
ACCESS TO GOVERNMENT DATA

Right to Access Public Data

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

The Minnesota Data Practices Act also provides that the City of Blue Earth 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 or inspect all public data that we keep, free of charge. You also have the right to copies of public data; however, the Minnesota 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 of Blue Earth keeps, we ask that you make your request in writing. Make your written request for data to the City Administrator. You may make your written request for data by mail or email, but you must use the data request form provided by the City of Blue Earth.

Your written request must include:

- That you, as a member of the public, are making a request for data under the Minnesota Data Practices Act, Minnesota Statutes, Chapter 13;
- Whether you would like to look at the data, get copies of the data (or both) and;
- A clear description of the data you would like to inspect or have copied.

The City of Blue Earth 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 copies of the data), we may need some additional information. If you chose 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 begin processing your request.

How We Respond to a Data Request

Upon receiving your written request, we 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 is not public, we will notify you in writing as soon as reasonably possible and state which specific law states the data is not public.
- If we have the data and the data is 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.
 - 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 you want us to send the copies, you will need to provide us with a mailing or email address. You will be required to prepay for copies and/or scans and postage.

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



DATA REQUESTS

Fees for Data Requests

The City of Blue Earth charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, Section 13.03, Subdivision 3(c). You must pay for the copies or scans before we will make them and release them to you.

Under Minnesota Statute 13.03, Subd. 3(c), the responsible authority or designee shall provide copies of the public data upon request. If a person requests copies or an electronic transmittal of the data, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, and electronically transmitting the copies of the data, but may not charge for separating public from not public data. However, if 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and instead, the responsible authority may charge no more than 25 cents for each page copied. If the responsible authority or designee is not able to provide copies at the time a request is made, copies shall be supplied as soon as reasonably possible.

For 100 or fewer paper copies/scans-25 cents per page

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

100 or fewer pages of color copies or scans cost 50 cents for a one-sided copy/scan or \$1.00 for a two-sided copy/scan.

For 100 or more copies/scans-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, we factor in employee time, the cost of materials onto which we are copying materials and mailing costs (if any).

If your request is for copies of data that we cannot reproduce ourselves, such as photographs, plans or maps, we will charge you the actual cost we must pay an outside vendor for the copies.

The cost of employee time to search for data, retrieve data, and make copies is subject to change based on the employees wage from the department the information is requested from.

If, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage.

For CD-\$1.00 plus 25 cents per page

The charge for scanning documents and saving onto a CD will be \$1.00 for the CD plus 25 cents per page.



Public Information Request Form

This form is available at Blue Earth City Hall and online at www.becity.org and may be printed, completed, and emailed to becity@bevcomm.net or mailed to 125 W. Sixth St., P.O. Box 38, Blue Earth, MN 56013.

Requestor Name:

Date of Request:

Mailing Address:

Phone Number:

Email Address:

Description of Data Requested

Pursuant to the Minnesota Data Practice Act, Minnesota Statutes Chapter 13, I hereby request the following information currently existing in the records of the City of Blue Earth, Minnesota. Please specify the information you are requesting (e.g.: specific correspondence, reports, board meeting proceedings or other documents) along with the approximate dates of these records. Please also indicate the format desired for the information you are requesting.

Place a (✓) next to the best option that suits your needs.

COPY. I would like a copy of the requested information. I understand that I must pay the appropriate fees as stated in the fee schedule.

Paper Copies

Copies scanned and saved to CD

Delivery Method

PICK UP. I will pick up the information requested. Please contact me at the phone number listed above when documents are ready.

MAIL. Please mail the information to me at the address listed above. (You will be notified of copy cost & postage).

EMAIL. Please email the information at the email address listed above. (Payment must be included with this form).

NO COPIES/IN PERSON REVIEW. I do not want copies but I wish to inspect the originals of the requested information. Please call me at the telephone number listed above to schedule a time when records will be available for viewing.

In making this request, I understand that:

- The City of Blue Earth is under no obligation to create a document that does not already exist.
- Items expressly confidential under law will not be disclosed (refer to the Minnesota Data Practices Act, Minnesota Statutes Chapter 13 for more information).
- The City of Blue Earth will provide the requested information as expediently as possible. Depending upon the type of information requested, it may take up to (5) business days or more. If the requested information is time sensitive, please indicate that above and the City of Blue Earth will make every effort to comply.

Signature of Requestor: _____

Date: _____