

**PLANNING AND DEVELOPMENT SERVICES OF KENTON COUNTY
AVAILABILITY OF PUBLIC RECORDS -- RULES AND REGULATIONS**

Pursuant to sections KRS Chapter 61 enacted by the 1976 Kentucky General Assembly, the following rules and regulations will be applicable to the Planning and Development Services of Kenton County's public records and shall prescribe the conditions and procedures by which these records shall be available for inspection and/or copying by interested persons:

1. Any person desiring to inspect any of the public records of this agency may do so by appearing, in person, in the commission's offices at 1840 Simon Kenton Way, Covington, Kentucky, during regular office hours between 8:00 AM and 5:00 PM, Monday through Friday, and presenting such request to the Executive Director.
2. Public records include all books, papers, maps, photographs, cards, tapes, discs, recordings, or other documentary materials, regardless of physical form or characteristic, which are prepared, owned, used, in the possession of, or retained by the PDS. Specifically excluded from this definition are those records pertaining to:
 - a. A prospective location of a business or industry where no previous public disclosure has been made of such a business' or industry's interest in such location;
 - b. Other similar records confidentially disclosed to the PDS;
 - c. Preliminary recommendations, drafts, and memoranda;
 - d. Information the disclosure of which is prohibited or restricted by federal or state law or regulation;
 - e. Information of a personal nature the disclosure of which would be clearly an unwarranted invasion of privacy
 - f. Pending litigation the disclosure of which might jeopardize the office's position with regard to such pending litigation;
 - g. Any information the Executive Director determines the disclosure of which would be potentially detrimental to the proper conduct of this agency; and
 - h. All other material and information specifically excluded by pertinent sections of the statutes.
3. In order to assist the PDS in making available suitable facilities to accommodate the applicant's request, to permit the assignment of any staff personnel needed to provide assistance and information, and to ensure a timely and efficient response to such request, those persons interested in inspecting such records are required to present their request in writing on forms to be provided by the PDS. If the nature of the request is such that the best interest of the applicant and the PDS would be so served, the written form may be waived and the request may be satisfied informally.
4. The applicant shall be permitted to make those notes or abstracts from any of the records being inspected; and if the applicant requests copies of certain records, the PDS will either make the copies directly or arrange to have them made by an outside source as expeditiously as possible. The applicant will be charged for any copies provided by the PDS with cost to be determined by the bookkeeper to be sufficient to meet the actual cost incurred, excluding any personnel cost involved in making copies.
5. If, for any valid reason, the records requested to be inspected are not available, the applicant shall be immediately so notified; and the Executive Director shall designate a place, time, and date when such records will be made available to the applicant. This date shall not exceed three (3) working days from receipt of the application, unless the applicant is provided an explanation of the cause for further delay.
6. In the event the Executive Director determines that a request to inspect certain records shall be denied, such determination shall be made within three (3) working days of receipt of the application; and the applicant shall be notified in writing as to why the request was denied. The PDS shall immediately forward a copy of this written notification to the Attorney General.

**REQUEST TO INSPECT PUBLIC RECORDS
OF THE PLANNING AND DEVELOPMENT SERVICES OF KENTON COUNTY**

----- *To Be Completed By Applicant* -----
(Please Type or Print)

1. Name: _____
2. Address: _____
3. Phone number: _____
4. Date of request: _____
5. Description of public records requested to be inspected: _____

6. _____

Date

Applicant (Signature)

Applicant (Please Print)

----- *To Be Completed By PDS* -----

1. The requested records are available for immediate inspection, and the following named staff member will be responsible for assisting the applicant: _____
2. The requested records are not available for inspection at this time, for the following reason(s): _____

In accord with pertinent sections of KRS Chapter 61, the requested records will be made available to the applicant for inspection on:

_____ at _____ at _____
(date) *(time)* *(place)*

3. The applicant's request to inspect the requested records is being denied for the following reason(s): _____

Note: A copy of the written response denying inspection of a public record shall be forwarded immediately by the PDS to the Attorney General.

Date

Sharmili Reddy, AICP
Executive Director