

ORDINANCE NO. JO-069-2024

A JOINT ORDINANCE OF THE LAFAYETTE CITY COUNCIL AND THE LAFAYETTE PARISH COUNCIL AMENDING THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT CODE OF ORDINANCES CHAPTER 2 “ADMINISTRATION” BY CREATING AND ENACTING ARTICLE VI THEREIN RELATIVE TO PUBLIC RECORD REQUESTS AND THE FEE SCHEDULE FOR THE PRODUCTION AND/OR TRANSMISSION OF COPIES OF PUBLIC RECORDS IN RESPONSE TO PUBLIC RECORD REQUESTS

BE IT ORDAINED by the Lafayette City Council and the Lafayette Parish Council, that:

WHEREAS, article XII, Section 3 of the Louisiana Constitution of 1974 provides that “no person shall be denied the right to observe the deliberations of public bodies and examine public documents, except in cases established by law;” and

WHEREAS, the Lafayette City-Parish Consolidated Government is committed to transparency and providing every person with open, convenient and low-cost access to public records as required by the Louisiana Constitution and the Louisiana Public Records Law (La. R.S. 44:1 *et seq.*); and

WHEREAS, under the Louisiana Public Records Law, any person 18 years or older may request inspection, reproduction, and copying of a public record; and

WHEREAS, La. R.S. 44:32C(1)(a) provides that it shall be the duty of the custodian of such public records to provide copies to persons so requesting, and the custodian may establish and collect reasonable fees for making copies of public records, which may include the transmission of electronic copies of public records; and

WHEREAS, La. R.S. 44:32C(1)(a) further provides that “any custodian who elects to establish and collect fees shall establish a reasonable fee schedule and post the schedule where it can be readily accessed by the public,” and that said fees may be collected in advance of production; and

WHEREAS, Sect. 2-11(A)(3) of the Lafayette City-Parish Consolidated Government Home Rule Charter provides that an ordinance is necessary to impose a charge; and

WHEREAS, the Lafayette City Council and the Lafayette Parish Council desire to amend the Lafayette City-Parish Consolidated Government Code of Ordinances, Chapter 2 “*Administration*” by creating and enacting Article VI relative to public record requests and the fee schedule for the production and/or transmission of copies of public records in response to the public record requests.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Lafayette City Council and the Lafayette Parish Council, that:

SECTION 1: All of the aforescribed “Whereas” clauses are adopted as part of this ordinance.

SECTION 2: Chapter 2, Article VI of the Lafayette City-Parish Consolidated Government Code of Ordinances is hereby created and enacted to read, as follows:

ARTICLE VI. PUBLIC RECORD REQUESTS

Sec. 2-180. Fee Schedule.

The fee charges for copies and/or electronic transmission of records in response to public record requests shall be as follows:

Lafayette Consolidated Government Except Lafayette Police Department	
<i>Type of Record</i>	<i>Cost</i>
Paper or Electronic* Standard or legal-size copies under public records law or in the course of discovery during litigation that are non-police related	\$.50/page (copies over 25 pages, up to 100 pages); \$.25/page (thereafter)
Non-standard and non-legal-size documents	Actual expenses incurred in providing such services
USB storage device**	\$25.00/USB drive
Affidavits to verify authenticity	\$20/Affidavit
Postage	Actual Costs
Other notes: <ul style="list-style-type: none"> • Each email treated as a single copy • All electronic records shall be produced in Portable Document Format (.pdf) * Preexisting electronic records provided at no charge ** Personal USB storage devices shall not be used 	
Lafayette Police Department	
<i>Type of Record</i>	<i>Cost</i>
<u>Traffic Records</u>	
Accident Reports	\$7.50
Driver/Witness Statements	\$1.00/page
Initial Report	\$7.00
Digital Photos (Subpoena)	\$1.00 per sheet
<u>Miscellaneous</u>	
Background Check	\$5.00; Certified \$10.00
Body Cam Video/Car Video	\$25.00/via link \$30.00/CD \$40.00/USB drive**
CAD Printout (Case #Provided)	\$10.00/each case #

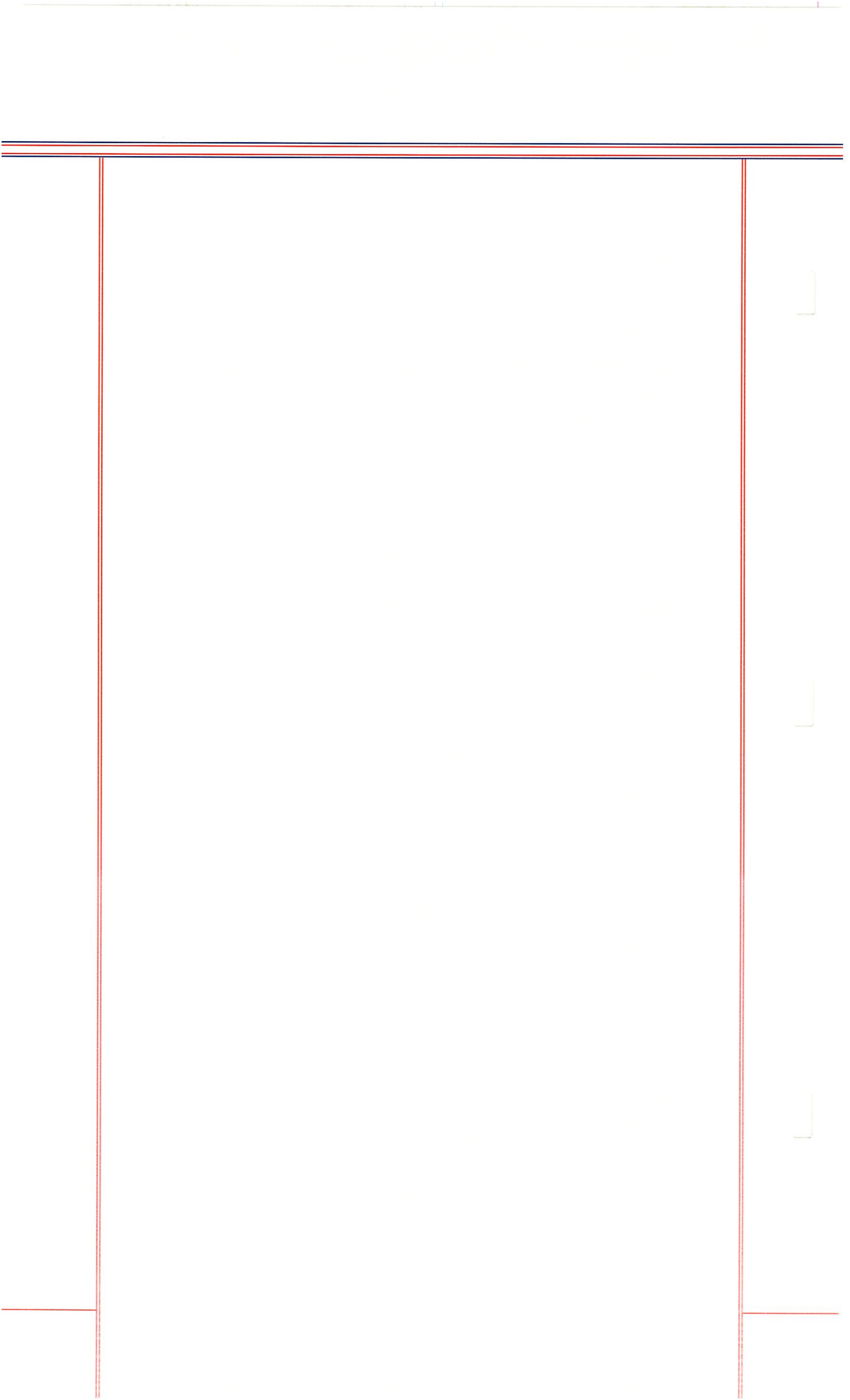
Report Copies (Subpoena Duces Tecum)	\$5.00 (first page)
Additional copies	\$1.00 each
Computer Search Printout Required by Programmer	\$30.00

Secs. 2-181 – 2-189. Reserved.

SECTION 3: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 4: After first having been adopted by a majority of the authorized membership of both the Lafayette Parish Council and the Lafayette City Council, this joint ordinance shall become effective upon signature of this joint ordinance by the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon an override of a veto, whichever occurs first.

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This is a Joint Ordinance as it pertains to amending the Lafayette City-Parish Consolidated Government Code of Ordinances and creating and establishing the fee schedule for public record requests for records of the Lafayette City-Parish Consolidated Government.

If all is in order, kindly sign and present to the Council Office in order that it be put on the agenda of the City Council and the Parish Council to be introduced at the respective Council meetings on Tuesday, December 3, 2024, with final adoption on Tuesday, December 17, 2024.

Thanks,



Tammy Parker Pratt
Assistant City-Parish Attorney

LAFAYETTE JOINT COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) **JUSTIFICATION FOR REQUEST:** A Joint ordinance of the Lafayette City Council and Lafayette Parish Council Amending the Lafayette City-Parish Consolidated Government Code of Ordinances Chapter 2 "Administration" by Creating and Enacting Article VI therein Relative to Public Record Requests and the Fee Schedule for the Production and/or Transmission of Copies of Public Records in Response to Public Record Requests

2) **ACTION REQUESTED:** Adoption of ordinance

3) **REQUESTED ACTION OF LAFAYETTE CITY-PARISH COUNCIL:**

A) INTRODUCTION: December 3, 2024

B) FINAL ADOPTION: December 17, 2024

4) **DOCUMENTATION INCLUDED WITH THIS REQUEST:**

A) Ordinance (3 pages)

B) Memo (2 pages)

C) Submittal Form (1 page)

5) **FISCAL IMPACT:**

_____ Fiscal Impact (Explain)

X No Fiscal Impact

RECOMMENDED BY:



PATRICK S. OTTINGER
CITY-PARISH ATTORNEY

APPROVED FOR AGENDA:



RACHEL GODEAUX
CHIEF ADMINISTRATIVE OFFICER

DISPOSITION OF ORDINANCE NO. JO-069-2024

1. This ordinance was introduced: December 3, 2024
YEAS: Tabor, Richard, Stansbury, Guilbeau, Rubin
NAYS: None
ABSENT: None
ABSTAIN: None
Final disposition by Parish Council: December 17, 2024
YEAS: Tabor, Richard, Stansbury, Guilbeau, Rubin
NAYS: None
ABSENT: None
ABSTAIN: None

This ordinance was introduced: YEAS: Broussard, Naquin, Hebert, Hooks, Boudreaux
NAYS: None
ABSENT: None
ABSTAIN: None
Final disposition by City Council: YEAS: Broussard, Naquin, Hebert, Hooks, Boudreaux
NAYS: None
ABSENT: None
ABSTAIN: None

2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on December 6, 2024.

3. This ordinance was presented to the Mayor-President for approval on December 18, 2024, at 10:50 o'clock a.m.

ASST. CLERK OF THE COUNCIL

4. Disposition by Mayor-President:

I hereby:

A. Approve this ordinance, the 19 day of December, 2024, at 1:15 o'clock p.m.

B. Veto this ordinance, the ___ day of ___, 2024, at ___ o'clock __.m., veto message is attached.

C. Line item veto certain items this ___ day of ___, 2024, at ___ o'clock __.m., veto message is attached.

Mayor-President

5. Returned to Council Office with/without veto message on December 19, 2024, at 4:09 o'clock p.m.

6. Reconsideration by Council (if vetoed):

On ___, 2024, the Council did/refused to adopt this ordinance after the Mayor-President's veto.

7. Returned to the Council Office without signature of Mayor-President (unsigned) on ___, 2024, at ___ o'clock __.m.

If not signed or vetoed by the Mayor-President, and ten days have elapsed since this ordinance was presented to him for action, same has been automatically approved.

CLERK OF THE COUNCIL

8. Full publication of this ordinance was made in the Advertiser on December 20, 2024.

