



## **Data Practices Policy for Members of the Public**

City of Victoria, Minnesota

## **Section 1**

### **Right to Access Public Data**

The Government Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data are public unless a state or federal law says the data are not public. Government data is a term that means all recorded information a government entity has, including paper, email, DVDs, photographs, etc.

The Government Data Practices Act also provides that the City of Victoria must keep all government data in a way that makes it easy for you, as a member of the public, to access public data. You have the right to look at (inspect), free of charge, all public data that we keep. You also have the right to get copies of public data. The Government Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

### **How to Make a Data Request**

To look at data or request copies of data that the City keeps, the City generally requires a written request. Make your request for data to the appropriate individual listed in the Data Practices Contacts on page 4. You may make your request for data by filling out a form provided by the City (also attached to this Policy) and sending it by email, U.S. mail, or by hand-delivering it to the City.

Please be sure that your written data request is as clear and detailed as possible. If the City does not understand your request, the City may ask you for clarification. The City cannot begin processing your data request if you do not provide the requested clarification.

In addition, if your request is so broad that it yields voluminous data, the City may ask if there is more specific data you seek. The City may also ask whether you wish to inspect the data at City offices prior to making copies, or require a deposit for actual costs of providing the copies. (See **Section 3** for information on copy costs and payment.)

The City cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want us to process your request (if, for example, you want us to mail you copies of data), we may need some information about you. If you choose not to give us any identifying information, we will provide you with contact information so you may check on the status of your request. In addition, please keep in mind that if we do not understand your request and have no way to contact you, we will not be able to process your request.

### **How We Respond to a Data Request**

Upon receiving your request, the City will work to process it.

- If we do not have the data, we will notify you in writing as soon as reasonably possible.
- If we have the data, but the data are not public, we will notify you as soon as reasonably possible and state which specific law says the data are not public or cannot be disclosed.
- If we have the data, and the data are public, we will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:

- arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or
- provide you with copies of the data as soon as reasonably possible. You may choose to pick up your copies, or we will mail or email them to you if possible. If you want us to send the copies through the mail, you will need to provide us with an address or email address. We may provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format.

**Please see Section 3, so that you understand how the City calculates costs for copies and your obligations regarding payment of copies. You will be responsible to pre-pay for the cost of copies prior to receipt of the copies. In addition, if a deposit is required as described in Section 1, *How to Make a Data Request*, you must pay the deposit before the City will begin working on your data request.**

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will give you an explanation if you ask.

The Government Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request.

In addition, the Government Data Practices Act does not require us to answer questions that are not requests for data.

### **Requests for Summary Data**

Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. We will prepare summary data if you make your request in writing and pre-pay for the cost of creating the data. Upon receiving your written request – you may use the data request form on page 6 – we will respond within ten business days with the data or details of when the data will be ready and how much we will charge.

## **Section 2**

### **Data Practices Contacts**

#### **Responsible Authority**

Cindy Patnode, City Clerk

City of Victoria  
1670 Stieger Lake Lane  
Victoria, MN 55386  
Phone: 952-443-4229  
Email: [cpatnode@ci.victoria.mn.us](mailto:cpatnode@ci.victoria.mn.us)

#### **Data Practices Compliance Official**

Dana Hardie, City Manager

City of Victoria  
1670 Stieger Lake Lane  
Victoria, MN 55386  
Phone: 952-443-4211  
Email: [dhardie@ci.victoria.mn.us](mailto:dhardie@ci.victoria.mn.us)

#### **Data Practices Designee(s)**

Cindy Patnode, City Clerk

City of Victoria  
1670 Stieger Lake Lane  
Victoria, MN 55386  
Phone: 952-443-4229  
Email: [cpatnode@ci.victoria.mn.us](mailto:cpatnode@ci.victoria.mn.us)

### **Section 3**

#### **Copy Costs and Payment – Members of the Public**

The City of Victoria charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c).

**Pre-payment is mandatory for all copy requests for which fees are charged. Additionally, if a data request will result in voluminous numbers of documents, the City may ask for a deposit prior to copying data. If the cost of providing the copies is less than the deposit amount, you will receive a refund of the unused deposit amount. If the cost of providing the copies exceeds the deposit amount, you are responsible for the remaining balance before the copies will be provided to you. You must pay the deposit amount before the City will begin working on your request.**

**The City will not require payment for copies if the cost of copies is less than \$5.00.**

#### **For 100 or Fewer Paper Copies – 25 Cents Per Page**

100 or fewer pages of black and white, letter or legal size paper copies cost 25¢ for a one-sided copy, or 50¢ for a two-sided copy.

