

Public Records Request Policy



Scope of Policy			
<i>Scope:</i>	Procedures and Fees for Public Records Requests	<i>Effective Date:</i>	10/10/22

Provisions			
1. Purpose	<p>The Public Records Request Policy defines the procedures and fees associated with handling public records requests made to the Marion Public Library (hereinafter “Library”). It is the policy of the Library to respond in an orderly manner in accordance with Iowa Code Chapter 22 to requests to inspect or receive copies of public records maintained by the Library.</p>		
2. Applicability	<p>This policy applies to the Library; the other City of Marion departments may have their own public records policies.</p>		
3. Background	<p>The Library recognizes the right of the public to access public records maintained by the Library in accordance with state law. The Library recognizes that certain records maintained by the Library 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 Library responds to requests to inspect or copy records it is understood that costs are incurred by the Library. 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 Library for the actual costs incurred in responding to public records requests.</p>		
4. Designated Custodian	<p>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 Library’s “lawful custodian” is the Library Director or any employee delegated such responsibilities by the Library Director.</p>		
5. Public Records Requests	<p>The following procedures shall be followed in responding to requests to inspect or receive copies of public records maintained by the Library</p> <ul style="list-style-type: none">A) Records requests may come in the form of a letter, email, fax or verbal request. In order to accurately and timely process a records request, the Library needs to know the full extent of the request and how to contact the requesting party in case the lawful custodian has any questions or concerns. The requestor may put his or her request in writing using the City of Marion’s Public Request Portal.B) Any request for public records maintained by the Library should must be referred to the Library’s lawful custodian or designee for review, collection, and processing of the request.C) The library shall refer any request for public records not maintained by the library to the City Records Custodian.D) 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 Library Board.<ul style="list-style-type: none">1) At the requesting party’s preference, the Library may make the requested records available in hard copy or in electronic format. The requesting party may ask the Library department to supply copied records either by mail or pickup at the Library.		

- 2) The Library reserves the right to adjust the fee structure for extraordinary requests and provide a cost estimate to the requesting party prior to request completion.
- E) The person requesting public records can request the Library to prepare an estimate of the charges that will be incurred to respond to the public records request. The Library may also require an advance deposit of the estimated charges before copying any of the requested records or making the records available for inspection of copying. If the actual costs incurred by the Library 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 Library to respond to the request are more than the amount of prepayment, the Library shall charge the requesting party for all additional costs.
- F) Unless otherwise prohibited by law, the Library may, at the Library’s discretion, furnish copies of requested records without charge or at a reduced fee if the Library determines that the waiver or reduction of fees is in the public interest.
- G) The Library 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 Library Director, any inspection, examination or copying of requested records shall be done at Library during regular Library business hours.
- H) 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

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

Copy Charges:

Guidelines/Conditions		Fee
Black & White	Single Sided – 8.5x11	\$0.10/page
	Single Sided – 8.5x14, 11x17	\$0.20/page
	Double Sided – 8.5x11,	\$0.20/page
	Double Sided – 8.5x14, 11x17	\$0.40/page
Color	Single Sided – 8.5x11	\$0.50/page
	Single Sided – 8.5x14, 11x17	\$1.00/page
	Double Sided – 8.5x11	\$1.00/page
	Double Sided – 8.5x14, 11x17	\$2.00/page

Postage Charges:

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

Media Storage Device Charges (USB):

If the requester chooses to have records saved on a USB or other portable media storage device, the device will be charged at actual cost.

Labor Charges:

The City will provide 30 minutes of Library staff time free of charge to respond to each requester. Requester’s will be charged at the hourly rate for those involved in obtaining or reviewing records.

Legal Charges:

Some requests may need to be reviewed by the City Attorney. In such circumstances, the requestor will be billed for the time spent by the City Attorney at the attorney’s hourly rate.

7. Disclaimer

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.

8. Questions

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

Library Director
Marion Public Library
1101 6th Avenue
Marion, IA 52302
info@marionpubliclibrary.org
319-377-3412