

1 **..Title**
 2 **Maryland Public Information Act** – For the purpose of adopting City of Annapolis procedures
 3 for the processing of requests made pursuant to the Maryland Public Information Act; establishing
 4 definitions; providing notice of disclosure requirements; establishing an appeal process; allowing
 5 fees to be charged; allowing fee waivers; and generally related to adopting procedures for
 6 processing Public Information Act requests.

7 **..Body**

8 **CITY COUNCIL OF THE**
 9 **City of Annapolis**

10 **Ordinance XX-19**

11 **Introduced by: Mayor Buckley**

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 15
 16 **Referred to**
 17 Rules and City Government Committee

18 **AN ORDINANCE** concerning

19 **Maryland Public Information Act**

20
 21
 22
 23 **FOR** the purpose of adopting City of Annapolis procedures for the processing of requests made
 24 pursuant to the Maryland Public Information Act; establishing definitions; providing notice
 25 of disclosure requirements; establishing an appeal process; allowing fees to be charged;
 26 allowing fee waivers; and generally related to adopting procedures for processing Public
 27 Information Act requests.

28
 29 **BY** adding the following portions to the Code of the City of Annapolis, 2019 Edition

- 30 2.62.010
- 31 2.62.020
- 32 2.62.030
- 33 2.62.040
- 34 2.62.050
- 35 2.62.060
- 36 2.62.070
- 37 2.62.080
- 38 2.62.090
- 39 2.62.100
- 40 2.62.110
- 41 2.62.120
- 42 2.62.130
- 43 2.62.140
- 44 2.62.150
- 45 2.62.160

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1
2 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
3 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:
4

5 **TITLE 21 – ADMINISTRATION**
6 **CHAPTER 2.62 – PUBLIC INFORMATION ACT REQUESTS**
7

8 **SECTION 2.62.010 SCOPE.**
9

10 THIS CHAPTER SETS OUT PROCEDURES IN ACCORDANCE WITH THE
11 MARYLAND PUBLIC INFORMATION ACT FOR FILING AND PROCESSING REQUESTS
12 TO THE CITY OF ANNAPOLIS FOR THE INSPECTION AND COPYING OF PUBLIC
13 RECORDS OF A CITY DEPARTMENT.
14

15 **SECTION 2.62.020 POLICY.**
16

17 IT IS THE POLICY OF THE CITY TO FACILITATE ACCESS TO THE PUBLIC
18 RECORDS OF ITS DEPARTMENTS, WHEN ACCESS IS ALLOWED BY LAW, BY
19 MINIMIZING COSTS AND TIME DELAYS TO APPLICANTS.
20

21 **SECTION 2.62.030 DEFINITIONS.**
22

23 IN THIS CHAPTER, THE FOLLOWING TERMS HAVE THE MEANINGS
24 INDICATED:
25

26 “ACT” MEANS THE PUBLIC INFORMATION ACT, GENERAL PROVISIONS ARTICLE, §§
27 4-101 TO 4-601, ANNOTATED CODE OF MARYLAND.
28

29 “APPLICANT” HAS THE MEANING STATED IN GENERAL PROVISIONS ARTICLE, § 4-
30 101(B), ANNOTATED CODE OF MARYLAND.
31

32 “COPY” MEANS ANY FORM OF REPRODUCTION USING A PHOTOCOPYING MACHINE
33 OR OTHER REPRODUCTION TECHNOLOGY, INCLUDING A PAPER COPY, AN
34 ELECTRONIC COPY, A PRINTOUT, AN IMAGE, OR A VIDEO.
35

36 “DEPARTMENT” MEANS AN ELECTED OFFICIAL, EMPLOYEE, AGENCY, OFFICE,
37 BOARD, COMMISSION, OR COMMITTEE OF THE CITY RECEIVING A REQUEST TO
38 REVIEW A PUBLIC RECORD UNDER THE ACT.
39

40 “DIRECTOR” MEANS THE DIRECTOR, CHIEF OR MANAGER OF A DEPARTMENT.
41

42 “INDIGENT” HAS THE MEANING STATED IN GENERAL PROVISIONS ARTICLE, § 4-
43 206(A)(2), ANNOTATED CODE OF MARYLAND.
44

45 “METADATA” HAS THE MEANING STATED IN GENERAL PROVISIONS ARTICLE, § 4-
46 205(A), ANNOTATED CODE OF MARYLAND.

