

City of Wyoming, Ohio

Public Records Policies and Procedures

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PURPOSE STATEMENT

The Ohio Public Records Act, R.C. § 149.43, codifies the principle that Ohio's citizens are entitled to access the records of their government with certain codified exceptions. The purpose of Wyoming's Public Records Policy and Procedures is two-fold: (1) to facilitate a citizen's access to the City of Wyoming's records; and (2) to protect those records which are not subject to release to the public. The City of Wyoming reserves the right to amend this policy, as it deems appropriate and in accordance with Ohio law. The Public Records Policy and Procedures information herein is intended to serve as an administrative guide for City of Wyoming Department Heads in performing their legal duties, in furtherance of the purposes stated above. Any questions regarding public records requests and/or any of the information herein should be directed to the City of Wyoming Law Department.

POLICY FOR PUBLIC RECORDS
INSPECTION AND PHOTOCOPY REQUESTS

Purpose:

This policy serves to establish standard hours for the inspection and photocopying of documents and/or files in the possession of the City of Wyoming consistent with R.C. § 149.43 and its exceptions. This policy also serves to establish a standard charge to the public for the photocopying of these documents and/or files.

Policy:

Hours of Inspection: Copies of public records will be produced in a reasonable period of time taking into consideration the volume, location and necessity for legal review of the public records requested. As of the effective date of this policy, public records in the possession of the City of Wyoming will be made available for inspection by the public at the following times:

Monday Friday 9:30 am — 4:30 pm

Form:

Public records will be produced in response to a request in the manner in which they are kept in the ordinary course of business by the City of Wyoming.

Computer files of public records will not be produced electronically where a paper copy of the public records exists absent a showing of a legitimate reason why the paper copy of the public record is insufficient or impracticable. The individual requesting the public record in an electronic format is responsible for all costs associated with copying.

Cost:

Charges for Copies: As of the effective date of this policy, the charge for photocopies of public records in the possession of the City of Wyoming shall be as follows:

Standard Page (8.5 x 11) (single sided)	\$.05 per page
Wyoming Codified Ordinance	\$.05 per page
Wyoming Planning and Zoning Code	\$.05 per page
Wyoming Building Code	\$.05 per page
Wyoming Comprehensive Plan	\$.05 per page
Wyoming Emergency Services Reports	\$.05 per page

- The charge for a compact disc is \$1.00 per disc.
- Documents not specified above will be available for \$.05 per standard-sized page or based upon the actual cost to the City of Wyoming for other documents or services provided by an outside vendor.
- The City of Wyoming reserves the right to outsource large document requests.
- Payment must be received at the time copies are made.
- The City of Wyoming reserves the right to require prepayment for copy requests exceeding \$10.00 as well as the cost of postage and other supplies used for mailing requests made.
- The City of Wyoming reserves the right to periodically review this policy and revise charges to reflect the actual cost to the City.
- A receipt will be provided upon request.

A claim of indigency does not allow for the waiver of costs unless the records are for a criminal trial or appeal.

PROCEDURES FOR DOCUMENT/FILE REQUESTS

Purpose:

This policy serves to document the steps to be taken when a member of the public requests to inspect and/or copy public records in the possession of or under the control of the City of Wyoming. The purpose of this policy is to preserve the integrity and security of the records of the City of Wyoming, and to insure that all persons are treated equally and fairly. There is no obligation to make available a public record that does not exist. Generally, public records requests are to be handled by the Department Head or his/her designated agent.

Requests must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requestor for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which the records sought are kept.

Procedure:

1. Request that the individual fill out a "Document/File Request Form."
 - The individual is under no legal duty to fill out such a form. Therefore, you may not deny access for failure to complete the Request.
 - If an individual refuses to fill out a form or refuses to fill out the form completely, you should fill out as much information on the form as possible. This includes the following information:
 - (a) Date and time of request;
 - (b) Requestor's name (If you are unable to obtain his/her name, jot down a brief description of the person. The purpose of this description is for legal and security matters.)
 - (c) Document/File requested;

(d) “*For Office Use Only*” section.

2. The Department Head shall immediately provide a copy of the request form to the City Manager.

- A public record request to inspect public records must be responded to as soon as possible. Requests for copies of public records will be responded to in a reasonable amount of time. The City strives to produce documents in 24-48 hours with exceptions for large requests or those involving the extractions of electronic data). This time frame may not apply to those requests involving large amounts of research and coping.

3. If the Department Head or the City Manager has any doubt as to whether the particular document or file is a public record, the question should be forwarded immediately to the Law Department for resolution prior to disclosure.

- If there is uncertainty whether a particular document or file is a public record and the determination as to status of record cannot be made immediately, the City Manager shall contact the requestor as soon as possible regarding the status of his/her request.

- ***NOTE: The exceptions to the Public Records Act are very narrowly construed. Any doubt should be resolved in favor of disclosure.

- ***NOTE: Do not delay the request any longer than is absolutely necessary. Undue delay on your part could result in legal action against the City.

4. The City Manager or Department Head shall allow the prompt inspection of any document(s)/file(s) that are public records.
 - Generally, record review should be supervised by the appropriate Department Head or his or her designated agent in order to preserve the integrity of public records, especially original records.
 - The document/file should be checked for any alterations or additions/deletions by the requestor.
5. Copy Requests guidelines are outlined herein.
6. Once the request has been fulfilled, the Department Head shall report to the City Manager (via notations on the original Request Form) what document(s)/file(s) were presented for inspection, the date/time of the inspection, and/or what copies were provided to the requestor, to ensure full compliance with the original request.
7. Department Heads shall maintain all completed original Request Forms following any request. This provides proof of and ensures the City's compliance with all public records requests.

DOCUMENT/FILE REQUEST FORM

Please print clearly in blue or black ink.

