

ORDINANCE NO. 2025-17

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF DELPHI, INDIANA, DECLARING PUBLIC RECORDS REQUESTS POLICIES AND ESTABLISHING A REQUIRED REQUEST FORM

WHEREAS, public records of the City of Delphi, Indiana and its municipal departments and agencies (the "City") shall be made available for public inspection and copying pursuant to Indiana Code § 5-14-3 (Access to Public Records Act);

WHEREAS, pursuant to I.C. § 5-14-3-3, the City may require a request to be made on a form provided by the City;

WHEREAS, it is important that the time required for the compilation and copying of any public records not unreasonably interfere with the other business of the City; and

WHEREAS, the City desires to establish consistent procedures for receiving and responding to requests for public records;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Delphi, Indiana, that:

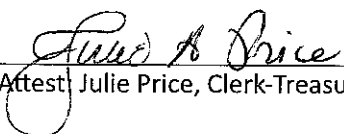
Section 1. Pursuant to I.C. § 5-14-3-3, all individuals and entities making a request access to public records are required to use the Public Records Request Form attached to this Ordinance as Exhibit A.

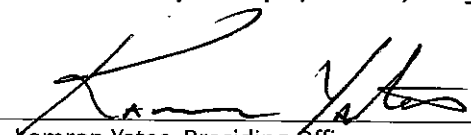
Section 2. Title III, Chapter 30 of the Code of Ordinances of the City of Delphi is hereby amended to include a new Section 30.40 "Public Records Request Policies," which shall read as follows in Exhibit B attached hereto.

Section 3. If any section, sentence, or provision of this ordinance or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other parts of this ordinance which can be given effect without the invalid part, and to this end, the provisions of this ordinance are declared to be severable.

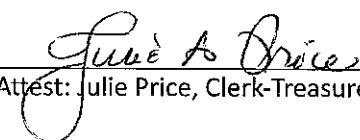
Section 4. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Passed and adopted by the majority of the Common Council of the City of Delphi, Indiana, this 1st day of December, 2025.


Attest: Julie Price, Clerk-Treasurer


Kamron Yates, Presiding Officer

Approved / Vetoed by me, the Mayor, this 1st day of December, 2025.


Attest: Julie Price, Clerk-Treasurer

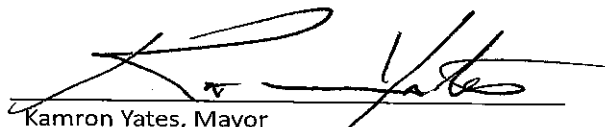

Kamron Yates, Mayor

EXHIBIT A – PUBLIC RECORDS REQUEST FORM

Records Request Form

Pursuant to I.C. 5-14-3-3(a)(2), all requests for public records submitted to the City of Delphi, Indiana ("City") must be made on this form and submitted to the Delphi Clerk-Treasurer's Office. Questions regarding the use of this form may be directed to the Delphi City Building at (765) 564-2097.

Requestor's Information. Provide your contact information and preferred method of contact so we may respond to your request.

Date	
Name <i>(first and last)</i>	
Name of Organization <i>(if applicable)</i>	
Address <i>(number and street)</i>	City, State ZIP Code
Phone / Fax	Email Address
<i>Please indicate the email or mailing address where the records should be sent if different from above.</i>	
Preferred method of contact: <input type="checkbox"/> Email <input type="checkbox"/> Mail <input type="checkbox"/> Fax	

Records Requested. You must describe the records you are requesting with *reasonable particularity*. This means you should include information such as date range; specific type of record or document; or a specific location or department. If the request is for inspection or copying of a law enforcement recording, you must provide the information required under I.C. 5-14-3-3(i). ***Vague or overbroad requests may be denied, delayed, or returned for further clarification.*** If you fail to clarify the request after receiving a response from the City seeking clarification, the City need not respond further to the request.

Pursuant to the Access to Public Records Act, I.C. 5-14-3, I request to inspect or obtain copies of the following public records:

Description	Date Range	Requested Format <i>(digital or physical copy)</i>

Record Format. If a record is maintained in both physical and digital format, the record will be provided in the format requested above. However, the City is not obligated to change the format of a record that is maintained only in a single format (i.e., digital or physical form only), and such record shall be provided in the format available. If the requested information is already available on the City website, you will be so directed.

