

**ORDINANCE OF THE COUNCIL OF THE VILLAGE OF RUSSELLS POINT,
LOGAN COUNTY, OHIO**

ORDINANCE NUMBER: 25-1256

PASSED: _____

**AN ORDINANCE ESTABLISHING RATES FOR PREPARATION OF POLICE VIDEO
RECORD PURSUANT TO OHIO REVISED CODE 149.43(B)(1) AND HOUSE BILL 315
AND TO DECLARE AN EMERGENCY.**

WHEREAS, the Village of Russells Point deems an ordinance is necessary for the health, safety and well-being of its residences; and

WHEREAS, the Ohio Legislature has passed House Bill 315, amending Ohio Revised Code Section 149.43(B)(1) authorizing local law enforcement agencies to charge a requestor the actual cost associated with preparing a video record for inspection or production; and

WHEREAS, the council deems it necessary and in the best interest of the Village of Russells Point to establish a fee schedule for the preparation of video records for inspection or production; and

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF RUSSELLS POINT, LOGAN COUNTY, OHIO, AT LEAST A MAJORITY THEREOF CONCURRING THAT:

SECTION I

The Russells Point Police Department is hereby authorized to charge a fee in accordance with the requirements of Ohio Revised Code Section 149.43(B)(1).

SECTION II

Requestors seeking the preparation of a video record from the Russells Point Police Department for inspection or production shall be charged the actual cost of such preparation not to exceed seventy-five dollars per hour of video produced, nor seven hundred fifty dollars total.

SECTION III

Prior to production, the Russells Point Police Department shall provide the requestor with an estimated actual cost of the production within five (5) business days of receipt of the public records request. The estimated actual cost shall contain the statement that actual cost may exceed the estimated cost by twenty percent (20%).

SECTION IV

As used in this Ordinance, "actual cost" with respect to video records only, means all costs incurred by the Russells Point Police Department in reviewing, blurring or otherwise obscuring, redacting, uploading, or producing the video records, including but not limited to the storage medium on which the record is produced, staff time, and any other relevant overhead necessary to comply with the request.

SECTION V

The requestor shall be required to pay the estimated actual cost to the Village before the Russells Point Police Department begins preparation of the video record for inspection or production.

SECTION VI

If the actual cost exceeds the estimated cost, the Russells Point Police Department shall charge a requestor for the difference upon fulfilling the request for video records up to 20% in excess of the estimated cost.

SECTION VII:

That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this council and that all deliberations of this Council, and any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of the Ohio Revised Code.

SECTION VIII:

This Ordinance is hereby found to be an emergency necessary for the public welfare because the Village Police Department requires a fee schedule for the production of video recordings in order to protect and conserve law enforcement time and expense to fulfill its primary mission of providing law enforcement services to the Village to protect the health, safety, and welfare of the Village and its citizens. It shall take effect and be in full force immediately upon passage.

VOTE: Emergency First Reading

Adopted: _____



Mayor

Attest: _____

Fiscal Officer

Approved as to Form:

Daniel L. Bey, Village Solicitor