

City of Sidney, Nebraska

REQUEST FOR OPEN RECORDS

The City of Sidney complies with information requests under Nebraska Statute 84-712 et al, which is the governing statute for Nebraska cities for releasing information to the public. The requested data will be released within no more than four working days based on the level and complexity of the data request. If a request is denied, the City of Sidney will provide reasons for denial in writing.

As of the date on this form, copying fees for 8 1/2 x 11/14 copies (each side) will be 25¢ per black and white copy and 50¢ per color copy, and \$5.00 per copy of Council meeting DVD. Other larger copies, i.e. maps, etc. will be at the posted fee for those items. The City reserves the right to assess labor costs involved in retrieving information after the first four cumulative hours fulfilling the request.

Information Provided by Requester

Date of Request _____

Name (required) _____

Telephone (optional) _____

Mailing Address (required) _____

Fax (optional) _____

E-mail Address (optional) _____

PLEASE LIST ALL DOCUMENTS REQUESTED AS SPECIFICALLY AS POSSIBLE, OR DESCRIBE THE INFORMATION NEEDED. INCLUDE APPROXIMATE DATE OF RECORDS REQUESTED AND ADDRESS OR LEGAL DESCRIPTION IF PERTINENT:

I request to (please check all that apply):

- Inspect the records named/described at City Hall
- Obtain paper copies
- Obtain electronic copies if available
- Have copies sent by facsimile

I agree to pay the costs of photocopying, duplication, the labor costs after the first four cumulative hours involved in retrieving information. I understand the City of Sidney may withhold information which is not considered public information under the Nebraska Open Records Act. I also understand that the City of Sidney is required to release only those documents that exist in their current state, and the City is not required to compile or create specific information or formats for my use.

Requester Signature X _____ **Printed Name** _____

FOR CITY USE ONLY

Date request received by City: _____

Name of Employee: _____ Hours: _____ Cost: _____

Date of City Response: _____

Name of Employee: _____ Hours: _____ Cost: _____

Name of Employee: _____ Hours: _____ Cost: _____

Comments:

Number of documents found/copied: _____

Cost of documents including mailing costs, if applicable: _____

Total Cost: _____

ID Assigned _____

Revised 4/8/2014 to incorporate changes to law:

- b. Under amendments to § 84-712(3) contained in 2013 Neb. Laws LB 363, the actual added cost used as the basis for calculation of a fee for copies of public records cannot include any charge for the existing salary or pay obligation to public officers or public employees with respect to the first four cumulative hours of searching for, identifying, physically redacting, or copying public records responsive to a particular records request. A special service charge representing the time required in excess of four cumulative hours to search for, identify, physically redact and copy records responsive to a particular records request can be imposed for providing copies of public records, since a large records request may delay or otherwise disrupt the operation of the custodian's office. In any event, the fee for copies of public records may not include any charge for the services of an attorney to review requested public records to determine if there is a legal basis to keep such records confidential.
- c. State agencies which provide electronic access to public records through a portal established under § 84-1204 must obtain approval of their fees for such access to records from the State Records Board under the appropriate statutes, and the actual added cost of making copies of records available in that format may include the approved fee for the portal.
- d. Section 84-712(3)(e) provides that a public body or the custodian of a public record is not required by the Public Records Statutes to produce or generate any public record in a new or different form or format modified from that of the original public record.
- e. If copies of records requested under the Public Records Statutes are estimated by the custodian of those records to cost more than \$50, the custodian may require the requester to furnish a deposit prior to fulfilling the copy request. § 84-712(3)(f).

Revised 8/22/2014 to change filing procedure to City Clerk's Office rather than City Manager's Office