

**ORDINANCE NO. 25-3465**

**AN ORDINANCE AMENDING SECTIONS 1-1306, 1-1312, 1-1313, AND 1-1314 OF THE CITY CODE OF THE CITY OF ABILENE, KANSAS PERTAINING TO OPEN PUBLIC RECORDS REQUESTS AND FEES AND COSTS TO BE CHARGED TO PERSONS FOR ACCESSING OR COPYING OPEN PUBLIC RECORDS.**

Be it be Ordained by the Governing Body of the City of Abilene, Kansas:

**SECTION ONE.** Section 1-1306 of the City Code of Abilene, Kansas is hereby amended to read as follows:

**1-1306. Procedures for inspection; response deadline.**

(a) Any person requesting access to an open public record for purposes of inspecting or copying such record, or obtaining a copy thereof, shall abide by the procedures adopted by the governing body for record inspection and copying, including those procedures established by record custodians as authorized by the governing body. Such procedures shall be posted in each city office keeping and maintaining open public records.

(b) The custodian shall act upon each request as soon as possible, but not later than the end of the third business day following receipt, by either: (1) providing the record(s); (2) providing a detailed explanation of the cause for further delay and the place and earliest time and date that the record will be available; or (3) issuing a written denial.

(c) If a request involves a large volume of records or requires extended review or redaction, the custodian may provide the records on a staged or rolling basis as they become available, so long as the custodian continues to act diligently and keeps the requester informed of the expected schedule for completion.

(d) If the request for access is denied, the custodian shall provide, upon request, a written statement of the grounds for denial. Such statement shall cite the specific provision of law under which access is denied and shall be furnished to the requester not later than the end of the third business day following the date that the request for the statement is received.

**SECTION TWO.** Section 1-1312 of the City Code of Abilene, Kansas is hereby amended to read as follows:

**1-1312. Access and retrieval fee.**

(a) Where a request has been made for access to or copies of any open public record which is readily available to the record custodian, there shall be no access and retrieval fee charged to the requester.

(b) In all cases not covered by subsection (a), a fee shall be charged to inspect or obtain copies of open public records based on the actual cost of staff time, materials, and equipment reasonably necessary to locate, retrieve, redact, and copy records. Staff time shall be charged at an hourly rate determined by the lowest-cost category of staff reasonably necessary to provide access to or furnish copies of public records. Charges for staff time shall be based on the employee's salary or hourly wage and shall not include the costs of employee benefits.

(c) No access and retrieval fee will be assessed when a denial of a request is made.

**SECTION THREE.** Section 1-1313 of the City Code of Abilene, Kansas is hereby amended to read as follows:

**1-1313. Copying fee.**

(a) Fees for copies of public records shall be limited to the actual cost of materials and equipment reasonably necessary to reproduce the requested records.

(b) When records are provided electronically, no materials fee shall be charged unless physical media or data-storage devices are required.

**SECTION FOUR.** Section 1-1314 of the City Code of Abilene, Kansas is hereby amended to read as follows:

**1-1314. Mailing fee.**

When copies of public records are mailed or otherwise delivered to a requester, the requester shall pay the actual cost of postage, shipping, or delivery, together with the actual cost of any materials or equipment reasonably necessary for packaging or transmission. A record custodian may demand prepayment of such costs whenever he or she believes such prepayment to be in the best interest of the city.

**SECTION FIVE.** Existing Sections 1-1306, 1-1312, 1-1313, and 1-1314 of the City Code of the City of Abilene, Kansas are hereby repealed.

**SECTION SIX.** This Ordinance shall be in full force and effect from and after its adoption and publication once in the official city newspaper by the following summary:

Ordinance No.25-3465 Summary

On December 8, 2025 the City Commission passed Ordinance No. 25-3465. The ordinance amends existing Sections 1-1306, 1-1312, 1-1313, and 1-1314 of the City Code of the City of Abilene, Kansas, pertaining to open public records requests and fees and costs to be charged to persons for accessing or copying open public records. A complete copy of the Ordinance is available online at [www.abilenecityhall.com](http://www.abilenecityhall.com) or in the office of the City Clerk, 419 N. Broadway Street

in Abilene, Kansas, free of charge. This summary is certified by the City's legal counsel.

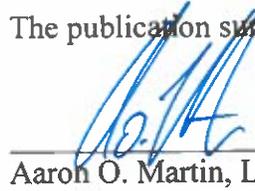
APPROVED AND PASSED by the Governing Body of the City of Abilene, Kansas, this 8<sup>th</sup> day of December, 2025.



  
Shayla L. Mohr, CMC, City Clerk

  
Brandon Rein, Mayor

The publication summary set forth above is certified this 8<sup>th</sup> day of December, 2025.

  
Aaron O. Martin, Legal Counsel