

**RESOLUTION NO. 2025-019**

**A RESOLUTION ADOPTING A PUBLIC RECORDS POLICY AND SCHEDULE OF REASONABLE CHARGES FOR THE TOWN OF CHAPEL HILL**

WHEREAS, pursuant to Tenn. Code Ann. § 10-7-503(g), every governmental subject to the Tennessee Public Records Act ("TPRA") (Tenn. Code Ann. § 10-7-501 et seq.), must establish a written public records policy; and

WHEREAS, the policy adopted shall not impose requirements on those requesting records that are more burdensome than state law; and

WHEREAS, the Town may adopt by resolution the Schedule of Reasonable Charges approved by the Tennessee Office of Open Records Council; and

WHEREAS, the Board of the Mayor and Aldermen has determined that it is in the best interest of the Town to adopt the Public Records Policy and Schedule of Reasonable Charges attached to this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF CHAPEL HILL, TENNESSEE, AS FOLLOWS:

1. That the Public Records Policy for the Town of Chapel Hill and the Schedule of Reasonable Charges attached hereto as **Collective Exhibit A** and incorporated herein by reference are approved and adopted.
2. Any resolutions, policies, or parts thereof in conflict with the provisions of this resolution are hereby repealed to the extent of such conflict only as pertaining to the subject matter of this resolution.
3. If a part of this resolution is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this resolution is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.
4. This resolution shall take effect immediately, the public welfare requiring it.

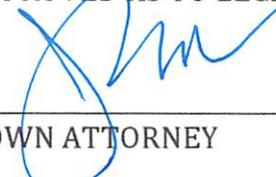
RESOLVED AND ADOPTED this 6<sup>th</sup> day of October 2025.

  
\_\_\_\_\_  
Mayor Michael Faulkenberry

ATTEST:

  
\_\_\_\_\_  
Town Recorder

APPROVED AS TO LEGALITY AND FORM:

  
\_\_\_\_\_  
TOWN ATTORNEY



**PUBLIC RECORDS POLICY**  
**FOR**  
**TOWN OF CHAPEL HILL**

Pursuant to Tenn. Code Ann. § 10-7-503(g), the following Public Records Policy for Town of Chapel Hill is hereby adopted by the Town of Chapel Hill Board of Mayor and Aldermen to provide economical and efficient access to public records as provided under the Tennessee Public Records Act ("TPRA") in Tenn. Code Ann. § 10-7-501, et seq.

The TPRA provides that all state, county and municipal records shall, at all times during business hours, which for public hospitals shall be during the business hours of their administrative offices, be open for personal inspection by any citizen of this state, and those in charge of the records shall not refuse such right of inspection to any citizen, unless otherwise provided by state law. See Tenn. Code Ann. § 10-7-503(a)(2)(A). Accordingly, the public records of Town of Chapel Hill are presumed to be open for inspection unless otherwise provided by law.

Personnel of Town of Chapel Hill shall timely and efficiently provide access and assistance to persons requesting to view or receive copies of public records. No provisions of this Policy shall be used to hinder access to open public records. However, the integrity and organization of public records, as well as the efficient and safe operation of Town of Chapel Hill, shall be protected as provided by current law. Concerns about this Policy should be addressed to the Public Records Request Coordinator for the Town of Chapel Hill or to the Tennessee Office of Open Records Counsel ("OORC").

This Policy is available for inspection and duplication in the office of the Town Recorder. This Policy is posted online at [www.townofchapelhilltn.gov](http://www.townofchapelhilltn.gov). This Policy shall be reviewed periodically as needed.

This Policy shall be applied consistently throughout the various offices, departments, and/or divisions of Town of Chapel Hill

Definitions:

- A. Records Custodian: The office, official or employee lawfully responsible for the direct custody and care of a public record. See Tenn. Code Ann. § 10-7-503(a)(1)(C). The records custodian is not necessarily the original preparer or receiver of the record.
- B. Public Records: All documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency. See Tenn. Code Ann. § 10-7-503(a)(1)(A).
- C. Public Records Request Coordinator: The individual, or individuals, designated in Section III, A.3 of this Policy who has, or have, the responsibility to ensure public record requests are routed to the appropriate records custodian and are fulfilled in accordance with the TPRA. See Tenn. Code Ann. § 10-7-503(a)(1)(B). The Public Records Request Coordinator may also be a records custodian.
- D. Requestor: A person seeking access to a public record, whether it is for inspection or duplication.

