RESOLUTION NO. 1015

A RESOLUTION ADOPTING POLICIES FOR
RESPONDING TO OPEN RECORDS REQUESTS

WHEREAS, Title 51 Okla. Stat. §24A.5 (the Act) provides for the public Inspection, copying and/or mechanical reproduction of the records of public bodies;

WHEREAS, The Act allows municipalities to establish fees, procedures, and require the completion of a form

WHEREAS, in order to provide prompt, reasonable access to its records and maintain efficient and self- supporting government, it is necessary to establish fees which cover expenses and direct costs and establish a procedure for responding to records requests.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLINTON, OKLAHOMA:

I. **REQUESTS FOR RECORDS**:

1. All members of the public, in seeking access to or copies of a public record(s) in accordance with the provisions of the Oklahoma Open Records Act (51 Okla. Stat. §24A.1, *et. seq.*), shall address their requests to the City Clerk.

2. Whenever the City Clerk is presented with a request for access to or copy of a public record, the Clerk shall follow the procedures outlined in subsection II below.

II. **PROCEDURES**:

1. Consistent with the policy, duties and procedures established by the Oklahoma Open Records Act, as amended from time to time, the City Clerk shall provide full access to or copies of records in a lawful manner to persons who request such access to or copies of public records.

2. In the event that actual physical inspection is the only available mechanism, The City Clerk, with the assistance of any other City staff, shall protect the integrity and organization of public records with respect to the manner in which such records are inspected and copied. Removal of open public records from the office where kept and maintained, for purposes of inspection or the making of copies, shall not be permitted.

3. The City shall prevent excessive disruption of essential functions of the respective departments by providing the record requested records at the earliest reasonable time.

4. All inspections and copying of open public records shall be performed by, or under the supervision of, the City Clerk or additional City staff as requested by the City Clerk.

5. All persons requesting the inspection of or copies of open public records shall make such request in writing on a form prescribed for that purpose, as amended from time to time, prior to the request being honored; except, that no form shall be required for requests made for records which have been reproduced for free public distribution.

6. All record inspection and copying forms are to be completed by the person requesting the record. The City Clerk may demand reasonable identification of any person requesting a record.

7. Prior to beginning the reproduction of any records, the City Clerk shall determine the estimated cost for such reproduction, according to the fee schedule below, and inform the requester of such estimated costs.

8. In the event that the estimated reproduction costs exceed $75.00 or if the requestor has outstanding fees from a previous request, the City Clerk shall require advanced payment.

9. If advanced payment is not required, any fees for records inspection or for copies are due at the time the records or copies thereof are provided to the requester.

III. FEES

1. Fees Established:

    a. Inspections: Where a request has been made for the inspection of an open public record, which the requestor intends to conduct, no fee shall be charged.

    b. Copies:
        i. A fee per page as established by 51 Okla. Stat. §24A.5(4) shall be charged for photocopying an open public record;
        ii. If the request is (1) solely for commercial purpose, or (2) would clearly cause excessive disruption of the essential functions of the public body; then the City Clerk may charge a reasonable fee to recover the direct cost of record search and copying; however, publication in a newspaper or broadcast by news media for news purposes shall not constitute a resale or use of a record for trade or commercial purpose and charges for providing copies of electronic data to the news media for a news purpose shall not exceed the direct cost of making the copy.

PASSED AND APPROVED at the meeting of the City Council of the City of Clinton and duly signed by the Mayor this _____ day of ___, 2026.

THE CITY OF CLINTON, OKLAHOMA

By: _____
MAYOR

ATTEST:

_____
CITY CLERK

Clinton
Hub City of Western Oklahoma

Open Record Request Form

Office of the City Clerk

The governing body of the municipality has adopted this records request form. The Oklahoma Open Records Act permits a public body to require a requestor to complete a records request form to receive or view records pursuant to 51 O.S. § 24A.5(7), as effective November 1 2025 unless a different method is mutually agreed to. Any person requesting records is only required to provide enough contact information so the municipality can notify you if the request is ready, send the request to you, or contact you if clarification is needed.

1. Name:	**2. Date:**
3. Email Address:	**4. Phone:**
5. Mailing Address:	
6. Company/ Organization/ Firm (if applicable):	
7. Purpose of Request: (check one) ☐ Personal ☐ Commercial ☐ News Media (List org.): ☐ Scholar ☐ Other (specify):	**8. I prefer records to be provided:** ☐ Physical Copies ($.25 per page) ☐ For Inspection ☐ Certified Copies ($1.00 per page) ☐ By Email (If offered)

9. Description of request: Be as ***specific as possible***, include the title or description of the specific records below, specific search terms on box 10, and a date range on box 11. Narrowing your request will help to make sure your records are produced in a timely fashion and ensures that you are provided with the specific records you seek.

