

Ordinance No. 2026-001

Passed January 27, 2026

**AN ORDINANCE ENACTING A PUBLIC RECORDS REQUEST POLICY AND
DECLARING AN EMERGENCY**

WHEREAS, Ohio Revised Code §149.43(E)(2) requires that “All public offices shall adopt a public records policy in compliance with this section for responding to public records requests; and

WHEREAS, the Council of the Village of Risingsun has determined that in order to comply with the requirements set-forth therein, it must adopt such a policy; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF RISINGSUN, WOOD COUNTY, OHIO:

SECTION 1:

That the Village hereby adopts the Village of Risingsun Public Records Request Policy dated January 1, 2026, attached hereto and incorporated herein as “**Exhibit A.**”

SECTION 2:

This Ordinance constitutes an emergency measure necessary for the immediate preservation of the public peace and fundamental rights of the residents of the Village of Risingsun, and shall go into immediate effect upon the passage thereof. The reason for the emergency is that the Village is required to immediately comply with relevant State law.

SECTION 3:

All formal actions of Council relating to the adoption of this Ordinance and all deliberations of Council and any of its committees leading to such action were in meetings open to the public as required by Law.

SECTION 4:

This ordinance shall become effective at the earliest date permitted by law.

Passed: January 27, 2026

Juaneta Rodriguez
President of Council

[Signature]
Mayor

Attest:

[Signature]
Village Fiscal Officer

Approved as to form:

Village Solicitor

EXHIBIT A

VILLAGE OF RISINGSUN PUBLIC RECORDS REQUEST POLICY

Effective Date: January 1, 2026 Mission:

It is the policy of the Village of Risingsun that openness leads to a better informed citizenry, which leads to better government and better public policy. Consistent with the premise that government at all levels exists first and foremost to serve the interests of the people, it is the mission and intent of the Village of Risingsun to, at all times, fully comply with and abide by both the spirit and the letter of the Ohio's Public Records Act.

Section 1- Public Records

The Village of Risingsun, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to e-mail), or other format that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations or other activities of the office. All records of the Village of Risingsun are public unless they are specifically ordered sealed by the Court or exempt from disclosure under the Ohio Revised Code.

A. It is the policy of the Village of Risingsun that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and/or copying. Records retention schedules are to be updated regularly, as needed.

B. Under Ohio law, some records will be withheld from release because state or federal law makes the record confidential. Some commonly-requested records that are confidential include, but are not limited to (see RC §149.43):

1. Attorney-client privileged information and trial preparation records;
2. Social Security numbers;
3. Records of ongoing investigations;
4. Medical records;
5. BMV records;
6. Records that a judge ordered to be sealed per statute; and
8. Peace Officer, firefighter, EMT, prosecutor, assistant prosecutor, children's services workers, or corrections officer, Residential and Familial Information.

Section 2- Response Timeframe of Record Requests and Handling Requests

Public records are to be available for inspection during regular business hours. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested, the proximity of the location where the records are stored, and the necessity for any legal review and redaction of the records requested.

Section 2.1 It is the goal of the Village of Risingsun that all requests for public records should be satisfied within five (5) business days following the office's receipt of the request. If processing the request will take longer, the request should be acknowledged in writing.

Section 2.2 No specific language is required to make a request for public records. However, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the office will contact the requester for clarification, and assist the requester in revising the request by informing the requester of the manner in which the office keeps its records.

Section 2.3 The requester does not have to put a records request in writing, does not have to provide his or her identity or the intended use of the requested public record. It is the office's general policy that this information does not need to be provided. However, the law does permit the office to ask for a written request, the requestor's identity, and/or the intended use of the information requested, but only:

A) If a written request or disclosure or identity or intended use would benefit the requestor by enhancing the office's ability to identify, locate or deliver the public records that have been requested; **and**

B) After telling the requestor that a written request is not required and that the requester may decline to reveal the requestor's identity or intended use.

Section 2.4 In processing the request, the office does not have an obligation to create new records or perform new analysis of existing information. An electronic record is deemed to exist as long as a computer is already programmed to produce the record through simple sorting, filtering or querying. Although not required by law, the office may accommodate the requestor by generating new records when it makes sense and is practical under the circumstances.

Section 2.5 Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, then the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

Section 3- Copying and Mailing Costs for Public Records

Those seeking public records may be charged only the actual cost of making copies, not labor. The charge for paper copies is six (6) cents per page. The charge for electronic files downloaded to a compact disc is \$1.00 per disk.

Section 3.1 A requester may be required to pay in advance for costs involved in providing the copy. The requester may choose whether to have the record duplicated upon paper, upon the same medium in which the public record is kept, or upon any other medium on which this office determines that the record can reasonably be duplicated as an integral part of the Village of Risingsun normal operation.

Section 3.2 If a requester asks that the documents be delivered to them, he or she may be charged the actual cost of the postage and mailing supplies, or other actual costs of delivery.

Section 3.4 There is no charge for e-mailed documents.

Section 4 Managing Records

Current and obsolete records retention schedules for the Village of Risingsun are available at the Village of Risingsun, 420 Main Street, Risingsun, OH 43457. Current retention schedules can also be found online at: <https://www.villageofrisingsun.org>