



PUBLIC RECORDS POLICY FOR THE TOWN OF KINGSTON SPRINGS, TENNESSEE

Pursuant to Tenn. Code Ann. § 10-7-503(g), the following Public Records Policy for the Town of Kingston Springs, Tennessee is hereby adopted by the Kingston Springs Board of Commissioners to provide economical and efficient access to public records as provided under the Tennessee Public Records Act ("TPRA") in Tenn. Code Ann. § 10-7-501, et seq.

The TPRA provides that all state, county and municipal records shall, at all times during business hours, which for public hospitals shall be during the business hours of their administrative offices, be open for personal inspection by any citizen of this state, and those in charge of the records shall not refuse such right of inspection to any citizen, unless otherwise provided by state law. See Tenn. Code Ann. § 10-7-503(a)(2)(A). Accordingly, the public records of the Town of Kingston Springs, Tennessee are presumed to be open for inspection unless otherwise provided by law.

Only citizens of Tennessee have an enforceable right to access public records. Accordingly, The Town of Kingston Springs reserves the right of discretion to provide access to persons who do not provide proof of Tennessee citizenship.

Personnel of the Town of Kingston Springs, Tennessee shall timely and efficiently provide access and assistance to persons requesting to view or receive copies of public records. No provisions of this Policy shall be used to hinder access to open public records. However, the integrity and organization of public records, as well as the efficient and safe operation of the Town of Kingston Springs, Tennessee, shall be protected as provided by current law. Concerns about this Policy should be addressed to the Public Records Request Coordinator for the Town of Kingston Springs, Tennessee, or to the Tennessee Office of Open Records Counsel ("OORC").

This Policy is available for inspection and duplication at Kingston Springs City Hall and is posted online on the Town's website at www.kingstonsprings.net. This Policy shall be reviewed every two years and updated as necessary. This Policy shall be applied consistently throughout the various offices, departments, and/or divisions of the Town of Kingston Springs, Tennessee.

I. Definitions:

- A. Records Custodian: The office, official or employee lawfully responsible for the direct custody and care of a public record. See Tenn. Code Ann. § 10-7-503(a)(1)(C). The records custodian is not necessarily the original preparer or receiver of the record.
- B. Public Records: All documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency. See Tenn. Code Ann. § 10-7-503(a)(1)(A).
- C. Public Records Request Coordinator: The individual, or individuals, designated in Section III, A.3 of this Policy who has, or have, the responsibility to ensure public record requests are routed to the appropriate records custodian and are fulfilled in accordance with the TPRA. See Tenn. Code Ann. § 10-7-503(a)(1)(B). The Public Records Request Coordinator may also be a records custodian.
- D. Requestor: A person seeking access to a public record, whether it is for inspection or duplication.

II. Requesting Access to Public Records

- A. Public record requests shall be made to the Public Records Request Coordinator ("PRRC") or his/her designee [or via online submission] in order to ensure public record requests are routed to the appropriate records custodian and fulfilled in a timely manner.
- B. Requests for inspection only cannot be required to be made in writing. The PRRC should request a mailing [or email] address from the requestor for providing any written communication required under the TPRA.
- C. Requests for inspection may be made orally or in writing at Kingston Springs City Hall, 396 Spring Street, Kingston Springs, TN. 37082, or by phone at 615-952-2110 ex. 10.
- D. Requests for copies, or requests for inspection and copies, shall be made in writing via the Town of Kingston Springs Records Request Form. This form is included with this policy and is also available at Kingston Springs City Hall, 396 Spring Street, Kingston Springs, TN. 37082. This form should be completed in its entirety and presented to the Public Records Request Coordinator for the Town of Kingston Springs, Tennessee at Kingston Springs City Hall.
- E. Proof of Tennessee citizenship by presentation of a valid Tennessee driver's license (or alternative acceptable form of ID) is required as a condition to inspect or receive copies of public records.
- F. City Documents are also available online on the Town's website at www.kingstonsprings.net. Videos of recent meetings are available on the town's YouTube channel at www.youtube.com/channel/UCtwD5KW3_0JRu3uwvT8tSRA