## II. Requesting Access to Public Records

- A. Public record requests shall be made to the Public Records Request Coordinator ("PRRC") or his/her designee in order to ensure public record requests are routed to the appropriate records custodian and fulfilled in a timely manner.
- B. Requests for inspection only cannot be required to be made in writing. The PRRC should request a mailing address and/or email address from the requestor for providing any written communication required under the TPRA.
- C. Requests for inspection may be made orally or in writing using the attached Form A. Requests for inspection may be made in person at Town Hall, 4650 Nashville Highway, Chapel Hill, TN or by mail at Town of Chapel Hill, P.O. Box 157, Chapel Hill, TN 37034. Requests for inspection may be made by phone at 931-364-7632.
- D. Requests for copies, or requests for inspection and copies, shall be made in writing using the attached Form A. Requests for copies may be made in person at 4650 Nashville Highway, Chapel Hill, TN or by mail at P.O. Box 157, Chapel Hill, TN 37034.
- E. Proof of Tennessee citizenship by presentation of a valid Tennessee driver's license or alternative acceptable form of ID is required as a condition to inspect or receive copies of public records.
- F. Public notices, meeting agendas, meeting minutes, and frequently requested records are posted and readily available on our website [www.townofchapelhilltn.gov](http://www.townofchapelhilltn.gov).

## III. Responding to Public Records Requests

### A. Public Record Request Coordinator

- 1. The PRRC shall review public record requests and make an initial determination of the following:
  - a. If the requestor provided evidence of Tennessee citizenship;
  - b. If the records requested are described with sufficient specificity to identify them; and
  - c. If the Town is the custodian of the records.
- 2. The PRRC shall acknowledge receipt of the request and take any of the following appropriate action(s):
  - a. Advise the requestor of this Policy and the elections made regarding:
    - i. Proof of Tennessee citizenship;
    - ii. Form(s) required for copies;
    - iii. Fees (and labor threshold and waivers, if applicable); and
    - iv. Aggregation of multiple or frequent requests.

- b. If appropriate, deny the request in writing, providing the appropriate ground such as one of the following:
  - i. The requestor is not, or has not presented evidence of being, a Tennessee citizen;
  - ii. The request lacks specificity;
  - iii. An exemption makes the record not subject to disclosure under the TPRA.
  - iv. The Town is not the custodian of the requested records.
  - v. The records do not exist.
- c. If appropriate, contact the requestor to see if the request can be narrowed.
- d. Forward the records request to the appropriate records custodian in the Town of Chapel Hill.

3. The designated PRRC is:

- a. Name or title: Town Recorder
- b. Contact information: Town of Chapel Hill  
4650 Nashville Highway  
P.O. Box 157  
Chapel Hill, TN 37034  
  
Phone: 931-364-7632

B. Records Custodian

- 1. Upon receiving a public records request, a records custodian shall promptly make requested public records available in accordance with Tenn. Code Ann. § 10-7-503. If the records custodian is uncertain that an applicable exemption applies, the custodian may consult with the PRRC, counsel, or the OORC.
- 2. If not practicable to promptly provide requested records because additional time is necessary to determine whether the requested records exist; to search for, retrieve, or otherwise gain access to records; to determine whether the records are open; to redact records; or for other similar reasons, then a records custodian shall, within seven (7) business days from the records custodian's receipt of the request, send the requestor a completed Public Records Request Response Form which is attached as Form B, based on the form developed by the OORC.
- 3. If a records custodian denies a public record request, he or she shall deny the request in writing as provided in Section III.A.2.b and may use the Public Records Request Response Form.

