

CITY OF TAFT

ORDINANCE NO: 03-22-24-01

STATE OF TEXAS,

AN ORDINANCE OF THE CITY COUNCIL OF TAFT, TEXAS; PROVIDING FOR A POLICY PURSUANT TO TEXAS GOVERNMENT CODE 552.275 WITH REGARD TO MULTIPLE OPEN RECORDS REQUESTS BY THE SAME PERSON; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE

WHEREAS, the City of Taft endeavors to provide services in an open, transparent manner; and

WHEREAS, the City of Taft endeavors to respond to open records requests in a manner that is consistent with the Texas Open Records Act; and

WHEREAS, in order to maintain services to its citizens in an affordable and consistent manner the City of Taft maintains a limited staff for such purposes; and

WHEREAS, responding to open records requests requires the use of staff time and resources which can become unduly burdensome if a person makes multiple requests; and

WHEREAS, in recent years the Texas Legislature has recognized the burden of producing documents for vexatious requestors; and

WHEREAS, in order to better manage staff time, City staff recommends that a policy established by Texas Government Code Section 552.275 be adopted.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Taft, Texas that:

SECTION ONE: The recitals set forth above are hereby adopted, in full, as if fully set out in this Ordinance and resulting Policy.

SECTION TWO. The City Council of Taft, Texas hereby recognizes that multiple requests for open records by the same person imposes a burden on City staff that can negatively effect the taxpayers of this City.

SECTION THREE. The City Secretary shall keep a log of all open records requests, the person making the requests, and the amount of time and resources used in complying with each of the requests.

SECTION FOUR. Whenever the cumulative time to respond to a request is submitted by a person reaches fifteen hours (15 hours) in any calendar month, or thirty-six hours (36 hours) in any calendar year; then the City Secretary shall send that person a letter stating that the time period had been exceeded and a response will require paying for the costs of said response before the records are produced.

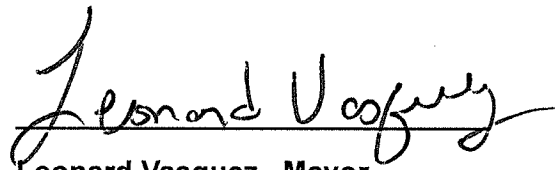
SECTION FIVE. The costs for producing records to a requestor who has exceeded the time limit shall include: costs of personnel needed to respond to the request based on current salary, including overhead; cost of use of city equipment; and any other cost allowed under the Texas Government Code Section 552.262.

SECTION SIX. If the requestor fails to make payment within ten days of receiving a statement of costs, the request shall be deemed withdrawn.

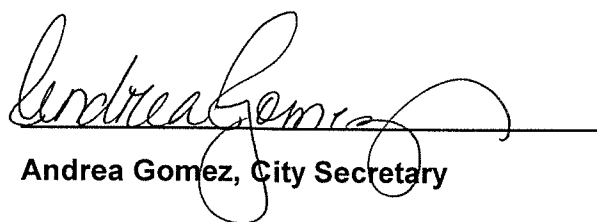
SECTION SEVEN. This Ordinance shall become effective beginning ten days after its publication.

SECTION EIGHT. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portions of the Ordinance, which shall continue to have full force and effect.

PASSED AND ADOPTED ON THIS 26th DAY OF MARCH, 2024


Leonard Vasquez, Mayor

ATTEST:


Andrea Gomez, City Secretary