1
2 “OFFICIAL CUSTODIAN” HAS THE MEANING STATED IN GENERAL PROVISIONS
3 ARTICLE, § 4- 101(F), ANNOTATED CODE OF MARYLAND.
4

5 “PIA COORDINATOR” MEANS THE CITY OFFICE OF LAW EMPLOYEE WHO IS
6 RESPONSIBLE FOR ACCEPTING REQUESTS FOR PUBLIC RECORDS ON BEHALF OF
7 ANY DEPARTMENT.
8

9 “PUBLIC RECORD” HAS THE MEANING STATED IN GENERAL PROVISIONS ARTICLE,
10 § 4- 101(J), ANNOTATED CODE OF MARYLAND.
11

12 “REASONABLE FEE” HAS THE MEANING STATED IN GENERAL PROVISIONS
13 ARTICLE, § 4- 206(A)(3), ANNOTATED CODE OF MARYLAND.
14

15 “WORKING DAY” MEANS A DAY OTHER THAN SATURDAY, SUNDAY, OR A CITY
16 HOLIDAY.
17

18 **SECTION 2.62.040 DIRECTOR AS OFFICIAL CUSTODIAN.**
19

20 UNLESS OTHERWISE PROVIDED BY LAW, THE DIRECTOR OR THE PIA
21 COORDINATOR IS THE OFFICIAL CUSTODIAN OF THE PUBLIC RECORDS OF THE
22 APPLICABLE DEPARTMENT.
23

24 **SECTION 2.62.050 WHO MAY REQUEST PUBLIC RECORDS.**
25

26 ANY PERSON MAY REQUEST TO INSPECT OR COPY PUBLIC RECORDS OF A
27 DEPARTMENT.
28

29 **SECTION 2.62.060 NECESSITY FOR WRITTEN REQUEST.**
30

31 **A. INSPECTION.**
32

- 33 (1) EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER, THE APPLICABLE
34 DIRECTOR OR THE PIA COORDINATOR SHALL MAKE PUBLIC RECORDS
35 OF A DEPARTMENT AVAILABLE FOR INSPECTION BY AN APPLICANT
36 WITHOUT DEMANDING A WRITTEN REQUEST.
37 (2) THE DIRECTOR OR THE PIA COORDINATOR SHALL REQUIRE A WRITTEN
38 REQUEST IF THE DIRECTOR OR THE PIA COORDINATOR REASONABLY
39 BELIEVES THAT:

- 40
41 (A) THE ACT OR ANY OTHER LAW MAY PREVENT THE DISCLOSURE OF
42 ONE OR MORE PUBLIC RECORDS TO THE APPLICANT; OR
43 (B) A WRITTEN REQUEST WILL MATERIALLY ASSIST THE DEPARTMENT
44 IN RESPONDING.
45

46 **B. COPIES.**

1
2 IF THE APPLICANT REQUESTS ONE OR MORE COPIES OF ANY PUBLIC
3 RECORD OF THE DEPARTMENT, THE DIRECTOR OR THE PIA COORDINATOR MAY
4 REQUIRE A WRITTEN REQUEST.
5

6 **SECTION 2.62.070 CONTENTS OF WRITTEN REQUEST.**
7

8 A WRITTEN REQUEST SHALL:
9

- 10 A. CONTAIN THE APPLICANT'S NAME AND ADDRESS;
11 B. BE SIGNED BY THE APPLICANT; AND
12 C. REASONABLY IDENTIFY, BY BRIEF DESCRIPTION, THE PUBLIC
13 RECORD SOUGHT.
14