4. If a records custodian reasonably determines production of records should be segmented because the records request is for a large volume of records, or additional time is necessary to prepare the records for access, the records custodian shall use the Public Records Request Response Form to notify the requestor that production of the records will be in segments and that a records production schedule will be provided as expeditiously as practicable. If appropriate, the records custodian should contact the requestor to see if the request can be narrowed.
5. If a records custodian discovers records responsive to a records request were omitted, the records custodian should contact the requestor concerning the omission and produce the records as quickly as practicable.

#### C. Redaction

1. If a record contains confidential information or information that is not open for public inspection, the records custodian shall prepare a redacted copy prior to providing access. If questions arise concerning redaction, the records custodian should coordinate with counsel or other appropriate parties regarding review and redaction of records. The records custodian and the PRRC may also consult with the OORC.
2. Whenever a redacted record is provided, a records custodian should provide the requestor with the basis for redaction. The basis given for redaction shall be general in nature and not disclose confidential information. Confidential personnel information as listed in T.C.A. 10-7-504 and all future amendments, and any future relevant public acts, shall be redacted.

#### IV. Inspection of Records

- A. There shall be no charge for inspection of open public records. However, where the public records requested are electronic records, and the records are not in the format requested by the requester and special computer programs must be created to retrieve the records in the requested format, the department head shall estimate the cost of creating the programs, including the time and labor of the city employees based upon their hourly pay rate, but not counting social security, insurance and other benefits. The requester shall pay to the city the estimated cost of the special programs before the records are compiled in the requested format. If the cost of the special program exceeds the amount previously paid by the requester, he or she shall pay the balance to the city prior to the inspection of the records in the requested format. If the cost of the special programs is less than the amount previously paid by the requester, the city shall refund the requester the difference upon the delivery of the records for inspection.

If the requester is a public official, the city may waive the costs of creating special programs.

**Custody of Records:** The town's records shall remain in the physical custody of the city recorder and/or department head, and on the city's premises, at all times.

- B. The location for inspection of records within the offices of Town of Chapel Hill should be determined by either the PRRC or the records custodian.

- C. Under reasonable circumstances, the PRRC or a records custodian may require an appointment for inspection or may require inspection of records at an alternate location.

## **V. Copies of Records**

- A. A records custodian shall promptly respond to a public record request for copies in the most economic and efficient manner practicable.
- B. Copies will be available for pickup at a Town Hall or a location specified by the records custodian.
- C. Upon payment for postage, copies will be delivered to the requestor's home address by the United States Postal Service.
- D. A requestor will not be allowed to make copies of records with personal equipment.

## **VI. Fees and Charges and Procedures for Billing and Payment**

- A. Fees and charges for copies of public records should not be used to hinder access to public records.
- B. Records custodians shall provide requestors with an itemized estimate of the charges prior to producing copies of records and may require pre-payment of such charges before producing requested records.
- C. When fees for copies and labor do not exceed \$5.00, the fees may be waived.

Requests for waivers for fees above \$5.00 must be presented to the Town Administrator, who is authorized to determine if such waiver is in the best interest of the Town of Chapel Hill and for the public good. Fees associated with the aggregated records request will not be waived.

- D. Fees and charges for copies are in accordance with the State of Tennessee *OORC Schedule of Reasonable Charges*.
  - 1. \$0.15 per page for letter- and legal-size black and white copies.
  - 2. \$0.50 per page for letter- and legal-size color copies.
  - 3. The actual cost of any other medium upon which a record/information is being produced.
  - 4. Labor when time exceeds 1 hours.
  - 5. If an outside vendor is used, the actual costs assessed by the vendor.
- E. Payment is to be made payable to the Town of Chapel Hill by cash, check or credit card and presented to the Town Recorder/Treasurer.
- F. Payment in advance will be required when costs are estimated to exceed \$5.00.

