

**AN ORDINANCE TO PROHIBIT THE USE OF PUBLIC RECORDS FOR COMMERCIAL PURPOSES**

WHEREAS, Ind Code 5-14-3, the Access to Public Records Act provides that a person has the right to access information regarding the government and the official acts of public officials and employees, and that government officials have a responsibility to provide that information.

WHEREAS, the Town of Saint Paul makes every effort to comply with the Indiana Access to Public Records Act;

WHEREAS, the Town receives requests for public records from individuals and entities that use or intend to use the public records from the Town's electronic data storage/filing systems for commercial purposes;

WHEREAS, in order to respond to a request for public records, contained in the Town's electronic data storage/filing systems, to be used to commercial purposes, the city commits considerable, time, resources and taxpayer money;

WHEREAS, Ind Code 5-14-3 ( e ) specifically permits the town to prohibit the use of public records requested under Ind. Code 5-14-3 for commercial purposes;

WHEREAS, pursuant to Ind Code 5-14-3 "commercial purpose" includes: "to sell, advertise, or solicit the purchase of merchandise, goods, or services, or sell, loan, give away or otherwise deliver the information obtained by the request to any person for these purposes, " and:

WHEREAS, the provisions of public records for commercial purposes is not an essential function of a representative government, and such provision unnecessarily exhaust public resources for the benefit of profit business.

NOW, HEREOF. BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF SAINT PAUL, INDIANA, THAT:

Section 1. Any individual or entity receiving public records or information, pursuant to a request made under Ind. Code 5-14-3-3(d), shall not use the records or information for commercial purposes. This prohibition does not apply to the use of such records in connection with the preparation of publication of news, for nonprofit activities, or for academic research.

Section 2. When the Town reasonably believes the intent of the requester of public records is to use those records for commercial purposes, the city may refuse the request.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval and publication according to law.

Passed by the Common Council of the Town of Saint Paul, Indiana this 6 day of January 202~~5~~<sup>6</sup>

ATTESTED BY:

Alyssa H. Roberts, Deputy Clerk  
Alyssa Hall, Clerk/Treasurer

AYE

NAY

Joshua Sangl \_\_\_\_\_

Tim Ray [Signature] \_\_\_\_\_

Kim Livingston [Signature] \_\_\_\_\_