



TOWN OF ST. JAMES
Effective November 3, 2021

Policy on Responding to Public Records Requests

- The North Carolina Public Records Act ("Act") makes certain identified records, documents, and information available to the public for production and/or inspection.
- The Town of St. James ("Town") desires to create a policy to guide the Town's representatives, employees, and Council as to the process to follow when receiving a public records requests pursuant to the Act.
- This Policy is provided for guidance, and is not intended to create nor does it create any new or additional rights for the public or obligations on the Town with respect to public records requests. In the event of any conflict between this Policy and the Act, the Act prevails.
- Any Town employee, representative, officer, or Council member who receives a request for public records ("Town Recipient") should first note that the Act does not require that the Town provide verbal information in response to a public records request under the Act. Second, Town Recipients must be aware that not every record, document or information sought may be open to public disclosure. Accordingly, this procedure and Policy will help to ensure an appropriate and timely response by the Town to requests for public records made in accordance with the Act.
- A Town Recipient who receives an inquiry or request for public records shall ask the party who is requesting public records ("Requesting Party") to submit the request in writing which includes the following information to assist the Town in gathering appropriate documents and responding to the request:
 - Date of the request;
 - Name of the Requesting Party (first and last);
 - Phone number and email address of the Requesting Party;
 - Mailing address of the Requesting Party;

- A description of the records sought in sufficient detail to enable the Town to identify the records being sought; and
 - Whether the Requesting Party is seeking to view the records or receive a copy of the same.
- The Town Recipient shall as soon as possible after receiving the written public records request, and ideally within three (3) business days, forward the same to the Town Manager.
 - Providing all requests to the Town Manager ensures consistency in the Town's responses to requests for public records and further ensures the Town will endeavor to fulfill its legal requirements, which sometimes includes protecting from public disclosure those sensitive or confidential records, documents, and information which are specifically protected by North Carolina statutes.
 - Additionally, the Town Manager will handle calculating and recovering any fees associated with the particular request, as discussed below.
 - As soon as possible after receiving the public records request, and ideally within three (3) business days, the Town Manager shall respond to the Requesting Party to acknowledge the Town's receipt of the request.
 - The Town Manager shall, with the guidance and advice of the Town Attorney, as needed, facilitate the Town's response to the public records request by coordinating with the department(s), record custodian(s), or other Town representative(s) who may possess the records being sought.
 - By statute, the Town may charge copying fees for uncertified copies of public records and may charge those fees for certified copies of public records as provided by law. Additionally, the Town may charge a special service charge for any request that requires extensive use of information technology resources or extensive clerical or supervisory assistance by Town personnel which charge shall be based upon the actual cost incurred by the Town including labor costs of the personnel providing the services to respond to the request.
 - The Town Manager shall coordinate with Town personnel responding to a request to determine whether a request is of such a size that the time spent responding to the request should be separately documented in order to provide for recovery of labor and technology costs.
 - Finally, any Town Recipient who is unsure whether an inquiry they have received qualifies as a public records request, should forward any such inquiry to the Town Manager for review and consideration.