

ORDINANCE 30-25

AN ORDINANCE UPDATING THE CITY OF DOVER'S PUBLIC RECORDS POLICY.

WHEREAS, the City of Dover, in response to changes in state law, and modernizing policy, have made changes to the city's public records policy; and

WHEREAS, the changes were reviewed by the Dover City Council; and

WHEREAS, Dover City Council determines that the attached public records policy is the policy which shall be followed in the City of Dover, and that said policy is consistent with state law; and

WHEREAS, council has determined that said changes are in the best interests of the citizens of Dover.

NOW AND THEREFORE BE IT ORDAINED BY THE DOVER CITY COUNCIL:

I.

That Council incorporates the preambles and caption of this ordinance as if fully restated hereinafter. Council has reviewed and accepts the attached public records policy.

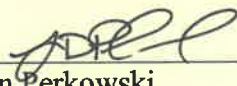
II.

That this ordinance shall take and remain effect at the earliest period allowed by law.

III.

That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in conformance with all applicable open meeting laws and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in compliance with all legal requirements including open meeting requirements.

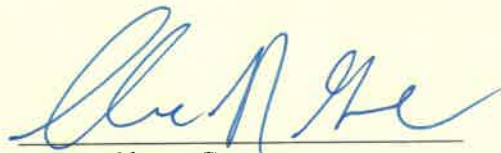
Passed on this 18<sup>th</sup> day of August, 2025

  
Justin Perkowski  
President of Council

Attest:

  
Zoie Arnett  
Clerk of Council

Approved this 18<sup>th</sup> day of August, 2025.



Mayor Shane Gunnoe

Publish summary once and on the city and state web site  
Recommended by the Safety and Human Resources Committee

# CITY OF DOVER PUBLIC RECORDS POLICY

## 1. MISSION STATEMENT

Openness leads to a better informed citizenry, which leads to better government and better public policy. Consistent with the premise that government at all levels exists first and foremost to serve the interests of the people, it is the mission and intent of the City of Dover to fully comply with and abide by both the spirit and the letter of Ohio's Public Records Act at all times.

## 2. DEFINING PUBLIC RECORDS

2.1 All records kept by the City of Dover are public unless they are exempt from disclosure under Ohio law. All public records must be organized and maintained in such a way that they can be made available for inspection and copying.

2.2 A "Public Record" is defined to include the following: any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in Ohio Revised Code §1306.01, that is created or received by or comes under the jurisdiction of the City of Dover and that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the City, in accordance with Ohio Revised Code §149.011(G).

2.3. "Record Custodian" means the city official(s) or employee(s) responsible for maintaining a particular public record or set of public records.

2.3. "Redaction" means blocking out a portion of a public record to prevent the release of confidential or exempt information, as permitted or required under Ohio Revised Code §149.43.

## 3. RESPONSE TIMEFRAME

3.1 Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review and redaction of the records requested.

3.2 It is the goal of the City of Dover that all requests for public records should be acknowledged in writing in a reasonable and timely manner.

## 4. HANDLING REQUESTS

4.1 No specific language is required to make a request for public records. However, the requester must at least identify the records requested with sufficient clarity to allow the office to identify, retrieve, and review the records. If it is not clear what records are being sought, the office must

contact the requester for clarification, and should assist the requester in revising the request by informing the requester of the manner in which the office keeps its public records.

4.2 The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. It is this office's general policy that this information is not to be requested. However, the law does permit the office to ask for a written request, the requestor's identity, and/or the intended use of the information requested, but only (1) if a written request or disclosure of identity or intended use would benefit the requestor by enhancing the office's ability to identify, locate, or deliver the public records that have been requested; and (2) after telling the requestor that a written request is not required and that the requester may decline to reveal the requestor's identity or intended use.

4.3 In processing the request, the office does not have an obligation to create new records or perform new analysis of existing information. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through simple sorting, filtering, or querying. Although not required by law, the office may accommodate the requestor by generating new records when it makes sense and is practical under the circumstances.

4.4 In processing a request for inspection of a public record, an office employee must accompany the requester during inspection to ensure original records are not taken or altered. The accompanying employee shall:

- a) Maintain visual contact with the records at all times;
- b) Provide assistance to the requester in locating specific information within the records;
- c) Document the inspection process, including the records reviewed and any concerns or issues that arise.

4.5 A copy of the most recent edition of the Ohio Sunshine Laws manual is available via the Attorney General's internet website ([www.ohioattorneygeneral.gov](http://www.ohioattorneygeneral.gov)) for the purpose of keeping employees of the office and the public educated as to the office's obligations under the Ohio Public Records Act, Open Meetings Act, records retention laws, and Personal Information Systems Act.