15 **SECTION 2.62.080 ADDRESSEE.**
16

17 A REQUEST TO INSPECT OR COPY A PUBLIC RECORD OF A DEPARTMENT
18 SHALL BE ADDRESSED TO THE APPLICABLE DIRECTOR OR THE PIA
19 COORDINATOR.
20

21 **SECTION 2.62.090 RESPONSE TO REQUEST.**
22

23 A.(1) IF THE APPLICABLE DIRECTOR OR THE PIA COORDINATOR DECIDES TO
24 GRANT A REQUEST FOR INSPECTION, THE DIRECTOR OR THE PIA
25 COORDINATOR SHALL PRODUCE THE PUBLIC RECORD FOR INSPECTION:
26

- 27 (A) IMMEDIATELY; OR
28 (B) WITHIN A REASONABLE TIME PERIOD, NOT TO EXCEED 30 CALENDAR
29 DAYS AFTER THE DATE OF THE REQUEST, IF THAT PERIOD IS NEEDED
30 TO RETRIEVE THE PUBLIC RECORD AND CONDUCT ANY NECESSARY
31 REVIEW.
32

33 (2) IF THE DIRECTOR OR THE PIA COORDINATOR REASONABLY BELIEVES THAT
34 IT WILL TAKE MORE THAN 10 WORKING DAYS TO PRODUCE THE PUBLIC
35 RECORD, THE DIRECTOR OR THE PIA COORDINATOR SHALL INDICATE IN
36 WRITING OR BY ELECTRONIC MAIL WITHIN 10 WORKING DAYS AFTER
37 RECEIPT OF THE REQUEST:
38

- 39 (A) THE AMOUNT OF TIME THAT THE DIRECTOR OR THE PIA COORDINATOR
40 ANTICIPATES IT WILL TAKE TO PRODUCE THE PUBLIC RECORD;
41 (B) AN ESTIMATE OF THE RANGE OF FEES THAT MAY BE CHARGED TO
42 COMPLY WITH THE REQUEST FOR PUBLIC RECORDS; AND
43 (C) THE REASON WHY IT WILL TAKE MORE THAN 10 WORKING DAYS TO
44 PRODUCE THE RECORDS.
45

1 B. IF THE DIRECTOR OR THE PIA COORDINATOR DECIDES TO DENY A REQUEST
2 FOR INSPECTION, THE DIRECTOR OR THE PIA COORDINATOR SHALL:

- 3
4 (1) DENY THE REQUEST WITHIN 30 CALENDAR DAYS AFTER THE
5 REQUEST; AND
6 (2) IMMEDIATELY NOTIFY THE APPLICANT OF THE DENIAL.
7

8 C. IF A REQUEST IS DENIED, THE DIRECTOR OR THE PIA COORDINATOR SHALL
9 PROVIDE THE APPLICANT, AT THE TIME OF THE DENIAL OR WITHIN 10 WORKING
10 DAYS, A WRITTEN STATEMENT THAT GIVES:

11
12 (1) THE REASON FOR THE DENIAL, INCLUDING, FOR RECORDS DENIED UNDER
13 § 4-343 OF THE GENERAL PROVISIONS ARTICLE, A BRIEF EXPLANATION OF:

- 14
15 (A) WHY THE DENIAL IS NECESSARY; AND
16 (B) WHY THE HARM FROM DISCLOSURE OF THE PUBLIC RECORD WOULD BE
17 GREATER THAN THE PUBLIC INTEREST IN PROVIDING ACCESS TO THE
18 INFORMATION IN THE PUBLIC RECORD SUCH THAT DISCLOSURE OF THE
19 PUBLIC RECORD WOULD BE CONTRARY TO THE PUBLIC INTEREST.
20

21 (2) THE LEGAL AUTHORITY FOR THE DENIAL;

22
23 (3) WITHOUT DISCLOSING THE PROTECTED INFORMATION, A BRIEF
24 DESCRIPTION OF THE UNDISCLOSED RECORDS THAT WILL ENABLE THE
25 APPLICANT TO ASSESS THE APPLICABILITY OF THE LEGAL AUTHORITY FOR
26 THE DENIAL; AND

