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Public Records

Public Records Policy

The City of Gainesville's policy is to retain public records in accordance with [Florida law](#). It is also the policy of the city to allow any person to access public records in accordance with Florida law. The City of Gainesville's policy number G-5 on public records states:

"It is the policy of the City to retain public records in accordance with Florida law. It is also the policy of the City to allow any person to access public records in accordance with Florida law. The Charter Officers shall adopt administrative procedures to implement the City's Public Records Policy and ensure that the City is in compliance with Florida's public records law. (effective 5/6/10)"

What is a Public Record?

Currently, "public records" are all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software or other material, regardless of the physical form, characteristics or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency. ([Florida Statute Section 119.011 \(12\) \(2009\)](#))

The Florida Supreme Court has interpreted this definition to include "any material prepared in connection with official agency business which is intended to perpetuate, communicate, or formalize knowledge of some type." By way of example, computer records, e-mails, social media entries, tape recordings, text messages, voicemails, and instant messages are public records when they are made or received by a city employee in connection with official city business and are used to perpetuate, communicate, or formalize knowledge.

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How can I request a public record?

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Public records requests can be made at any city department. If you know which department is the custodian of the record, it will be more expeditious to make the request with that department directly. If you do not know which department is the custodian, please contact the City Manager's Office (352-334-5010) or the Clerk of the Commission (352-334-5016) for assistance.

There are many ways that you can make a public records request, including:

- In person (verbally or in writing)
- Email
- Telephone call
- In writing via mail service (USPS, UPS, FedEx, etc.)
- Social media

You have the right to remain anonymous, but please be aware that staff may ask for your name and/or contact information in order to follow up with you later.

Exemptions

State law has designated certain materials or information as exempt or confidential. If the public record contains exempt information, that information must be redacted before the remaining information can be released. Depending on the volume of records that require review for such exempt or confidential information, a special service charge may be assessed. To view the most frequent exemptions, please click [here](#) (link to FAQs from training offered by Attorney's Office). All exemptions can be found [online in Florida statutes](#).

Is there a cost to making a public request?

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Requests that are broad or vague in nature typically result in the review of large amounts of data or records, and can incur extensive costs and a delayed response. The more specific your request is, the better staff is able to locate the record with a quicker response and without exorbitant costs, or possibly no cost at all.

Copy Fees and Special Service Charges

A. Any person may inspect public records in the presence of a city employee (or designee), and he or she may tab, clip, or in some other form, identify which documents he or she would like copied. The employee will compute the cost of the requested copies and collect all copy costs from the person requesting copies of public records prior to making any copies.

B. City employees shall charge for all copies of public records the rates allowable by Florida law, as may be amended from time to time; provided; however, that the first 10 copies per week, per person shall be without charge. Currently, the rates allowable by Florida law and the city's administrative procedure are as follows:

Copy Type	Cost
First ten (10) paper copies	Free
Paper copies of not more than 8 1/2" x 14"	\$0.15 per one-sided copy, or \$0.20 per two-sided copy
Certified copies of a public record	\$1.00 per copy
DVDs	\$1.00 per disc
For all other copies	Actual cost of duplication

C. If the nature or volume of public records requested to be inspected or requires extensive use (more than 15 minutes) of resources or extensive clerical or supervisory assistance by the city employees involved, employees will charge, in addition to copy costs, a **special service charge**, which shall be reasonable and shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the city employees providing the service that is actually incurred by the city or attributable to the city for the clerical and supervisory assistance required, or both. The special service charge shall be computed to the nearest quarter of an hour exceeding 15 minutes based on the current rate of pay and benefits for the pay grade of the person who performed the service and will be assessed when appropriate regardless of the number of individual copies made.

D. The requestor will be notified of any and all potential fees and charges associated with their public records request prior to inspection and copying. An estimate of the fees and charges may be provided to the requestor and approval obtained prior to producing the request. Payment of all fees and charges assessed must be received prior to copies being made and provided to the requestor and prior to the use of extensive information technology resources or staff time to respond to a public records request.