

**WARREN COUNTY COUNCIL
WARREN COUNTY, INDIANA
AN ORDINANCE TO ESTABLISH COPY FEES
Ordinance 99-03**

WHEREAS, I.C. 5-14-3-8 (d) permits a public agency to establish a copying fee schedule by way of an ordinance, and

WHEREAS, Indiana law requires a public agency to provide one copy of public documents where there is reasonable access to a copy machine, and, if not, a person, as defined by I.C. 5-14-3-2, requesting such copy is entitled to inspect and manually transcribe the record in question, subject to those exclusions and exceptions permitted by law, and

WHEREAS, Warren County, Indiana, a public agency, may require that the payment for such requested copying costs be made in advance, and

WHEREAS, a review of the direct costs believed associated with such a service indicates a charge per sheet of reproduced records varies, and

WHEREAS, the following charges are believed by the Warren County Council to reflect an accurate cost of providing such copies;

THEREFORE BE IT ORDAINED BY THE COUNCIL OF WARREN COUNTY, INDIANA:

SECTION 1. UNIFORM FEE FOR XEROGRAPHIC COPIES.

All offices of Warren County (not otherwise covered by statute or ordinances) shall henceforth charge a uniform fee for each xerographic reproduction from a copy machine, of Warren County public records provided pursuant to any oral or written request made of an office maintaining the public record being sought, as follows:

- a.) For standard sized (8 ½ x 11) photocopies of public records the fee shall be Ten Cents (\$.10) for each page. The per page fee shall be Fifteen Cents (\$.15) for legal size (8 ½ x 14) size photocopies, and Twenty five Cents (\$.25) for double size (11 x 17) photocopies.
- b.) For blue print of oversized photocopies of public records the following fees shall be charged: Blue Print (17 x 22) shall be One Dollar (\$1.00)
- c.) For copies produced in a format other than photocopies, including but not limited to computer tapes, disks, CD's or microfilm, the fee shall be equal to the actual cost of copying the record, as charged by the third party provider.

Certification fees for copies of public records shall be in addition to copy fee.

SECTION 2. POSTAGE CHARGES.

Those requests for copies from an office subject to this ordinance received through the United States Mail shall be charged postage for the return of those items requested at the prevailing rate established by the United States Postal Service for First Class Postage, along with the fee for the number of pages requested. If the requester provides the appropriate amount of postage in advance with the copy request, then no postage shall be assessed upon the request for copies.

SECTION 3. EXCEPTIONS BY LAW.

The fee established by this ordinance shall not apply, nor do they supersede, the Schedules set by Indiana Law for copy charges for those County offices or records governed by State Statute or Court Order as outlined in I. C. 5-14-3-8(f). (For example, but not limited to, Recorder's Copy Fees, Clerk's Certification and/or Copy Fees.)

SECTION 4. REASONABLE RESPONSE TIME TO REQUESTS.

The Warren County office/department from which the request for xerographic copies is made shall have reasonable opportunity to provide the requested information, and, shall make a reasonable effort to do so taking into account the following factors: (for example, but not limited to) available staffing, equipment, and the volume of information requested. Compilation and copying of public documents may not unreasonably interfere with the business of the public agency. Depending upon the types of information sought, such office/department may permit individuals requesting information to make their own search for documents and to make their own xerographic copies of such information; however, in such cases, the fee outlined in Section 1, herein, shall be charged.

No request for records may be denied because the person making such request refuses to state the purpose of the request, unless such condition is required by an applicable State or Federal Statute.

SECTION 5. BASIS OF CHARGES FOR CHARGES FOR BOOKLETS, PAMPHLETS, AND FOLDED MAPS.

In the event any Warren County department provides information in booklet or pamphlet or folded map form, the booklet or pamphlet or folded map shall be provided to the public at the actual unit price or for the printing of the booklet or pamphlet or folded map, rounded to the next even dollar.

SECTION 6. COPY FEES FOR BOOKLETS AND PAMPHLETS.

Xerographic copy fees or fees collected for booklets, pamphlets, or folded maps, as required by this ordinance, shall be deposited with the Warren County Auditor not less than monthly; and accordingly, all such collected fees shall be deposited into the General Fund of Warren County.

SECTION 7. PASSAGE.

This ordinance shall be in full force and effect upon passage and any publication that may be required of the same by law.

ATTEST: *Jacqueline Brier*
Jacqueline Brier, Auditor

Warren County Council
 David H. Poor
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 Linda Fink
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 Tom Hetrick
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 John Layton
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 Joe Micon
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 Larry Weston
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 Mark Wright
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