27 (4) NOTICE OF THE REMEDIES AVAILABLE FOR REVIEW OF THE DENIAL.
28

29 D. IF A REQUESTED PUBLIC RECORD IS NOT IN THE CUSTODY OR CONTROL OF
30 THE PERSON TO WHOM APPLICATION IS MADE, THAT PERSON SHALL, WITHIN 10
31 WORKING DAYS AFTER RECEIPT OF THE REQUEST, NOTIFY THE APPLICANT:

32
33 (1) THAT THE PERSON DOES NOT HAVE CUSTODY OR CONTROL OF THE
34 REQUESTED PUBLIC RECORD; AND

35 (2) IF THE PERSON KNOWS:

36
37 (A) THE NAME OF THE CUSTODIAN OF THE PUBLIC RECORD; AND

38 (B) THE LOCATION OR POSSIBLE LOCATION OF THE PUBLIC RECORD.
39

40 E. ANY TIME LIMIT IMPOSED BY THIS SECTION 2.62.090 MAY BE EXTENDED WITH
41 THE CONSENT OF THE APPLICANT, FOR AN ADDITIONAL PERIOD OF UP TO 30
42 CALENDAR DAYS, OR AS OTHERWISE PERMITTED BY LAW.
43

44 F. TO PROTECT PUBLIC RECORDS AND TO PREVENT UNNECESSARY
45 INTERFERENCE WITH OFFICIAL BUSINESS, EACH DIRECTOR, IN COORDINATION
46 WITH THE PIA COORDINATOR, SHALL ADOPT REASONABLE RULES OR

1 REGULATIONS THAT, SUBJECT TO THIS CHAPTER AND THE ACT, GOVERN TIMELY
2 PRODUCTION AND INSPECTION OF PUBLIC RECORDS FROM EACH DEPARTMENT.

3
4 **SECTION 2.62.100 NOTICE TO AND CONSIDERATION OF VIEWS OF PERSON**
5 **POTENTIALLY AFFECTED BY DISCLOSURE.**

6
7 A. UNLESS PROHIBITED BY LAW, THE APPLICABLE DIRECTOR OR THE PIA
8 COORDINATOR MAY PROVIDE NOTICE OF A REQUEST FOR INSPECTION OR
9 COPYING OF ANY PUBLIC RECORD OF A DEPARTMENT TO ANY PERSON WHO, IN
10 THE JUDGMENT OF THE DIRECTOR OR THE PIA COORDINATOR, COULD BE
11 ADVERSELY AFFECTED BY DISCLOSURE OF THAT PUBLIC RECORD.

12
13 B. THE DIRECTOR OR THE PIA COORDINATOR MAY CONSIDER THE VIEWS OF THE
14 POTENTIALLY AFFECTED PERSON BEFORE DECIDING WHETHER TO DISCLOSE THE
15 PUBLIC RECORD TO AN APPLICANT.

16
17 **SECTION 2.62.110 ELECTRONIC RECORDS.**

18
19 A. EXCEPT AS PROVIDED IN SECTIONS 2.62.110.C AND D, THE APPLICABLE
20 DIRECTOR OR THE PIA COORDINATOR SHALL PROVIDE AN APPLICANT WITH A
21 COPY OF THE PUBLIC RECORD IN A SEARCHABLE AND ANALYZABLE ELECTRONIC
22 FORMAT IF:

- 23
24 (1) THE PUBLIC RECORD IS IN A SEARCHABLE AND ANALYZABLE ELECTRONIC
25 FORMAT;
26 (2) THE APPLICANT REQUESTS A COPY OF THE PUBLIC RECORD IN A
27 SEARCHABLE AND ANALYZABLE ELECTRONIC FORMAT; AND
28 (3) THE DIRECTOR OR THE PIA COORDINATOR IS ABLE TO PROVIDE A COPY OF
29 THE PUBLIC RECORD, IN WHOLE OR IN PART, IN A SEARCHABLE AND
30 ANALYZABLE ELECTRONIC FORMAT THAT DOES NOT DISCLOSE
31 INFORMATION THAT IS EXEMPT FROM DISCLOSURE UNDER THE ACT.

