ORDINANCE NO.

ORDINANCE REGARDING DISCLOSURE OF PUBLIC RECORDS

WHEREAS, McCordsville, Indiana, is a public agency as defined by Indiana Code 5-14-3-2.1 and as such is subject to the Indiana Access to Public Records Act; and

WHEREAS, pursuant to Indiana Code 5-14-3-3(e) and (f) upon the passage of an ordinance, prescribing the conditions under which a person who receives information may or may not use such information for commercial purposes and/or for political purposes; and

WHEREAS, the Town Council of the Town of McCordsville, Indiana, believes the enactment of such an ordinance is in the best interest of the citizens of McCordsville, Indiana.

THEREFORE BE IT ORDAINED by the Town Council of the Town of McCordsville, Indiana, as follows:

SECTION I

Pursuant to Indiana Code 5-14-3-3(e), a person who requests information pursuant to the Indiana Access to Public Records Act, may not use such information for commercial purposes, including, but not limited to sell, advertise, or solicit the purchase of merchandise, goods or services, or sell, loan, giveaway or otherwise deliver the information obtained by such a request to any other person for these purposes.

SECTION II

Pursuant to Indiana Code 5-14-3-3(f), the following shall not be disclosed to an individual or entity for political or commercial purposes:

1. A list of employees of McCordsville, Indiana.
2. A list of persons attending conferences or meetings at a state educational institution or of persons involved in programs or activities conducted or supervised by the state educational institution.

SECTION III

The McCordsville Clerk-Treasurer shall require the completion, execution, and notarization of an affidavit from each person or entity requesting information pursuant to the Indiana Access to Public Records Act of an affidavit in the form attached hereto as Exhibit A and incorporated by reference herein as a condition precedent to providing the requested information and/or documentation.

SECTION IV

This Ordinance shall be in full force and effect from and after its passage and due publication according to law as of July 1, 2017.

SECTION V

Introduced and filed on the _____ day of _____, 2018. A motion to consider on first reading on the day of introduction was offered and sustained by a vote of ____ in favor and ____ opposed pursuant to I.C. 36-5-2-9.8.

Duly ordained and passed this _____ day of _____, 2018 by the Town Council of the Town of McCordsville, Hancock County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

TOWN OF McCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:	Voting Opposed:
_____	_____
Larry J. Longman	Larry J. Longman
_____	_____
Bryan T. Burney	Bryan T. Burney
_____	_____
Thomas R. Strayer	Thomas R. Strayer
_____	_____
Branden D. Williams	Branden D. Williams
_____	_____
Barry A. Wood	Barry A. Wood

ATTEST:

_____
Catherine C. Gardner
Clerk-Treasurer

This instrument was prepared by Gregg H. Morelock, BRAND & MORELOCK, 6 West South Street, Greenfield, IN 46140.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Gregg H. Morelock.

P:\Gregg\MUNICIPAL\McCordsville\Ordinances\Access to Public Records Act - 03-01-18.wpd

Certification of Non-Political and Non-Commercial Purposes

I have read and understand Indiana Code 5-14-3-3(f), and further understand that the Town of Ingalls may not disclose lists of names and addresses to any individual or entity for political or commercial purposes, and such lists may not be used by any individual or entity for political or commercial purposes.

The Public Records Request I have made of the Town of Ingalls is not for political or commercial purposes, and any information provided by the Town of Ingalls pursuant to my request, will not be used by any individual or entity for political or commercial purposes.

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FORGOING STATEMENTS ARE TRUE.

_____ _____

Signature Date

_____

Printed Name

_____

Title

_____

Entity