

RESOLUTION NO. 24-01
CITY OF KREBS
KREBS, OKLAHOMA

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF KREBS, PITTSBURG COUNTY, STATE OF OKLAHOMA, ESTABLISHING A SCHEDULE OF FEES TO BE APPLICABLE TO RECORDS RELEASED BY THE CITY OF KREBS, IN COMPLIANCE WITH THE OKLAHOMA OPEN RECORDS ACT 51 O.S. § 24A.1. PROVIDING FOR REPEALER; SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Krebs recognizes and supports the right of the public to be fully informed about their government and desires to comply with the Oklahoma Open Records act 51 O. S § 24A.1. While simultaneously protecting the privileges, exceptions, and rights of all persons identified, named and/or otherwise involved in such records, including without limitation, the privacy interest of individuals, and/or all state, federal and/or recognized confidential information and privileges are protected.

WHEREAS, City of Krebs, records are available for public inspection and copying, except for records which are confidential under state or federal law:

WHEREAS, a public body may charge a fee only for recovery of the reasonable, direct costs of record copying and/or mechanical reproduction of records and for search of certain records:

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF KREBS, PITTSBURG, COUNTY, OKLAHOMA THAT THE FOLLOWING SCHEDULE OF FEES SHALL BE APPLICABLE TO ALL RECORDS RELEASED BY THE CITY OF KREBS UNLESS OTHERWISE PROVIDED BY LAW:

A. Reproduction costs for photocopies of public documents:

- \$.25 per page for the first 20 pages
- \$.20 per page thereafter -21 pages and up
- \$1.00 per certified copy
- When the record cannot be reproduced by the City of Krebs using City of Krebs equipment, the cost of reproduction charged to the City of Krebs by a third-party reproduction company shall be charged to the requestor.

B. Reproduction costs for computer generated reports, audio records and/or video records, and reproductions of other electronic files and/or media shall include

- The actual cost of the media (e.g. CD-ROM, flash drive, etc.) used in response to fulfilling the request.
- The actual cost of any access or processing charge imposed on the City of Krebs by a third party specifically in response to fulfilling the request; and
- The actual cost of any hardware or software specifically required to fulfill the request which would not otherwise generally be required or used by the City of Krebs, but used in reproducing the record requested in a machine-readable format.

C. When information is sought for commercial purpose or would clearly cause a disruption of the essential functions of the City of Krebs because the record is not readily available or requires an extended amount of time of more than three (3) hours to retrieve, an administrative search fee may be charged in accordance with the following schedule:

- Five dollars (\$5) each quarter hour or any portion thereof (\$20.00) per hour;
- Any additional fees authorized by this section.
- A search fee shall not be charged to a member of the news media when the request is made for a news-related purpose.

D. Other miscellaneous fees:

- Mailing or shipping fee, if applicable, shall be the actual cost incurred by the City of Krebs, including postage.

F. Reproduction of all other records not specifically listed herein shall be the actual cost to the City of Krebs, including labor, plus any additional applicable fees.

G. Payment of estimated costs and fees shall be paid in advance to the city clerk, when:

- The number of documents exceeds 50 pages
- A search time of three (3) hours or more is estimated; or
- A computer or audio time period of two (2) hours or more is estimated.
- When the estimated amount to be paid exceeds twenty-five (\$25.00)

H. All applicable costs and fees must be paid to the City of Krebs before requested records will be provided to the requestor.

BE IT FURTHER RESOLVED, that should any section, clause or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this as a whole or any part thereof, other than the part so declared to be invalid.

BE IT FURTHER RESOLVED, that all resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

EMERGENCY CLAUSE: That an emergency is hereby declared to exist for the preservation of the public peace, health, and safety by reason whereof it is necessary that this act take effect and be in full force and effect from and after its passage and approval.

PASSED AND APPROVED AT A REGULAR MEETING OF THE CITY OF KREBS AND DULY SIGNED BY THE MAYOR THIS 19th DAY OF MARCH, 2024.



ATTEST:

Cindy J. Cooper
 Cindy J. Cooper, City Clerk

CITY OF KREBS

BY: Tommy Ray Walker
 Tommy Walker, Mayor

FILED

MAR 20 2024

TIME 9:57 AM
 HOPE TRAMMELL, COUNTY CLERK
 PITTSBURG COUNTY

BY: A. Guthrie DEPUTY

This Resolution was published by title in the McAlester News-Capital on the 21st day of March, 2024.