

## NOTICE OF PROPOSED NEW OR INCREASED FEES

This Notice of Proposed New or Increased Fees (this "Notice") related to the amount of fees charged for the copying of public records is hereby provided pursuant to A.R.S. § 9-499.15. The proposed fees are as set forth below.

A public hearing on the proposed adoption of the revised fee schedule for public records requests shall be held before the Mayor and City Council on June 26, 2012 at 7:00 p.m. at the City of Tolleson City Hall Complex, 9555 West Van Buren Street, Tolleson, Arizona 85353.

The proposed new fees are to be adopted pursuant to A.R.S. §§ 39-121.01 and 39-121.03.

### CITY OF TOLLESON PUBLIC RECORDS FEE SCHEDULE

The fees charged by the City of Tolleson ("City") departments for requests of public records shall be as follows.

(A) *Non-Commercial Purpose.* Except as set forth in sections (C) and (D) below, a person requesting public records for a non-commercial purpose shall be charged as follows:

(1) **Materials.** The City may charge as follows for materials:

Minimum fee for hard copies	\$5 per request; includes up to 20 pages with an additional fee of \$0.20 per page thereafter
Archived records (records three years or older)	\$20 minimum per request; includes up to 20 pages with an additional fee of \$0.20 per page thereafter
Cassettes, CDs, DVDs and videotapes	\$10 minimum each

(2) **Equipment and Personnel.** In addition to the fee for materials, after the first hour, the City may charge a fee of \$35.30 per hour to reimburse the City for the cost of equipment and personnel used in producing copies of the records or in converting the records into read-only electronic format, but not for the cost of searching for the records. Any production of copies that takes less than one hour shall be free of charge for the cost of equipment and personnel.

(B) *Commercial Purpose.* A person requesting public records for a commercial purpose, as defined in A.R.S. § 39-121.03(D), shall provide a statement setting forth the commercial purpose for which the copies, printouts or photographs will be used. Upon being furnished the statement, the City Clerk may furnish reproductions as set forth under state law, the charge for which may include the following:

(1) **Cost.** A portion of the cost to the City for obtaining the original or copies of the documents, printouts or photographs.

(2) **Materials.** A reasonable fee for the cost of materials in producing such reproduction, as set forth in subsection (A)(1) above.

(3) **Equipment and Personnel.** In addition to the fee for materials, the City may charge a fee of \$35.30 per hour to reimburse the City for the cost of equipment and personnel used in producing copies of the records or in converting the records into read-only electronic format, but not for the cost of searching for the records.

(4) **Value.** The value of the reproduction on the commercial market as best determined by the City. A person requesting public records for a commercial purpose may be required to produce documents or information that would assist the City in determining the market value of the reproduction.

(C) **Claims against the United States.** The City shall not demand or receive a fee or compensation for issuing certified copies of public records or for making search for them, when they are to be used in connection with a claim for a pension, allotment, allowance, compensation, insurance or other benefits which is to be presented to the United States or a bureau or department thereof.

(D) **Police Reports and Transcripts for Crime Victims.** A victim of a criminal offense that is a part I crime under the statewide uniform crime reporting program or an immediate family member of the victim if the victim is killed or incapacitated has the right to receive one copy of the police report from the investigating law enforcement agency at no charge and, on request of the victim, the court or the clerk of the court shall provide, at no charge, the minute entry or portion of the record of any proceeding in the case that arises out of the offense committed against the victim and that is reasonably necessary for the purpose of pursuing a claimed victim's right.