

STATE OF SOUTH CAROLINA)
)
COUNTY OF DARLINGTON)

ORDINANCE NO. 17-14

An Ordinance To Amend Darlington County Code Of Ordinances, Chapter 2 (Administration), Article V. (Finance), Division 7 (Fees), Section 2-412 (Fee Schedule), To Add A Section Establishing Uniform Fees And Rates For Copy, Search, Retrieval, And Redaction Of Public Records Pursuant To South Carolina Freedom Of Information Act, As Amended

PURPOSE

The purpose of this ordinance is to establish uniform fees and rates pursuant to the authority in Section 30-4-30(b) of the South Carolina Code of Laws, as amended. This section states that the public body may establish and collect reasonable fees not to exceed the actual cost for the search, retrieval, and redaction of records. This sections also states that the public body shall develop a fee schedule to be posted online.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of Darlington County, South Carolina, the Darlington County Council that:

SECTION I.

Darlington County Code of Ordinances, Chapter 2 (Administration), Article V. (Finance), Division 7 (Fees), Section 2-412 (Fee Schedule), is amended to add the following:

(7) Freedom of Information Act Requests - Fees And Rates For Public Records

- Documents transmitted in electronic format -- No Charge.
- Copies -- \$0.25 per page (8.5 x 11)
 \$1.00 per page (oversized copies)
- Document search and/or compilation requiring more than a minimum amount of time by the staff to comply with a FOIA request -- prorated hourly salary of the lowest paid employee who, in the reasonable discretion of the custodian of the records, has the necessary skill and training to perform the request.
- If it is apparent that a FOIA request will require more than five (5) hours of staff time to comply with the request, the County shall require a deposit not to

exceed twenty-five percent (25%) of the total anticipated cost for reproduction of the records prior to the county searching for or making copies of the records. Upon payment of the deposit, the work will be performed. Documents will be provided to the requestor upon receipt of the full cost of the work.

- When, at the discretion of the County Administrator, it is determined to be in the best interest of the taxpayers of Darlington County to waive the requirements of this Ordinance, such fees and charges may be waived in whole or in part.

SECTION II.

The provision of this ordinance shall be included and incorporated in the Code of Ordinances of County of Darlington as an addition or amendment thereto and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

SECTION III.

This ordinance shall become effective upon third reading.

DARLINGTON COUNTY COUNCIL

ATTEST:

J. JaNet Bishop
Clerk to Council

Bobby Hudson, Chairman

FIRST READING: September 19, 2017
SECOND READING: October 2, 2017
PUBLIC HEARING: November 6, 2017
THIRD READING: November 6, 2017