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**133.08 COPY CHARGES.**

- (a) Charges for copies of public records shall be based on the actual costs of reproducing the records, excluding regular employee time, except for law enforcement video records as specified below.
- (b) Law enforcement video records are subject to charges based on actual costs to retrieve, download, review, redact, seek legal advice regarding, and produce the video record.
- (c) In 2004, and every third year thereafter, the Records Commission shall collect data on costs and establish charges for the next three calendar years. A certified copy of the approved fee schedule shall be on file in the office of the Clerk of Council.
- (d) When the cost is expected to exceed \$25.00, the requester may be asked to pay a ~~\$10.00~~ deposit in advance as indicated on the approved fee schedule.
- (e) Law enforcement video records that include the following incidents are exempt from any fees and shall be provided to any requestor free of charge:
  - 1. Any incident in which a Division of Police employee causes the death of any person;
  - 2. Any incident in which a Division of Police officer discharges a firearm (other than during training);
  - 3. Any incident which includes the death of a person in custody of the Division of Police;
  - 4. Any video proactively shared under the direction of the Chief of Police for public safety, outreach, or informational purposes.
  - 5. Any other incidents at the discretion of the Chief of Police.
- (f) All approved charges, except associated with law enforcement video records, ~~The approved charges~~ shall be waived only at the discretion of the City Attorney.

(Ord. 0046-2004. Passed 4-5-04.)

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