Time / Date: _____

Requestor' s Name (Optional): _____

Requestor's Address (Optional): _____

Requestor's Telephone Number (Optional): _____

Document(s)/File(s) Requested: _____

For Office Use Only:

Employee's Name: _____

Department: _____

Time of Request: _____

Action(s) Taken: _____

WHAT IS A PUBLIC RECORD?

Definition

- A public record is any document – paper, electronic (including, but not limited to, e-mail) or other format that is
 1. Stored on a fixed medium (such as paper, computer, film, etc.), and created, received, or sent under the jurisdiction of a public office, *and*
 2. and documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office.
- Photographs, videos, maps, and computer files are records. Any item, regardless of its physical form, is a record if it has the characteristics described above.
- Information in note, draft, or preliminary form has been found to be subject to disclosure. (drafts of changes made to collective bargaining statutes),¹ (preliminary accident reports),² (draft collective bargaining agreement),³ and (draft settlement agreements).⁴
- A compilation of information must already exist in order to be produced. The City of Wyoming is under no obligation to create data or create a compilation of data to comply with a request.
- Public employee's notes may sometimes be a public record.

Notes made during a public meeting that are not shared with others are not a public record.

If the notes are personal papers kept by the employee for his own personal convenience, then it is likely that they will not be held to be public records. Personal calendars and appointment books are not public records.⁵

However, a court will also consider whether other members of the office had access to the notes and whether the information would be lost by deeming them non-public records.

State, ex. rel. District 1199, Health Care and Social Service Union v. Gulyassy (Franklin 1995), 107 Ohio App. 3d 729.

² State, ex rel. Wadd v. Cleveland (1998), 81 Ohio St. 3d 50.

³ State, ex rel. Calvary v. Upper Arlington (2000), 89 Ohio St. 3d 229.

⁴ State ex rel. Cincinnati Enquirer v. Dupuis (2002), 98 Ohio St. 3d 126, 2002 Ohio 7041.

⁵ International Union v. Voinovich (Jan. 19, 1995), Franklin Ct. App., Case No. 92-CA-60.

- Personnel records are generally regarded as public records. The home addresses of employees need not be disclosed.⁶
- Resumes submitted to the City of Wyoming by applicants are subject to disclosure.
- Public office records kept by a private entity are still public record if:
 - The private entity prepared the records to perform responsibilities normally belonging to the public office;
 - the public office is able to monitor the performance of the private entity; and
 - the public office may access the records itself.
- However, a document has been held to be a public record even if (2) or (3) are not satisfied.

Exceptions to the Public Records Act (PRA):⁷

- The “Catch-All” Exception:
 - If a state statute or rule, or federal statute or regulation designates the record(s) confidential, then the record(s) is/are not subject to the provisions of the PRA and must not be released.

Examples:

- Attorney-client privileged information;
- Child abuse reports;
- Ohio Ethics Commission proceedings on a complaint and certain information provided, but letters requesting an opinion are public record;
- Taxpayer records maintained by the Ohio Department of Taxation, as well as those maintained by a municipality;
- Estate tax returns held by a probate court, Department of Taxation, county auditor, county treasurer, attorney general, or others listed in RC 5731.;

⁶ Miami Child Development Centers, Inc. v. District 925 (Feb. 22, 2002), Montgomery Ct. App. Case No. 18928.

⁷ Exceptions to the Public Records Act are construed very narrowly. Any doubt should be resolved in favor of disclosure.

- Federal tax returns and return information filed under the jurisdiction of the IRS;
- Criminal Background information and other law enforcement information on the LEADS/CCH/NCIC computer database;
- Records that have been sealed pursuant to statutorily-authorized court order;
- Trade secrets which meet the statutory definition;
- Social Security Numbers;
- Personal and medical records of the mentally retarded and developmentally disabled
- Home address of any peace officer during the pendency of a criminal case who is a witness or arresting officer in the case.
 - NOTE: Workers' compensation claims files are public records subject to public disclosure given the proper authorization.
 - Authorization must be received from the bureau, a member of the commission, the claimant, or the employer.
- Medical Records:
 - Records that pertain to a patient's medical history, diagnosis, prognosis, or medical condition **and** that were generated and maintained in the process of medical treatment are not subject to disclosure under the PRA.
 - ****The record must have both elements to be exempt.*
 - The report of a medical professional that is generated for employment purposes rather than in the process of a medical treatment is not a "medical record." An example would be a psychological report made as part of the hiring process.
- Trial Preparation Records:
 - Records that contain information that was specifically compiled in reasonable anticipation of, or in defense of a civil or criminal action or proceeding, including the independent thought processes and personal trial preparation of an attorney are not subject to disclosure under the PRA.
 - Not limited to trial preparation notes of an attorney.⁸

⁸ State ex. rel. WLWT-TV5 v. Leis (1997), 77 Ohio St. 3d 357.

- Where a public office cannot demonstrate that the records in question were prepared specifically for litigation purposes, the trial preparation exception will not apply.
- The Ohio Supreme Court has also held that where the investigation on which the record is based was conducted for multiple purposes the record was not “specifically compiled” in anticipation of litigation.
- Records will be held to have been compiled pursuant to a law enforcement officer’s duty to investigate criminal activity when an investigation was conducted to “find out what the facts were,” and are therefore public records because they were not “specifically compiled” in anticipation of litigation.
- Records in a prosecutor’s case file where the defendant was the sole target of investigation from its beginning are trial preparation records.
- Where a governmental entity is a party to a settlement agreement, the trial preparation records exception will not apply to permit the record to be withheld. But the parties are entitled to redact information within the attorney-client privilege.
- Confidential Law Enforcement Investigatory Records:

Records are exempt from disclosure if:

they pertain to a law enforcement matter of a criminal, quasi-criminal, civil, or administrative nature,

AND

- if released, would create a high probability of disclosing:
- the identity of an uncharged suspect,
- the identity of a confidential source,
- information that would endanger the life or physical safety of law enforcement personnel, a crime victim, a witness, or a confidential information source,
- specific investigatory work product,
- The investigation that is the subject of the records sought must have been initiated upon a specific suspicion of wrongdoing,

- This means that the investigation must not have been routine or automatic,
 - The investigation does not have to be criminal,
 - The behavior being investigated need only be prohibited by state statute or state administrative rule, whether the punishment is criminal, civil, or administrative in nature.
- Uncharged Suspect:

A person is uncharged until arrest or indictment.

