

City of Chelsea Enhanced Access to Public Records Policy

Policy

This policy is established pursuant to the authority of the Enhanced Access to Public Records Act, 1996 P.A. 462.

- I. Definitions:
 - A. **Enhanced access** means a public record's immediate availability to public inspection, or copying by digital means. Enhanced access does not include the transfer of ownership of a public record.
 - B. **Geographical information system** means an informational unit or network capable of producing information.
 - C. **Operating expenses** include, but is not limited to; a public body's direct cost of creating, compiling, storing, maintaining, processing, upgrading or enhancing information or data in a form available for enhanced access, including the cost of computer hardware and software, system development, employee time and the actual cost of supplying the information or record in the form requested by the purchaser.
 - D. **Person** means that term as defined in Section 2 of the Freedom of Information Act, Act No. 442 of the Public Acts of 1976, being section 15.232 of the Michigan Compiled Law.
 - E. **Public Body** means that term as defined in Section 2 of the Freedom of Information Act, Act. No 442 of the Public Acts of 1976, being Section 15.232 of the Michigan Compiled Law.
 - F. **Public record** means that term as defined in Section 2 of the Freedom of Information Act, Act. No 442 of the Public Acts of 1976, being Section 15.232 of the Michigan Compiled Law.
 - G. **Reasonable fee** means a charge calculated to enable the township to recover over time only those operating expenses directly related to the public body's provision of enhanced access.
 - H. **Software** means that term as defined in Section 2 of the Enhanced Access to Public Records Act, Act No. 462 of the Public Acts of 1996, being Section 15.442 of the Michigan Compiled Laws.
 - I. **City** means the City of Chelsea.

- II Authorization
 - .A Pursuant to Public Act 462 of 1996, the City may provide enhanced access for the inspection, copying, or purchasing of a public record that is not confidential or otherwise exempt by law from disclosure. [Section 3 (1) (a); Section 3 (3)].

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- .B This policy does not require a public body to produce enhanced access to any specific record. [Section 3 (4)].
- .C The City's elected officials, department heads, agencies, boards and commissions legally responsible for the creation, preparation, ownership, custody, control, maintenance, reservation, guardianship, retention, possession or use of a public record shall select which public records may be made available through enhanced access.
- .D Principles and policies to be considered in determining which public records shall be made available through enhanced access include, but are not limited to the following:
 - .1 Management principles applied to information resources should be the same as those applied to other government resources.
 - .2 Elected officials, department heads, agencies, boards and commissions legally responsible for the creation, preparation, ownership, custody, control, maintenance, reservation, guardianship, retention, possession or use of a public record have the responsibility, authority and accountability for the management of public record information.
 - .3 Information resource investments must be driven by legal, programmatic and governmental requirements.
 - .4 City government, in trust for the people of the City, has a duty to ensure ownership of information products and City created intellectual property is protected and maintained.

II Fees

- A. It is the policy of the City to charge a reasonable fee for providing enhanced access to a Public record. [Section 3 (1) (b)].
- B. It is the policy of the City to charge a reasonable fee for providing access to:
 - 1. Voter registration records
 - 2. Property tax records
 - 3. Such other records to which the City may, at a later date, provide enhanced access.
- C. Except as otherwise provided by act or statute the City shall establish a proposed reasonable fee for each public record made available for enhanced access or for access to a geographical information system or the output from a geographical informational system. The proposed fee(s) shall be approved by the City Council before they become effective.
- D. Except as otherwise provided by act or statute all persons shall be charged

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the reasonable fee approved by the City Council for enhanced access to a public record.

IV Disclaimer

- .A Recipients of access or enhanced access receive all information “AS IS”. The City, its officers, employees, agents, volunteers, contractors or its public bodies make no warranties of any kind, including but not limited to warranties of accuracy, fitness for a particular purpose, or of a recipient’s right of use. Recipients are solely responsible for investigating, litigating and settling any complaints, including payment of any damages or costs, unless the City Council, by resolution adopted by a majority of those elected and serving, elects to participate in the process at the City’s expense.
- .B Except for the City Council, by resolution adopted by a majority of those elected and serving, no officer, official, employee, agent, volunteer, contractor or other person or public body may make any representation or warranty on behalf of the City or one of its public bodies.

Fee Schedule

Record: Tax Database

Item	Actual Cost	Percent Attributed	Cost Attributed	Life	Annual Allocation
Computer	\$1,625.96	33.30%	\$597.47	3	\$541.99
Software	\$3,155.00	100.00%	\$3,155.00	1	\$3,155.00
Software Support Fee	\$0.00	100.00%	\$0.00	1	\$0.00
Operational Support Costs	\$200.00	100.00%	\$200.00	1	\$200.00
Annual Total Cost					\$3,896.99
Number of Records					2841
Cost per Record					\$1.37
Cost Attributed to Enhanced Access, per request		2 requests per year			\$0.69

Procedure

Direct calls for request for tax rolls to the City Clerk, Deputy Clerk or Director of Administrative Services. Those individuals will discuss the fees and timing. These individuals will submit a miscellaneous invoice request to the City Office staff for invoice processing. The City will process and mail an invoice for the service. The City will release the information requested upon payment of the invoice.

Monies collected should be received under the General Fund Revenue account 101.000.631000, “Charges for Services – Other”, cash receipts code M101T.