10. Suggested Specific Search Terms: Please separate search terms by a semi-colon;

11. Date Range: Starting Date (mm/dd/yyyy): Ending Date (mm/dd/yyyy):

12. Understanding the Records Request Process and the Open Records Act.

- Some records can be produced promptly. Other records may require time to search in which case you will be notified when the records are ready for pickup or inspection.
- By making this request for records, you agree to pay all copying and search fees, if applicable, in the amounts and under such conditions as posted in our office and on file with the county clerk. These charges are set at a level to compensate the municipality for the actual costs incurred in honoring your request.
- You may be required to pay in advance if estimated costs exceed $75 or if you have outstanding fees from prior requests. Any amount paid in excess of actual costs will be refunded. 51 O.S. § 24A.5(4)
- You may be asked to clarify your request if the request does not describe the records with reasonable specificity. To have reasonable specificity, a request shall: "a) specify a general time frame within which the requested records would have been created or transmitted, b) seek identifiable records, rather than general information without any qualifiers or other specifications, and c) include search terms that are sufficiently specific to assist the public body in identifying the requested records." 51 O.S. § 24A.5(7)
- The municipality may ask you to clarify your request. If the municipality has engaged with you to seek the information needed to fulfill the request and to identify the records sought by you, including providing you with general topics or a specific list of records related to the request, the request may be denied if it is still not reasonably specific. 51 O.S. § 24A.5(7),
- The municipality has the ability to determine whether a request is for a commercial purpose. 51 O.S. § 24A.5 (4), 51 O.S. § 24A.40
- The public body is permitted to email records but is not required to do so. ("While a public body is free to produce records in the requested format, it is under no obligation to do so." Brooke v. Reed, 2025 OK 86, ¶ 16, 581 P.3d 86, 92) See also *Wagner v. Office of Sheriff of Custer Cnty., 2021 OK CIV APP 20, ¶ 6, 492 P.3d 1240, 1242.* and the AG opinions 1999 OK AG 55 and 2006 OK AG 35.
- A person whose request to inspect or copy a public record is denied by a public body may file a request for review with the Public Access Counselor in the Attorney General's office not later than 30 calendar days after the date of the denial.
- The Attorney General *may* issue advisory opinions if requested by the head of the public body or its attorney. 51 O.S. § 24A.40

Clinton
Hub City of Western Oklahoma

Open Record Request Form

Office of the City Clerk

INTERNAL USE ONLY *(separate paper from request form)*

Name: **Phone:** **Email Address:**
Time of request: **Date:** _____ **Time:** _____:_____**am/pm**
Time access provided: **Date:** _____ **Time:** _____:_____ **am/pm**

Copy fee charged ☐Yes ☐No *(up to 0.25 per page)*
Does the requestor want certified copies? ☐Yes ☐No *(up to 1.00 per page for certified)*
Number of copy pages: _____
Search fee charged ☐Yes ☐No
Non-attorney search time: _____ hours, _____ minutes
Attorney search time: _____ hours, _____ minutes

(Please note: the fee schedules must be posted publicly at the municipalities office and with the county clerk. A search fee may be charged according to number 4 of 51 O.S. § 24A.5. However, "In no case shall a search fee be charged when the release of records is in the public interest, including, but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.") Example search fees and fee schedules:
Attorney General's Office: https://oklahoma.gov/oag/news/open-records-request.html
City of Oklahoma City: https://www.okc.gov/Government/Records/Records-Request/Public-Records-Fees

Deposit charged $_____

(Deposit can only be charged if estimated costs exceed $75 or if they have outstanding fees from previous requests. Any portion of an advance payment that exceeds the costs of responding to the request shall be returned to the requestor 51 O.S. § 24A.5(4)

Total charge $_____
Charges paid $_____
Billed $_____
Receipt number $_____

Anticipated time needed to produce the request: _____

(Please note: Under number 6 of 51 O.S. § 24A.5, "A public body must provide prompt, reasonable access to its records but may establish reasonable procedures which protect the integrity and organization of its records and to prevent excessive disruptions of its essential functions. A delay in providing access to records shall be limited solely to the time required for preparing the requested documents and the avoidance of excessive disruptions of the public body's essential functions. In no event may production of a current request for records be unreasonably delayed until after completion of a prior records request that will take substantially longer than the current request. Any public body which makes the requested records available on the Internet shall meet the obligation of providing prompt, reasonable access to its records as required by this paragraph.")

The requested _(Insert name of records here)_ records were not produced/ redacted for the reason(s) indicated:

☒ The request is not reasonably specific under 51 O.S. § 24A.5(7) and working with the requestor to narrow the request has not been successful.

☐ Information redacted from a utility service because it is a personal email address, credit information, credit card numbers, telephone numbers, social security numbers, bank account information for individual customers or contains the name or any other identifier of the occupants of any residential structure. (51 O.S. § 24A.10 (D))

☐ Contact information in license applications, including addresses, phone numbers and IDs (51 O.S. § 24A.5)

☐ The requestor no longer wants the record because the information is available on the municipal website. Under 51 O.S. § 24A.5(6) Any public body which makes the requested records available on the Internet shall meet the obligation of providing prompt, reasonable access to its records.

☐ Municipal attorney has determined the information relates to an investigation or litigation or is privileged legal material. (51 O.S. § 24A. 12, 12 O.S. §§ 2502, 2510, and 3226(B)(3))AG Open Records one pager with exemptions AG Law enforcement one pager with exemptions

☐ Records do not exist or were destroyed under the record retention policy in accordance with 11 O.S. §, 22-131
Ex. Retention Policy : https://www.okc.gov/files/assets/city/v/1/auditor/documents/records-retention-manual-2.pdf

☐ Other reason: _____

(Note: Before checking a box consult with your municipal attorney to make sure the exemption applies)

Signature of Record Custodian_____

P.O. Box 1177/ 415 Gary Blvd 580-323-0265 Clinton, OK 73601

OPEN RECORDS ACT FEE SCHEDULE

COPIES:	FEES
BLACK AND WHITE COPIES (UP TO 8 ½ "X 14")	$0.25 PER PAGE
COLOR COPIES	$0.50 PER PAGE
CERTFIIED COPY	$1.00 PER PAGE
FLASH DRIVE	ACTUAL COST + $5.00

SEARCH	FEES
CLERK	$ 38.00 PER HOUR

ITEMS THAT ARE MAILED WILL HAVE POSTAGE ADDED TO THE AND SHIPPING ADDED.