

## TITLE 20

### MISCELLANEOUS

#### CHAPTER

1. LIBRARY BOARD OF DIRECTORS.
2. PARKS AND RECREATION DEPARTMENT.
3. PARTITION FENCES.
4. CEMETERY BOARD OF DIRECTORS.
5. SKATE PARK REGULATIONS.
6. PUBLIC RECORDS POLICY.

#### CHAPTER 1

### LIBRARY BOARD OF DIRECTORS

#### SECTION

- 20-101. Established.
- 20-102. Library to comply with law.
- 20-103. Membership, appointment, and vacancies.
- 20-104. Terms, vacancies, and holdovers.
- 20-105. Officers and duties.
- 20-106. Duties of the board.

**20-101. Established.** In order that the Town of Oliver Springs may operate a library which will provide educational, cultural, and other general functions required for the public welfare, and since this library must have guidance, be fiscally responsible, and have fiscal supervision, the town council, believing it to be in the best interest of all the citizens of Oliver Springs, hereby establishes a board of directors for the library. (1989 Code, § 1-901)

**20-102. Library to comply with law.** The library, as a financial and service recipient member of the Tennessee Regional Library System, shall abide by the state law relative to libraries. (1989 Code, § 1-902)

**20-103. Membership, appointment, and vacancies.** The board of directors of the Oliver Springs Library shall consist of five (5) members, one member being a councilman, who shall generally provide guidance for the operation of the library.

The council member of the board shall be appointed by the mayor at the first meeting of the town council in each fiscal year.

The other four (4) members of the board of directors shall be qualified voters and preferably residents of the town.

Election to the board shall be by the town council, after notification by the town council.

Interim vacancies on the board shall be filled by the town council, after notification by the council member or the board chairperson, from a list of persons nominated by the public or by the town council. (1989 Code, § 1-903)

**20-104. Terms, vacancies, and holdovers.** The four (4) citizen board members shall serve for a single four year term except that in order to achieve continuity initially, one director shall be elected for a term of one year, one director for a term of two years, one director for a term of three years, and one director for a term of four years. The incumbent members of the board at the time of passage of the provisions of this chapter shall continue in their normal term of office.

Interim vacancies shall be declared upon the resignation, death, change in residency out of the region of the town of a member, or when a member misses two (2) consecutive meetings within one year without sufficient reasons.

In the event that the town council fails to elect a successor to any member at the end of the normal term of office, that member shall continue in office as a qualified member of the board until officially replaced. (1989 Code, § 1-904)

**20-105. Officers and duties.** The board shall annually elect a chairperson, a vice chairperson, a secretary, and a treasurer from their number at the first regular meetings after the beginning of the fiscal year.

The vice chairperson shall assume the duties of the chairperson when the chairperson is absent from the town, temporarily incapacitated, etc.

The secretary shall be responsible for keeping minutes of all meetings or business conducted by the board, and these minutes shall be retained as a permanent record. The records shall be made available for inspection by any citizen.

The treasurer shall be responsible for ascertaining the validity of bills presented for payment, based upon budget appropriations and official board action, and presenting such valid bills to the town administrator for payment from the library's account. Monies from any source related to the library programs, or gifts thereto, shall be promptly deposited with the town treasurer and credited to the library's account. The treasurer shall keep a financial account of income and approved disbursements and provide a quarterly record thereof to the board. The records of the treasurer shall be made available, if requested, for aiding an audit of the library's account. (1989 Code, § 1-905)

**20-106. Duties of the board.** The board shall establish the need for positions of employment and recommend these positions of employment to the town council for all functions of the library, including a librarian, and fix compensation for the same within the budget and make recommendations to the town administrator regarding the employment of any employee for the library.

It shall be the responsibility of the board, in cooperation with the head librarian, to establish library policy.

It shall be the board's responsibility to authorize payment for any expense not specifically provided for in the budget. All authorized disbursements shall be by check issued against the account of the library and signed by the town administrator or an officer appointed by him.

