



L202347630 9/14/2023 8:56:14 AM
Recorded - Benton County, AR
Brenda DeShields, Circuit Clerk

ORDINANCE NO.130

AN ORDINANCE SETTING THE ALLOWABLE FEES TO BE CHARGED IN PRODUCING DOCUMENTS AND COMPILING ELECTRONIC DOCUMENTS RELATED TO FOIA REQUESTS

BE IT ORDAINED by the Town Council of the Town of Avoca, Arkansas:

Section 1: Copying Fees

- A. The custodian of the records sought may charge a fee in the amount of the actual costs incurred in copying the same. This fee includes the costs of the medium of reproduction, supplies, equipment, and maintenance, but does not include agency personnel time associated with searching for, retrieving, reviewing or copying the records.
- B. Any fee charged for copying of documents shall not exceed the actual costs of reproduction or copying.
- C. If the estimated cost of reproduction exceeds \$25.00, the custodian may require the requesting party to pay that fee in advance.
- D. No fee shall be charged in connection with the requesting party's inspection and copying of the requested documents once the custodian has provided the same to that party.
- E. The custodian shall provide an itemized breakdown of the copying fees and charges assessed under this Section to the requesting party.

Section 2: Special Requests for Electronic Information

- A. At his or her discretion, a custodian of requested records may agree to summarize, compile, or tailor electronic data in a particular manner or medium and may agree to provide the data in an electronic format to which it is not readily convertible.

- B. Should the custodian agree to a request to provide information pursuant to Paragraph A above, the custodian may charge the actual, verifiable costs of personnel time exceeding two (2) hours associated with the tasks, in addition to any copying costs authorized in Section 1.
- C. A charge under this Section shall not exceed the salary of the lowest paid employee or contractor who, in the discretion of the custodian, has the necessary skill and training to respond to the request.
- D. The custodian shall provide an itemized breakdown of charges assessed under this Section to the requesting party.

Section 3: Emergency Clause

A. The adoption of this Ordinance is essential to the public health, safety, and welfare of the inhabitants, visitors, and animals within the Town of Avoca. An emergency is therefore declared to exist, and this Ordinance shall be in full force and effect from and after the time of its passage. PASSED AND APPROVED this 12th day of September 2023.

APPROVED:

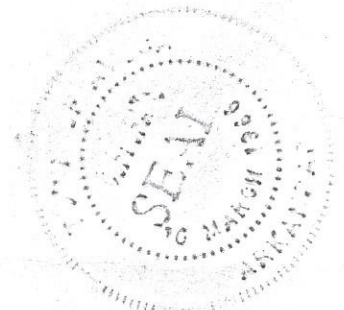


ROBERT WHITEHORN, Mayor

ATTEST:



NANETTE BARNES, Recorder/Treasurer



User Name: CHARLENE
CERTIFICATE OF RECORD
STATE OF ARKANSAS, COUNTY OF BENTON
I hereby certify that this instrument was
Filed and Recorded in the Official Records
L202347630 9/14/2023 8:56:14 AM
Brenda DeShields, Circuit Clerk
BENTON CO, AR FEE \$20.00