



# KENOSHA COUNTY

## BOARD OF SUPERVISORS

Ordinance No. \_\_\_\_\_

Subject: <b>ORDINANCE TO SET THE FEES RELATING TO OPEN RECORDS REQUEST</b>	
Original <input checked="" type="checkbox"/>	Corrected <input type="checkbox"/> 2nd Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/>
Date Submitted:	Date Resubmitted:
Submitted by: Supervisor Zachary Rodriguez	
Fiscal Note Attached <input type="checkbox"/>	Legal Note Attached <input checked="" type="checkbox"/> Agreement
Prepared by: Supervisor Zachary Rodriguez	Signature:

WHEREAS, Lynn Adelman was a lead sponsor of Wisconsin's Open Records Law in 1981 and supported revisions in the law in 1983; and

WHEREAS, on August 8, 2018 the Wisconsin Department of Justice Office of Open Government issued an advisory regarding high fees being charged for open records; and

WHEREAS, the Department of Justice recommended government authorities re-evaluate their copying fees, ensuring copying fees are based on actual costs of the copy machine, or contract and actual cost of paper not location costs; and

WHEREAS, in the *November 2015 Wisconsin Public Records Law Compliance Guide*, the Department of Justice states "Copy fees are limited to the "actual, necessary and direct cost" of reproduction unless a fee is otherwise specifically established or authorized to be established by law"; and

WHEREAS, in the *November 2015 Wisconsin Public Records Law Compliance Guide*, the Department of Justice states "DOJ's policy is that photocopy fees should be around \$0.15 cents per page, and that anything in excess of \$0.25 cents may be suspect"; and

WHEREAS, Kenosha County charges 25 cents per copy for open records, far exceeding the Department of Justice's actual cost of 1.35 cents per black and white copy; and

WHEREAS, the Kenosha County Board of Supervisors' role is to serve the residents of Kenosha County; and one of those ways is by providing an open and transparent government; and

WHEREAS, the Kenosha County Board of Supervisors understands that all work paid for by Kenosha County is owned by the citizens of Kenosha County, and should be available for all citizens; and

WHEREAS, the Kenosha County Board of Supervisors realizes excessive costs of open records copies disenfranchises some citizens.

NOW, THEREFORE, BE IT RESOLVED, The Kenosha County Board of Supervisors does hereby adopt the fee schedule as published by the Wisconsin Department of Justice Office of Open Government on August 8, 2018; titled '*Office of Open Government Advisory: Charging Fees under the Wisconsin Public Records Law*' for all open records requests.

Respectively submitted:

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Zachary Rodriguez, 8<sup>th</sup> Supervisory District