

TO: ALL COUNTY PERSONNEL

**FROM: ROBERT WEISMAN
COUNTY ADMINISTRATOR**

**PREPARED BY: OFFICE OF FINANCIAL MANAGEMENT & BUDGET
(OFMB)**

**SUBJECT: FEES ASSOCIATED WITH PUBLIC RECORDS
REQUESTS**

PPM #: CW-F-002

ISSUE DATE
December 20, 2010

EFFECTIVE DATE
December 20, 2010

PURPOSE:

To provide procedures to establish and maintain reasonable rules governing the fees associated with public records requests.

UPDATES:

Future updates to PPM # CW-F-002 will be the responsibility of the Director, Office of Financial Management and Budget.

AUTHORITY:

1. Florida Statutes, Chapter 119
2. Palm Beach County Administrative Code, Section 405.

POLICY:

The Board of County Commissioners may enact a fee for inspecting, copying, or scanning public records in an amount not to exceed the fees established by s. 119.07, F.S.

If the nature or volume of records requested requires extensive use of information technology resources or extensive clerical or supervisory assistance, a special service charge may be applied.

PROCEDURES:

1. Fee Schedule

A schedule indicating the fees set by statute is attached hereto as Exhibit A-1.

2. Special Service Charges

The County may charge a special service charge in addition to the actual cost of duplication of public records (see s. 119.07 (4) (D), F.S.) if the nature or volume of the request to be inspected, copied, or scanned requires extensive use of the following:

- A. Clerical assistance (more than thirty minutes time)
- B. Supervisory assistance (more than thirty minutes time)
- C. Information technology resources which means equipment, hardware, software, firmware, programs, systems, infrastructure, media, and related material used to automatically, electronically, and wirelessly collect, receive, access, transmit, display, store, record, retrieve, analyze, evaluate, process, classify, manipulate, manage, assimilate, control, communicate, exchange, convert, converge, interface, switch or disseminate information of any kind or form. s. 282.0041 (11), F.S.)

Fees for clerical or supervisory assistance will be based on the hourly rate of the employee performing the service, plus benefits, computed as follows:

Hourly rate x 1.25 x hours worked (no charge for first half hour)
= Service Fee

(Partial hours worked will be computed in increments of .25, .50 or .75)

Fees for clerical and/or supervisory assistance and information technology resources shall be based upon the costs actually incurred or attributable to the County (see s. 119.07 (4) (D), F.S.). This includes, but shall not be limited to, time spent locating, reviewing, copying or scanning documents requested, and sitting with the requestor while the requestor reviews the documents requested.

3. Minimum Charges

No charge shall be made for the first half hour of clerical or supervisory assistance expended by County personnel while responding to a request to inspect, examine, or duplicate public records. No charge shall be made for the first \$2.00, per request, per day.

4. Sales Tax

Sales tax is not applicable to fees charged for providing copies of records under s. 119.07 F.S. (AGO 86-83).

5. Postage

Postage will be charged when delivery is requested by mail.

6. Payment

Copy fees, service fees and postage shall be paid prior to delivery or mailing (see s. 119.07, F.S.).

An advance deposit may be collected as long as it is reasonable and based on the estimated labor or duplication costs to be incurred. Upon completion of the request, the requestor shall receive a refund if the advance deposit was more than the actual cost of duplication and service fees. If the actual cost of duplication and service fees were more than the deposit provided, the requestor shall pay the difference prior to delivery or mailing.

7. Coding of Fees Received

All County departments shall code fees received from the reproduction of public records or records research to the applicable fund, agency, and organization code. The revenue source number for copy fees is 4141.



ROBERT WEISMAN
COUNTY ADMINISTRATOR

Supersession History:

1. Administrative Order #1 - 12, dated 5/78
2. PPM #CW-F-002, dated 10/1/88
3. PPM #CW-F-002, dated 3/22/91
4. PPM #CW-F-002, dated 12/15/95
5. PPM# CW-F-002, dated 05/15/09

EXHIBIT A - 1

FEE SCHEDULE

PHOTOCOPY DUPLICATION – PAPER RECORDS

1. Paper – Standard Size

The following fees for standard size copies set by 119, F.S. are still in effect until further notice:

8 ½ x 11“ or 8 ½ x 14” (Not more than) \$.15 per copy
One-sided Copy

8 ½ x 11“ or 8 ½ x 14” (Not more than) \$.20 per copy
Two-sided Copy

2. Paper – Non Standard Size

Fees for all other paper copies shall be determined by the Department/Office. Prices shall be based on actual costs, not including overhead (i.e. machine rental, electricity, etc.) or labor. (Per copy meter charges are allowed as part of the actual cost).

DUPLICATION – MICROGRAPHIC RECORDS

Fees for micrographic records (film, fiche, etc.) shall be determined by the Department/Office. Prices shall be based on actual cost to the department, not including overhead or labor.

CERTIFIED COPIES

The fee for certified copies set by s. 119.07, F.S. is not more than \$1.00 per copy.

DUPLICATION – ELECTRONIC RECORDS

Fees for the duplication of electronic records (audio, video, digital, disk, tape, etc.) shall be based on the cost of the media used, not including overhead or labor, and shall be set by the Department/Office providing the copy.

MINIMUM CHARGE

No charge shall be made for the first \$2.00, per request, per day.