Need not be a current suspect.

Just because a suspect's identity has been disclosed in widespread media coverage, the protection afforded the uncharged suspect is not lost, and the name should be redacted.
 - Confidential Source:

Source or witness has been reasonably promised confidentiality.

The promise must have been based on an individualized determination that the promise was necessary to further the purpose of the investigation.

Routine or automatic promises of confidentiality are not reasonable.

Only identification is withheld, not necessarily the information provided by the source.

But where the identity is inextricably intertwined with the investigatory file, the entire file may be exempt from disclosure.

Good idea to have request and reasons for confidentiality in writing, although this is not required.
 - Physical Safety:

Information that presents a high probability of endangering the life or physical safety of law enforcement personnel, a crime victim, a witness, or a confidential source may be redacted from a record that must otherwise be publicly released.

The danger must be self-evident and not a mere allegation or bare conclusion.
 - Investigatory Techniques or Procedures:

Information that presents a high probability of disclosing specific confidential investigatory techniques or procedures may be redacted from an otherwise public document.

Routine investigatory techniques may not redacted under this exception.

Sophisticated investigatory techniques or procedures, as well as their results, may also be redacted.

- Investigatory Work Product:

Information that presents a high probability of disclosing specific investigatory work product may be redacted from a record that must otherwise be publicly released.

Under Steckman,⁹ the work product exception is broadly intended to exempt from public disclosure materials, such as investigator's notes, working papers, memoranda, or similar materials, that were prepared in anticipation of litigation. This exception is not available unless an official proceeding in the investigation is pending or highly probable.

You don't need a suspect, just a crime for a proceeding to be considered "highly probable."

Routine offense or incident reports are subject to immediate release upon request.

- 911 tapes are without a doubt public record and are not subject to any sort of redaction.¹⁰
- Other Express Exceptions:
- Probation Records;
- Parole Records;
- Adoption Records;
- Rehabilitation and correction/youth services records.

⁹ State ex rel. Steckman v. Jackson (1994), 70 Ohio St. 3d 420.

¹⁰ State, ex rel. Dispatch Printing Co. v. Morrow Cty. Pros. Off. (2005), 105 Ohio St. 3d 172, 2005-Ohio-685.

Miscellaneous:

- Even if the terms of a settlement or collective bargaining agreement require records to be confidential, they are not unless there is a separately applicable exception in the Ohio Revised Code. Parties to a public contract, including settlement agreements and collective bargaining agreements, cannot nullify the PRA's guarantee of public access to public records.

City Records Commission

Consistent with R.C. § 149.39, the City of Wyoming has a Records Commission composed of the City Manager or his appointed representative, the chief fiscal officer of the City of Wyoming, the City Solicitor, and a citizen appointed by the City Manager. The Commission shall appoint a secretary, who may or may not be a member of the Commission and who shall serve at the pleasure of the Commission. The Commission may employ an archivist to serve under its direction. The Commission shall meet at least once every six months, and upon call of the chairman.

The functions of the Commission shall be to provide rules for retention and disposal of records of the City of Wyoming and to review applications for one-time records disposal and schedules of records retention and disposition submitted by municipal offices. Records may be disposed of by the Commission pursuant to the procedure outlined in R.C. 149.39. The Commission may at any time review any schedule it has previously approved, and for good cause shown may revise that schedule.

When municipal records have been approved for disposal, a list of such records shall be sent to the Auditor of State. If Auditor of State disapproves of the action by the City of Wyoming, in whole or in part, Auditor of State shall so inform the commission within a period of sixty days and these records shall not be destroyed. Before public records are disposed of, the Ohio Historical Society shall be informed and given the opportunity for a period of sixty days to select for its custody such public records as it considers to be of continuing historical value.

PUBLIC RECORDS REQUEST
QUICK REFERENCE PROTOCOL FOR STAFF

RE: RECORDS REQUESTS

The City of Wyoming has implemented Public Records Request Policy and Procedures. The purpose of the procedure policy is two fold: to facilitate a citizen's access to the City's records and to protect those records that are not subject to release to the public.

All department heads are aware and familiar with the Public Records Policy. Please involve them in your daily interaction regarding public record requests.

Government operations include provision of information to the public. Some public record items are regularly and routinely requested. These items include:

- Police Department: report book
- Police Reports
- Health Inspection Reports
- City Council Ordinances & Resolutions
- City Council Meeting minutes

Please continue to service to the public in a quick and efficient manner by providing those routinely requested items. Any other document/file request should be referred to the Department Head for appropriate handling.

PUBLIC RECORDS RETENTION/DESTRUCTION POLICY

The City of Wyoming adheres to all state and federal requirements regarding the retention and destruction of public records. The Wyoming Records Commission must approve the destruction of any records in an open meeting as required by R.C. § 121.22 and submit the required documentation related to it to the Ohio Historical Society. This policy should be reviewed annually by the Wyoming Records Commission and changed to conform to applicable law and/or to address the specific needs of the City of Wyoming.

The following are the retention/destruction timelines for documents in the City of Wyoming:

Section 1 – General Administrative Records

Records listed in this section are generally found in most municipal offices. Some of the records listed below may not apply to the City of Wyoming. These General Administrative and General Financial record retention schedules (Section 8) apply to every municipal department, board, commission or other municipal related entities unless superseded by a specific schedule.

