

VILLAGE OF NEW LONDON  
ORDINANCE NO. 2025 - 07

AN ORDINANCE  
AMENDING AND RESTATING THE “PUBLIC RECORDS POLICY” AS SET FORTH IN THE  
VILLAGE’S EMPLOYEE HANDBOOK AND PERSONNEL POLICIES

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NEW LONDON, HURON COUNTY,  
OHIO, AS FOLLOWS

Section 1. That the portion of the Village’s “Employee Handbook and Personnel Policies”  
pertaining to the “Public Records Policy,” shall be amended and restated, to read as follows:

~~ORDINANCE 07-23~~

~~AN ORDINANCE AMENDING THE PERSONNEL POLICY CONCERNING POLICY ON PUBLIC RECORDS.~~

~~BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NEW LONDON, HURON COUNTY, OHIO.~~

~~SECTION 1. That a new section of the Village’s Employee Handbook and personnel Policies as adopted September  
20, 2006, is hereby adopted, which shall read as follows:~~

**PUBLIC RECORDS POLICY**

**INTRODUCTION**

It is the policy of the Village of New London that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the Village of New London to strictly adhere to the state’s Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

**SECTION 1. PUBLIC RECORDS**

The Village of New London, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the Village of New London are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

**SECTION 1.1**

It is the policy of the Village of New London that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Record retentions schedules are to be updated regularly and posted prominently.

**SECTION 2. RECORD REQUESTS**

Each request for public records should be evaluated for a response using the following guidelines:

**SECTION 2.1**

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

**SECTION 2.2**

The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public records.

### **SECTION 2.3**

Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

### **SECTION 2.4**

Each request should be evaluated for an estimated length of time required to gather records. Routine requests for records should be satisfied immediately if feasible to do so. Routine requests include, but are not limited to, meeting minutes (both in draft and final form), budgets, salary information, forms and applications, personnel rosters, etc. If fewer than 20 pages of copies are requested or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, these should be made as quickly as the equipment allows.

All requests for public records must normally either be satisfied or be acknowledged in writing by the (public office) within three business days following the office's receipt of the request. If a request is deemed significantly beyond "routine" such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must normally include the following:

**Section 2.4a** – An estimated number of business days it will take to satisfy the request.

**Section 2.4b** – An estimated cost if copies are requested.

### **SECTION 2.5**

Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

## **SECTION 3. COST FOR PUBLIC RECORDS**

Those seeking public records will be charged only the actual cost of making copies.

**Section 3.1** The charge for paper copies is 5 cents per page.

**Section 3.2** The charge for downloaded computer files to a compact disc is \$1 per disc.

**Section 3.3** There is no charge for documents e-mailed.

**Section 3.4** Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.

## **SECTION 4. E-MAIL**

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the office. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

### **SECTION 4.1**

Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of this office are instructed to retain their e-mails that relate to public business and to copy them to their business e-mail accounts and/or to the office's records custodian.

### **SECTION 4.2**

The records custodian is to treat the e-mails from private accounts as records of the public office, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.

**SECTION 5. PROCEDURES RELATED TO VIDEO RECORDS – EFFECTIVE FROM AND AFTER April 9, 2025**

NOTWITHSTANDING ANY OF THE FOREGOING PROVISIONS, WITH RESPECT TO A REQUEST TO VIEW OR FOR A COPY(IES) OF VIDEO RECORDS AS THAT TERM IS CONTEMPLATED IN REVISED CODE SECTION 149.43(B)(1), THE VILLAGE WILL ASSESS A CHARGE REFLECTING THE ACTUAL COST ASSOCIATED WITH PREPARING THE RECORD FOR INSPECTION OR PRODUCTION. WHILE AN ESTIMATE OF THE ACTUAL COSTS SHALL BE MADE IN CONNECTION WITH EACH REQUEST, THE ESTIMATE SHALL NOT EXCEED SEVENTY-FIVE DOLLARS PER HOUR OF VIDEO PRODUCED, NOR SEVEN HUNDRED FIFTY DOLLARS TOTAL. FOR THIS PURPOSE, "ACTUAL COST," WITH RESPECT TO VIDEO RECORDS ONLY, MEANS ALL COSTS INCURRED BY THE VILLAGE IN REVIEWING, BLURRING OR OTHERWISE OBSCURING, REDACTING, UPLOADING, OR PRODUCING THE VIDEO RECORDS, INCLUDING BUT NOT LIMITED TO THE STORAGE MEDIUM ON WHICH THE RECORD IS PRODUCED, STAFF TIME, AND ANY OTHER RELEVANT OVERHEAD NECESSARY TO COMPLY WITH THE REQUEST. THE REQUESTER WILL PAY THE ESTIMATED ACTUAL COST BEFORE BEGINNING THE PROCESS OF PREPARING A VIDEO RECORD FOR INSPECTION OR PRODUCTION. THE VILLAGE SHALL PROVIDE THE REQUESTER WITH THE ESTIMATED ACTUAL COST WITHIN FIVE BUSINESS DAYS OF RECEIPT OF THE PUBLIC RECORDS REQUEST. IF THE ACTUAL COST EXCEEDS THE ESTIMATED ACTUAL COST, THE VILLAGE WILL CHARGE THE REQUESTER FOR THE DIFFERENCE UPON FULFILLING A REQUEST FOR VIDEO RECORDS PROVIDED THAT THE REQUESTER IS NOTIFIED IN ADVANCE THAT THE ACTUAL COST MAY BE UP TO TWENTY PER CENT HIGHER THAN THE ESTIMATED ACTUAL COST. THE VILLAGE SHALL NOT CHARGE A REQUESTER A DIFFERENCE THAT EXCEEDS TWENTY PER CENT OF THE ESTIMATED ACTUAL COST.

**SECTION 65. FAILURE TO RESPOND TO A PUBLIC RECORDS REQUEST**

The Village of New London recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, failure to comply with a request may result in a court ordering the Village to comply with the law and to pay the requester attorney's fees and damages.

**SECTION 76.** That, upon the adoption of this Ordinance, the Fiscal Officer, the Administrator, and the Chief of Police shall acknowledge in writing their receipt of a copy of this Ordinance and shall arrange for the posting of public records policy in each public office of the Village.

**Section 87.** That the Fiscal Officer, the Administrator, and the Chief of Police are hereby appointed as the designees of the Council and Mayor to attend training with respect to public records as specified in Revised Code Section 149.43 (E) and 109.43.

~~**Section 8.** That this ordinance shall take effect at the earliest period allowed by law.~~

Section 2. That this Ordinance shall take effect at the earliest period allowed by law.

PASSED:

March 10, 2025

ATTEST:

Nancy Howell  
Fiscal Officer

Foley Thomas  
Mayor\