

## **Mobile County License Commission Public Records Policy**

Alabama Code Sections 36-12-40 to -46 makes public records available to citizens of Alabama, subject to exceptions and limitations specified by law. These exceptions generally prevent the disclosure of privileged or otherwise protected information and communications, including that which could potentially compromise the security of government facilities, systems, or software.

The Mobile County License Commission seeks to serve the citizens of Alabama by complying with Sections 36-12-40 to -46 to the fullest extent possible.

Alabama citizens may request to inspect and take a copy of public records maintained by the office, unless the record is exempt from public disclosure, by submitting a completed Public Records Request Form.

### **What to expect if you make a public records request:**

The Mobile County License Commission strives to respond as promptly as possible to all public records requests from Alabama citizens while ensuring the office's functions and responsibilities under state law are accomplished efficiently.

Please note, the type and volume of records requested will determine the availability, cost, and time required to process a public records request. Requests that can be completed by producing responsive records kept in the normal course of business will be available more quickly. Requests made that clearly identify a specific, discrete document or record will be processed more quickly than requests requiring substantial staff time to search, locate, review, and produce a large volume of potentially responsive documents or records. Requests that require staff to take measures to redact or otherwise withhold legally privileged, protected, or confidential information will likely take substantial time to process and will result in additional administrative charges.

Upon receiving a completed Public Records Request Form, the office will acknowledge receipt in writing and note any deficiencies or issues with the request. If the form has been completed correctly, the Mobile County License Commission will also provide a preliminary assessment of fees including a portion of the fee that is due prior to the Mobile County License Commission taking action to process the public records request. This advance payment will be applied to the final amount owed as described below, but is not refundable under any circumstances.

Alabama law permits the collection of reasonable fees for processing public records requests. The Mobile County License Commission charges a fee of \$1.00 per one-sided document page (up to size 8 inches by 14 inches) to produce copies of public records for citizens using Mobile County License Commission employees, equipment, and other resources. This per page fee is due whether the documents are produced electronically or in paper format. Citizens are additionally responsible for any outside costs incurred by the Mobile County License Commission (which may include additional charges for any oversized documents or documents that require special processing or equipment) for providing copies of requested records. An additional fee of \$5.00 applies for each certified copy of any record.

As soon as the requested public records are located and assessed by the office, a cost estimate will be provided to the requesting citizen, as applicable. Upon receipt of payment, the office will promptly provide

responsive records. Requesting citizens may request hard copies produced on paper or electronic copies. Certified funds, Cash, or Money Orders are accepted for payment.

Citizens may choose to inspect and/or make copies of requested public records, themselves, under Alabama law, using their own equipment. Access to requested public records for this purpose will be provided during normal business hours and must be supervised by a Mobile County License Commission employee. Under no circumstances shall "public records" be removed from the custody of the custodian of the records in question. Reasonable limitations will be set to avoid work disruption, preserve record integrity, and prevent the loss, damage, or destruction of official records. For example, and unless otherwise agreed, only two (2) citizens may access public records at the same time, visits will be limited in time to a maximum of four (4) hours, and no food/drink may be consumed by inspecting visitors. Requesting citizens must arrange at least two (2) business days in advance to visit the office for inspection and/or copying purposes to ensure access to requested records and the availability of required staff. The Mobile County License Commission reserves the right to reschedule the date and time of any inspection should adequate staff not be available on the date of the inspection or for any other foreseeable or unforeseeable reason. If a citizen elects to use this option, the citizen is solely responsible for all costs of their own copying of documents as well as the hourly wage of the employee(s) for time spent searching, preparing, redacting, supervising, and returning documents to their proper location. The requesting citizen must pay a preliminary assessment of fees including a portion of the fee that is due prior to the Mobile County License Commission taking action to process the public records request. This advance payment will be applied to the final amount owed as described above, but is not refundable under any circumstances. Further, the full payment of costs to the License Commission must be made prior to any inspection of documents.

Requests for "public records" which are unduly burdensome, time-consuming, and those which are intended to harass the Mobile County License Commission, or any License Commission employee, shall be subject to limitation by the License Commission, time extensions, and/or denial of the documents.

"Public Records" do not include: "Confidential Documents", records, papers, letters and other written documents concerning the good name and character of individuals; internal personnel matters; W-2 forms; matters of a personal nature where disclosure would constitute a clearly unwarranted invasion of privacy; trade secrets, commercial and financial information obtained in confidence and/or which is privileged or which, if revealed, would interfere with the efficient operations of government; investigatory records of law enforcement agencies which, if revealed, could be life threatening, harmful to the public, or prevent the accused from receiving a fair trial; and also, "work product" generated by the License Commission Attorney, or any other lawyers retained to work on behalf of the Mobile County License Commission.