

FAILED

CITY OF OBERLIN, OHIO

ORDINANCE NO. 26-24 AC CMS

AN ORDINANCE ADOPTING A POLICY FOR THE PRODUCTION OR INSPECTION OF VIDEO RECORDS OF THE OBERLIN POLICE DEPARTMENT AND THE OBERLIN PROSECUTOR'S OFFICE REQUESTED UNDER OHIO PUBLIC RECORDS LAWS AND AMENDING ORDINANCE NO. 19-83 AC CMS TO GO INTO IMMEDIATE EFFECT.

WHEREAS, Section 149.43(B)(1) of the Ohio Revised Code provides that a state or local law enforcement agency or a prosecuting attorney's office may charge a requester the actual cost associated with preparing a video record for inspection or production, not to exceed seventy-five dollars per hour of video produced, nor seven hundred fifty dollars total; and

WHEREAS, As used in section 149.43(B)(1) of the Ohio Revised Code, "actual cost," with respect to video records only, means all costs incurred by the state or local law enforcement agency or a prosecuting attorney's office in reviewing, blurring or otherwise obscuring, redacting, uploading, or producing the video records, including but not limited to the storage medium on which the record is produced, staff time, and any other relevant overhead necessary to comply with the request; and

WHEREAS Section 149.43(B)(11) of the Ohio Revised Code contains a provision requiring the waiver of the fees authorized under Section 149.43 for certain requests, including requests by a victim of the events that are the subject of the video; and

WHEREAS, the Ohio Attorney General has issued a model Public Records policy of Production or Inspection and Video Records; and

WHEREAS, Council for the City of Oberlin desires to implement the statutory authority for the assessment of a fee for the actual cost of the retrieval, download, review, redaction, time to seek legal advice, and production of a law enforcement video record in response to a public records request subject to statutory exemptions.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio:

SECTION 1. That the Policy for the Production or Inspection of Video Recordings attached hereto as **Exhibit A** is hereby adopted.

SECTION 2: That Section 3,5 of Exhibit A to Ordinance No. 19-83 AC CMS by and is hereby amended as set forth on **Exhibit B** attached hereto.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code

SECTION 4. To enable the recovery the actual cost of the production of law enforcement videos pursuant to a public records request and there by provide of the fiscally efficient operation of the Oberlin Police Department, and provided that at least five (5) members of Council determine by motion, this Ordinance shall go into full force and effect immediately after its passage; otherwise, it shall take effect on the earliest date allowed by law.

PASSED: 1st Reading: April 6, 2026
2nd Reading: April 20, 2026
3rd Reading: May 4, 2026 (Postponed); July 6, 2026 (Postponed);

FAILED: October 5, 2026

ATTEST:

BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL

EBONI JOHNSON
PRESIDENT OF COUNCIL

POSTED: 10/06/2026

FAILED:10/05/2026: