

OPEN RECORDS POLICY (KRS 61.870 to 61.884)

1. The public is notified that all requests for inspection of public records of the Hardin County Planning & Development Office must be submitted to the **Official Records Custodian**:

Adam C. King, AICP
Hardin County Planning & Development
150 North Provident Way, Suite 225
Elizabethtown, KY 42701
Phone: 270-769-5479
Fax: 270-769-5591
Email: acking@hardincountyky.gov

2. The request must be in writing and include the following information: (a) name, mailing address, and telephone number of the individual requesting to inspect the records, and (b) the specific record(s) the requestor wishes to inspect or to request copies, and (c) whether the records are requested for commercial or noncommercial use. If requested for commercial use, a certified statement stating the commercial purpose for which the records will be used. Available public records are open for inspection by any resident of the Commonwealth. A listing of who is considered a resident is located below. A standard form is available to aid citizens in making their request at the Kentucky Attorney General's website.

3. Upon receipt of a written request, Hardin County Planning & Development will respond within five (5) working days. If the records requested are open for public disclosure, the Office will either provide copies of the requested records, or set a time when a requestor may inspect the requested records. If the set time is not convenient for the requestor, the Office will attempt to coordinate a new inspection time convenient to all parties, but it may exceed five (5) working days. If the requested record is not open for public disclosure the records custodian will notify the requestor and provide the statutory exemption(s) under which the request falls.

- a. For public records requested in standard format for noncommercial purposes, the records custodian may charge 10 cents per page for photocopied material. If the requested information is in electronic format the cost of the media and any mechanical processing may be charged. Additionally, the custodian may charge postage fees. The Office will not charge for staff time required to reproduce records for noncommercial use. Any fees shall be paid before copies are made.
- b. For public records requested for commercial purposes, the custodian may require the requestor to enter into a contract which will include the fees charged by the Office. The Office will charge staff time required to produce copies of the records. Any fees shall be paid before copies are made.

4. Please note that under KRS 67.878(1)(h), all prosecutorial files held by a County Attorney are exempt from disclosure. Those records which are not public are specified in federal and state law or rulings of the Attorney General or Courts, and the Office will not make those exempted records available for public inspection.

KRS 67.870(1)(10) defines a "*Resident of the Commonwealth*" as the following:

- a) An individual residing in Kentucky;
- b) A domestic business entity with a location in Kentucky;
- c) A foreign business entity registered with the Secretary of State;
- d) An individual that is employed and works at a location or locations within Kentucky;
- e) An individual or business entity that owns real property within Kentucky;
- f) An individual or business entity that has been authorized to act on behalf of an individual or business entity defined in sections a) through e) above;
- g) A news-gathering organization as defined in KRS 189.635(8)(b)(1)(a)-(e).

Request to Inspect Public Records

Pursuant to the Kentucky Open Records Act (“the Act”), KRS 61.870 *et seq.*, the undersigned requests to inspect the public records which are described below.

Requester’s contact information.

Name: [REDACTED]

Mailing Address: [REDACTED]

E-mail Address (if applicable): [REDACTED]

Records to be inspected:

[REDACTED]

Statement regarding the use of public records. KRS 61.870(4) defines “commercial purpose” as “the direct or indirect use of any part of a public record or records, in any form, for sale, resale, solicitation, rent, or lease of a service, or any use by which the user expects a profit either through commission, salary, or fee.” However, “commercial purpose” does not include the publication or related use of the public record by a newspaper or periodical, by a radio or television station in its news or informational program, or by use in the prosecution or defense of litigation by the parties to such an action or their attorney.

This request is (choose one):

- NOT for a commercial purpose; or
- FOR a commercial purpose.

Statement regarding residency. I further state that I am a resident of Kentucky because I am (please check one):

- An individual residing in the Commonwealth; or
- A domestic business entity with a location in the Commonwealth; or
- A foreign business entity registered with the Kentucky Secretary of State; or
- An individual that is employed and works at a location within the Commonwealth; or
- An individual or business entity that owns real property within the Commonwealth; or
- An individual or business entity that has been authorized to act on behalf of an individual or business entity listed above; or
- A news-gathering organization as defined in KRS 189.635(8)(b)1a. to e.

Signature: [REDACTED] Date: [REDACTED]