32
33 B. THE APPLICABLE DIRECTOR OR THE PIA COORDINATOR SHALL PROVIDE A
34 PORTION OF THE PUBLIC RECORD IN A SEARCHABLE AND ANALYZABLE
35 ELECTRONIC FORMAT IF:

- 36
37 (1) REQUESTED BY THE APPLICANT, AND
38 (2) THE DIRECTOR OR THE PIA COORDINATOR IS ABLE TO DO SO BY USING THE
39 EXISTING FUNCTIONS OF THE DATABASE OR SOFTWARE PROGRAM THAT
40 CONTAINS THE SEARCHABLE AND ANALYZABLE DATA.

41
42 C. NEITHER A DIRECTOR NOR THE PIA COORDINATOR IS REQUIRED TO:

- 43
44 (1) CREATE OR RECONSTRUCT A PUBLIC RECORD IN AN ELECTRONIC FORMAT
45 IF THE PUBLIC RECORD IS NOT AVAILABLE IN AN ELECTRONIC FORMAT; OR

1 (2) RELEASE AN ELECTRONIC RECORD IN A FORMAT THAT WOULD
2 JEOPARDIZE OR COMPROMISE THE SECURITY OR INTEGRITY OF THE
3 ORIGINAL RECORD OR OF ANY PROPRIETARY SOFTWARE IN WHICH THE
4 RECORD IS MAINTAINED.

5
6 D. THE APPLICABLE DIRECTOR OR THE PIA COORDINATOR MAY REMOVE
7 METADATA FROM AN ELECTRONIC DOCUMENT BEFORE PROVIDING THE
8 ELECTRONIC RECORD TO AN APPLICANT BY:

- 9
10 (1) USING A SOFTWARE PROGRAM OR FUNCTION; OR
11 (2) CONVERTING THE ELECTRONIC RECORD INTO A DIFFERENT SEARCHABLE
12 AND ANALYZABLE FORMAT.

13
14 **SECTION 2.62.120 PUBLIC RECORD DESTROYED OR LOST.**

15
16 IF THE APPLICABLE DIRECTOR OR THE PIA COORDINATOR KNOWS THAT A
17 REQUESTED PUBLIC RECORD OF A DEPARTMENT HAS BEEN DESTROYED OR LOST,
18 THE DIRECTOR OR THE PIA COORDINATOR SHALL PROMPTLY:

- 19
20 A. NOTIFY THE APPLICANT THAT THE PUBLIC RECORD IS NOT AVAILABLE; AND
21
22 B. EXPLAIN THE REASONS WHY THE PUBLIC RECORD CANNOT BE PRODUCED.

23
24 **SECTION 2.62.130 REVIEW OF DENIAL.**

25
26 IF THE APPLICABLE DIRECTOR OR THE PIA COORDINATOR DENIES A REQUEST TO
27 INSPECT OR COPY A PUBLIC RECORD OF THE DEPARTMENT, THE APPLICANT MAY
28 FILE AN ACTION FOR JUDICIAL ENFORCEMENT UNDER GENERAL PROVISIONS
29 ARTICLE, § 4-362, ANNOTATED CODE OF MARYLAND, WITHOUT EXHAUSTING ANY
30 ADMINISTRATIVE REMEDIES.

31
32 **SECTION 2.62.140 DISCLOSURE AGAINST PUBLIC INTEREST.**

33
34 A. DENIAL PENDING COURT ORDER.