The board shall submit a proposed detailed annual budget to the town council prior to the council adopting the annual town budget, and it shall be considered along with the regular town budget and shall be in accord with sections of the municipal code, except that unused funds, donations, or other income not designated for a specific purpose by the donor shall be held in the library account to reduce the amount needed as an appropriation for operations for the ensuing year, or for needed repair, replacement, or capital improvements.

The board shall solicit volunteers and funds from organizations, clubs, and individuals for various educational and cultural programs. (1989 Code, § 1-906)

## CHAPTER 2

### PARKS AND RECREATION DEPARTMENT

#### SECTION

- 20-201. Creation and general duties.
- 20-202. Director; compliance with law; finances.
- 20-203. Recreational areas and opportunities.
- 20-204. Recreational programs.
- 20-205. Purchases, concessions, gifts, etc.
- 20-206. Powers, duties, and qualifications of park director.
- 20-207. Park rules and regulations.

**20-201. Creation and general duties.** There is hereby created a park and recreation department and the town council shall assume the duties and obligations of the recreation board including upkeep and maintenance of parks, hiring, establishing financial obligations (past, present, and future), hearing citizen complaints, scheduling activities, and insuring the parks against liabilities. (1989 Code, § 1-1001)

**20-202. Director; compliance with law; finances.** The parks and recreation department shall be placed under a full time director. The director will be answerable to the mayor and town council.

The parks and recreation department will adhere to all laws, ordinances, and codes of the town.

Basic control of financial matters will rest with the town council, which is the primary funding agency. (1989 Code, § 1-1002)

**20-203. Recreational areas and opportunities.** Arrowhead Park and other town parks and recreation area are public property and as such shall provide recreational opportunities for all citizens and adequate time to participate in same.

The maintenance and upkeep of Arrowhead Park and other town parks and recreation areas shall be carried out by the town. (1989 Code, § 1-1003)

**20-204. Recreational programs.** Recreation programs will be developed and implemented by the parks and recreation director.

Programs shall include, but not be limited to, softball, tennis, baseball, basketball, soccer, physical fitness, and crafts. (1989 Code, § 1-1004)

**20-205. Purchases, concessions, gifts, etc.** All purchases for the parks and recreation department will be made through purchase orders and the approval of the town administrator.

The sale of concessions will be under the parks and recreation director and will be carried out equitably through the participation of various clubs and organizations providing their own materials and work force.

All gifts and donations will be turned in to the town treasurer and a receipt for same will be issued. Such gifts and donations will be placed in the recreation fund to become part of the parks and recreation committee budget. (1989 Code, § 1-1005)

**20-206. Powers, duties, and qualifications of park director.** The park director shall be the chief administrative officer in charge of the management of public parks, playgrounds, and other recreational area and of a comprehensive recreational program for the area of the Town of Oliver Springs. He shall administer the policies of the town council, recommend rules and regulations to the town council for its consideration, and perform such other duties as may be assigned to him by the town council. The director shall have training and successful experience in park and recreational work and shall hold at least a bachelor's degree in recreation and be of strong character. The park director shall devote full time to his job and shall:

(1) Assume responsibility for the maintenance and upkeep of Arrowhead Park and other town parks and recreation areas through the assistance of the other departments of the town government (streets, sanitation, water, fire, and police).

(2) Assume the responsibility for the scheduling of all activities of Arrowhead Park and other town parks and recreation areas.

(3) Assume the responsibility in conjunction with the Oliver Springs Police Department for the maintenance of law and order at Arrowhead Park and other town parks and recreation areas.

(4) Assume the responsibility for the development and implementation of programs for all age groups in the area of, among other things:

- (a) Softball.
- (b) Baseball.
- (c) Tennis.
- (d) Physical fitness.
- (e) Basketball.
- (f) Crafts.
- (g) Soccer.

