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**ORDINANCE NO. 080939**

0-09-14

**An Ordinance of the City of Gainesville, Florida amending Section 2-164 by changing the custodial responsibilities of the clerk of the commission and the fee charged for copying public records; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

**WHEREAS**, at least ten (10) days notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing in the City Commission Auditorium in City Hall, City of Gainesville; and

**WHEREAS**, a Public Hearing was held pursuant to the published notice described at which hearing the parties in interest and all others had an opportunity to be and were, in fact, heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

**Section 1.** Section 2-164 of the Code of Ordinances of the city of Gainesville is amended to read:

Sec. 2-164. Custodian of city seal and certain city records; duty to give copies of records; fee.

The clerk of the commission is hereby made the custodian of the city seal; ~~and of records all books, papers and records belonging to or appertaining to the city government.~~ of the city commission, including but not limited to resolutions, ordinances, proclamations, minutes, agendas, meeting notices, digital/audio recordings of city commission meetings, and correspondence; lobbyist registration records; domestic partnership registration records; the records of any board or committee for which the clerk is appointed secretary; and any other

1 records designated by the city commission. The clerk of the commission shall at any time give  
2 certified copies of any of the records to any persons desiring the same, for which there shall be  
3 charged the same fees as are allowed the clerk of the circuit court under the then current Florida  
4 Statutes. The clerk of the commission upon request shall also make and furnish uncertified  
5 copies or duplicates of any public records in the clerk's office without charge; provided however,  
6 no one person is entitled to receive more than ten copies per week without charge; and provided  
7 further, that all further copies shall be at the rates allowable by Florida law. ~~of \$.05 per page~~

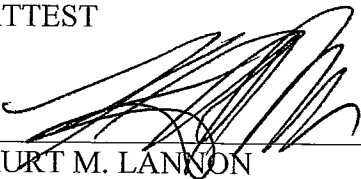
8 **Section 2.** If any section, sentence, clause or phrase of this ordinance is held to be  
9 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no  
10 way affect the validity of the remaining portions of this ordinance.

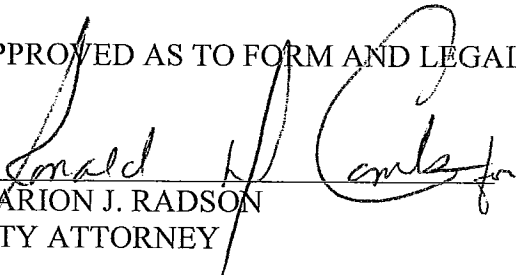
11 **Section 3.** All ordinances, or parts of ordinances, in conflict herewith are to the  
12 extent of such conflict hereby repealed.

13 **Section 4.** This ordinance shall become effective immediately upon final adoption.

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15 **PASSED AND ADOPTED** this 7<sup>th</sup> day of May, 2009.

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19 PEGEEN HANRAHAN  
20 MAYOR

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22 ATTEST  
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25 \_\_\_\_\_  
26 KURT M. LANNON  
27 CLERK OF THE COMMISSION  
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29  
30 APPROVED AS TO FORM AND LEGALITY  
31   
\_\_\_\_\_  
MARION J. RADSON  
CITY ATTORNEY

30 This Ordinance passed on first reading this 16<sup>th</sup> day of April, 2009.  
31 This Ordinance passed on second reading this 7<sup>th</sup> day of May, 2009.

MAY 07 2009