

# **RESOLUTIONS OF THE CITY OF HELENA, MONTANA**

## **RESOLUTION NO. 20237**

### **A RESOLUTION OF INTENTION TO ESTABLISH FEES TO RECOUP ACTUAL COSTS OF FULFILLING PUBLIC INFORMATION REQUESTS AND REPEALING RESOLUTION NO. 19214**

**WHEREAS**, the general public frequently requests copies of various public information generated by or contained in files kept by the City of Helena; and

**WHEREAS**, on May 9, 2005, a schedule of fees to be charged for searching for and providing copies to the public was established by Resolution No. 19214 so that the City could reasonably recover the retrieval and copying costs incurred by the City; and

**WHEREAS**, recent changes to Montana state law allow local government agencies to impose fees for the actual costs of producing public information; and

**WHEREAS**, requests for copies of electronic communications are becoming more prevalent and require a significant amount of staff time to accomplish; and

**WHEREAS**, it appears to be in the best interests of the City of Helena, Montana, and the inhabitants thereof, that Resolution No. 19214 be repealed, and that the Helena City Commission hold

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a public hearing on the proposal to impose fees that reflect the actual costs of fulfilling public information requests.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:**

**Section 1.** That it is the intention of the City of Helena to repeal Resolution No. 19214, which was passed by the Helena City Commission on May 9, 2005, and establish fees that reflect the actual costs of fulfilling public information requests.

**Section 2.** That the following fee schedule for fulfilling public information requests is hereby adopted:

**A.** Persons requesting public information from the City of Helena shall pay for the actual labor costs directly incident to fulfilling the requests.

**B.** Fees for copying and producing printed material are in addition to the actual labor costs described above and are as follows:

**Standard Size (up to 11" x 17")**

Up to 15 pages printed or copied	No charge
Over 15 pages printed or copied	10¢/page for every page over 15

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Nonstandard size (over 11" x 17") 40¢ per square foot  
unless otherwise  
provided

1" = 1,000 feet scale map \$6.25 per map

1" = 600 feet scale map \$10.00 per map

30" x 30" section map \$3.75 per map

ACCIDENT REPORTS (Confidential per §61-7-114, MCA, with exceptions):

Cost of research and copying \$5.00 per report

Cost of mailing (if required) \$1.00 per report

**Section 3.** A defendant in a pending criminal action or the defendant's attorney may obtain copies of documents regarding the case at no cost, either for searching, copying, or printing.

**Section 4.** Subject to authorization by the City or County Attorney, pursuant to §44-5-303, MCA, a victim of a crime may obtain copies of documents regarding the case at no cost, either for searching, copying, or printing.

**Section 5.** Payment of these fees, if the total amount is equal to or less than \$250.00, is required in full prior to releasing the public information. If the total fee amount is estimated to be greater than \$250.00, the requestor must remit

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payment of \$250.00 prior to identifying and gathering the requested public information.

**Section 6.** The City reserves the right to provide requested public information to requestors in electronic format.

**Section 7.** A public hearing will be held on this matter at **6:00 P.M. on the 25<sup>th</sup> day of April, 2016**, in the City Commission Chambers at 316 North Park Avenue, Helena, Montana, so that all interested parties may appear and express their opinions of approval or disapproval.

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 21<sup>st</sup> DAY OF MARCH.**

/S/ James E. Smith

**MAYOR**

**ATTEST:**

/S/ Debbie Havens

**CLERK OF THE COMMISSION**