(5) Assume the responsibility for overseeing and directing the sale of concessions.

(6) Report to the town council at least once monthly at a regular or called council meeting.

(7) Assume the responsibility for directing all finances from the park activities through the town treasurer and for following established procedures (purchase orders) for the expenditure of funds. (1989 Code, § 1-1006)

**20-207. Park rules and regulations.** (1) In general. The rules contained in this section shall apply in general as follows:

(a) Any requirement or provision of this section relating to any act includes the causing, procuring, or aiding of the act, or the permitting or allowing of any minor to do any prohibited act.

(b) A park employee in the performance of his duties is not bound by these rules.

(c) Any act prohibited by these rules may be performed under a permit obtained from the town council or park director.

(d) Copies of these rules are to be posted in the parks and are presumed to be known by all park users.

(2) Prohibited uses. The following uses are prohibited:

(a) Vandalism of any park structures or grounds.

(b) Littering, including placing household garbage in park receptacles.

(c) Sound track advertising.

(d) Disorderly conduct.

(e) Gambling in any form.

(f) Fireworks and firearms.

(g) Injuring, harassing, or feeding animals.

(h) Consumption of alcoholic beverages and possession of illegal drugs.

(3) Regulated uses. The following uses are subject to permit or other restriction:

(a) Permits must be obtained to reserve park facilities, use the park for any prohibited use, or when otherwise required by this subsection.

(b) Facilities may be reserved only by persons within the Oliver Springs town limits.

(c) Placing posters and signs is prohibited except by permit.

(d) Selling of any merchandise is prohibited except through the concession stands or by permit.

(e) Building of fires is prohibited except in grills or by permit.

(f) Skating and skateboarding on roadways is prohibited except where permitted by signs or by permit.

(g) Camping is prohibited except by permit.

(h) Model aviation is permitted except in the vicinity of playing fields and playgrounds which are in use.

(i) Horses are prohibited except where permitted by signs.

(j) Any sport, game, or competition is permitted in proper areas except where prohibited by signs.

(k) Pets must be under the control of their owners. Any pet found at large may be seized and impounded by the humane department of Oliver Springs.

(l) Park hours are 7:30 A.M. to 11:00 P.M. No person will be allowed to remain in the park after 11:00 P.M. except by permit. Persons will be allowed to enter the park between sunrise and 7:30 A.M. by permit or by parking outside the park and entering on foot.

(4) Regulation of vehicles. The following regulations apply to vehicle use in park areas:

(a) Regulatory signs must be observed unless directed otherwise by a police officer or park employee.

(b) Speed limit throughout the park is 15 miles per hour.

(c) Reckless driving is prohibited.

(d) Motorized vehicles are confined to the roads and parking areas and are not to be driven on any turf or trail unless so directed by a police officer or park employee. No vehicles of any kind, including bicycles, are to be driven on baseball, softball, or football fields.

(e) Only licensed drivers are to operate motorized vehicles inside the park. Driving lessons shall not be given in the park.

(f) Maintenance of vehicles, such as changing oil is prohibited in the park. (1989 Code, § 1-1007)

## CHAPTER 3

### PARTITION FENCES

#### SECTION

#### 20-301. Partition fences.

**20-301. Partition fences.** The installation of any fence, including retaining walls, within ten (10) feet of any property line, public right-of-way, or public or private easement, shall be governed by the following:

(1) Prior to the installation or construction of fencing subject to this chapter, the property owner or agent shall present to the building inspector a copy of the official parcel or lot plat, or a copy of Roane County Tax Map showing the measured proposed location of said fencing, the names and telephone number of adjacent property owners, and the address of the property upon which the fence is being placed, erected, or constructed.

(2) The property owner/agent shall be provided a fencing registration form by the building inspector. The form is to be completed by the property owner/agent and returned to the building inspector prior to installation of fence.

(3) Private fencing shall not be placed on any public lands or easements without written prior approval. Where a fence is permitted on a public easement, it shall be setback at least three feet from the curb or the inside bank or edge of ditchlines, and if there is no curb or ditch, then, at a distance approved by the town administrator. No fence shall be erected that encloses either water meters or hydrants.

(4) Gates shall be located so that they will not block public sidewalks, streets, or easements. Fences shall not be erected in a manner that creates a hazard for drivers on public streets or drives entering or exiting a private driveway.

(5) Fencing less than six feet high shall contain no sharp edges such as barbs, spikes, or broken glass. Where such edges are used on fences of over six feet, warning notices shall be visibly posted.

(6) Fences shall not be electrical.

(7) Fences shall be of a design, quality, and construction that is generally acceptable and compatible in the neighborhood (approximately eight hundred feet on either side and two hundred feet to the front and rear).

(8) Fences may be erected as noise barriers, but shall comply with the above regulations.

(9) Variations from these regulations may be referred to the planning commission by the building inspector for comment and must be acted upon by the board of zoning appeals.

(10) Fences used to enclose swimming pools are exempt from the provisions of subsection (7) above. (1989 Code, § 4-601)

## CHAPTER 4

### CEMETERY BOARD OF DIRECTORS

#### SECTION

- 20-401. Established.
- 20-402. Cemetery to comply with law.
- 20-403. Membership, appointment, and vacancies.
- 20-404. Terms, vacancies, and holdovers.
- 20-405. Officers and duties.
- 20-406. Duties of the board.
- 20-407. Power, duties, and qualifications for cemetery director.
- 20-408. Enhancement of cemetery.
- 20-409. Effective date.

**20-401. Established.** Although the Oliver Springs Cemetery Company has operated since 1888 in a reasonable, proper, and effective manner, after on hundred twenty (120) years of great changes and progress, it is appropriate that the Town of Oliver Springs acquire the assets of and operate the cemetery in order to provide for the continuity of and the continued operation of the cemetery. (as added by Ord. #08-06-05A.1, June 2008)

**20-402. Cemetery to comply with law.** The cemetery, as a final resting place for the remains of friends, relatives, and loved ones, shall comply with state law to the extent that state law applies, relative to cemeteries and the burial of bodies. (as added by Ord. #08-06-05A.1, June 2008)

**20-403. Membership, appointment, and vacancies.** The board of directors of the Oliver Springs Cemetery shall consist of five (5) members, one (1) member who shall be the city manager, one (1) member who shall be a councilman, and the other three (3) members shall be interested citizens and preferably residents of the town.

The town council member of the board shall be appointed by the mayor at the first meeting of the town council in each fiscal year.

The three (3) interested citizen members of the board of directors shall serve as volunteers and shall not be entitled to any compensation from the town. The city manager and the council member shall serve without any additional compensation from the town.

Election for the remaining members and/or the filling of any interim vacancy(ies) of the board shall be by town council. Interested citizens may make nominations of board members in writing and deliver their nominations to the mayor, who shall in turn submit any nominations to town council for a vote. (as added by Ord. #08-06-05A.1, June 2008)

**20-404. Terms, vacancies, and holdovers.** The term of the city manager director shall run concurrently with his/her service as city manager. The term of the town council member director shall run concurrently with his/her town council alderman term of office. The term of the remaining three (3) citizen directors shall be four (4) years, as established and set out as follows.

(1) The term of the citizen director position currently held by Tammy Barger shall expire on June 30, 2023, and the term of this citizen director seat shall then be four (4) years, with this citizen director term beginning on July 1, 2023, and expiring on June 30, 2027.

(2) The term of the citizen director position currently held by Mark Silvey shall expire on June 30, 2020, and the term of this citizen director seat shall then be four (4) years with this citizen director term beginning on July 1, 2020, and expiring on June 30, 2024.

