

2025-10 An Ordinance Concerning Public Records Requests for the Town of Glenwood, Indiana

WHEREAS, Indiana Code 5-14-3-3 governs public records, with the intention of promoting transparent government and an informed citizenry; and

WHEREAS, the Town of Glenwood is a transparent and open government whose public records are available to the public pursuant to state statute; and

WHEREAS, some businesses may use this access for purely commercial purposes that may result in undue use of Town resources to collect and provide the information; and

WHEREAS, IC 5-14-3-3(2)(e) allows a political subdivision to enact an ordinance prescribing the conditions under which a person who receives electronic information may or may not use the information for commercial purposes; and

WHEREAS, IC 5-14-3-S(d) directs the fiscal body of a public agency to establish a fee schedule for the certification or copying of documents; and

BE IT THEREFORE ORDAINED that the Common Council of the Town of Glenwood amends and replaces Ordinance 1997-1 as set forth below:

- I. The Town of Glenwood shall make available to any person for inspection or copying all public records, unless otherwise exempted by law.
- II. Pursuant to IC 5-14-3-3(2)(e), any person who receives information in an electronic format from the Town of Glenwood in response to a public records request may not use the information for commercial purposes, including to sell, advertise, or solicit the purchase of merchandise, goods, or services, or sell, loan, give away, or otherwise deliver the information obtained by the request to any other person for these purposes. Any person or entity who uses any information provided by the Town for a commercial purpose, as defined in this section, shall not be provided any such data for a period of up to ten (10) years.
- III. Use of information received in connection with the preparation or publication of news, for nonprofit activities, or for academic research is not prohibited.
- IV. The Glenwood Clerk-Treasurer shall be designed the Public Records Officer for the Town of Glenwood. The Public Records Officer shall be the responsible party for the development of policies and procedures regarding the maintenance and access of the public records of the Town of Glenwood.
- V. If a person is entitled to a copy of a Public Record under State Law and the Town has reasonable access to a machine capable of reproducing the public record, then the Town shall provide at least one (1) copy of the Public Record to the person requesting same. However, if the Town does not have reasonable access to a machine capable of reproducing the record, then the person shall be entitled only to inspect and manually transcribe the record. The Town Council shall determine the procedure and the time available for the person to inspect and/or manually transcribe the record at the office of the Town Council. Said determination shall be made on an individual request basis.
- VI. Requests for non-color copies will cost \$0.10 per page and \$0.25 per page for color copies.
- VII. Documents that already exist in an electronic format will be emailed upon request without charge.
- VIII. Requests for electronic copies that do not already exist in an electronic format will cost the same as copies.

IX. EFFECTIVE DATE

1. This ordinance shall be in full force and effective upon passage.
2. Passed and adopted by the Town of Glenwood on the 14th day of October, 2025.