

## CONTENTS

- I. Statement of Purpose
- II. Coverage and Methodology
- III. Copying Fee
- IV. Special Service Charge for Extraordinary Public Records Requests
- V. Accounting for Time Spent Handling Public Record Requests
- VI. Related Policies/Procedures
- VII. Related Forms
- VIII. Contact

### I. STATEMENT OF PURPOSE

The Town of Jamestown, as a political subdivision of the State of North Carolina, is open and responsive to information requests from the public and the news media. Compiling records that have been requested requires the expenditure of resources.

Therefore, in an effort to fairly recover the non-appropriated cost of responding to public records requests, and be consistent with existing law and policy, the Town of Jamestown establishes the following policy. This policy will be implemented in accordance with the NC Public Records Act (N.C.G.S. Chapter 132, specifically N.C.G.S. § 132-6.2) and the NC Human Resources Act (N.C.G.S. Chapter 126, specifically Article 7).

### II. COVERAGE AND METHODOLOGY

This policy applies to all requests for public records made to the Town of Jamestown, regardless of requester. All requests should be provided in writing in order to create appropriate documentation for monitoring time, costs, and billing as needed. There is no requirement that the requestor provide their name and contact information. However, in the event that the Town has a question or needs clarification concerning a request, such contact information is appreciated. A Public Records Request Form is available for the public's use on the Town website or at Town Hall. All requests should be made to the Town Clerk.

Written requests may be sent to the Town via Email to Town Clerk, Facsimile, In-person at the Town Hall or by US Postal Service to 301 E. Main Street, PO Box 848, Jamestown, NC 27282. Telephone and in-person requests are also accepted at the Town Hall during normal business hours. Such requests shall be transcribed by the staff member receiving the request on a Request Form to ensure that the request is sufficiently specific for the custodian to know what records are being sought. All requests should be made to the Town Clerk and a copy forwarded to the Town Manager.

Upon receipt of a request, the Town shall acknowledge such as soon as practicable. All requests will be directed to the appropriate staff member by the Town Clerk. The Town will respond to the requestor by: a) producing the record; b) denying the request accompanied by an explanation of the basis for denial; or c) producing the request in part and denying the request in part, accompanied by an explanation of the basis of the denial in part. The Town is not required to create or compile a record that does not exist or to provide a record in a medium if that record is not kept in such.

In the event a requestor chooses to inspect records at Town Hall, the records will be made available at a time that is mutually agreeable between the Town Clerk and the requestor within normal business hours. The appointment to inspect such records may need to be broken into intervals, possibly over a period of days, so as not to interfere with the daily operations of the Town.

### III. COPYING FEE

- A. If the requester asks for hard copies of documents, the Town of Jamestown may charge the actual cost of copying. Generally, the Town of Jamestown will not charge for the copying cost unless the number of pages exceeds twenty-five (25). Thereafter, the charge will be ten (10) cents per page for every page over 25 copied in black and white and capable of being reproduced in-house. If for any reason a request requires special handling (e.g., color copies, out-sourcing of copying function, etc.), the actual cost of such handling shall be calculated on a case-by-case basis.
- B. If the requester asks for documents in some other medium (e.g., disk or flash drive), the Town of Jamestown may charge the actual charge for the media provided.
- C. If the requester requests transmission of the documents via email or other electronic means, the Town of Jamestown may charge only for the special service charge described in paragraph IV, if applicable.
- D. The person responding on behalf of the Town of Jamestown shall provide an estimate of the copying cost to the requester prior to making or releasing the copies, and allow the requester the option of either agreeing to pay the charge or to revise the request.
- E. Multiple requests within a short period of time (up to 120 days) from the same individual or organization on the same or related topic will be considered a single request for purposes of determining whether to charge under this section.

### IV. SPECIAL SERVICE CHARGE FOR EXTRAORDINARY PUBLIC RECORDS REQUESTS

- A. If the request is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance, or if producing the records in the medium requested results in an excessive use of information technology resources, then the Town of Jamestown may charge, in addition to any applicable copying fee, a special service charge. The special service charge will be reasonable and no greater than the actual costs incurred. The Town of Jamestown considers more than four (4) hours to constitute extensive use of personnel resources.
- B. If preparation of the response to the request exceeds four (4) hours, the Town of Jamestown will charge a presumed rate of \$31.00 per hour for the additional time. The person responding on behalf of the Town of Jamestown will provide an estimate of the costs for an extraordinary request prior to making the records available for inspection or release. The Town will allow the requester the option to either agree to pay the charge or revise the request to narrow its nature or scope. Multiple requests within a short period of time from the same individual or organization will be considered a single request for purposes of determining whether to charge under this section.
- C. The actual cost of redacting legally privileged and/or confidential information may not be included in calculating this special service charge. However, the time spent reviewing for and redacting privileged and/or confidential information should be estimated and recorded as described in section V.
- D. In the event that costs applicable to a request exceed \$25.00, the Town, at its discretion, may require the requestor to deposit a sum equal to 75% of the estimated fee *prior* to fulfillment of the request. In the event that actual costs are less than the deposit, the Town will refund the sum in excess of actual costs. Payment is required *prior* to the release of any records. The Town reserves the right to require payment for one records request before beginning another public records request by the same individual. In the event that records are not collected by the requestor within 30 calendar days of notification, the Town will destroy the duplicated records and the requestor will still be responsible for the fees. Those fees shall be paid in full prior to the Town beginning work on any future requests by the same party.

**V. ACCOUNTING FOR TIME SPENT HANDLING PUBLIC RECORD REQUESTS**

- A. To the extent practicable, all employees involved in fulfilling a public records request shall maintain a reasonable approximation of the time spent on that task to the nearest half hour.

**VI. RELATED POLICIES/RESOURCES**

- [North Carolina Public Records Act \(N.C.G.S. 132\)](#)

**VII. RELATED FORMS**


- None

**VIII. CONTACT**

- [kweiner@jamestown-nc.gov](mailto:kweiner@jamestown-nc.gov)

Adopted this the 16th day of November, 2021.

  
\_\_\_\_\_  
Lynn Montgomery, Mayor

Attest:   
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Nancy Avery  
Interim Town Clerk