(3) The term of the citizen director position currently held by Curt Gouge shall expire on June 30, 2022, and the term of this citizen director shall then be four (4) years, with this citizen term beginning on July 1, 2022 and expiring on June 30, 2026.

(4) Thereafter each citizen director shall serve a four (4) year term beginning and ending his/her four (4) year term coinciding with the appropriate fiscal year cycle.

(5) Interim vacancies shall be declared upon the resignation, death, or when a member misses two (2) consecutive meetings within one (1) year without sufficient reason.

(6) In the event that the town council fails to elect a successor to any director at the end of the normal term of office, that director shall continue in office as a qualified director of the board until officially replaced. (as added by Ord. #08-06-05A.1, June 2008, and replaced by Ord. #2018-08-16B, Aug. 2018 *Ch3\_2-7-19*)

**20-405. Officers and duties.** The board shall annually elect a chairperson, a vice chairperson, secretary, and a treasurer from their number at the first regular meeting after the beginning of the fiscal year. The chairperson shall also serve as the cemetery director. The chairperson, the vice chairperson, the secretary, the treasurer, and the cemetery director shall serve as volunteers and shall not be entitled to any compensation from the town.

The vice chairperson shall assume the duties of the chairperson when the chairperson is absent from the town, temporarily incapacitated, or absent from the meeting.

The secretary shall be responsible for keeping minutes of all meetings or business conducted by the board. These minutes shall be retained as a permanent record. The records shall be made available for inspection by any citizen.

The treasurer shall be responsible for ascertaining the validity of bills presented for payment, based upon budget appropriations, based upon revenues

generated from the sale of cemetery lots, based upon donations and contributions, based upon any other sources of revenue, and based upon official board action. The treasurer shall be responsible for presenting such valid bills to the town administrator for payment from the cemetery's account. Monies from any source related to the cemetery, the cemetery program, or gifts thereto, shall be promptly deposited with the town treasurer and credited to the account of the cemetery. The treasurer shall keep a financial account of income and approve disbursements and provide a quarterly record thereof to the board. The records of the treasurer shall be made available according to law. (as added by Ord. #08-06-05A.1, June 2008)

**20-406. Duties of the board.** The board shall be responsible for and coordinate the operation, maintenance, and up keep of the cemetery. As an expression of legislative intent, town council anticipates that the operation of the cemetery shall require no part time or full time employees compensated in any shape, form, or fashion by the town. On the contrary, it is contemplated that the mowing and trimming of the grass and any maintenance or repair may be performed by any voluntary or "in-kind" donations of funds, labor, equipment, supplies, and materials, in order that the cemetery may be kept in a good and reasonable condition. Provided however, that if there are not enough voluntary or "in-kind" contributions of labor, funds, equipment, supplies, and materials for the mowing and trimming of the grass and for any maintenance or repair, this aforesaid work and maintenance may be contracted and paid out of the cemetery budget. Provided further however, the mayor, with a view toward fiscal responsibility, may authorize and appropriate a reasonable amount of work, equipment, or supplies, to be provided on behalf of the cemetery to maintain it in a reasonable condition and state.

It shall be the responsibility of the board, in co-operation with any funeral homes in the area, and with input from the citizens, to establish cemetery policy.

It shall be the responsibility of the board to authorize payment for any expense not specifically provided for in the budget. All authorized disbursements shall be made by check issued against the account of the cemetery and signed by the town administrator or an officer appointed by him. The board shall submit a proposed detailed annual budget to town council prior to the town council adopting the annual town budget, and it shall be considered along with the regular town budget, and shall be in accord with the sections of the municipal code, except that unused funds, donations, or other income not designated for a specific purpose by the donor shall be held in the cemetery account to reduce the amount needed as an appropriation for operations for the ensuing year, or for needed repair, replacement, maintenance, or capital improvements.