Multiple Requests. If multiple requests are made by the same requestor, each request will be fulfilled in the order received, and the subsequent request will not be addressed until the previous request has been answered.

Copying Fee. If a copy of a record is requested, a copying fee may be charged and must be paid prior to receiving the requested records. You will be informed of the copying cost prior to making the copy.

Although the submission of this form requires that the City of Delphi acknowledge receipt of the request within seven (7) days, there is no requirement for the production of records within this specified period. It is the goal of the City to respond to a records request within a reasonable time, taking into account the nature of the request and the records requested.

EXHIBIT B – PUBLIC RECORDS REQUEST POLICIES

§ 30.40 PUBLIC RECORDS REQUEST POLICIES.

It is the policy of the City of Delphi, Indiana to comply fully with the Indiana Access to Public Records Act (APRA), Indiana Code § 5-14-3 *et seq.*, as may be amended from time to time.

§ 30.41 SUBMISSION OF REQUESTS.

- (A) Requests for public records shall be made in writing using the form provided by the City.
- (B) The request form may be submitted to the City by mail, fax, email, or personal delivery to the Clerk-Treasurer's Office.
- (C) The request form shall be fully completed and must identify with reasonable particularity the record being requested. The requestor shall attest that the requested records shall not be used for commercial purposes. However, the reason for making the request is not required, and no request shall be denied for not providing a reason in the request form, unless a reason is required by another applicable statute.
- (D) If a request is for inspection or copying of a law enforcement recording, the request must provide the information required under I.C. § 5-14-3-3(i), as may be amended from time to time.

§ 30.42 RESPONSE TO REQUESTS.

- (A) The City shall respond with a written acknowledgment of a request made in person within 24 business hours or a request received by mail, fax, or email within seven (7) calendar days.
- (B) If clarification is needed from the requestor in order for the City to proceed with a response, the City shall notify the requestor as soon as possible.
- (C) If a requestor fails to clarify the request after receiving a response from the City seeking clarification, the City need not respond further to the request.
- (D) If the requested public records are accessible on the City's website, the City will provide a response directing the requestor to where the requested records may be found on the website.
- (E) If the City responds with a denial of any part or all of the request, the City shall provide the reason for the denial, a brief explanation of the statutory authority of the denial, and the name and title of the person responsible for the denial.
- (F) If multiple requests are made by the same requestor, each request shall be fulfilled in the order received, and the subsequent request shall not be addressed until the City has responded to the previous request.

§ 30.43 PRODUCTION OF RECORDS.

- (A) It is the goal of the City to produce the requested records in a reasonable time, taking into account the nature of the request and the records requested.
- (B) Additional time to produce the requested records may be based upon the City's need to:
 - (1) Clarify the intent of the request;
 - (2) Identify, locate, assemble and/or make the records ready for inspection or disclosure;
 - (3) Notify third parties affected by the request; or
 - (4) Determine whether any of the records or information requested is exempt from disclosure and whether a denial should be made as to all or part of the request.
- (C) Unless the City maintains a list of information due to a statutory requirement, the City is not required to create a "list" to satisfy a public records request.

- (D) If a record is maintained in both paper and electronic format, the record will be provided in the format requested by the requestor. The requested format, notwithstanding, the City is not obligated to change the format of a record the City maintains in a single format.

§ 30.44 COPY FEES.

- (A) The fee for copying documents shall be ten cents (\$0.10) per page for black-and-white copies and shall not exceed \$0.25 per page for color copies, or as otherwise provided by statute.
- (B) The copying fee for any request for which the response will be oversized documents, color photographs or reproductions, tape recordings and computer disks shall be the actual expense for copying, including the cost of materials.
- (C) Any copying fees must be paid in full prior to the release of the records to the requestor.

§ 30.45 PROHIBITION AGAINST COMMERCIAL USE OF PUBLIC RECORDS

- (A) A requestor receiving public records or information shall not use the records or information for commercial purposes. This prohibition does not apply to the use of such records in connection with the preparation or publication of news, for nonprofit activities, or for academic research.
- (B) I.C. § 5-14-3-3 defines "commercial purpose" as "to sell, advertise, or solicit the purchase of merchandise, goods or services, or sell, loan, give away or otherwise deliver the information obtained by the request to any person for these purposes."