-NOTICE-

ADMINISTRATIVE REGULATIONS GOVERNING INSPECTION OF THE PUBLIC RECORDS OF THE CITY OF EDMONTON

Pursuant to KRS 61.870 to 61.884, the public is notified that, as provided herein, the public records of the City of Edmonton located 207 East Street, Edmonton, KY 42129 are open for inspection by any person on written application to City Clerk, official custodian of the public records, from 8:00 a.m. to 4:00 p.m., Monday through Friday, each week, except holidays. Application forms for the inspection of the public records of this agency will be furnished on request to any person by an employee in this office. Assistance in completing the application form will be provided by an employee on request.

Applicants for the inspection of public records shall be advised of the availability of the records requested for inspection, and shall be notified in writing not later than five (5) working days after receipt of the application for inspection of any reason the records requested are not available for public inspection.

Copies of written material in the public records of this agency shall be furnished to any person requesting them on payment of a fee per page as listed in the Fee Schedule for City of Edmonton. Copies of non-written records (photographs, maps, material stored in computer files or libraries, etc.) shall be furnished on request, on payment of a charge equal to the actual cost of producing copies of such records by the most economic process not likely to damage or alter the record. Said fees are listed in the previously referenced Fee Schedule. Pursuant to KRS 61.874, charges for staff time may also be levied for a specific request.

This the 22nd day of May, 2025

Doug Smith

Doug Smith, Mayor
City of Edmonton

OPEN RECORDS POLICY
for
CITY OF EDMONTON

In order to comply with the Open Records Act contained in Chapter 61 of the Kentucky Revised Statutes, the following rules and regulations shall be followed by City of Edmonton.

A. All requests for inspection of the City of Edmonton' public records may only be submitted either in person, by email to openrecordsrequest@cityofedmontonky.com, or by US Mail to the following individual:

City Clerk
207 East Street
Edmonton, KY 42129

The request must be made in writing by submitting the Request to Inspect Public Records Form that shall include the following information:

1. Name, phone number, and signature of the individual requesting to inspect the records;
2. Mailing address, if requesting that the records be mailed, or email address, if requesting that the records be sent electronically;
3. The specific record(s) the requestor wishes to inspect or to receive a copy of; and
4. Whether the records are requested for commercial or noncommercial use. **If requested for commercial use, in addition to submitting the Request to Inspect Public Records Form, submit the Certification of Commercial Purpose Form stating the commercial purpose(s) for which the records will be used.**

B. Depending on the size of the request, the City of Edmonton may offer electronic copies (PDF format) as an option for records copy transmission at no charge to the requestor (unless there are recoverable costs as set out in the paragraph below). Records shall be made available for review and/or copies made within the five-day response period unless a different timeframe is specified in the response due to the increased time it may take to recover documents from an archive, computer record search, involvement of multiple departments, volume of responsive records, records are in current use, or other designated reason for a response time greater than five (5) days.

This policy provides guidance in applying standard charges and formats for Open Records copies consistent with Kentucky Open Records law and subsequent Attorney General Opinions. City of Edmonton is entitled to recover actual costs (and possibly staff time) related to providing copies of records. Those recoverable costs may include costs to copy materials prior to provision in another format with cost recovery depending on paper size and ink color. For example, if a record copy is made in order to redact certain information prior to providing the copy (even if that copy is ultimately provided in an electronic format), since City of Edmonton incurred a copy cost in order to provide the record, the requestor will be required to pay for that copy cost prior to receiving final copies.

In addition, if the requested electronic copies impose an unreasonable burden on City of Edmonton and/or its storage capacity, the City of Edmonton may inform the requestor and download copies to CDs or another format and charge accordingly.

Unless set by statute, City of Edmonton will apply the following charges establish in the Fee Schedule regardless of the requestor's status (i.e. media, legal representative, member of the public, corporation, or non-profit). However, if the total fee amounts to $2.00 or less, City of Edmonton may use its discretion in waiving these charges.

When charges are applicable, no copies will be released until full payment has been received either in the form of a check, money order, or exact change in cash. There is no option to "bill" or "invoice" a requestor

for copies. Prior to fulfilling a legitimate request, City of Edmonton will inform the requestor of the exact cost of the request (if possible). If not possible, it will provide the best approximate cost.

This policy will not apply to subpoena or court-ordered responses which are not covered under Kentucky Open Records law. In those instances, copies will be provided without charge.

These charges may or may not apply to other City of Edmonton responses for records or other copies provided in the normal course of business unrelated to an Open Records Request. In special cases where items are not listed and City of Edmonton incurs actual costs related to making copies, those costs will be estimated and passed along to the requestor.

