



**CITY OF MARSHFIELD, WISCONSIN
POLICIES AND PROCEDURES**

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|-------------------|-------------------------|
| 1. COMMON COUNCIL | 4. FINANCIAL |
| 2. ADMINISTRATIVE | 5. PUBLIC WORKS |
| 3. PERSONNEL | 6. PARKS AND RECREATION |

CHAPTER: Customer Services

SUBJECT: Public Records Notice

POLICY NUMBER: 1.330

PAGES: 2

APPROVAL DATE:

REVISED DATE:

DEPARTMENT OF PRIMARY RESPONSIBILITY: City Clerk

This policy adopts the attached Public Records Notice, which, pursuant to Wisconsin Statute 19.34 (1), contains a description of the City's organization and the established times and places at which, the legal custodian(s) from whom, and the methods whereby the public may obtain information from and access to records in the City's custody, make request for City records, or obtain copies of City records, and the costs thereof.

If the public records request form requires multiple departments information, the City Clerk will work with all the departments to gather the information. Requests pertaining to just one department will be fulfilled by that department and then forwarded to the City Clerk's office to be retained until the retention period has expired. All billing will go through the Finance Department.

Fees:

- An authority may charge a requester only for the specific tasks identified by the legislature in the fee provisions of Wis. Stat. 19.35(3), unless otherwise provided by law.
- Copy of transcription fees may be charged.
 - Copy fees are limited to the "actual, necessary and direct cost" of reproduction unless a fee is otherwise specifically established or authorized to be established by law.
 - "Reproduction" means the act, condition, or process of producing a counterpart, image, or copy. Reproduction is a rote, ministerial task that does not alter a record or change the content of the record. It instead involves only copying the record – for example, by printing out a record that is stored electronically or making a photocopy of a paper record.
 - DOJ's policy is that photocopy fees should be around \$0.15 cents per page, and that anything in excess of \$0.25 cents may be suspect.
 - Costs of a computer run may be imposed on a requester as a copying fee. An authority may charge a requester for any computer programming expenses required to respond to a request.
 - Transcription fees may be charged, but are limited to the "actual, necessary and direct cost" of transcription, unless a fee is otherwise specifically established or authorized to be established by law.
- Photography and photographic reproduction fees may be charged if the authority provides a photograph or a record, the form of which does not permit copying, but are limited to the "actual, necessary and direct" costs.

- Location costs. Costs associated with locating records may be charged if they total \$50.00 or more. “Locating” a record means to find it by searching, examining, or experimenting. Subsequent review and redaction of the record are separate processes, not included in location of the record, for which a requester may not be charged. Only actual, necessary and direct location costs are permitted.
- An authority may not charge a requester for the costs of deleting, or “redacting”, nondisclosable information included in responsive records.
- An authority may require prepayment of any fees if the total amount exceeds \$5.00. The authority may refuse to make copies until payment is received. Except for prisoners, the statute does not authorize a requirement for prepayment based on the requester’s failure to pay fees for a prior request.
- An authority has discretion to provide requested records for free or at a reduced charge.
- The rate for an actual, necessary, and direct charge for staff time should be based on the pay rate of the lowest paid employee capable of performing the task.



CITY OF MARSHFIELD

PUBLIC RECORDS REQUEST FORM

REQUESTER PLEASE NOTE: Under Wisconsin law, a request for access to a public record “is deemed sufficient if it reasonably describes the requested record or the information requested. However, a request for a record without a reasonable limitation as to subject matter or length of time represented by the record does not constitute a sufficient request.” See Section 19.35(1)(h), Wis. Stat.

DESCRIPTION OF THE PUBLIC RECORD(S) TO BE INSPECTED AND/OR COPY MADE (Please print):

REQUESTER PLEASE NOTE: Under Wisconsin law, a request for access to a public record may not be refused “because the person making the request is unwilling to be identified or to state the purpose of the request.” See Section 19.35(1) (i), Wis. Stat. You are being asked to provide the information below on a strictly voluntary basis. Thank you.

DATE OF THIS REQUEST: _____

NAME OF REQUESTER (Please Print): _____

ADDRESS: _____

PHONE: _____

FAX: _____

EMAIL: _____

Record to be: Picked up Mailed Faxed Emailed

TO BE COMPLETED BY LEGAL CUSTODIAN OF REQUESTED RECORD

DATE/TIME REQUEST RECEIVED: _____

MEANS OF DELIVERY TO REQUESTER: _____

ACTION TAKEN: Request approved in whole: _____

Request approved in part*: _____ Request Denied*: _____

*Attach a copy of written statement of reasons for partial compliance or denial and description of right to review provided to requester, § 19.35(4)(b), Wis. Stat.

NAME AND TITLE OF LEGAL CUSTODIAN(S) _____

ACTING UPON RECORDS REQUEST: _____

DATE & TIME REQUEST COMPLIED WITH: _____

DATE & TIME REQUEST DENIED: _____

NUMBER OF PAGES: _____

FEE(S) IMPOSED ON REQUESTER: _____

AMOUNT PAID: _____

FEES

Copies - \$.25/page for 8 ½ x 11 and 8 ½ x 14; \$.50/page for 11 x 17.

Location Fee – A fee will be assessed, not exceeding the actual, necessary and direct cost of location, if the cost is \$50.00 or more.

Mailing Costs – Actual, necessary and direct costs of mailing or shipping of any copy or photograph of a record to the requester, if applicable.

Transferred to other media – The City will supply all forms of media; no one will be allowed to supply a form of media for records to be transferred onto. Actual costs will be charged for the media.

Election Information – Downloading files from WisVote is \$25.00 plus \$5.00 per 1,000 names on the report (fees set by the State)

The City may require prepayment for any requests expected to exceed \$5.00.

CITY OF MARSHFIELD
PUBLIC RECORDS NOTICE
State Statute 19.34(1)

The City of Marshfield is a local government body corporate and politic, comprised of a 10-member Common Council, commissions and committees. The City provides the general public with municipal services such as: fire protection, police protection, tax collection, valuation and assessments, municipal court services, development and maintenance of city parks, engineering and maintenance of city roads, planning, zoning, and other functions.

The City Clerk of the City of Marshfield has been designated under s. 19.33, Wis. Stats., as the legal custodian of records for the City of Marshfield, except that elected officials (or designee) are the custodians of their own records of office and the chairperson of a committee of elective officials (or designee) is the legal custodian of the records of the committee. Some city records may be kept in other departments.

Members of the public may obtain access to the City's Public Records, or obtain copies of these records, by making an oral or written request to the City Clerk, or the applicable record custodian as identified below, for review and distribution during regular office hours of Monday through Friday, 8:00 a.m. to 5:00 p.m., except for legal holidays.

City of Marshfield
630 S. Central Avenue, Suite 519
Marshfield, WI 54449
Phone #: (715)486-2023; Fax #: (715)384-7831
Email: Deb.Hall@ci.marshfield.wi.us

<u>Department</u>	<u>Record Custodian</u>
City Clerk	City Clerk
Administration/Human Resources/Mayor	City Administrator
Assessor	City Administrator
Public Works	Public Works Director
Development Services	Development Services Director
Finance	Finance Director
Parks & Recreation	Parks & Recreation Director
Information Technology	Technology Director
Fire Department*	Fire Chief
Police Department*	Police Chief
Library*	Library Director

*This policy does not apply to these departments. They are governed under a separate body by Statute.

All requests will be processed as soon as practicable and without delay.

FEES

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