Record Series Title	Retention Period
1. Accident Reports/Files Worker’s Compensation Case File Bodily Injury to non-employee Damage to Municipal Vehicle or Property	12 years after date of final payment 6 years provided no action pending 6 years provided no action pending
2. Activity Reports – All types	2 years
3. Agendas (original)	2 years
4. Annual Departmental Budget	5 years
5. Annual Departmental Report	Permanent - at 50 years appraise for historical value
6. Annual Municipal Budget	Permanent - at 50 years appraise for historical value
7. Annual Municipal Report	Permanent – at 50 years appraise for historical value
8. Departmental Attendance Records	3 years
9. Audiovisual, PR & Training Materials	Until information is superseded, obsolete, or replaced, then appraise for historical value
10. Badges and ID's	Turn in upon termination (no RC-3 required for destruction)
11. Blank Forms	Until obsolete or superseded (no RC-3 required for destruction)

12. Blueprints \ Vellums	Until updated, superseded or obsolete, appraise for historical value
13. Budget Preparation Documents (Working Papers)	4 years
14. Bulletins, Posters and Notices to Employees	Until no longer administratively necessary (no RC-3 required for destruction)
15. Calibration Records - All types	5 years
16. City Manager's / Mayor's Journal	Permanent
17. Compliance Reports - All Types	5 years
18. Continuing Education Certifications \ Class \ Training Attendance Records	Place in personnel file
19. Contracts and Agreements	15 years after expiration or termination
20. Copies - All media Official File copy Reading / Informational / Reference / Courtesy Copy	Use applicable records series retention period Until no longer administratively necessary (no RC-3 required for destruction)
21. Correspondence Routine Form Letters General With Legislative Branch Executive Executive	1 year 2 years 3 years 5 years
22. Delivery Slips \ Packing Slips	Until no longer administratively necessary (no RC-3 required for destruction)
23. Disaster Plans	Until updated or superseded
24. Dispatcher Radio/Phone Calls Audio Recordings	30 days erase and reuse provided no action pending
25. Drafts - All Media	Until no longer administratively needed (no RC-3 required for destruction)
26. Drawings, Tracings, Mylars	Until updated, superseded or obsolete, appraise for historical value
27. Equipment Inventories	3 years

	destruction) <i>See</i> Correspondence
41. Mailing Lists	Until updated, superseded or obsolete
42. Management \ Operations Reports Monthly \ Quarterly \ Semiannual Until incorporated into an annual report Annual Consultant	Until incorporated into an annual report 5 years 5 years
43. Manuals, Handbooks and Directives	Until superseded, obsolete, or replaced. Retain one file copy 5 years
44. Maps \ Plats	Until updated, superseded or obsolete, then appraise for historical value
45. Material Safety Sheets	Until superseded
46. Meeting Notices (Sec. 121.22 ORC)	1 year
47. Memoranda	Use correspondence retention periods
48. Minutes of Meetings Approved Hardcopy Audio and Video Recordings of Meetings Drafts / Notes	Permanent 1 year provided information concerning the meeting is substantially transcribed to hard copy Until hardcopy of minutes approved (no RC-3 required for destruction)
49. Municipal Publications	Until superseded or obsolete, retain one copy (no RC-3 required for destruction)
50. 911 System Documentation Logs Printouts Recording Tapes	Life of System 3 years 1 year 30 days then reuse provided no action pending
51. Oaths of Office of Elected Officials	10 years after leaving office
52. Photo File (includes prints, slides,	Until information is no longer current, then

negatives Transparencies and related photographic items)	appraise for historical value
53. Press \ News Releases	3 years
54. Printing Orders	3 years
55. Project Plans \ Drawings \ As Built	Life of project or obsolete then appraise for historical value
56. Receipts/Receipt Books	2 years provided audited
57. Receiving Documents	3 years
58. Records Retention Documents RC 1, RC 2, RC 3	25 years
59. Records Requests	2 years
60. Reference \ Library Materials	Until superseded, obsolete or replaced (no RC-3 required for destruction)
61. Requisitions (Finance Department Copy)	3 years
62. Research Files	5 years
63. Rosters \ Directories	1 year after superseded or obsolete (no RC-3 required for destruction)
64. Scrapbooks, Yearbooks	Appraise for historical value
65. Speeches \ Presentations	3 years
66. Statistical Reports Monthly \ Quarterly \ Semiannual Annual Consultant produced	Until incorporated into yearly compilation 5 years 5 years
67. Surveying - Field Notes	Permanent
68. Surveillance Tapes \ Videos	30 days then reuse provided no action pending
69. Table of Organization \ Organizational Charts	Until superseded
70. Telephone Messages - Telephone Records Charges/Bills/Call Detail Records	2 years provided audited

Documentation	Life of system
Messages	Until no longer administratively necessary (no RC-3 required for destruction)
Service Records	2 years
System Equipment Inventory	Continually updated, retain superseded data 1 year
71. Training Material \ Lesson Plans	Until superseded
72. Uniform Record	3 years, provided audited
73. Vehicle Maintenance Records	Until vehicle sold
74. Vehicle Mileage Records	Until vehicle sold
75. Visitors' Log or Sign-in Sheets	1 year
76. Voice Mail	
Messages	Until no longer administratively necessary (no RC-3 required for destruction)
System Documentation	Life of system
77. Warranties	2 years after expiration
78. Website (Website postings)	Electronically back-up the site and retain for 5 years electronically or until printed. Snap-shots should be taken of the website periodically if information posted thereon changes on a frequent basis.
79. Work Orders	2 years
80. Work Schedules	1 year after schedule changed
81. OSHA Forms	5 years
82. Project and Routine Administrative Duties Working Papers and Notes	Until no longer administratively necessary (no RC-3 required for destruction)
Section 2. Building, Planning and Zoning Records	
1. Annexation Case Files	Permanent
2. Annexation Record	Permanent
3. Appeals on Interpretation of Code	Permanent
4. Area Commission Files	25 years