The board shall also establish the sale price for any cemetery lot(s). The sale price shall be based upon what is fair and reasonable, under the then prevailing circumstances, taking into consideration the need for all citizens to

have access to cemetery plots as compared to the need for the current and future maintenance, operation, and up keep of the cemetery. It is contemplated that the cemetery operated and managed under this section of the municipal code shall be operated as a public service to the community, not only for burial spaces, but also for memorial services, historical purposes, and other community activities and purposes, but not necessarily operated in such a way as to make a great profit.

The board shall solicit and accept volunteer labor and contributions of all types of property and funds from individuals, organizations, corporations, clubs, and may solicit grant funding from various private and governmental organizations, for various cemetery and cemetery related programs. (as added by Ord. #08-06-05A.1, June 2008)

**20-407. Power, duties, and qualifications for cemetery director.**

The chairperson of the board shall serve as the cemetery director. The cemetery director shall serve as a volunteer and shall not be entitled to any compensation from the town.

The cemetery director shall be the chief administrative officer in charge of the management of the cemetery. He shall administer the policies of the cemetery as promulgated by the board and the town council. He shall keep as accurate a record as is possible under the circumstances, of the books, records, and maps of the cemetery, showing the occupied and unoccupied burial spaces; the unoccupied burial spaces available for sale; and the unoccupied burial spaces that have been sold to individuals in anticipation of future need.

The cemetery director shall also take responsibility for the execution of any cemetery plot contracts and deeds, and collect any purchase proceeds therefrom, and deposit same with the treasurer, who shall then deposit same with the town treasurer for appropriate credit to the cemetery account.

The cemetery director shall work with the board treasurer, the town treasurer, and other officials of the town, and the other officers and directors of the cemetery in order that the bills and expenses of the cemetery may be paid and in order the cemetery may be best operated and managed. (as added by Ord. #08-06-05A.1, June 2008)

**20-408. Enhancement of cemetery.** In the event that town council should decide, after due deliberation, that the purposes and goals of the cemetery may be better accomplished and served by an appropriate non-profit corporation or agency of some suitable nature and intention, town council may vote to convey and transfer the assets of the cemetery to said appropriate non-profit corporation or agency. (as added by Ord. #08-06-05A.1, June 2008)

**20-409. Effective date.** This chapter shall become effective on this the 19th day of June, 2008, the public welfare requiring it. (as added by Ord. #08-06-05A.1, June 2008)

## CHAPTER 5

### SKATE PARK REGULATIONS

#### SECTION

20-501. Definitions.

20-502. Regulations.

20-503. City manager to post regulations.

**20-401. Definitions.** For purposes of this section certain words or phrases are defined as follows:

(1) "Skate park" shall mean the portion of Arrowhead Park which has been set aside and dedicated for use by persons using rollerblades, skateboards, bicycles and similar devices as defined hereinafter.

(2) "Skateboard and rollerblade" shall mean skateboard, rollerblade, in-line skate, roller skate any other similar device approved by the town council for use in Arrowhead Park. (as added by Ord. #08-08-07, Aug. 2008)

**20-402. Regulations.** It shall be unlawful for any person within the skateboard park to:

(1) Ride, operate, or use any device other than skateboards, rollerblades or bicycles;

(2) Ride, operate, use skateboards; rollerblades or bicycles unless that person is wearing a helmet designed for use with skateboards, rollerblades or bicycles and is in good repair at all times during use;

(3) Place or utilize additional obstacles or other materials (including, but not limited to ramps or jumps);

(4) Ride, operate, or use skateboards, rollerblades or bicycles before or after the posted hours of operation;

(5) Use or consume alcohol, tobacco products, or illegal drugs;

(6) Use or possess glass containers, bottles, or other breakable glass products;

(7) Fail to obey any other rule or regulation posted on or near the facility. (as added by Ord. #08-08-07, Aug. 2008)

