 2-4. Open records policy.

In order to comply with the Open Records Act contained in KRS Ch. 61, the following
rules and regulations shall be followed by the city:

A. 1. The principal office of the public agency is:

Owensboro City Hall
101 East Fourth Street
P.O. Box 10003
Owensboro, KY 42302-9003

2. Office hours are normally from 8:00 a.m. until 5:00 p.m., CST, Monday through
Friday, except for recognized holidays and other times as may be established.

B. In accordance with section 2-63, the title and address of the official custodian of the
city is:

City Clerk
101 East Fourth Street
P.O. Box 10003
Owensboro, KY 42302-9003
OpenRecords@owensboro.org

C. Requests for inspection of or copies of public records of the city may be submitted
directly to the city clerk or to the following persons, who are the custodians of records
of their department:

1. ~~[Administration Department.]~~

City Clerk
101 East Fourth Street
P.O. Box 10003
Owensboro, KY 42302-9003
OpenRecords@owensboro.org

2. ~~[Finance and Support Services Department.]~~

Director
~~101 East Fourth Street~~
~~P.O. Box 10003~~
~~Owensboro, KY 42302-9003]~~

3. Fire Department[.]

~~[Fire Chief]~~
512 W. Ninth Street
Owensboro, KY 42301

4. Police Department[.]

~~[Chief of Police]~~
222 E. Ninth Street
Owensboro, KY 42303

~~[5. Public Works Department.]~~

~~Director~~
~~1410 W. Fifth Street~~
~~Owensboro, KY 42301]~~

D. For copies of public records requested in standard format for noncommercial purposes, the city may charge ten (10) cents per page for photocopied material. If the requested information is in electronic format the cost of the media and any mechanical processing may be charged. Additionally, the city may charge postage fees. The city will not charge for staff time required to reproduce copies of records for noncommercial use. The city may require payment of fees before copies are made.

E. All requests for inspection or copies of public records shall be in writing, signed and dated by the requesting individual, and include the following information:

1. Name, mailing address, and email address (if applicable)~~[and telephone number]~~ of the individual requesting to inspect the records.
 2. The specific record(s) of which the requestor wishes to inspect or to receive.
 3. Whether the records are requested for commercial or noncommercial use. If requested for commercial use, a certified statement stating the commercial purpose for which the records will be used.
 4. Statement regarding residency per KRS 61.870(10)(a) to (g).
- F. 1. Upon receipt of a written request, the city will respond ~~[within three (3) working days]~~as required by state statute. If the records requested are open for public disclosure the city will either set a time when a requestor may inspect the requested records or provide copies of the requested records. If the set time is not convenient for the requestor, the city will attempt to coordinate a new inspection time convenient to all parties, but it may exceed the time set forth by KRS 61.872(5)~~[three (3) working days]~~. If the requested record is not open for public disclosure the city will notify the requestor and provide the exception to the Open Records Act under which the request falls.
2. For public records requested for commercial purposes, the city may require the requestor to enter into a contract which will include the fees charged by the city. The city will charge staff time required to produce copies of the records. Any fees shall be paid before copies are made.
- G. The city shall make every effort to be as responsive as possible to the public regarding access to city records. Certain records are not public records. Those which are not public are specified in federal and state law or rulings of the attorney general or courts. The city will not make those exempted records available for public inspection.

INTRODUCED AND PUBLICLY READ ON FIRST READING, this the 18th day
July, 2023.

PUBLICLY READ AND FINALLY APPROVED ON SECOND READING, this the
1st day of August, 2023.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk