

**ORDINANCE 2008-56
(As Amended)**

TO BE ENTITLED: "AN ORDINANCE TO AMEND ORDINANCE 2008-34 AUTHORIZING CITY DEPARTMENTS TO IMPOSE A REASONABLE FEE FOR PHOTOCOPIES AND THE SALE OF MAPS, ORDINANCES, MAPPING SERVICES AND OTHER MATERIALS TO THE PUBLIC."

WHEREAS, the City of Franklin has previously adopted Ordinance 2004-128 regarding fees for copies and the sale of planning and zoning items, and,

WHEREAS, this Ordinance was amended by Ordinance 2008-34, answering an increasing demand from developers, realtors, engineers, and the public generally for maps, plans, ordinances, and other City of Franklin documents; and,

WHEREAS, the Tennessee Office of Open Records Counsel has established a Schedule of Reasonable Charges with which all governmental entities must comply, relative to fees for copies or duplication of public records requested pursuant to the Tennessee Public Records Act.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE THAT:

SECTION I: the following Copying Fees are hereby adopted, replacing those fees set in Ordinance 2008-34, and shall apply to all requests for all documents or materials from any department as designated below:

Free copies: The first 5 pages of black and white copies shall be copied free of charge in order to save administrative costs of processing the transaction. Thereafter, the following charges shall apply:

Copying - Black and White		Copying - Color	
Letter size	\$0.15	Letter size	\$0.50
Legal size	\$0.15	Legal size	\$0.50
11x17	\$0.35	11x17	\$2.50

SECTION II: the City is hereby authorized to charge a reasonable fee for the sale of geographical information system (GIS) mapping and other similar documents developed by the City. The following fees are hereby adopted:

Copying - Black and White

18x24	\$3.00 per sheet
24x36	\$6.00 per sheet
30x42	\$9.00 per sheet
36x48	\$12.00 per sheet

Color Printing/Plotting

	Charge
Zoning Maps	\$2.00 per square foot
Long Range Plan Maps	\$2.00 per square foot
Major Thoroughfare Plan Maps	\$2.00 per square foot
Neighborhood Maps	\$2.00 per square foot
UGB Maps	\$2.00 per square foot
All Other Maps	\$2.00 per square foot

Digital Files

\$10.00 per file, regardless of medium used. However, the sale of a digital file shall not grant to the recipient the right of ownership and the recipient shall be required to agree not to redistribute or sell said files. The City shall not be responsible for creating said files in any format other than ESRI Standard or AutoCad 14, as appropriate.

Video/audio tapes/CD copies: \$25.00 per CD/DVD or each 2 hour standard speed VHS tape

Police reports: \$15.00 per report

Business tax reports (master list): \$10.00

Water & Sewer regulations book: \$25.00 per book

SECTION III: BE IT FURTHER ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that the City shall charge the following fees for the following documents:

Item	Charge
1"=1,000 blueprint	\$10.00 each
1"=2,000 blueprint	\$ 5.00 each
Final subdivision plat (Black and White paper copy of original Mylar)	\$ 7.00 each
Administrative Manual (Planning)	\$38.00 per book
Zoning ordinance (In Color)	\$82.00 per book
Zoning Ordinance Book (B&W)	\$35.00 per book
Subdivision regulations	\$15.00 per book
Long range plan, no maps	\$20.00 per book

Exemptions from fees shall be granted according to the Policy. As to materials not covered by this ordinance, the reasonable administrative interpretation by the department head of the cost of reproduction shall be final.

SECTION IV: BE IT FURTHER ORDAINED by the Board of Mayor and Aldermen of the City of Franklin that the City shall charge for costs of the City employee labor expended pursuant to the following guidelines:

- "Labor" is defined as the time reasonably necessary to produce the requested records and includes the time spent locating, retrieving, reviewing, redacting, and reproducing the records.

- "Labor threshold" is defined as the labor of the employee(s) reasonably necessary to produce requested material for the **first hour** incurred by the records custodian in producing the material. A records custodian is not required to charge for labor or may adopt a labor threshold higher than the one reflected above.

- A records custodian is permitted to charge the hourly wage of the employee(s) reasonably necessary to produce the requested records above the "labor threshold." The hourly wage is based upon the base salary of the employee(s) and does not include benefits. If an employee is not paid on an hourly basis, the hourly wage shall be determined by dividing the employee's annual salary by the required hours to be worked per year.

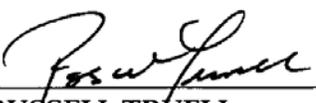
- In calculating the charge for labor, a records custodian shall determine the number of hours each employee spent producing a request. The records custodian shall then subtract the one (1) hour threshold from the number of hours the highest paid employee(s) spent producing the request. The records custodian will then multiply the total number of hours to be charged for the labor of each employee by that employee's hourly wage. Finally, the records custodian will add together the totals for all the employees involved in the request and that will be the total amount of labor that can be charged.

SECTION V: BE IT FURTHER ORDAINED by the Board of Mayor and Aldermen of the City of Franklin that all fees shall be receipted and remitted daily to the Recorder's office for deposit in the General Fund of the City.

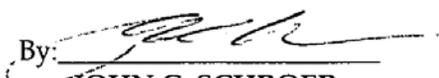
SECTION VI: BE IT FINALLY ORDAINED by the Board of Mayor and Aldermen of the City of Franklin that this ordinance shall take effect from and after its passage on second and final reading, the health safety, and welfare of the citizens of Franklin requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

By: 

 RUSSELL TRUELL
 Interim City Administrator

By: 

 JOHN C. SCHROER
 Mayor

PASSED FIRST READING: November 11, 2008

PASSED SECOND READING: November 25, 2008