5. Board of Building and Zoning Case File	10 years
6. Board of Building and Zoning Appeals and Minutes	Permanent
7. Building Permit Applications	10 years
8. Building Permit Field Copy	10 years
9. Building Inspection Reports	10 years
10. Building Permit Data Base	Permanent
11. Building Plans Residential Commercial Municipal owned	10 years 10 years Life of structure, appraise for historical value
12. Building Sign Inspection Files	Life of sign/structure, appraise for historic value
13. Certificates of Insurance	2 years after expiration, provided no claims pending
14. City Building Code	Until superseded; retain 1 copy permanently
15. Community Development Reports	Until no longer of administrative value
16. Complaints	2 years, provided no action pending
17. Condemnation and Demolition Records	10 years
18. Contractors Registration	2 years
19. Demolition Permits Data Base	Permanent
20. House Number Record	Permanent
21. Housing, Land Use, Population, and Other Special Studies	Until no longer of administrative value; appraise for historical value
22. Legislative Research Files \ Drafts	Until no longer of administrative value
23. Loan and Grant Applications (copies)	3 years, provided audited
24. Occupancy Permit Record	Permanent
25. Performance Bonds – Contractors	10 years after expiration
26. Permits - All types	3 years provided audited
27. Planning Briefs	25 years
28. Planning Commission Case Files	10 years, provided no action pending
29. Project Planning Files	5 years after completion of final project report
30. Project Reports	25 years, appraise for historical value

31. Quadrant Files	5 years
32. Rezoning Applications	Until final action taken and recorded
33. Rezoning Case Files	5 years after final decision rendered
34. Street Name Change Record	Permanent
35. Street \ Alley Vacation Case Files	Permanent
36. Subdivision Files	Permanent
37. Transportation Research Files	10 years; appraise for historical value
38. Urban Renewal Files	Until obsolete; appraise for historical value
39. Violations	Until corrected or adjudicated by a Court
40. Zoning Change Request	5 years, provided no action pending
41. Zoning Permit Applications	1 year after final decision rendered
42. Zoning Permit Data Base	Permanent
Section 3 - Council Records	
1. Charter and Amendments	Permanent
2. Council Member's Files	Term of Office then appraise for historical value
3. Index to Council Minutes	Permanent
4. Index to Ordinances \ Resolutions	Permanent
5. Liquor License Requests Approved Denied	3 years 1 year
6. Ordinances	Permanent
7. Petitions (Miscellaneous not filed elsewhere)	5 years
8. Proclamations	2 years
9. Reports to Council	5 years
10. Resolutions	Permanent
11. Subject and Administrative Files	5 years
Section 4 Mayor's Court Records	

1. Annual Statement and Yearly Report	2 copies of each are to be kept permanently
2. Case Files Criminal Criminal Traffic – minor misdemeanor Traffic – M1 to M4	50 years provided audited 5 years provided audited 25 years provided audited
3. Case Transfers	Transfer all relevant records per R.C. §1905.032
4. Cash Payment Records	4 years provided audited
5. Citations – Parking	Until paid and audited
6. Citations – Traffic	3 years if maintained separately
7. Complaints and Warrants	In case files
8. Docket, Index, Journal	Permanent
9. DUI case files	50 years after date of final Order
10. Expungements	Seal then destroy as Case Files
11. Fine and Fee Record	3 years provided audited
12. Monthly Statements and Reports	3 years provided audited
13. Receipt Books	4 years provided audited
14. Search Warrant Records	5 years after date of service
<i>See also</i> Supreme Court Rules of Superintendence, Rules 26 to 26.05 for additional guidance.	
Section 4 - Engineering and Street Records	
A. Engineering Records	
1. Change Orders	Place in Project File
2. City Properties File	Permanent
3. City Zoning Maps	Permanent
4. Contractors' Prevailing Wage Records	5 years
5. Day Books	3 years
6. Federal Project Files	5 years after completion of project provided audited

7. House Number Record	Permanent
8. Job Orders	3 years
9. Maintenance Orders	2 years
10. Project Files (Contracts, specifications, change orders, progress reports etc.)	15 years after completion of project
11. Project Inspection Records	Include in project files
12. Sanitary Sewer Records	Permanent
13. Special Assessments Record	3 years after final payment, provided audited
B. Street Records	
1. Blueprints, Maps and Plans	Life of Infrastructure then appraise for historical value
2. Haul Tickets	Include in project files
3. Pesticide Application Records	5 years
4. Proposals for Street Improvement	Until approved or proposal rejected
5. Storm Sewer Repair Records	10 years
6. Street Lighting Assessment Records	Until paid off
Petitions	3 years
7. Street Opening Permits	3 years
8. Street Repair Cost Summary Record	3 years, provided audited
9. Street Repair Record	3 years
10. Traffic Study Files	Until superseded then appraise for historical value
Section 5 Financial Records	
A. General Financial Records	
1. Accounts Ledger	5 years after last entry, provided audited
2. Accounts Payable Record	3 years, provided audited

3. Accounts Receivable Ledger, General	3 years, provided audited
4. Annual Appropriation Ordinances (copies)	5 years
5. Annual Certificate of Estimated Resources	7 years
6. Annual Municipal Financial Report	Permanent
7. Annual Report to Auditor of State	5 years
8. Appropriation Ledger	5 years, provided audited
9. Assessment Record	Until paid and audited