#### **For 100 or More Paper Copies, or Most Other Types of Copies – Actual Cost**

The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data, and making the copies, or electronically transmitting the data (e.g. sending the data by email).

In determining the actual cost of making copies, the City considers factors including but not limited to:

- Staff time to:
  - retrieve documents (except when the subject of the data is making the request);
  - make, certify and compile copies;
  - sort and label documents only if necessary to identify the data to be copied ;
  - remove staples or paper clips;
  - **Please note:** the cost of employee time to search for data, retrieve data, and make copies should generally not exceed those of the lowest-paid employee who can complete the task performed. However, if, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage;
- Materials (paper, copier ink, staples, magnetic tapes, CD's or DVD's, thumb drives, etc.);
- Special costs associated with making copies from computerized data, such as writing or modifying a computer program to format data;
- Mailing costs; and/or
- Costs to pay an outside vendor (including transportation to and from the vendor) if your request is for copies of data that we cannot reproduce ourselves, such as photographs.



**INFORMATION DISCLOSURE REQUEST  
Minnesota Government Data Practices Act**

**A. Completed by Requester**

<b>REQUESTER NAME (Last, First, M.):</b>	<b>DATE OF REQUEST:</b>																		
<b>STREET ADDRESS:</b>	<b>PHONE NUMBER:</b>																		
<b>CITY, STATE, ZIP CODE:</b>	<b>SIGNATURE:</b>																		
<b>Describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form:</b>																			
<b>I AM REQUESTING ACCES TO THE DATA IN THE FOLLOWING MANNER:</b>																			
<table style="width:100%; border:none;"> <tr> <td style="width:33%;"><u>    </u> Inspection</td> <td style="width:33%;"><u>    </u> Copies</td> <td style="width:33%;"><u>    </u> Both inspection and copies</td> </tr> <tr> <td><u>    </u> Paper</td> <td><u>    </u> Pick up</td> <td><u>    </u> Paper</td> </tr> <tr> <td><u>    </u> Email</td> <td><u>    </u> Other</td> <td><u>    </u> Pick up</td> </tr> <tr> <td></td> <td></td> <td><u>    </u> Mail</td> </tr> <tr> <td></td> <td></td> <td><u>    </u> Email</td> </tr> <tr> <td></td> <td></td> <td><u>    </u> Other</td> </tr> </table>		<u>    </u> Inspection	<u>    </u> Copies	<u>    </u> Both inspection and copies	<u>    </u> Paper	<u>    </u> Pick up	<u>    </u> Paper	<u>    </u> Email	<u>    </u> Other	<u>    </u> Pick up			<u>    </u> Mail			<u>    </u> Email			<u>    </u> Other
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		<u>    </u> Other																	

**B. Completed by the City of Victoria**

<b>INFORMATION CLASSIFIED AS:</b>	<b>ACTION:</b>
<input type="checkbox"/> PUBLIC <input type="checkbox"/> NON-PUBLIC <input type="checkbox"/> PRIVATE <input type="checkbox"/> PROTECTED NON-PUBLIC <input type="checkbox"/> CONFIDENTIAL	<input type="checkbox"/> APPROVED <input type="checkbox"/> APPROVED IN PART (explain below) <input type="checkbox"/> DENIED (explain below)
<b>CITY CLERK REMARKS OR BASIS FOR DENIAL INCLUDING STATUTE SECTION:</b>	
<b>MINNESOTA CLASSIFICATION CODE:</b>	
<b>COPYING CHARGES/ASSOCIATED COSTS:</b>	<b>IDENTITY VERIFIED FOR PRIVATE INFORMATION:</b>
<input type="checkbox"/> NONE <input type="checkbox"/> DEPOSIT \$ _____ <input type="checkbox"/> _____ Pages x _____ = _____ <input type="checkbox"/> Actual Cost: _____	<input type="checkbox"/> IDENTIFICATION: DRIVER'S LICENSE, STATE I.D., etc. <input type="checkbox"/> COMPARISON WITH SIGNATURE ON FILE <input type="checkbox"/> PERSONAL KNOWLEDGE <input type="checkbox"/> OTHER: _____
<b>CITY CLERK SIGNATURE:</b>	<b>DATE:</b>
<b>DEPARTMENT SIGNATURE:</b>	<b>DEPARTMENT REMARKS:</b>
_____ <b>DATE:</b> _____	

Make check/money order payable to: City of Victoria  
 If mailed, return form: City of Victoria, Attn: City Clerk, City of Victoria, 1670 Stieger Lake Lane, PO Box 36, Victoria, MN 55386, or email form to [cpatnode@ci.victoria.mn.us](mailto:cpatnode@ci.victoria.mn.us)