- 35
36 (1) IF, IN THE OPINION OF THE APPLICABLE DIRECTOR OR THE PIA
37 COORDINATOR, DISCLOSURE OF A PUBLIC RECORD OF A DEPARTMENT
38 OTHERWISE SUBJECT TO DISCLOSURE UNDER THE ACT WOULD DO
39 SUBSTANTIAL INJURY TO THE PUBLIC INTEREST, THE DIRECTOR OR THE PIA
40 COORDINATOR MAY TEMPORARILY DENY THE REQUEST AND SEEK A
41 COURT ORDER ALLOWING CONTINUED NONDISCLOSURE.

- 42
43 (2) A TEMPORARY DENIAL SHALL BE IN WRITING.

44
45 B. CIRCUIT COURT REVIEW.

46

1 (1) WITHIN 10 WORKING DAYS AFTER THE DENIAL, THE DIRECTOR OR THE PIA
2 COORDINATOR SHALL APPLY TO THE APPROPRIATE CIRCUIT COURT FOR
3 AN ORDER PERMITTING CONTINUED DENIAL OR RESTRICTION OF ACCESS.
4

5 (2) NOTICE OF THE DIRECTOR'S OR THE PIA COORDINATOR'S COMPLAINT SHALL
6 BE SERVED ON THE APPLICANT IN THE MANNER PROVIDED FOR SERVICE
7 OF PROCESS BY THE MARYLAND RULES.
8

9 **SECTION 2.62.150 FEES.**

10
11 A. THE FEES SCHEDULE FOR COPYING AND CERTIFYING COPIES OF PUBLIC
12 RECORDS OF ANY DEPARTMENT WITHIN THAT DEPARTMENT SHALL BE
13 ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL.
14

15 B. IF A PERSON REQUESTS THAT A COPY OF A PUBLIC RECORD BE CERTIFIED AS
16 A TRUE COPY, AN ADDITIONAL FEE OF \$1.00 PER PAGE (OR IF APPROPRIATE, PER
17 ITEM) SHALL BE CHARGED, IN ADDITION TO THE FEE(S) ESTABLISHED BY SECTION
18 2.62.150.A.
19

20 C. NO CHARGE WILL BE MADE IF THE TOTAL FEE IS \$10.00 OR LESS.
21

22 D. NOTWITHSTANDING SECTION 2.62.150.A, IF THE FEE FOR COPIES OR CERTIFIED
23 COPIES OF ANY PUBLIC RECORD OF A DEPARTMENT IS SPECIFICALLY SET BY A
24 LAW OTHER THAN THE ACT OR THIS CHAPTER, THE DIRECTOR OR THE PIA
25 COORDINATOR SHALL CHARGE THE PRESCRIBED FEE.
26

27 E. IF THE DIRECTOR OR THE PIA COORDINATOR CANNOT COPY A PUBLIC RECORD
28 WITHIN THE DEPARTMENT, THE DIRECTOR OR THE PIA COORDINATOR SHALL
29 MAKE ARRANGEMENTS FOR THE PROMPT REPRODUCTION OF THE RECORD AT
30 PUBLIC OR PRIVATE FACILITIES OUTSIDE THE DEPARTMENT. THE DIRECTOR OR
31 THE PIA COORDINATOR SHALL:
32

33 (1) COLLECT FROM THE APPLICANT A FEE TO COVER THE ACTUAL COST OF
34 REPRODUCTION, INCLUDING ACTUAL COSTS RELATED TO LEGALLY
35 REQUIRED AND/OR PERMISSIBLE REDACTIONS; OR

36 (2) DIRECT THE APPLICANT TO PAY THE COST OF REPRODUCTION AND/OR
37 REDACTION DIRECTLY TO THE FACILITY MAKING THE COPY.
38

39 F. BEFORE COPYING A PUBLIC RECORD OF THE DEPARTMENT, THE DIRECTOR OR
40 PIA COORDINATOR SHALL ESTIMATE THE COST OF REPRODUCTION, INCLUDING
41 ACTUAL COSTS RELATED TO LEGALLY REQUIRED AND/OR PERMISSIBLE
42 REDACTIONS, AND EITHER:
43

