

**RESOLUTION**  
*of the*  
**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**  
*Regarding*  
**ESTABLISHING A PUBLIC RECORDS FEE SCHEDULE**

**Resolution No. 2016-M-34**

**WHEREAS**, Florida Statutes, Chapter 119, outlines the allowable charges for copying, certifying copies of public records, duplicating audio and video recordings and for establishing a reasonable service charge for extensive use of information technology resources and/or labor; and

**WHEREAS**, Orange County processes thousands of public records requests each year; and

**WHEREAS**, in effort to consistently and effectively conduct the business of Orange County and provide notice to persons who request public records, it is necessary to incorporate a fee schedule for public records requests into the general fee schedule of the County;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY**

**COMMISSIONERS OF ORANGE COUNTY:**

Section 1: Purpose. The purpose of this policy is to set forth a fee schedule for providing access to public records.

Section 2: Fees.

a. Duplication Costs

1. Black and White Copies

i. One-sided copies, up to 8.5" x 14", per page ... \$ .15

- ii. Two-sided copies, up to 8.5" x 14", per page.... \$ .20
- iii. Certified copies (per copy of public record)..... \$ 1.00
- iv. All other copies..... \$ Actual

2. Color Copies

- i. One-sided copies, per page..... \$ .70
- ii. Two-sided copies, per page..... \$ 1.40

3. Media Charges

- i. DVD or CD-ROM stock..... \$ 1.00

b. Special Service Charge. If the nature or volume of public records requested to be inspected, examined or copied is such as to require extensive use of information technology resources, or extensive clerical or supervisory assistance by personnel of the County, or both, in addition to the actual cost of duplication, a special service charge will be assessed. This service charge shall be based on the actual cost incurred for such extensive use of information technology resources and/ or the labor cost of the personnel providing the service based upon the actual labor (base hourly salary) of the employee who performs the task.

- 1. The special service charge will not be charged unless the estimated time for fulfilling the request exceeds 15 minutes.

2. The County may also charge for an employee to sit with the requestor during the course of the inspection, to safeguard and protect the County's records from theft, destruction or alteration.
- c. Technology Services.
1. Email Retrieval.
    - i. Keyword Searches. Keyword searches of up to 10 keywords per individual user (mailbox) shall be charged at a rate of no more than 20 minutes per search.
    - ii. Time Frame Searches. Public records requests for all emails of an employee(s) for a specified time frame shall be charged based upon the actual time to retrieve the emails and at a rate of \$12 per hour.
  2. Other Technology Services.
    - i. Other technology services shall be defined as all other public records services fulfilled by the County's Informations Systems and Services Department, hereinafter "ISS", other than email retrieval. These services include, but are not limited to, the retrieval of phone records, text messages and/or videos.
    - ii. Fees for retrieval of other records maintained by ISS shall be computed based upon the actual time to retrieve the records and at a rate of \$12 per hour.

- d. Deposit. The records custodian will provide the requestor with a cost estimate for fulfilling the public records request. If the estimated cost is less than \$100, the requestor shall be required to pay the full amount before the records custodian will begin collection, duplication and/or redaction of the requested records. If the estimated cost exceeds \$100, the requestor shall be required to pay 50% of the estimated cost before the records custodian will begin collection, duplication and/or redaction of the requested records. Upon completion of collection, duplication and/ or redaction of the records, a cost invoice will be provided to the requestor which reflects the time and expense incurred to fulfill the request. Monies collected exceeding the actual cost incurred by the County, shall be returned to the requestor.
- e. Unpaid requests. If a requestor has any outstanding public records requests for which the County completed the work to fulfill the request but has not received full payment, the requestor shall be required to pay for the previously unpaid request(s) before the County will process a new public records request.
- f. Nothing herein is intended to prohibit the County from adjusting the fee schedule in accordance with Florida or federal law. In the event of any conflict between this fee schedule and any Florida or federal law, the conflicting provision of the Florida or federal law shall prevail and apply.

Section 3. Effective Date. This Resolution shall become effective upon its adoption by the Board.

ADOPTED this \_\_\_\_ day of AUG 16 2016, 2016.



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: *Teresa Jacobs*  
Teresa Jacobs,  
Orange County Mayor  
*42*

ATTEST: Martha O. Haynie, County Comptroller  
As Clerk of the Board of County Commissioners

By: *Jennifer Klimetz*  
for Deputy Clerk