

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN FOR THE
CITY OF OCEAN SPRINGS, MISSISSIPPI ESTABLISHING NEW PUBLIC RECORD
REQUEST POLICY**

COME NOW, the Mayor and Board of Aldermen for the City of Ocean Springs, Mississippi and finds that:

WHEREAS, Section 25-61-1, et seq. of the Mississippi Code is known as the "Mississippi Public Records Act of 1983" ("the Act"); and

WHEREAS, Section 25-61-5 permits public bodies to adopt written procedures concerning the cost, time, place, and method of access to public records pursuant to the limitations set forth therein; and

WHEREAS, the City of Ocean Springs hereby adopts this resolution updating its policy and establishing the "2024 Public Records Policy of the City of Ocean Springs", attached hereto as Exhibit "A", in order to fully comply with the Act; and

WHEREAS, all words and phrases used in the "2024 Public Records Policy of the City of Ocean Springs" shall have the same meaning as used in the Act; and

WHEREAS, the "2024 Public Records Policy of the City of Ocean Springs" supersedes and controls over the "2019 Public Records Policy of the City of Ocean Springs".

AND SO THE ABOVE FINDINGS ARE THEREFORE RESOLVED by the Mayor and Board of Aldermen of the City of Ocean Springs, Mississippi on the 15th day of October 2024.



MAYOR

ATTEST: Bethy Maston
CITY CLERK

2024 PUBLIC RECORDS POLICY OF THE CITY OF OCEAN SPRINGS

This statement of policy and procedure is drafted and published in compliance with the Mississippi Public Records Act of 1983, codified as Section 25-61-1, et seq. of the Mississippi Code. The Mississippi Public Records Act of 1983 and all amendments thereto are incorporated into this policy. The procedures and policies herein shall be complied with by the City of Ocean Springs ("the City"), and by any person exercising the right to inspect, copy, or mechanically reproduce or obtain a reproduction of any public record held and controlled by the City.

1. A person requesting any public record held or controlled by the City may do so in writing on a form provided at City Hall or downloaded from the City's website and delivered in person at City Hall, delivered via U.S. mail, or submitted electronically directly from the City's website. Requests by mail shall be submitted to P. O. Box 1800, Ocean Springs, MS 39566-1800. In no case will the request be deemed made until received at City Hall by the City Clerk. The date of the request shall be the date such request on proper form is received by the City Clerk, who shall require the request to prominently display the correct date on its face. Emails or other correspondence not on a proper form will not be considered as compliant requests. All information, including contact information, must be completed for the request to be considered compliant. This includes a full name and valid address, email address, and phone number.

2. All requests shall be clear and concise, and records are to be requested with all reasonable particularity in accordance with the record-keeping procedures in place for the department where the requested records may be obtained.

3. The City shall produce the requested records or deny all requests for inspection within seven (7) working days of the request, subject to the extended time permitted by Section

25- 61- 9 for certain records. The City shall notify the person requesting the information if the request will not be honored, as well as set forth in writing the reason(s) said request could not be fulfilled, whether in whole or in part. If the City is to produce records but is unable to comply with the seven (7) working day mandate, the requesting party shall be notified and the production shall be made within fourteen (14) working days of when the request was received.

4. Requests for records related to sealed proposals shall be governed by Section 25-61- 5(1)(b).

5. If the request is to be honored, the requesting party shall be given a reasonable estimate of the costs incurred by the City in locating and producing the records for inspection and/ or production. Copies shall be charged at the rate identified in the City of Ocean Springs Adopted Fee Schedule (hereinafter “Adopted Fee Schedule”) for letter-size and legal-sized documents. Architectural drawings or documents of similar size, if subject to production, shall be charged at the rate identified in the Adopted Fee Schedule. All copies and/ or printed documents will be one-sided only. All time of City employees to comply with the request shall be charged at the rate identified in the Adopted Fee Schedule. Electronic production via flash drive, CD, or other method can be had by payment of the cost of the medium utilized and reasonable labor, subject to the capability of the City to create said device in a manner compatible with the requestor's electronic equipment. Requestors will not be permitted to supply their own electronic medium. Arrangements for electronic production can be made by contacting the City Clerk. All charges associated with a request shall be to reimburse the City for time and materials utilized in fulfilling the request and shall not exceed the actual cost to the City of producing the requested records. The City Clerk shall collect all such fees prior to providing records to the requesting party or permitting review of records.

6. Requesting parties shall not be given access to computers of the City. If records are stored electronically, the requesting party will be responsible for paying appropriate costs as set forth in Paragraph 5 in order to view said records. If the search of computer records, emails, or any electronically stored information is of such complexity that it requires the assistance of a third-party contractor, the requesting party shall be notified prior to the contractor beginning said work. The rate charged for such work shall be equal to the amount charged by the contractor to the City.

7. Requests to inspect records will be done at a mutually agreeable date and time. Except upon agreement of the City and requesting party, the inspection shall occur within the time for production as established by this policy.

8. If records are to be provided via mail, the requesting party shall submit postage fees prior to the records being provided. Records can be provided via electronic mail only upon mutual agreement of the City and the requesting party and subject to the capabilities of their respective systems.

9. Records of all denials of record requests, whether in whole or in part, shall be maintained by the City Clerk for a minimum period of three (3) years.

10. All requests for police and/ or court records shall be subject to Section 25- 61- 12.

11. All requests shall be subject to the privilege and confidentiality guidelines set forth in Sections 25- 61- 9 and 25- 61- 11.

12. If any part of this policy is deemed illegal, unconstitutional, or unenforceable for any reason, the remainder of the policy shall remain in full force and effect.