



## **Cedar Fairmount Special Improvement District**

### **Public Records Policy**

#### **MISSION STATEMENT**

The Cedar Fairmount Special Improvement District is a 501 (c) 3 nonprofit organization created for the beautification, maintenance and promotion of this premier gateway district to Cleveland Heights.

#### **COMPLIANCE**

It is the mission and intent of the Cedar Fairmount SID to at all times fully comply with and abide by both the spirit and the letter of Ohio's Public Records Act, Ohio Revised Code 149.43.

#### **DEFINING PUBLIC RECORDS**

All records kept by the Cedar Fairmount SID are public unless they are exempt from disclosure under Ohio law. All public records are organized and maintained in such a way that they can be made available for inspection and copying. A record is defined to include the following: A document in any format-paper, electronic (including but not limited to business e-mail)-that is created, received by or comes under the jurisdiction of the Cedar Fairmount SID that documents the organization, functions, policies, decisions, procedures, operations or other activities of the office.

#### **RESPONSE TIMEFRAME**

Public records are available during regular business hours, Monday through Friday, with the exception of published holidays. Public records will be made available for inspection promptly. Copies of public records will be made available within a reasonable period of time. "Prompt" and "reasonable" do not mean "immediately" but rather take into account the volume of records requested; the proximity of location where the records are stored and the necessity for any legal review and redaction of the records requested.

#### **HANDLING REQUESTS**

No specific language is required to make a request for public records. However, the requester must at least identify the records requested with sufficient clarity to allow the office to identify, retrieve and review the records. If it is not clear what records are being sought, the office will contact the requester for clarification and assist the requester in revising the request by informing the requester of the manner in which the office keeps its public records.

The requester does not have to put a records request in writing and does not have to provide his/her/their identity or the intended use of the requested public record(s). It is this office's general policy that this information is not to be requested. However, the law does permit the office to ask for a written request, the requester's identity and/or the intended use of the information requested but only if (1) a written request or disclosure of identity or intended use would benefit the requester by enhancing the office's ability to identify, locate or deliver the public records that have been requested and (2) the requester is first told that a written request is not required and that the requester may decline to reveal the requester's identity or intended use.

In processing this request, the office does not have an obligation to create new records or perform a search or research for information in the office's records. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through the office's standard use of sorting, filtering or querying features. Although not required by law, the office should consider generating new records when it makes sense and is practical under the circumstances.

In processing a request for inspection of a public record, no one affiliated with the SID may accompany the requester during inspection to make certain original records are not taken or altered.

A copy of the most recent edition of the Ohio Sunshine Laws Manual is available via the Ohio Attorney General's website, [www.OhioAttorneyGeneral.gov/YellowBook](http://www.OhioAttorneyGeneral.gov/YellowBook), for the purpose of keeping employees of the office and public educated as to the office's obligations under Ohio Public Records Act, Ohio Open Meetings Act, records retention laws and the Personal Information Systems Act.

### **ELECTRONIC RECORDS**

Electronic records such as e-mails, are treated in the same fashion as records in other formats, such as paper or audio recordings. All public officials and representatives of the SID are required to retain their e-mail records and other electronic records in accordance with applicable records retention schedules.

If document does not already exist in electronic form, the office is not obligated to create an electronic version unless doing so was otherwise an integral part of the normal operations of the public office.

### **DENIAL OR REDACTION OF RECORDS**

If the requester makes an ambiguous or overly broad request or has difficulty in making a proper request for public records, the request may be denied. The denial will provide the requester an opportunity to revise the request by informing the requester of the manner in which records are maintained and accessed by the office.

If the office withholds, redacts or otherwise denies requested records, it must provide an explanation, including legal authority, for the denial(s). If the initial request was made in

writing, the explanation must also be in writing. If portions of a record are public and portions are exempt, the exempt portions may be redacted and the rest must be released. When making public records available for public inspection or copying, the office shall notify the requester of any redaction or make the redaction plainly visible.

### **COPYING AND MAILING COSTS**

Those seeking public records may be charged only the actual cost of making copies, not labor. The charge for paper will be at the usual and customary rate per page. The charge for electronic files downloaded to a compact disc will be at the usual and customary rate per disc.

A requester may be required to pay in advance for the actual costs involved in providing the copy. The requester may choose whether to have the record duplicated upon paper, upon the same medium on which the public record is kept or upon any other medium on which the office determines that the record can reasonably be duplicated as an integral part of the office's normal operations.

If a requester asks that documents be delivered to them, he/she/they may be charged the actual cost of the postage and mailing supplies or other actual costs of delivery. There is no charge for e-mailed documents.

### **MANAGING RECORDS**

Cedar Fairmount Special Improvement District's records are subject to retention schedules. The office's current schedules are available at 2533 Euclid Heights Boulevard, Cleveland Heights 44106, a location readily accessible to the public as required by Ohio Revised Code 149.43 (B)(2). For further information or to access records, please contact Myra Orenstein at [info@cedarfairmount.org](mailto:info@cedarfairmount.org) or call 216.932.3322.