Pursuant to KRS 61.874, City of Edmonton can recover staff time costs. KRS 61.874(3) dictates when staff time costs can be recovered for a noncommercial use request and the amount. KRS 61.874(4) dictates when staff time costs can be recovered for a commercial use request and the amount.

C. If, at its discretion, City of Edmonton provides online access to public records and a requestor wishes to access these records by electronic means, City of Edmonton may require the requestor to enter into a contract, license, or other agreement, and may charge fees for these agreements. These fees shall not exceed: 1.) the cost of physical connection to the system and reasonable cost of computer time access charges; and 2.) if the records are requested for a commercial purpose, a reasonable fee based on the factors set forth in KRS 61 .874(4).

D. Pursuant to KRS 61.872(6), if the request places an unreasonable burden on City of Edmonton or if the custodian has reason to believe, by clear and convincing evidence, that repeated requests are intended to disrupt other essential functions of the agency, the official custodian may refuse to permit the inspection of the requested records or mail copies thereof.

E. Certain records are not public records. Those which are not public as specified in federal and state law or rulings of the Attorney General or Courts, City of Edmonton will not make those exempted records available for public inspection.

This policy shall be effective as of May 22, 2025.

DOUG SMITH, MAYOR
City of Edmonton

ATTEST:

DAWN DEVORE, City Clerk

City of Edmonton
207 East Street
Edmonton, KY 42129

Request to Inspect Public Records

Pursuant to the Kentucky Open Records Act ("the Act"), KRS 61.870 *et seq.*, the undersigned requests to inspect the public records which are described below.

Requestor's contact information:

Name: _____

Mailing Address: _____

Email Address (if applicable): _____

Records to be inspected: I would like to receive the requested records by: [ ] Email [ ] Mail [ ] Pick Up
Note: CD'S, videos, and some other large flies can't be emailed.

_____

_____

_____

Statement regarding the use of public records. KRS 61.870(4) defines "commercial purpose" as "the direct or indirect use of any part of a public record or records, in any form, for sale, resale, solicitation, rent, or lease of a service, or any use by which the user expects a profit either through commission, salary, or fee." However, "commercial purpose" does not include the publication or related use of the public record by a newspaper or periodical, by a radio or television station in its news or informational program, or by use in the prosecution or defense of litigation by the parties to such an action or their attorney.

Requests for copies: [ ] YES. I agree in advance to pay for copies of the above requested records as detailed in the Policy Fee Schedule.

Request for inspection ONLY: [ ] OR electronic report that does not require making paper copies as detailed in the Policy Fee Schedule.

This request is (choose one):
[ ] NOT for a commercial purpose; or
[ ] FOR a commercial purpose. (Please complete the Certification of Commercial Purpose)

Company Name: _____ Phone Number: _____

Mailing Address

Statement regarding residency. I further state that I am a resident of Kentucky because I am (please check one):
[ ] An individual residing in the Commonwealth;
[ ] A domestic business entity with a location in the Commonwealth;
[ ] A foreign business entity registered with the Kentucky Secretary of State;
[ ] An individual that is employed and works at a location within the Commonwealth;
[ ] An individual or business entity that owns real property within the Commonwealth;
[ ] An individual or business entity that has been authorized to act on behalf of an individual or business entity listed above; or
[ ] A news-gathering organization as defined in KRS 189.635(8)(b)(1)(a) to(e).

Signature: _____ Date: _____

Pursuant to KRS 61.867(4), the Office of Attorney General has promulgated this form pursuant to 40 KAR 1:040.

City of Edmonton
207 EAST STREET
EDMONTON, KY 42129

CERTIFICATION OF COMMERCIAL PURPOSE

***For Commercial Purpose Use Only* ** KRS 61.870(4)(a) defines "commercial purpose" as the direct or indirect use of any part of a public record, in any form, for sale, resale, solicitation, rent, or lease of a service or any use by which the user expects a profit, either through commission, salary, or fee.

Please state the commercial purpose(s) for which the record(s) will be used:

_____

_____

_____

Carefully read the following and sign the verification:

Kentucky Revised Statute 61.874(5) states, it shall be unlawful for a person to obtain a copy of any part of a public record for a:

a) Commercial purpose, without stating the commercial purpose, if a certified statement from the requestor was required by the public agency pursuant to subsection (4)(b) of this subsection;
b) Commercial purpose, if the person uses or knowingly allows the use of the public record for a different commercial purpose; or
c) Noncommercial purpose, if the person uses or knowingly allows the use of the public record for a commercial purpose. A newspaper, periodical, or radio or television station shall not be held to have used or knowingly allowed the use of the public record for a commercial purpose merely because of its publication or broadcast, unless it has also given its express permission for that commercial use.

