



Data Practices Policy
For
Members of the Public

Adopted by the City of Emily City Council, Minnesota

May 14, 2024

- If we have the data, but the data are not public, we will notify you as soon as reasonably possible and state which specific law says the data are not public or cannot be disclosed.
- If we have the data, and the data are public, we will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:
 - Arrange a date, time, and place to inspect the data, for free, if your request is to look at the data, or
 - Provide you with copies of the data as soon as reasonably possible. You may choose to pick up your copies, or we will mail or email them to you if possible. If you want us to send the copies through the mail, you will need to provide us with an address or email address. We may provide electronic copies (such as email or CD-R) upon request if we keep the data in electronic format.

Please see Section 3, so that you understand how the City of Emily calculates costs for copies and your obligations regarding payment of copies. You will be responsible to pre-pay for the cost of copies prior to receipt of the copies. In addition, if a deposit is required as described in Section 1, *How to Make a Data Request*, you must pay the deposit before the City of Emily will begin working on your data request.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will give you an explanation if you ask.

The Government Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request.

In addition, the Government Data Practices Act does not require us to answer questions that are not requests for data.

Requests for Summary Data

Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. We will prepare summary data if you make your request in writing and pre-pay for the cost of creating the data. Upon receiving your written request – you may use the data request form on page 6 – we will respond within ten business days with the data or details of when the data will be ready and how much we will charge.

Section 3

Copy Costs and Payment – Members of the Public

The City of Emily charges members of the public for copies of government data. These charges are authorized under Minnesota Statute § 13.03, subdivision 3(c).

Pre-payment is mandatory for all copy requests for which fees are charged. Additionally, if a data request will result in voluminous numbers of documents, the City of Emily may ask for a deposit prior to copying data. If the cost of providing the copies is less than the deposit amount, you will receive a refund of the unused deposit amount. If the cost of providing the copies exceeds the deposit amount, you are responsible for the remaining balance before the copies will be provided to you. You must pay the deposit amount before the City of Emily will begin working on your request.

Copy Charge (per side): \$0.25 per B/W copy; \$0.30 per Color copy, standard 8.5" x 11" paper

Fax Charge: \$1.00 per page

CD-R with audio or video copy of meeting: \$10.00 per disk

The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data, and making the copies, or electronically transmitting the data (e.g. sending the data by email).

In determining the actual cost of making copies, the City of Emily considers factors including but not limited to:

- Staff time to:
 - Retrieve documents (except when the subject of the data is making the request);
 - Make, certify and compile copies;
 - Sort and label documents only if necessary to identify the data to be copied;
 - Remove staples or paper clips;
 - **Please note:** the cost of employee time to search for data, retrieve data, and make copies should generally not exceed those of the lowest paid employee who can complete the task performed. However, if because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage;
- Materials (paper, copier ink, staples, magnetic tapes, CD's or DVD's, thumb drives, etc.);
- Special costs associated with making copies from computerized data, such as writing or modifying a computer program to format data;
- Mailing costs; and/or
- Costs to pay an outside vendor (including transportation to and from the vendor) if your request is for copies of data that we cannot reproduce ourselves, such as photographs.