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STARK COUNTY TREASURER

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MEMBER:

STARK COUNTY

BOARD OF REVISION

BUDGET COMMISSION

DATA PROCESS BOARD

STARK COUNTY TREASURER'S PUBLIC RECORD POLICY

This is a summary of the Stark County Treasurer's Public Records Policy.

A full copy of the Stark County Treasurer's Office Public Record's Policy is available for review at the counter of the Stark County Treasurer's Office on the second floor and available on the Stark County Treasurer's website:

https://www.starkcountyohio.gov/government/offices/treasurer/policies/public_records.php

The Stark County Treasurer's Office has created this poster that describes its public records policy and has posted the poster in a conspicuous place in the Stark County Treasurer's Office in compliance with Ohio Revised Code Section 149.43.

The Stark County Treasurer's Office has adopted a Public Records Policy in compliance with Ohio Revised Code Section 149.43 for responding to public records requests.

A copy of the Stark County Treasurer's and Stark County's general current records retention schedules are also readily available to the public for inspection at the counter of the Stark County Treasurer's Office.

A copy of the Ohio Attorney General's current Ohio Sunshine Laws Update is readily available to the public for inspection at the main desk of the Stark County Treasurer's Office on the second floor.

"Public records" are defined by Ohio Revised Code Section 149.43(A)(1) as "records kept by any public office..." Kept by a public office has been further defined as the type of item/record typically and actually retained by the office in the ordinary course of its business in order to carry out its duties and functions.

Ohio Revised Code Section 149.011(G) further defines "Records" to include any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in section 1306.01 of the Revised Code, created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

Finally, pursuant to Ohio Revised Code Section 149.40, the definition of a public record can be further refined, as that statute requires records be created only when they "are necessary for the adequate and proper documentation of the organization, functions, policies, decisions, procedures and essential transactions of the office. Those records so generated are "public records", unless they fall into a specific exclusion provided for in the Ohio Revised Code or court cases.

The Stark County Treasurer's employees are familiar with their duties under Ohio Revised Code Section 149.43. The vast majority of records generated and/or maintained by the Stark County.

Treasurer's Office fit within the definition of "public records" as set forth in Ohio Revised Code, and should be immediately available to the general public.

For more involved requests, detailed requests, or requests that may be exempt or require redaction, a requestor may be referred to a "Public Records Officer" within the Stark County Treasurer's Office. The Stark County Treasurer has designated the following persons as "Public Records Officers":

- Staff Counsel
- Chief Deputy Treasurer

A person (person includes corporations, individuals, and other governmental agencies) requesting to inspect and/or copy the public records:

1. **does NOT have to provide their name**
2. **does NOT have to provide a reason for inspecting and/or copying the public records**
3. **does NOT have to make the request in writing – the request can be in writing or verbal**
4. **may not designate another person to inspect or retrieve the copies.**
5. **does NOT have to reveal a motive (motive is not relevant)**
6. **is NOT required to be an Ohio resident**

The Stark County Treasurer's Office shall permit that person to choose to have the public record duplicated upon paper, upon the same medium upon which the public office or person responsible for the public record keeps it, or upon any other medium upon which the public office or person responsible for the public record determines that it reasonably can be duplicated as an integral part of the normal operations of the public office or person responsible for the public record. When the person seeking the copy makes a choice under this division, the public office or person responsible for the public record shall provide a copy of it in accordance with the choice made by the person seeking the copy. Nothing in this section requires a public office or person responsible for the public record to allow the person seeking a copy of the public record to make the copies of the public record.

If a requester makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records under this section such that the public office or the person responsible for the requested public record cannot reasonably identify what public records are being requested, the public office or the person responsible for the requested public record may deny the request but shall provide the requester with an opportunity to revise the request by informing the requester of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office's or person's duties.

If a request is ultimately denied, in part or in whole, the Stark County Treasurer's Office shall provide the requester with an explanation, including legal authority, setting forth why the request was denied. If the initial request was provided in writing, the explanation also shall be provided to the requester in writing.