**20-403. City manager to post regulations.** The town council shall establish and post the times of day and dates when the skateboard park may be used. The skateboard park may be closed at the discretion of the city manager for any reason including but not limited to: weather, vandalism or equipment damage. Entry upon or use of the skateboard park by any unauthorized person when closed is prohibited. The city manager shall post on or near all entrances to the Oliver Springs Skate Park a sign or signs that clearly summarize the regulations set forth herein, and any other rules or regulations that the city

manager deems reasonably necessary for the safe operation of the facility. The sign or signs to be posted shall include the following language:

**SKATE PARK RULES**

- **HELMENTS MUST BE WORN AT ALL TIMES**
- **NO FOUL LANGUAGE**
  - **NO LITTERING**
  - **NO SMOKING**
- **NO SKATING AFTER PARK HOURS**

• **NO OUTSIDE RAMPS OR STUNT EQUIPMENT ALLOWED**

**VIOLATION OF RULES WILL RESULT IN LOSS OF PRIVILEGE**

**THE TOWN OF OLIVER SPRINGS ASSUMES NO LIABILITY**

(as added by Ord. #08-08-07, Aug. 2008)

## CHAPTER 6

### PUBLIC RECORDS POLICY

#### SECTION

20-601. Definitions.

20-602. Requesting access to public records.

20-603. Responding to public records requests.

20-604. Inspection of records.

20-605. Copies of records.

20-606. Fees, charges and procedure for billing and payment.

**20-601. Definitions.** (1) "Records custodian." The office, official or employee lawfully responsible for the direct custody and care of a public record. See Tennessee Code Annotated, § 10-7-503(a)(1)(C). The records custodian is not necessarily the original preparer or receiver of the record.

(2) "Public records." All documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of the 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 Tennessee Code Annotated, § 10-7-503(a)(1)(A).

(3) "Public records request coordinator." The individual designated in § 20-603(1)(c) of this policy who has the responsibility to ensure public record requests are routed to the appropriate records custodian and are fulfilled in accordance with the TPRA. See Tennessee Code Annotated, § 10-7-503(a)(1)(8). The public records request coordinator may also be a records custodian.

(4) "Requestor." A person seeking access to a public record, whether for inspection or duplication. (as added by Ord. #2017-04-06, April 2017 *Ch3 2-7-19*)

**20-602. Requesting access to public records.** (1) 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.

(2) Requests for inspection only cannot be required to be made in writing. The PRRC should request a mailing or email address from the requestor for providing any written communication required under the TPRA.

(3) Requests for inspection may be made orally or in writing (using the attached PRR-1 Form)<sup>1</sup> at Town Hall - 717 Main Street Oliver Springs, TN or by phone at 865-435-7722.

(4) Requests for copies, or requests for inspection and copies, shall be made in writing using the attached PRR-1 Form at Town Hall- 717 Main Street Oliver Springs, TN.

(5) 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. (as added by Ord. #2017-04-06, April 2017 *Ch3\_2-7-19*)

**20-603. Responding to public records requests.** (1) Public record request coordinator . (a) The PRRC shall review public record requests and make an initial determination of the following:

(i) If the requestor provided evidence of Tennessee citizenship;

(ii) If the records requested are described with sufficient specificity to identify them; and

(iii) If the governmental entity is the custodian of the records.

(b) The PRRC shall acknowledge receipt of the request and take any of the following appropriate action(s):

(i) Advise the requestor of this policy and the elections made regarding:

(A) Proof of Tennessee citizenship;

(B) Form(s) required for copies;

(C) Fees (and labor threshold and waivers, if applicable); and

(D) Aggregation of multiple or frequent requests.

(ii) If appropriate, deny the request in writing, providing the appropriate ground such as one of the following:

(A) The requestor is not, or has not presented evidence of being, a Tennessee citizen.

(B) The request lacks specificity. (Offer to assist in clarification.)

(C) An exemption makes the record not subject to disclosure under the TPRA. (Provide the exemption in written denial.)