## **Aggregation of Frequent and Multiple Requests**

- 1. Town of Chapel Hill will aggregate record requests in accordance with the Frequent and Multiple Request Policy promulgated by the OORC when more than (4) requests are received within a calendar month (either from a single individual or a group of individuals deemed working in concert).**
  
- 2. If more than four (4) requests are received within a calendar month:**
  - a. Record requests will be aggregated at the Town level even if the request are made to different department of the Town.**
  
  - b. The PRRC is responsible for making the determination that a group of individuals are working in concert. The PRRC or the records custodian must inform the individuals that they have been deemed to be working in concert and that they have the right to appeal the decision to the OORC.**
  
  - c. Requests for items that are routinely released and readily accessible records excluded from aggregation. These records include, but are not limited to: agendas for current calendar month meetings and approved minutes from meetings held in the previous calendar month.**

**PUBLIC RECORDS REQUEST - FORM A**  
**TOWN OF CHAPEL HILL, TN**

*The Tennessee Public Records Act (TPRA) grants Tennessee citizens the right to access open public records that exist at the time of the request. The TPRA does not require records custodians to compile information or create or recreate records that do not exist.*

**To:** Town Recorder, Town of Chapel Hill, 4650 Nashville Highway, P.O. Box 157,  
Chapel Hill, TN 37034

**From:** Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Full Address: \_\_\_\_\_

\_\_\_\_\_

E-mail address: \_\_\_\_\_

Is the requestor a Tennessee citizen?  Yes  No

- Request:**  Inspection (The TPRA does not permit fees or require a written request for inspection only<sup>1</sup>.)  
 Copy/Duplicate

If costs for copies are assessed, the requestor has a right to receive an estimate. Do you wish to waive your right to an estimate and agree to pay copying and duplication costs in an amount not to exceed \$ \_\_\_\_\_? If so, initial here: \_\_\_\_\_.

**Delivery preference:**  On-Site Pick-Up  USPS First-Class Mail  
 Electronic  Other: \_\_\_\_\_

**Records Requested:**

Provide a detailed description of the record(s) requested, including: (1) type of record; (2) timeframe or dates for the records sought; and (3) subject matter or key words related to the records. Under the TPRA, record requests must be sufficiently detailed to enable a governmental entity to identify the specific records sought. As such, your record request must provide enough detail to enable the records custodian responding to the request to identify the specific records you are seeking.

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Signature of Requestor and Date Submitted

\_\_\_\_\_  
Signature of Public Records Request Coordinator and Date Received.

<sup>1</sup> Note, Tenn. Code Ann. § 10-7-504(a)(20)(C) permits charging for redaction of private records of a utility.

**PUBLIC RECORD REQUEST RESPONSE - FORM B  
TOWN OF CHAPEL HILL**

**Requestor Information:**

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Full Address: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Is the requestor a Tennessee citizen?  Yes  No

In response to your records request received on \_\_\_\_\_, our office is taking the action(s)<sup>1</sup> indicated below:

The public record(s) responsive to your request will be made available for inspection:

Location: \_\_\_\_\_

Date & Time: \_\_\_\_\_

Copies of public record(s) responsive to your request are:

Attached;

Available for pickup at the following location:

\_\_\_\_\_ ; or

Being delivered via:  USPS First-Class Mail  Electronically  Other: \_\_\_\_\_.

Your request is denied on the following grounds:

Your request was not sufficiently detailed to enable identification of the specific requested record(s). You need to provide additional information to identify the requested record(s).

No such record(s) exists or this office does not maintain record(s) responsive to your request.

No proof of Tennessee citizenship was presented with your request. Your request will be reconsidered upon presentation of an adequate form of identification.

You are not a Tennessee citizen.

You have not paid the estimated copying/production fees.

The following state, federal, or other applicable law prohibits disclosure of the requested records:

\_\_\_\_\_.

It is not practicable for the records you requested to be made promptly available for inspection and/or copying because:

It has not yet been determined that records responsive to your request exist; or

The office is still in the process of retrieving, reviewing, and/or redacting the requested records.

The time reasonably necessary to produce the record(s) or information and/or to make a determination of a proper response to your request is: \_\_\_\_\_.

If you have any additional questions regarding your record request, please contact Town Recorder at 931-364-7632.

Sincerely,

Amy Davis  
Town Recorder

<sup>1</sup> If all requested records do not have the same response, so indicate.