10. Audit Reports – Internal Federal \ Auditor of State	5 years 5 years
11. Bad Check or Bad Debt Records	2 years after payment or settlement
12. Balance Sheets	3 years
13. Bank Deposit Records (Receipts, Reconciliation, Slips, Statements etc.)	3 years provided audited
14. Bid Bonds Successful bidder Unsuccessful bidder	Retain until acceptance of project performance bond Return after projected awarded
15. Bids – Successful	15 years after completion of project
16. Bids – Unsuccessful	2 years after letting of the contract
17. Block Grant Documentation	5 years
18. Bond Register	Permanent
19. Canceled Checks	3 years provided audited
20. Canceled Warrants	3 years, provided audited
21. Capital Improvement Bonds	Until paid off and audited, appraise for historical value
22. Cash Books \ Cash Reports	3 years
23. Cash Receipts and Disbursements	3 years, provided audited
24. Cash Register Tapes \ Records	2 years provided internal control established

25. Certificate of Result of Election (Bond Issues)	Until expiration of bond issue
26. Chargeback Reports \ Records	3 years
27. Check Registers \ Stubs \ Carbons	3 years, provided audited
28. Checking Account Statement	3 years, provided audited
29. Checks – Voided	Until audited
30. Client Payment Files	3 years
31. Computer Generated Financial Reports Monthly, Quarterly, Semiannual Annual	Until replaced by next printout or annual report printed out (no RC-3 required for destruction) 5 years
32. Computer Records	Create Separate Schedule
33. Cost Control Reports	3 years
34. Report of Cash Received	3 years, provided audited
35. Damage Claims	Until settled and all appeals exhausted
36. Deposit Refund Requests	Until deposit is refunded and account audited
37. Encumbrance Documents	3 years
38. Encumbrance and Expenditure Journal	7 years, provided audited
39. Federal Revenue Sharing Account	7 years, provided audited
40. Fixed Assets Record	10 years
41. General Ledger	25 years
42. Indebtedness Statement	Permanent
43. Insurance Policies	2 years after expiration, provided all claims settled
44. Intergovernmental Tax Receipts	3 years provided audited
45. Investment Records	3 years provided audited
46. Invitation to Bid (ITB)	2 years
47. Invoices and Supporting documents	3 years
48. Licenses	Term of license plus 1 year
49. Monthly Report of Municipal Court	3 years, provided audited
50. Monthly Statement of Balances	3 years, provided audited
51. Mortgages	Until paid and canceled, provided audited
52. Oil and Gas Drilling Permit	Permanent

53. Pay-In Records	3 years, provided audited
54. Performance Bonds	After project successfully completed and accepted
55. Permits	3 years, provided audited
56. Personal or Professional Services Invoice or Statement of Services	3 years
57. Petty Cash Record	3 years provided audited
58. Phone Quotes \ Confirmations	2 years
59. Posting Sheets and Cards for Paid Bills	3 years, provided audited
60. Prevailing Wage Records	3 years
61. Property Inventories	3 years

62. Purchase Orders Original Copies	3 years Until no longer administratively necessary (no RC-3 required for destruction)
63. Receipts and Expenditures Report to Auditor Of State	3 years
64. Receiving Documents	3 years
65. Reconciliation Sheets, Bank Accounts	3 years, provided audited
66. Record of Funds Received	3 years, provided audited
67. Refund Check Ledger	5 years provided audited
68. Remittance Advice	3 years
69. Request for Proposals (RFPs)	2 years
70. Retirement System Payments \ Records	Permanent
71. Retirement System Exemption Record (Waiver)	Permanent
72. Sales Tax Records	4 years
73. Settlement Sheet or Tax Distribution from County Auditor	10 years
74. Solicitor's or Peddler's Permit	1 year after expiration
75. Special Assessments	Until paid off and audited

76. Surety Bonds – Special	10 years after expiration
77. Surety Bonds of Officials or Employees	10 years after termination of officer or employee
78. Tax Abatement Records	Duration of the abatement plus 1-year
79. Tax Settlement Reports	3 years, provided audited
80. Trial Balance Records	3 years
81. Transmittal of Ohio Wage and Tax Statement	6 years, provided audited
82. Travel Expense Records	3 years
83. Treasury Investment Board Report	10 years
84. Unemployment Compensation Records	3 years, provided audited
85. Uniform Allowance Record	3 years, provided audited

86. Vouchers Original Copies	3 years, provided audited Until no longer administratively necessary (no RC-3 required for destruction)
B. Municipal Income Tax Records	
1. Accounts Receivable	6 years
2. Annual Summary of Cash Collected,	3 years, provided audited
3. Business Income Tax Reconciliation Form	6 years
4. Closed Account	6 years
5. Control Sheet	6 years
6. Corporate Partnership Fiduciary Income Tax Return	6 years
7. Daily Posting Recapitulation	3 years, provided audited
8. Detailed Cash Receipt Record	6 years
9. Delinquent Account Records	Until paid and audited
10. Declaration of Estimated Income Tax,	6 years

Business and Individual	
11. Final Return for the Year	6 years
12. Individual's Tax Return	6 years
13. Quarterly Notice of Installment Due	6 years
14. Quarterly Payment Statement	6 years
15. Refund Voucher	6 years
16. Uncollectible Income Tax Accounts	6 years
17. 1099 Forms	6 years
C. Sinking Fund Records	
1. Bond Issue Ledger	Permanent
2. Bond Transcripts	10 years after issue redeemed
3. Bonds (Redeemed)	2 years after issue is paid off then appraise for historical value
4. Call Notices – Securities	10 years after call
5. Cash Journal	10 years, provided audited
6. Coupons (Redeemed)	4 years after audited then appraise for historical value
7. Electronic Fund Transfer Records	10 years
8. Monthly Financial Statement	Until incorporated in annual report
9. Record of Registered Bonds	Permanent
10. Sinking Fund Ledger or Journal	Permanent
Section 6 - Fire and Police Records	
A. Fire Department Records	
1. Above and Underground Storage Tank Records	10 years after tank is out of service or removed
2. Annexation Files	Until superseded

