

**DRIPPING SPRINGS CODE OF ORDINANCES**  
**CHAPTER 2 – ADMINISTRATION AND PERSONNEL**  
**ARTICLE 2.03 - RECORDS**  
**DIVISION 2. PUBLIC INFORMATION POLICY**

**Sec. 2.03.031. Title.**

This division shall be commonly cited as the Public Information Act Policy. ~~public information policy.~~

**Sec. 2.03.032. Purpose.**

The City of Dripping Springs ("city") is governed by Chapter 552, Texas Government Code, the "Texas Public Information Act" (the "Act" or "PIA"), which establishes requirements for governmental bodies to respond to written requests from individuals, business entities and elected officials for inspection and/or reproduction of public information and records. Pursuant to this division the city secretary shall maintain a Public Information Act Policy (the "policy" or "PIA policy") on file with the official city record and make available on the city's website.

**Sec. 2.03.033. Scope.**

The policy applies to all employees (full-time, part-time, and seasonal), elected officials, appointed officials, and consultants, and is to be interpreted and implemented in harmony with any and all records management program(s) adopted by the city. This division applies to all data, documents, forms, and information managed or possessed by the city. This division applies to all requests for information submitted to the city after the date of enactment.

**Sec. 2.03.034. Policy. Definitions.**

- (a) Public Information Officer: For purposes of the policy, the city secretary serves as the public information officer. ~~Rules of interpretation. Words and phrases used in this division shall have the meanings set forth in this section unless a conflicting definition appears in state law. Terms that are not defined below, but are defined elsewhere in the Code of Ordinances, shall be given the meanings set forth in the code. Words and phrases not defined in the Code of Ordinances or under chapter 552 of the Government Code, the Public Information Act, shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense, words in the plural number shall include the singular number (and vice versa), and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only.~~
- (b) Municipal Court Records: For purposes of the policy, municipal court records are not subject to the Act nor to the federal Freedom of Information Act. However, to ensure efficient and consistent responses to requests for information held by the court it is the city's policy that requests for information held by the court be processed in accordance with the city's Public Information Act Policy.
- (c) Accessibility: The policy shall be available on the city's website and available for personal inspection at city hall located at 511 Mercer Street, Dripping Springs, Texas. ~~Specific definitions.~~
- (d) Training: City employees and elected and appointed officials are required to complete the Public Information Act training no later than ninety (90) days after hire date or the date the oath of office is administered.

(e) Sunset Provision: Upon completion of each state legislative session, the city secretary shall update the policy for approval by the city council. If no updates are required, the current policy shall stand.

City administrator : The chief administrative officer appointed by the city council. The term includes and applies to the deputy city administrator, or her designee.

City hall : The city's administrative office building located at 550 E. Hwy. 290 West, Dripping Springs, Texas.

City secretary : The chief records manager and public information officer appointed by the city council.

Department : Each individual segment of the city organization.

Officer for public information : The city secretary.

Public Information Act : The Texas Public Information Act, chapter 552 of the Texas Government Code.

### **Sec. 2.03.035. Information management.**

- (a) Conflicts . This division is a guide for city employees and officers. It should in no way be construed as modifying state laws regarding disclosure of public information or the retention of local government records. This division is to be read in harmony with such other city policies and state statutes when possible, so as to give effect to the stated purpose of this division.
- (b) Record retention . All "local government records," as defined by the Local Government Records Act, chapter 201, Texas Local Government Code, as may be amended, shall be maintained in compliance with that statute and any other relevant city policies. All mandatory retention periods established by the records retention schedule shall be closely observed. This policy is to be interpreted and implemented in harmony with any and all records retention schedules.
- (c) Records management . This policy is to be interpreted and implemented in harmony with any and all records management program(s) adopted by each elected city officer pursuant to chapter 203 of the Texas Local Government Code.

### **Sec. 2.03.036. Charges for information.**

- ~~(a) Full cost recovery . To the extent possible, the costs of responding to particular requests for information are to be borne by the requestor and not by the citizens of the city. All requests for information are subject to reasonable charges that include the costs related to reproducing information such as the costs of materials, labor and overhead, as allowed by law. The city follows the guidelines established by the state when applicable. Exceptions can be made in those rare and unusual situations in which the city secretary determines that waiving charges is in the public interest.~~
- ~~(b) Charges for copies and inspection .
  - ~~(1) Copy charge . The charge shall be ten cents per page for eight and one half inches by 11 inches black and white copies.~~
  - ~~(2) Labor and overhead . Labor and overhead shall be charged as allowed by chapter 552, Texas Government Code, Public Information Act and related rules adopted pursuant to the Public Information Act.~~~~
- ~~(c) Computer compatible media . If a requestor asks that information be provided on a flash drive, computer disk, or other computer compatible media, and the requested information is electronically stored, the city shall provide the information on computer compatible media if the city has the technological capability to do so. The city is not required to purchase any hardware, software, or programming capabilities that it does not already possess to accommodate a particular kind of request. If the city does not have the required technological capabilities to comply with the request in the format preferred by the requestor, the city shall proceed in accordance with the Texas Public Information Act.~~

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~~(d) Other charges. All other fees shall be charged in accordance with the city's public information policy, the Public Information Act, and the rules adopted in accordance with the Public Information Act.~~

**Sec. 2.03.0376. Prohibited acts.**

- (a) Unauthorized access to records . It shall be unlawful for any person other than a city officer or employee to open city filing cabinets, drawers, binders, or file storage boxes at city hall without the express permission of the city administrator or city secretary.
- (b) Unauthorized removal of records . It shall be unlawful for any person other than a city officer or employee to remove documents, forms, files, information or data from city hall without the express permission of the city administrator or city secretary.
- (c) Unauthorized destruction of records . It shall be unlawful for any person other than a city officer or employee to destroy, deface, obscure, tear, shred, or dispose of documents, forms, files, information or data from city hall without the express permission of the city administrator or city secretary.
- (d) Unauthorized disclosure of information . It shall be unlawful for any person to disclose to the public any confidential documents, forms, files, information or data from city hall without the express permission of the city administrator or city secretary.

(Ordinance 2019-11, adopted 3/12/19)

**Secs. 2.03.038—2.03.060. Reserved.**