III. Responding to Public Records Requests

A. Public Record Request Coordinator

- 1. The PRRC shall review public record requests and make an initial determination of the following:
 - a. If the requestor provided evidence of Tennessee citizenship;
 - b. If the records requested are described with sufficient specificity to identify them; and
 - c. If the Governmental Entity is the custodian of the records.
- 2. The PRRC shall acknowledge receipt of the request and take any of the following appropriate action(s):
 - a. Advise the requestor of this Policy and the elections made regarding:
 - i. Proof of Tennessee citizenship;
 - ii. Form(s) required for copies;
 - iii. Fees (and labor threshold and waivers, if applicable); and
 - iv. Aggregation of multiple or frequent requests.

- b. If appropriate, deny the request in writing, providing the appropriate ground such as one of the following:
 - i. The requestor is not, or has not presented evidence of being, a Tennessee citizen.
 - ii. The request lacks specificity. (offer will be made to assist in clarification)
 - iii. An exemption makes the record not subject to disclosure under the TPRA. (written exemption denial will be supplied)
 - iv. The Governmental Entity is not the custodian of the requested records.
 - v. The records do not exist.
 - c. If appropriate, contact the requestor to see if the request can be narrowed.
 - d. Forward the records request to the appropriate records custodian in the Town of Kingston Springs, Tennessee.
 - e. If requested records are in the custody of a different governmental entity, and the PRRC knows the correct governmental entity, advise the requestor of the correct governmental entity and PRRC for that entity if known.
3. The designated PRRC is:
- a. Debbie Finch, City Manager, Town of Kingston Springs, Tennessee
 - b. Contact information: Kingston Springs City Hall, 396 Spring Street, Kingston Springs, Tennessee 37082. 615-952-2110. Mailing Address: PO Box 256, Kingston Springs, Tennessee 37082
4. The PRRC shall report to the Kingston Springs Board of Commissioners on an annual basis about the Town of Kingston Springs' compliance with the TPRA pursuant to this Policy and shall make recommendations, if any, for improvement or changes to this Policy.

B. Records Custodian

1. Upon receiving a public records request, a records custodian shall promptly make requested public records available in accordance with Tenn. Code Ann. § 10-7-503. If the records custodian is uncertain that an applicable exemption applies, the custodian may consult with the PRRC, counsel, or the OORC.
2. If not practicable to promptly provide requested records because additional time is necessary to determine whether the requested records exist; to search for, retrieve, or otherwise gain access to records; to determine whether the records are open; to redact records; or for other similar reasons, then a records custodian shall, within seven (7) business days from the records custodian's receipt of the request, send the requestor a completed Public Records Request Response Form which is attached as the Town of Kingston Springs Record Response form based on the form developed by the OORC.
3. If a records custodian denies a public record request, he or she shall deny the request in writing as provided in Section III.A.2.b using the Public Records Request Response Form.

4. If a records custodian reasonably determines production of records should be segmented because the records request is for a large volume of records, or additional time is necessary to prepare the records for access, the records custodian shall use the Kingston Springs Record Response Form to notify the requestor that production of the records will be in segments and that a records production schedule will be provided as expeditiously as practicable. If appropriate, the records custodian should contact the requestor to see if the request can be narrowed.
5. If a records custodian discovers records responsive to a records request were omitted, the records custodian should contact the requestor concerning the omission and produce the records as quickly as practicable.

C. Redaction

1. If a record contains confidential information or information that is not open for public inspection, the records custodian shall prepare a redacted copy prior to providing access. If questions arise concerning redaction, the records custodian should coordinate with counsel or other appropriate parties regarding review and redaction of records. The records custodian and the PRRC may also consult with the Office of Attorney General and Reporter.
2. Whenever a redacted record is provided, a records custodian should provide the requestor with the basis for redaction. The basis given for redaction shall be general in nature and not disclose confidential information.