(D) The Governmental entity is not the custodian of the requested records.

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<sup>1</sup>The Public Records Request Form (PRR-1) may be found in the recorder's office.

(E) The records do not exist.

(iii) If appropriate, contact the requestor to see if the request can be narrowed.

(iv) If requested records are in the custody of a different governmental entity, and the PRRC knows the correct governmental entity, advise the requestor of the correct governmental entity and PRRC for that entity if known.

(c) The designated PRRC is:

(i) Town of Oliver Springs Administrative Assistant.

(ii) Contact information: 717 Main Street Oliver Springs, TN 37840 865-435-7722.

(d) The PRRC shall report to the governing authority on an annual basis about the governmental entity's compliance with the TPRA pursuant to this policy and shall make recommendations, if any, for improvement or changes to this policy.

(2) Records custodian. (a) Upon receiving a public records request, a records custodian shall promptly make requested public records available in accordance with Tennessee Code Annotated, § 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.

(b) 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 PRR-1,<sup>1</sup> based on the form developed by the OORC.

(c) If a records custodian denies a public record request, he or she shall deny the request in writing as provided in 20-603(1)(c)(ii) using the public records request response form.

(d) 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.

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<sup>1</sup>The Public Records Response Form (PRRC-2) may be found in the recorder's office.

(e) 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.

(3) **Redaction.** (a) 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 with the office of attorney general and reporter.

(b) 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. (as added by Ord. #2017-04-06, April 2017 **Ch3\_2-7-19**)

**20-604. Inspection of records.** (1) There shall be no charge for inspection of open public records.

(2) The location for inspection of records within the offices of the TOWN OF OLIVER SPRINGS should be determined by either the PRRC or the records custodian.

(3) 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. (as added by Ord. #2017-04-06, April 2017 **Ch3\_2-7-19**)

**20-605. Copies of records.** (1) A records custodian shall promptly respond to a public record request for copies in the most economic and efficient manner practicable.

(2) Copies will be available for pickup at a location specified by the records custodian.

(3) Upon payment for postage and copies, copies will be delivered to the requestor's home address by the United States Postal Service.

(4) A requester will not be allowed to make copies of records with personal equipment. (as added by Ord. #2017-04-06, April 2017 **Ch3\_2-7-19**)

**20-606. Fees and charges and procedures for billing and payment.**

(1) Fees and charges for copies of public records should not be used to hinder access to public records.

(2) Records custodians shall provide requesters with an itemized estimate of the charges using PPR-1 Form prior to producing copies of records and will require pre-payment of such charges before producing requested records.

(3) When fees for copies and labor do not exceed ten dollars (\$10.00), the fees may be waived. Requests for waivers for fees above ten dollars (\$10.00)

must be presented to the city manager, who is authorized to determine if such waiver is in the best interest of the Town of Oliver Springs and for the public good. Fees associated with aggregated records requests will not be waived.

(4) Fees and charges for copies are as follows:

(a) Fifteen cents (\$0.15) per page for letter- and legal-size black and white copies.

(b) Fifty cents (\$0.50) per page for letter- and legal-size color copies.

(c) Labor when time exceeds one (1) hour at fifteen dollars (\$15.00) per hour.

(d) If an outside vendor is used, the actual costs assessed by the vendor.

(5) No duplication costs will be charged for requests for less than ten dollars (\$10.00).

(6) Payment is to be made in cash or by personal check payable to Town of Oliver Springs presented to the PRRC.

(7) Payment in advance will be required when costs are estimated to exceed ten dollars (\$10.00).

(8) Aggregation of frequent and multiple requests. (a) The Town of Oliver Springs will not 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.

(b) If aggregating:

(i) The level at which records requests will be aggregated is for the town as a complete entity.

(ii) 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.

(iii) Routinely released and readily accessible records excluded from aggregation. (as added by Ord. #2017-04-06, April 2017 *Ch3\_2-7-19*)