Public Records Request Procedures

The City of Liebenthal is committed to providing full access to public records in accordance with the Kansas Open Records Act (KORA) K.S.A. 45-215 and any other applicable provisions of federal or state law. These procedures are to provide for the fullest assistance to requestors and the timeliest possible action on requests.

Local Freedom of Information Officer

The City Clerk is designated as the Local Freedom of Information Officer for whom members of the public may direct requests for disclosure of public records. The Local Freedom of Information Officer may be contacted by phone, e-mail or mail.

Requests for Public Records

It is encouraged that all public records requests be made in writing. A prescribed public Records Request Form is available. Requests may be phoned, emailed or mailed. The request should include the following information:

• Name and address of the requestor

• Contact information including telephone number and an email address (if available)

• Date of the request

• Detailed description of the public record being requested

* Whether the requestor wants to inspect the records or have copies provided for a fee plus postage fee
* Where the copies are to be sent if mailed

Response to Requests

The City will process requests in the order allowing the most requests to be processed in the most efficient manner. The City will respond to a request within three (3) business days and shall respond by:

• Notifying the requestor that documents are available

• Send a letter acknowledging that the City has received the request

* Provide a reasonable estimate in this letter of the time the City will require to respond

• Seek clarification of the request if the requestor fails to clarify the request

* Treat this request as having been withdrawn and close the request

• Deny the records request

Additional time to respond to a request may be based upon the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, and/or to determine whether any of the information requested is exempt and subject to redaction.

The Public Records Act does not require the City to answer requests for information or general questions, create new public records, or provide information in a format that is different from the original public record(s).

Installment Responses

The Local Freedom of Information Officer may provide access for inspection and copying in installments. If within 30 days of the notice of availability of the responsive records, the requestor fails to inspect the set of records or claim one or more of the installments, the Local Freedom of Information Officer may stop processing the remainder of the request and close it.

Inspection of Records

After notification to the requestor of the availability of the responsive records, the public records will be made available for inspection and/or copying.

In order that public records maintained on the premises of the City may be protected from damage or disorganization as required by the Public Records Act, the following procedures and practices are hereby instituted:

* The City shall provide space to inspect public records
* City staff may be present during the inspection of records
* No public record may be removed for the viewing area, marked, defaced, torn, damaged, destroyed, disassembled or removed from its proper location or order, or altered
* No fee is charged for the inspection of public records
* To select a paper record for copying during an inspection, a requestor must flag the page or document by use of a non-permanent method such as a removable adhesive note.

Copying of Public Records

A requestor shall indicate which document(s) they wish the City to copy. City staff will make the requested copies or arrange for copying and the requestor will be charged in accordance with the City’s fee schedule for copies. A deposit may be required depending up the volume or number of copies requested.

Failure to Respond to a Public Records Request

If the requestor has not received a response from the City within three (3) business days from the date of filing a public records request with the City, the requestor is encouraged to contact the Local Freedom of Information Officer immediately to ensure that the public records request was received by the City.

The requestor must claim or review the assembled records within thirty (30) days of notification by the City of the responsive records. If after thirty (30) days of being notified of the availability of the responsive records, the requestor fails to inspect the entire set of records or one or more of the installments, the Local Freedom of Information Officer may consider the records request abandoned, stop searching for the remaining records and close the request.