

ORDINANCE NO. 24-03

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 1, ARTICLE 6 OF THE CODE OF THE CITY OF SOUTH HUTCHINSON, KANSAS, RELATED TO FEES ASSOCIATED WITH OPEN RECORDS REQUESTS

WITNESSETH:

WHEREAS, the Governing Body of the City of South Hutchinson, Kansas, has determined that various sections of Chapter 1, Article 6 of the Code of the City of South Hutchinson, Kansas, related to open records should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SOUTH HUTCHINSON, KANSAS, AS FOLLOWS:

SECTION 1. Chapter 1, Article 6, Section 1-612 of the City Code of the City of South Hutchinson, Kansas is hereby amended to read as follows:

1-612. Inspection fee.

(a) Where a request has been made for inspection of any open public record which is readily available to the record custodian, there shall be no inspection fee charged to the requester.

(b) In all cases not covered by subsection (a) of this section, a record inspection fee shall be charged at the hourly rate of the lowest paid employee who can perform the record search requested. A minimum charge of \$25 shall be charged for each such request.

SECTION 2. Chapter 1, Article 6, Section 1-613 of the City Code of the City of South Hutchinson, Kansas is hereby amended to read as follows:

1-613. Copying fee.

(a) A fee of \$.50 per page shall be charged for photocopying public records, such fee to cover the cost of labor, materials and equipment.

(b) For copying any public records which cannot be reproduced by the city's photocopying equipment, the requester shall be charged the actual cost to the city, including staff time, in reproducing such records.

SECTION 3. Chapter 1, Article 6, Section 1-614 of the City Code of the City of South Hutchinson, Kansas is hereby amended to read as follows:

1-614. Prepayment of fees.

(a) A record custodian may demand prepayment of the fees established by this article whenever he or she believes this to be in the best interest of the city. The prepayment amount shall be an estimate of the inspection and/or copying charges accrued in fulfilling

the record request. Any overage or underage in the prepayment shall be settled prior to inspection of the requested record or delivery of the requested copies.

(b) Prepayment of inspection and/or copying fees shall be required whenever, in the best estimate of the record custodian, such fees are estimated to exceed \$25.

(c) Where prepayment has been demanded by the record custodian, no record shall be made available to the requester until such prepayment has been made.

SECTION 4. All other ordinances, or parts thereof, or City policies inconsistent with Section 1 hereof, are hereby repealed and held for naught.

SECTION 5. This Ordinance shall be effective upon its passage and publication on the South Hutchinson City website, www.southhutch.com, the official city newspaper.

PASSED, APPROVED AND ADOPTED by the governing body of the City of South Hutchinson, Kansas, this 12th day of February, 2024.



Paul Scofield, Mayor

ATTEST:



City Clerk