



## **City of Madrid - Public Records Request Policy**

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### **1. Purpose**

The Public Records Request Policy defines the procedures and fees associated with handling public records requests made to the City of Madrid, Iowa. It is the policy of the City of Madrid, Iowa to respond in an orderly and expeditious manner in accordance with Iowa Code Chapter 22 to requests to inspect or receive copies of public records maintained by the City of Madrid.

### **2. Applicability**

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This policy applies to all City departments.

### **3. Background**

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The City of Madrid recognizes the right of the public to access public records maintained by the City in accordance with state law. The City also recognizes that certain records maintained by the City are not public records or may be exempt from public disclosure and that a request to access public records may require a balance of the right of the public to access the records, individual privacy rights, governmental interests, confidentiality issues, and privilege issues. Additionally, when the City responds to requests to inspect or copy records, costs are incurred by the City. This policy is adopted to balance these competing interests, to establish an orderly and consistent procedure for responding to public records requests and to support the adoption of a fee schedule designed to reimburse the City for the actual costs incurred in responding to public records requests.

### **4. Designated Custodian**

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Iowa Code Section 22.1(2) requires government bodies to delegate an official or employee as its "lawful custodian" responsible for implementing the requirements of Iowa Code Chapter 22 and to provide that information to the public. The City's "lawful custodian" is the City Clerk or in the Clerk's absence this responsibility falls to the Deputy City Clerk.

### **5. Public Records Requests**

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The following procedures shall be followed in responding to requests to inspect or receive copies of public records maintained by the City of Madrid.

- A) Records requests may come in the form of a letter, email, or fax. In order to accurately and timely process a records request, the City needs to know the full extent of the request and how to contact the requester in case the Clerk has any questions or concerns. The requester shall put his or her request in writing using the City of Madrid's Public Records Request Form. A request received which is not on the Public Records Request form will not be considered a valid request if it does not include all of the necessary data as outlined in the form.

- B) Any request for public records maintained by the City of Madrid, must be referred to the City Clerk's office for review of the request, collection of the records, and completion of request.
- C) The fee to be charged for providing records in response to a public records request will be in accordance with the most current fee schedule adopted by the City Council.
  - 1) At the requester's preference the City may make the requested records available in hard copy or in electronic format. The requester may ask the City to supply copied records either by mail, electronic mail, fax or pickup at Madrid City Hall.
  - 2) The City reserves the right to adjust the fee structure for extraordinary requests and provide a cost estimate to the requester prior to request completion.
- D) The person requesting public records can request the City to prepare an estimate of the charges that will be incurred to respond to the public records request. The City may also require an advance deposit of the estimated charges before copying any of the requested records or making the records available for inspection or copying. If the actual costs incurred by the City to respond to a records request are less than the amount of any required prepayment, the overpayment will be refunded promptly to the person or entity making the prepayment. If the actual costs incurred by the City to respond to the request are more than the amount of prepayment, the City shall charge the requester for all additional costs.
- E) Unless otherwise prohibited by law, the City may, at the City's discretion, furnish copies of requested records without charge or at a reduced fee if the City determines that the waiver or reduction of fees is in the public interest.
- F) The City shall provide a reasonable opportunity for the inspection, examination or copying of requested public records which are not exempt from disclosure. Unless otherwise approved in advance and in writing by the City Clerk's Office, any inspection, examination or copying of requested records shall be done at Madrid City Hall during regular City business hours.
- G) The City reserves the right to not release copies of requested public records until the requester pays for the corresponding charges to complete said request.

## **6. Fee Schedule**

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The following fees and costs may be charged pursuant to Iowa Code Chapter 22 for access and/or copies of public records maintained by the City of Madrid.

Photocopy Charges-

<b>Guidelines/Conditions</b>		<b>Fee</b>
Black & White	Single Sided – 8.5x11, 8.5x14	\$0.30/page
	Single Sided – 11x17	\$0.35/page
	Double Sided – 8.5x11, 8.5x14	\$0.35/page
	Double Sided – 11x17	\$0.40/page
Color	Single Sided – 8.5x11, 8.5x14	\$0.35/page
	Single Sided – 11x17	\$0.40/page
	Double Sided – 8.5x11, 8.5x14	\$0.40/page
	Double Sided – 11x17	\$0.45/page

Postage Charges-

If the requester chooses to have records mailed to them, postage will be charged at actual cost.

Labor Charges-

The City will provide 30 minutes of City staff time free of charge to respond to each requester. Requesters will be charged \$6.00 for each additional 15 minutes of service.

***7. Estimated Response Time***

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The anticipated response times below are approximations:

<b>Number of Pages Requested</b>	<b>Anticipated Response Time</b>
1-10	3 full business days
11-100	4 full business days
101-500	7 full business days
501-1000	10 full business days
1000+	20 full business days
Each additional 1000 pages	10 full business days per additional 1000 pages

***8. Disclaimer***

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Although records provided to a requester may be deemed "open" or "public" records within the meaning of Iowa Code Chapter 22, the City recommends that requesters' use of any information provided by the City comply with all local, state, and federal laws, including but not limited to laws related to privacy, harassment, discrimination, debt collection, libel, slander and tort.

***9. Questions***

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Any questions concerning the City's Public Records Request Policy or related procedures or fees should be directed to the records custodian:

City Clerk  
City of Madrid  
304 S. Main St.  
Madrid, IA. 50156  
515-795-3930

