

ORDINANCE NO. O2024.26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, TO AMEND APPENDIX A — SCHEDULE OF FEES AND CHARGES, POLICE, OF THE TEMPE CITY CODE, TO REVISE EXISTING FEES RELATED TO THE PRODUCTION OF POLICE DEPARTMENT RECORDS AND ADD A NEW FEE FOR CAMERA VIDEO REVIEW AND REDACTION.

WHEREAS, the City has authorization to establish and operate a Police Department pursuant to Arizona Revised Statutes (“A.R.S.”) § 9-240(B)(12); and

WHEREAS, the Arizona legislature adopted A.R.S. § 39-129, which allows the City to establish a onetime fee per copy, not to exceed forty-six (\$46) dollars per video-hour reviewed, that is charged to a person who submits a public records request to the City, with said fee taking into account the reasonable cost of reviewing, transmitting, copying, and, as necessary, redacting the video recording for production; and

WHEREAS, the City Council has taken into consideration the reasonable costs of reviewing, transmitting, copying, and, as necessary, redacting police video recordings as well as other relevant information and intends to recover the reasonable costs for production of the video recording; and

WHEREAS, the City would like to give notice of and revise the existing fees the Tempe Police Department charges for the collection and production of other Police Department records; and

WHEREAS, the City has published and distributed notice of the proposed body worn camera video rates and fees and other fees pursuant to A.R.S. § 9-499.15.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, as follows:

Section 1. That Tempe City Code Appendix A - Schedule of Fees and Charges, Police, is hereby amended to include the fees and charges for services provided by the Police Department, true and accurate copies of which are attached hereto as Exhibit A and made a part hereof and incorporated herein by reference. Deletions are shown as strikeouts. Additions to the text are shown in bold and capital letters. New or increased fee amounts are shown in bold, capital letters and underlined.

Section 2. All fees and charges for services provided by the Police Department previously approved and not amended or increased by this Ordinance shall remain in effect.

Section 3. All ordinances and parts of ordinances in conflict with the provisions of the Code adopted herein are hereby repealed.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the Code adopted herein by reference is for any reason held to be invalid or unconstitutional such decision shall not affect the validity of the remaining portions thereof.

Section 5. The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Tempe City Code.

Section 6. The various City officers and employees are hereby authorized and directed to perform all acts necessary to give effect to this ordinance.


Section 7. Pursuant to Tempe City Charter § 2.12, this ordinance shall be effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA this 27th day of June, 2024.



Corey D. Woods, Mayor

ATTEST:



Kara A. DeArrastia, City Clerk

APPROVED AS TO FORM:



Eric C. Anderson, City Attorney

EXHIBIT A

Tempe Police Department Public Records Fee Schedule:

<u>Request Type</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Police Report or Field Documentation	\$5.00 (first 20 pages, \$0.25 each additional)	No change
Arrest or Citation	\$5.00	No change
Call for Service / Master Name Printout	\$5.00	No change
Photograph	\$10.00 (per disk)	No change
Booking Photo	\$5.00	No change
911 Audio	\$10.00 (per disk)	No change
911 Transcript	\$5.00	No change
Audio Interview	\$10.00 (per disk)	No change
Body Worn Camera Video	\$10.00 (per disk)	<u>\$46.00 PER VIDEO-HOUR (ONE-HOUR MINIMUM)</u>
Video (other)	\$10.00 (per disk)	<u>\$46.00 PER VIDEO-HOUR (ONE-HOUR MINIMUM)</u>