According to Kentucky Revised Statute 61 .8745, a person who violates subsections (2) to (6) of KRS 61.874 shall be liable to the public agency from which the public records were obtained for damages in the amount of:

a) Three (3) times the amount that would have been charged for the public record if the actual commercial purpose for which it was obtained or used had been stated;
b) Costs and reasonable attorney's fees; and
c) Any other penalty established by law.

VERIFICATION

I _____ state that I have read the foregoing Certification of Commercial Purpose and that the statements therein are true and correct to the best of my knowledge. I understand that falsification of this information is subject to the penalties set out above. I also understand that if I am requesting copies for a commercial purpose, I may be required to enter into a contract with City of Edmonton pursuant to KRS 61.874 in order to obtain this information and to pay a fee for the cost of the copies as well as the cost of staff time required to produce a copy of the record(s) and cost to City of Edmonton of the creation, purchase, or other acquisition of the public record(s).

State of _____)
County of_____)

Signature of Applicant:_____

SUBSCRIBED AND SWORN to before me by _____ on this _____ day of _____,20____.

Notary Signature: _____

ID Number (if required):_____

(Seal, if any)

My commission expires: _____

City of Edmonton
Open Records Request Fee Schedule

These charges may or may not apply to other City of Edmonton responses for records or other copies provided in the normal course of business unrelated to an Open Records Request. In special cases where items are not listed and City of Edmonton incurs actual costs related to making copies, that cost will be estimated and passed along to the requestor.

" KRS 61.874 establishes when City of Edmonton may levy charges for staff time in commercial and noncommercial requests.*

Copy Charge Schedule

Noncommercial Use Request:

Black and White	
Paper copy 8.5x1 1	$0.10/page
Paper copy 8.5x14	$0.15/page
Paper copy 11x17	$0.25/page
	$0.25/page
Color	$0.30/page
Paper copy 8.5x1 I	$0.35/page
Paper copy 8.5x14	$0.10/each
Paper copy 11x17	$0.25/each
Photographs	
Black and White (up to 8x10)	
Color (up to 8x10)	
CD/Disk/Audio Tape	$2.00/each
Flash Drive 16 GB	$8.00/each
Flash Drive 32 GB	$12.00/each

Larger flash drives will be charged at the rate at the time of purchase

If staff time costs are levied for a noncommercial request, that time will be billed at $15.00 per hour in quarter-hour increments.

Commercial Use Request:
Paper copy charges above PLUS $15.00 per hour of staff time billed in quarter-hour increments.

Postage & Mailing Charge Schedule

When practical to obtain actual cost of mailing, that charge will be assessed. If a proxy for an actual charge is needed to expedite processing and allow advance payment, the following may be charged:

No charge for postage less $1.00 (standard business envelope)

Large envelope (no more than 12x15) **(USPS Rates)**

Weight Not Over	
1 ounce	$1.00 (approximately 2 pages)
2 ounces	$1.21 (approximately 3 to 8 pages)
3 ounces	$1.42 (approximately 9 to 14 pages)
4 ounces	$1.63 (approximately 15 to 20 pages)
5 ounces	$1.84 (approximately 21 to 26 pages)
6 ounces	$2.05 (approximately 27 to 32 pages)
7 ounces	$2.26 (approximately 33 to 38 pages)
8 ounces	$2.47 (approximately 39 to 44 pages)
9 ounces	$2.68 (approximately 45 to 50 pages)
10 ounces	$2.89 (approximately 51 to 56 pages)
11 ounces	$3.10 (approximately 57 to 63 pages)
12 ounces	$3.31 (approximately 64 to 69 pages)
13 ounces	$3.52 (approximately 70 to 75 pages)

Above 13 ounces is charged at package rate by zone and will be determined at the time of the response.

Packages:	
Weight not over 5 ounces	$3.50
Weight not over 9 ounces	$3.75
Weight not over 10 ounces	$4.10
Weight not over 11 ounces	$4.45
Weight not over 12 ounces	$4.80
Weight not over 13 ounces	$5.50

Above 13 ounces is charged at package rate by zone and will be determined at the time of the response.

CD/Audio Tape Mailing & Postage Charge Schedule

CD/Audio tape postage	$1.21 postage for single CD $1.42 postage for 2 to 3 CDs
PLUS	
CD/Audio tape mailer	$1.50/ mailer