## 5. ELECTRONIC RECORDS

5.1 Records in the form of e-mail, text messaging, and instant messaging, including those sent and received via a hand-held communications device are to be treated in the same fashion as records in other formats, such as paper or audiotape.

5.2 Public record content transmitted to or from private accounts or personal devices is subject to disclosure. All employees or representatives of this office are required to retain their e-mail records and other electronic records in accordance with applicable records retention schedules.

## 6. DENIAL OR REDACTION OF RECORDS

6.1 If the requester makes an ambiguous or overly broad request or has difficulty in making a

request for public records, the request may be denied, but the denial must provide the requester an opportunity to revise the request by informing the requester of the manner in which records are maintained and accessed by the office.

6.2 Any denial of public records requested must include an explanation, including legal authority. If the initial request was made in writing, the explanation must also be in writing. If portions of a record are public and portions are exempt, the exempt portions may be redacted and the rest released. When making public records available for public inspection or copying, the office shall notify the requestor of any redaction or make the redaction plainly visible.

#### 6.3 Exemptions to Public Records Disclosure:

Ohio Revised Code 149.43 lists records which are not public records. Records or documents which are not considered public records by Ohio law will not be disclosed to a requestor. Should the City determine that a record or document is not a public record, they will notify the requester.

### 7. COPYING, PREPARATION, AND MAILING COSTS

7.1 Those seeking public records may be charged only the actual cost of making copies, not labor. The charge for paper copies is five cents per page. The charge for electronic files downloaded to a compact disc is one dollar per disc.

7.2 A requester may be required to pay in advance for costs involved in providing the copy. The requester may choose whether to have the record duplicated upon paper, upon the same medium in which the public record is kept, or upon any other medium on which the office determines that the record can reasonably be duplicated as an integral part of the office's normal operations.

7.3 If a requester asks that documents be mailed, he or she may be charged the actual cost of the postage and mailing supplies. There is no charge for documents e-mailed.

7.4 Should any requested video or audio recording require redacting or otherwise obscuring, that service shall be assessed a cost and payment of that cost is required prior to the preparation of the documents.

### 8. DOVER POLICE BODY-WORN CAMERA OR IN-CAR CAMERA FOOTAGE

8.1 The City of Dover may charge a fee for providing video records from the Dover Police Department's body-worn cameras as well as in-car camera or other video footage. The fee shall be the actual cost associated with preparing a video record for inspection or production. This fee will not exceed seventy-five dollars per hour, nor seven hundred fifty dollars total.

8.2 Actual costs are all costs incurred in reviewing, blurring or otherwise obscuring, redacting, uploading, or producing the video records, including but not limited to the storage medium on which the record is produced, staff time, and any other relevant overhead necessary to comply with the request.

8.3 Advanced payment of the estimated actual cost is required before beginning the process of



preparing a video record for inspection or production. These fees are in accordance with Section 149.39(B)(1) of the Ohio Revised Code. If prepayment is required, the office will provide an estimate of the actual cost within five business days of receiving the request.

8.4 Established costs under this policy shall be clearly posted and visible to the public at all locations authorized to provide copies of public records.

## 9. RECORDS MANAGEMENT AND RETENTION

9.1 The City of Dover's records are subject to records retention schedules established by the Ohio Historical Society and published in the Municipal Records Manual Revised in 2017 (as may be updated in the future). The current records retention schedules are available at the Ohio Historical Society website and at the Mayor's office at 110 East Third Street, Dover, Ohio 44622.

## 10. PUBLIC AWARENESS AND ACCESSIBILITY

10.1 The City of Dover shall make this Public Records Policy widely available to the public by:

- a) Posting it prominently on the city's official website;
- b) Displaying printed copies at all city offices where public records may be requested;
- c) Including a summary of the policy in relevant city publications and communications.

## 11. POLICY REVIEW AND UPDATES

11.1 This Public Records Policy shall be reviewed annually by the Public Records Compliance Officer in consultation with the City Law Director to ensure continued compliance with Ohio law and best practices in public records management.

11.2 Any proposed amendments to this policy shall be submitted to the City Council for approval.

## 12. EFFECTIVE DATE AND APPROVAL

This Public Records Policy is hereby approved and shall take effect immediately.

Approved by Ordinance \_\_\_\_\_ of the City Council of Dover, Ohio.

Date: \_\_\_\_\_

Mayor, City of Dover

Clerk of Council, City of Dover