



Policy &
Procedure

Data Practices Policy For Public

Supersedes: May 30, 2019

Date Approved: August 24, 2023

Approved:

Page 1 of 4

Your Right to See Public Data

The Government Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data are public unless a state or federal law says the data are not public. Government data means all recorded information a government entity has, including paper, email, flash drives, CDs, DVDs, photographs, etc.

The law also says that the City of Duluth must keep all government data in a way that makes it easy for you to access public data. You have the right to look at (inspect), free of charge, all public data that we keep. You also have the right to get copies of public data. The Data Practices Act sets the amount we may charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

How to Request Public Data

You can ask to look at (inspect) data at our offices, or ask for copies of public data that we keep. You must make this request in writing via online form available on the City website; via email to the City Clerk's Office; or by mail, or hand delivery to the City Clerk's Office, Room 318, City Hall, 411 West First Street, Duluth, MN 55802.

If you do not use the City's data request form, your request should:

- Say that you are making a request for public data under the Government Data Practices Act (Minn. Statutes, Chapter 13).
- Include whether you would like to inspect the data, have copies of the data, or both.
- Provide a clear description of the data you would like to inspect or have copied.

You are not required to identify yourself or explain the reason for your data request. However, you may need to provide us with some personal information for practical reasons (for example: if you want us to mail copies to you, you need to provide us with an address or P.O Box). If we do not understand your request and have no way to contact you, we cannot respond to your request.

How We Will Respond to Your Data Request

Upon receiving your request, we will review it.

- We may ask you to clarify what data you are requesting.
- If we have the data, but we are not allowed to give it to you, we will tell you as soon as reasonably possible and identify the law that prevents us from providing the data.
- If we have the data, and the data are 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 for you to inspect the data at our offices; or
 - We will provide notice to you about our requirement to prepay for costs.
 - You may choose to pick up your copies, or we will mail or email them to you. We will provide electronic copies (such as email or CD-ROM) upon request, if we keep the data in that format and we can reasonably make a copy.
 - Response time may be impacted by the size and/or complexity of your request, and also by the number of requests you make in a given period of time.
- Following our response, if you do not make arrangements within ten (10) business days to inspect the data or pay for the copies, we will conclude that you no longer want the data and will consider your request closed.



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Page 2 of 4

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please tell the person who provided the data to you. We will give you an explanation if you ask.

The Data Practices Act does not require us to create or collect new data in response to a data request, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request. If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

We are also not required to respond to questions that are not about your data requests, or that are not requests for government data.

Requests for Summary Data

Summary data are statistical records or reports created by removing identifying information about individuals from entirely private or confidential data. We will prepare summary data if you make your request in writing and pre-pay for the cost of creating the data. You must make this request in writing via online form available on the City website; via email to the City Clerk's Office; or by mail, or hand delivery to the City Clerk's Office, Room 318, City Hall, 411 West First Street, Duluth, MN 55802.

Data Practices Contacts

Responsible Authority & Data Practices Compliance Official

City Clerk
City Clerks Office
Room 318 City Hall
411 West 1st Street
Duluth, MN 55802-1198
Phone (218) 730-5500
clers@duluthmn.gov

Duluth Police Department

Data Practices Designee:

230 North Arlington Ave
Duluth, MN 55811
Phone (218) 730-5590
policerecords@duluthmn.gov

Copy Costs – When You Request Public Data

You have the right to look at (inspect), free of charge, all public data that we keep. If you want copies of public data that we keep, Minnesota Statutes, section 13.03, subdivision 3(c) sets the amount we may charge for copies. You must pay for the copies before we will give them to you. If possible, and upon request, we will provide you with an estimation of the total cost of supplying copies.



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A handwritten signature in black ink, appearing to read "John Schuch".

Page 3 of 4

For 100 or fewer paper copies – 25 cents per page. 100 or fewer pages of black and white, letter or legal size paper copies cost 25 cents for a one-sided copy, or 50 cents for a two-sided copy.

Most other types of copies – actual cost (not to exceed \$25.00 per hour for employee time) after the first one hour of employee time per data request. The first hour of employee time per data request is free of charge. 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 sending the data. We will not charge for the first one hour of employee time spent searching for and retrieving the data, and making the copies or electronically sending the data.

In determining the actual cost of making copies, we include employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). We do not charge for costs related to separating public from not public data. If your request is for copies of data that we cannot copy ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

We do not charge for costs related to separating public from not public data.



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Page 4 of 4

City of Duluth Data Request Form – Requesting Public Data

Contact Information (optional)*

Name: _____

Phone number: _____

Email address: _____

Mailing Address: _____

*You are not required to identify yourself or explain the reason for your data request. However, if you want us to mail/email you copies of data or schedule an appointment to inspect data in-person, we will need some type of contact information. We also need contact information if we do not understand your request. We will not work on your request until we can clarify it with you.

Request date: _____

Describe the data you are requesting as specifically as possible:

I am requesting access to data in the following way: (mark one)

- Inspection** – no charge
- Copies** –25 cents per page for 100 or fewer paper copies of letter or legal sized paper copies (2-sided is 50 cents a copy). For copies of other data (more than 100 paper copies, photographs, data on a CD or DVD, data stored electronically, etc.) the City charges the actual cost (not to exceed \$25.00 per hour for employee time) after the first one hour of employee time per data request. The first hour of employee time per data request is free of charge.
- Both inspection and copies** - see charges above. You have the right to look at data, free of charge, before deciding to request copies.

You must submit this form via email to the City Clerk’s Office, by mail, or hand delivery to the City Clerk’s Office, Room 318, City Hall, 411 West First Street, Duluth, MN 55802.