44 (1) OBTAIN THE AGREEMENT OF THE APPLICANT TO PAY THE COST; OR

45 (2) REQUIRE PREPAYMENT OF ALL OR A PORTION OF THE COST.
46

1 G. SEARCH AND PREPARATION FEE.

2
3 (1) EXCEPT AS PROVIDED IN SECTION 2.62.150.H, THE DIRECTOR OR THE PIA
4 COORDINATOR MAY CHARGE A REASONABLE FEE FOR TIME THAT AN
5 ELECTED OFFICIAL OR EMPLOYEE OF THE DEPARTMENT OR THE PIA
6 COORDINATOR SPENDS:

7
8 (A) TO SEARCH FOR REQUESTED PUBLIC RECORDS;

9 (B) REVIEW REQUESTED PUBLIC RECORDS FOR POTENTIAL DISCLOSURE;
10 AND

11 (C) TO PREPARE PUBLIC RECORDS FOR INSPECTION AND COPYING,
12 INCLUDING ANY TIME RELATED TO PERFORM LEGALLY REQUIRED
13 AND/OR PERMISSIBLE REDACTIONS.

14
15 (2) THE FEE PERMITTED UNDER SECTION 2.62.150.G.1 SHALL BE ESTABLISHED
16 BY RESOLUTION OF THE CITY COUNCIL.

17
18 H. NEITHER THE DIRECTOR NOR THE PIA COORDINATOR MAY CHARGE A FEE
19 UNDER SECTION 2.62.150.G FOR THE FIRST 2 HOURS SPENT SEARCHING FOR AND
20 PREPARING A PUBLIC RECORD FOR INSPECTION.

21
22 I. WAIVER OR REDUCTION OF FEE.

23
24 (1) THE DIRECTOR OR THE PIA COORDINATOR MAY WAIVE OR REDUCE ANY
25 FEE SET UNDER THIS CHAPTER IF:

26
27 (A) THE APPLICANT REQUESTS A WAIVER; AND

28 (B) (I) THE DIRECTOR OR THE PIA COORDINATOR DETERMINES THAT THE
29 WAIVER OR REDUCTION IS IN THE PUBLIC INTEREST; OR

30 (II) THE APPLICANT IS INDIGENT AND FILES AN AFFIDAVIT VERIFYING
31 THE FACTS THAT SUPPORT A CLAIM OF INDIGENCY.

32
33 (2) IN DETERMINING WHETHER A FEE IS IN THE PUBLIC INTEREST, THE
34 DIRECTOR OR THE PIA COORDINATOR SHALL CONSIDER, AMONG OTHER
35 RELEVANT FACTORS, THE ABILITY OF THE APPLICANT TO PAY THE FEE.

36
37 J. IF THE APPLICANT REQUESTS THAT COPIES OF A PUBLIC RECORD BE MAILED
38 OR DELIVERED TO THE APPLICANT OR TO A THIRD PARTY, THE DIRECTOR OR THE
39 PIA COORDINATOR MAY CHARGE THE APPLICANT FOR THE COST OF POSTAGE OR
40 DELIVERY.

41
42 **SECTION 2.62.160 TIME AND PLACE OF INSPECTION.**

43
44 A. AN APPLICANT MAY INSPECT ANY PUBLIC RECORD OF A DEPARTMENT THAT
45 THE APPLICANT IS ENTITLED TO INSPECT DURING THE NORMAL WORKING HOURS
46 OF THAT DEPARTMENT.

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B. THE INSPECTION SHALL OCCUR WHERE THE PUBLIC RECORD IS LOCATED, UNLESS THE APPLICABLE DIRECTOR OR THE PIA COORDINATOR, AFTER TAKING INTO ACCOUNT THE APPLICANT'S EXPRESSED WISH, DETERMINES THAT ANOTHER PLACE IS MORE SUITABLE AND CONVENIENT.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this ordinance shall take effect on July 1, 2019.

Explanation:

UPPERCASE indicates matter added to existing law.

~~Strikethrough~~ indicates matter stricken from existing law.

Underlining indicates amendments.