IV. Inspection of Records

- A. There shall be no charge for inspection of open public records.
- B. The location for inspection of records within the offices of the Town of Kingston Springs, Tennessee will be determined by either the PRRC or the records custodian.
- C. Under reasonable circumstances, the PRRC or a records custodian may require an appointment for inspection or may require inspection of records at an alternate location.

V. Copies of Records

- A. A records custodian shall promptly respond to a public record request for copies in the most economic and efficient manner practicable.
- B. Copies will be available for pickup at Kingston Springs City Hall, 396 Spring Street, Kingston Springs, Tennessee 37082.
- C. Upon payment for postage, copies will be delivered to the requestor's home address by the United States Postal Service.
- D. A requestor will not be allowed to make copies of records with personal equipment.

VI. Fees and Charges and Procedures for Billing and Payment

- A. Fees and charges for copies of public records should not be used to hinder access to public records.
- B. Records custodians shall provide requestors with an itemized estimate of the charges using the rates outlined in Section VI-D of this policy prior to producing copies of records and may require pre-payment of such charges before producing requested records.
- C. When fees for copies and labor do not exceed \$3.00 (three dollars), the fees may be waived.
- D. Fees and charges for copies are as follows:
 - 1. \$0.15 per page for letter- and legal-size black and white copies.
 - 2. \$0.50 per page for letter- and legal-size color copies.
 - 3. Labor when time exceeds 1 (one) hour.
 - 4. If an outside vendor is used, the actual costs assessed by the vendor.
- E. No duplication costs will be charged for requests for less than \$1.00 (one dollar) or 7 (seven) pages.
- F. Payment is to be made in cash, by personal check or by credit card (credit card payments will be assessed an additional processing fee of 5% of the total) payable to The Town of Kingston Springs, presented to PRRC or Town Clerk.
- G. Payment in advance will be required when costs are estimated to exceed \$25 (twenty-five dollars).
- I. Aggregation of Frequent and Multiple Requests
 - 1. The Town of Kingston Springs, Tennessee will not aggregate record requests in accordance with the Frequent and Multiple Request Policy promulgated by the OORC when more than (4) requests are received within a calendar month (either from a single individual or a group of individuals deemed working in concert).



TOWN OF KINGSTON SPRINGS, TENNESSEE
PUBLIC RECORDS REQUEST FORM

The Tennessee Public Records Act (TPRA) grants Tennessee citizens the right to access open public records that exist at the time of the request. The TPRA does not require records custodians to compile information or create or recreate records that do not exist.

To: Town of Kingston Springs, Tennessee - Public Records Request Coordinator

From: _____

Is the requestor a Tennessee citizen?: [] Yes [] No

Request: [] Inspection (The TPRA does not permit fees or require a written request for inspection only)
[] Copy/Duplicate

If costs for copies are assessed, the requestor has a right to receive an estimate. Do you wish to waive your right to an estimate and agree to pay copying and duplication costs in an amount not to exceed \$_____? If so, initial here: _____.

Delivery preference: [] On-Site Pick-Up [] USPS First-Class Mail

Records Requested:

Provide a detailed description of the record(s) requested, including: (1) type of record; (2) timeframe or dates for the records sought; and (3) subject matter or key words related to the records. Under the TPRA, record requests must be sufficiently detailed to enable a governmental entity to identify the specific records sought. As such, your record request must provide enough detail to enable the records custodian responding to the request to identify the specific records you are seeking.

Multiple horizontal lines for providing a detailed description of the record(s) requested.

Signature of Requestor and Date Submitted

Signature of PRRC and Date Received

1 Note, Tenn. Code Ann. § 10-7-504(a)(20)(C) permits charging for redaction of private records of a utility.