



CITY OF PORTSMOUTH

CITY COUNCIL POLICY No. 2024-02

UNIQUE ELECTRONIC COMMUNICATIONS

PUBLIC RECORDS POLICY

1. Objective and Purpose

Access to government records pursuant to New Hampshire's Right to Know Law (RSA 91-A) is an indispensable tool for the public to use to understand the way local government functions. This policy will allow the City to provide access to government records in a more targeted and efficient manner while saving City staff time and encouraging an efficient use of taxpayer resources.

2. Definitions

- a. "Individual electronic communication" includes the communication itself as well as the responses and attachments to each communication, under a single subject line. However, text or chat message threads regarding the same topic shall be considered an individual electronic communication unless a thread exceeds 50 individual messages, at which point a group of 50 messages shall be considered an individual electronic communication.
- b. "Media requesters" means organizations or individuals who publish information in accepted digital, print, or broadcast formats and to standards generally recognized by professional news organizations that do not serve primarily as a platform to promote the interest and/or opinions of a special interest group, government, individual or cause.

3. Policy

A per electronic communication charge of \$1 per individual electronic communication, regardless of whether the records are delivered in hard copy or electronically, shall be charged of any requester subject to the following provisions:

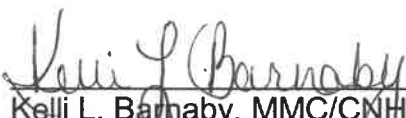
1. No charge shall be issued for the first 250 individual electronic communications;

No charge shall be issued for the following individuals or entities:

- a. An individual who can demonstrate they are indigent as established by the federal poverty line, as issued each year by the Federal Department of Health and Human Services;
 - b. Media requesters;
 - c. Any individual requesting information where the disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requestor, except media requesters.
3. Multiple requests from any person or entity to the same public body within a 30-day time period shall be considered one request.

The requester shall receive an itemized estimate of the cost of making the record available. This estimate shall accompany any written statement of the time reasonably necessary to determine whether the request shall be granted or denied and the reason for the delay, if it is estimated that making the record available will take longer than 5 business days, or as soon as the fee can be ascertained. All responses shall be provided within the timeframes provided by applicable law.

This policy shall take effect upon the passage by the City Council. Adopted by the Portsmouth City Council on: October 7, 2024


Kelli L. Barnaby, MMC/CNHMC
City Clerk