3. Arson Reports	50 years appraise for historical value
4. Burning Complaint File	1 year
5. Daily Alarm Log	5 years
6. Disaster Plan	Until Superseded
7. Emergency Medical Services Records	7 years Juvenile Records – 3 years after they turn 18
8. EPA Burning Violation Record	5 years after violation corrected
9. Fire Code	Until superseded
10. Fire Incident Reports	10 years
11. Fire Investigation Files and Index	50 years appraise for historical value
12. Fire and Loss Record	Permanent
13. Fireworks Application and Permits	1 year after expiration
14. Gas and Oil Disbursement Record	1 year, provided audited
15. Inspection Reports \ Cards - all types	3 years
16. Insurance Claim File	10 years after final settlement 3 years
17. Master Run Reports	5 years
18. Mutual Aid Agreements	10 years after superseded
19. Standpipe Test	3 years
20. Violation Notices	1 year after violation corrected
21. Water Surveys	3 years
B. Police Department Records	
1. Accident Reports Property Damage, Bodily Injury and Traffic	3 years
2. Alcohol Breath Testing Records Operator Permits Breath Test Result Forms Calibration Records Radio Frequency Interference Survey	Until renewed 3 years 3 years Until the machine is moved
3. Animal Complaints	2 years

4. Arrest Cards \ Records (Non - Traffic)	15 years
5. Incident Reports (Juvenile)	Until person turns 18 years of age or when Expungement order received from a Court
6. Incident Reports (Adult)	50 years
7. Assignment Schedules	3 years
8. Bicycle License Receipts	3 years, provided audited
9. Bicycle License Register	7 years
10. Neighborhood Watch Records	1 year
11. Business Security Records	Until superseded, review annually
12. Child Abuse Case Records	7 years after case closed
13. Citizen Complaints	4 years provided no action pending
14. Criminal Case Files - Felonies Except Homicide	6 years, provided no action pending
15. Criminal Case files - Misdemeanors	2 years, provided no action pending
16. Dispatch Sheet \ Log (Record of Runs)	3 years
17. Expunged Records per Expungement Orders	Destroy all files, records and computer references when Expungement order received from a Court
18. FBI \ BCI Investigation Reports	3 years
19. Field Interrogation Cards	6 months
20. Fingerprints	50 years
21. Firearm Records and Inventories	3 years, provided audited
22. Homicide Reports & Evidence (Closed cases)	30 years after all appeals exhausted
23. House \ Business Alarm Records	90 days
24. Incident Log \ Reports	5 years
25. Investigations Homicide & Rape including evidence (Pending) Homicide including evidence (Closed) Internal Affairs	Permanent 10 years after all appeals exhausted 4 years
26. Junk Vehicle Records	2 years after sale or other disposition

27. Juvenile Records	Until person turns 18 year old or when Expungement order received from a Court
28. Law Enforcement Automatic Data System Records Logs Printouts	2 years Destroy when no longer administratively necessary
29. Liquor Permit Records	3 years
30. Master Name Index	Permanent
31. Missing Person Reports	20 years, or until found
32. Offense Reports, Felonies Except Homicide	6 years, provided no action pending
33. Offense Reports, Misdemeanors	2 years, provided no action pending
34. Parking Citations \ Infractions	3 years
35. Prisoner Booking Video Recording Tape	30 days, erase and reuse provided no action pending

36. Property Room Log Records (Releases, Transfers, Disposals etc.)	25 years 5 years
37. Radio \ Phone Calls Audio Recordings	30 days erase and reuse, provided no action pending
38. Radio and Telephone Log	2 years
39. Records (Background) Check Requests	2 years
40. Recovered Property Record	2 years after disposal of property
41. Ride Along Forms	3 years
42. Seizure Log \ Record	6 years
43. State of Ohio Traffic Crash Reports (OH-1)	3 years
44. Stolen Property Hot List or Cards	3 years
45. Subpoenas, Summonses, or Warrants	Until served, discharged, answered or withdrawn
46. Tow Tickets	3 years after paid, provided audited

47. Traffic Citations	3 years, provided audited
48. Type of Crime File	Permanent
49. Uniform Crime Reports (UCR)	3 years
50. Vacation House Check Records	30 days after owners return
51. Wanted Posters	Until person apprehended
Section 8 - Legal Records	
1. Case Files, Civil	10 years, provided no action pending
2. Case Files, Criminal	20 years, provided no action pending
3. City Property Files	Permanent
4. Claims for Damages	2 years after case settled and all appeals exhausted
5. Court Transcripts	3 years after case settled
6. Deeds	Permanent
7. Easements	Permanent

8. Legal Notices Tear Sheets Proof of Publication	2 years 5 years
9. Legal Opinions from Municipal Legal Counsel	Permanent
10. Liability Waivers	3 years provided no action pending
11. Settlements	3 years
12. Worker's Compensation Claims	10 years after date of final payment
Section 9 - Parks and Recreation Records	
1. Recreation Fee Books	3 years, provided audited
2. Plans of Park Property	Permanent
3. Permission Slips	2 years provided no action pending
4. Recreation Center Records	2 years

5 Team Rosters and Score Books	1 year
6 Reduced Rate Application	3 years
Section 10 - Payroll \ Personnel Records	
A. Payroll Records	
1. Application for PERS Refund or Waiver	Permanent
2. Court Orders for Payroll Deduction	Until employee terminates or Order rescinded
3. Employee Earning Record	Continually compiled and updated until termination. Information placed in personnel file yearly
4. Employee Income Tax Withholding Certificate	3 years after termination of employment, provided audited
Withholding Payment Record	6 years, provided audited

5. Employee Pay Records	Continually updated until termination then place into personnel file or enter data onto Employee History Card
6. Employee Withholding Requests	Until replaced or revoked by employee
7. Employer Quarterly Federal Tax Return	4 years, provided audited
8. Garnishment Orders	Until employee terminates or Order rescinded
9. Leave Balances \ Reports Bi-weekly Report of Leave Use and Balances Annual Employee Leave Use \ Balances Report Annual Leave Use and Balances by Muni Unit Individual Employee	Until incorporated in annual leave balances report 5 years 25 years Continually maintained and updated in personnel

	file. Purge 2 years after termination provided no outstanding balances
10. Notification of Pay \ Pay Step Increase	Until superseded. Copy in personnel file
11. Overtime authorization	2 years provided audited
12. Overtime Reports	2 years, provided audited
13. Payroll Journal \ Record Annual Cumulative Printout Weekly \ Monthly Payroll Journal	50 years 3 years, provided audited and cumulative employee payroll data retained in personnel file
14. Reports to Retirement Systems	3 years
15. State Income Tax Report	6 years
16. Tax Withholding Reports	6 years, provided audited
17. W-2 Forms	6 years, provided audited
18. W-4 Forms	Until superseded or employee terminates
19. Quarterly Worker's Compensation Reports	3 years

B. Personnel Records	
1. Application for Employment Person Hired Person not hired Copies	Place in Personnel File Destroy after 2 years Until no longer administratively needed.
2. Commendations, Promotions	Place in personnel file
3. Employee Exposure to Hazardous Chemicals \ Biological Hazards or Infectious Diseases Reports	Place in personnel file
4. Employee Performance Evaluation	5 years
5. Employee Sick Leave and Vacation Balances	Continually updated by fiscal office until employee terminates. Balances verified yearly and recorded in personnel file.

6. Employee Time Cards \ Sheets	3 years
7. Employee Training Records	Place in Personnel file
8. Employment History Record Card	Permanent, in lieu of personnel file
9. Grievance Hearing Records	1 years after termination
10. Insurance Enrollment Record	1 year after employee leaves municipal employment
11. Job \ Position Descriptions	One year after superseded
12. Labor Union Agreements	15 years after termination
13. Leave Requests - All Types Sick, Vacation, Overtime etc.	3 years provided balances journalized
14. Letter of Appointment	Place in personnel file
15. Letters of Reference	2 years after hired
16. Letter of Resignation Place in Personnel File	Place in Personnel file
17. Personnel Actions	Place in Personnel File

18. Personnel File \ Records	Purge 2 years after employee leaves municipal service. Retain permanent record of service time, salary history, leaves balances, taxes paid, resignation letter, retirement information and waivers. In lieu of these documents, use a duly certified Employment History Card. Retain OSHA related records 20 years.
19. Promotion Action	Place in Personnel File
20. Record of Disciplinary Action	4 years
21. Reports to Bureau of Employment Services	2 years
22. Unemployment Compensation Case Files	4 years after date of final payment
23. Worker's Compensation Case Files	10 years after date of final payment

C. Civil Service Commission Records	
1. Background Investigations	2 years after position eligibility lists expires
2. Civil Service Examination Forms, Tests, Booklets. Score Sheets, Answer Sheets etc.	2 years after position eligibility lists expires
3. Classified Employees List	Until superseded
4. Eligibility List	Until list expires
5. Employment Information Files	Until superseded
6. Hearing Case Files	10 years
7. Job Classification List	Until superseded
8. Job \ Position Descriptions	One year after superseded
9. Polygraph \ Voice Analysis Exams	2 years after the eligibility list expires
10. Substance Reports	2 years after the eligibility list expires

Section 11 - Water and Sewer Records	
A. Billing and Administration Records	
1. Applications for Service	Until service terminated
2. Application for Water or Sewer Tap Permits	1 year after final decision rendered
3. Billing Adjustment Books	3 years
4. Billing Ledger Cards	3 years after date of final entry, provided audited
5. Cost Control Data	Until no longer of administrative value
5. Curb Box Location Record	Permanent
6. Customer Meter Reader Cards	2 years
7. Daily Meter Repair Sheets	3 years
8. Daily Over and Short Reports	3 years, provided audited
9. Daily Work Orders	3 years
10. Dam Inspection Reports	Permanent
11. House Service Cards	Permanent

12. Industrial Waste Records	Permanent
13. Meter and Valve Location Record	Permanent
14. Meter Reading Records	4 years
15. Meter Test Records	3 years
16. Monthly Account Register	10 years
17. Monthly Collection Report	3 years, provided audited
18. Project Files	Until project completed and final report issued
19. Project Final Reports	Permanent
20. Property Records (Deeds, Rights-of-Way, Annexations, Vacations, Easements)	Permanent
21. Rate Schedules	Until superseded
22. Security Deposit Records	Until refunded to the Depositor
23. Security Deposit Refund Requests	Until audited
24. Sewer Rent Record	3 years, provided audited
25. Sewer \ Water Billing Stubs	3 years provided audited
26. Shut-Off Lists	3 years
27. Special Sewer Authorizations or Hookups	Permanent
28. Suspense Account Record	Until account settled, provided audited
29. Test Boring Record	Permanent
30. Water and Sewer Receipt Books	2 years, provided audited
31. Water and Sewer Tap Record	Permanent
32. Water Main Location Record	Permanent
33. Water Usage Reports	3 years
34. Hydrant Maintenance Record and Hydrant Flow Testing Records	3 years
B. Plant Operation Records	
1. Analytical Data \ Chemical Analyses \ Monitoring Records \ EPA Reports \ Water	10 years

Quality Reports \ Operating Logs \ Monthly Reports - All types	
2. Flow-Charts – Fluids	5 years
3. Laboratory Testing Records	5 years
4. Lime Sale Tickets	3 years, provided audited
5. Monthly Laboratory Testing Summary Reports	25 years
6. Rainfall Statistics	5 years
7. Septic Tank Hauler Record	3 years, provided audited
8. Well Maintenance and Field Logs	10 years after well is capped

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