

City of Franklin, Kentucky

117 West Cedar Street, P. O. Box 2805

Franklin, KY 42135-2805

Email: openrecords@franklinky.org

Request to Inspect Public Records

Pursuant to the Kentucky Open Records Act ("the Act"), KRS 61.870 *et seq.*, the undersigned requests to inspect the public records which are described below.

Requester's contact information.

Name: _____

Mailing Address: _____

E-mail Address (if applicable): _____

Records to be inspected: I would like to receive the requested records by Email Mail Pick them up
(Note: Videos or other large files may not be available for transmission by email.)

Statement regarding the use of public records. KRS 61.870(4) defines "commercial purpose" as "the direct or indirect use of any part of a public record or records, in any form, for sale, resale, solicitation, rent, or lease of a service, or any use by which the user expects a profit either through commission, salary, or fee." However, "commercial purpose" does not include the publication or related use of the public record by a newspaper or periodical, by a radio or television station in its news or informational program, or by use in the prosecution or defense of litigation by the parties to such an action or their attorney.

Requests for copies: [YES]. I agree in advance to pay for copies of the above requested records as detailed in the Policy Fee Schedule

Request for inspection ONLY: **OR** electronic report that does not require making paper copies as detailed in the Police Fee Schedule

This request is (choose one):

- NOT for a commercial purpose; or
 FOR a commercial purpose. (*see pg 2*)

Company Name: _____ Telephone No: _____

Mailing Address: _____

(Provide address only if requesting records be mailed)

Statement regarding residency. I further state that I am a resident of Kentucky because I am (please check one):

- An individual residing in the Commonwealth; or
 A domestic business entity with a location in the Commonwealth; or
 A foreign business entity registered with the Kentucky Secretary of State; or
 An individual that is employed and works at a location within the Commonwealth;
 An individual or business entity that owns real property within the Commonwealth;
 An individual or business entity that has been authorized to act on behalf of an individual or business entity listed above; or
 A news-gathering organization as defined in KRS 189.635(8)(b)1a. to e.

Signature: _____ **Date:** _____

City of Franklin, Kentucky
P.O. Box 2805
Franklin, KY
Telephone 270-586-4497
Email: openrecords@franklinky.org

**For Commercial
Purpose Use Only**

Commercial purpose is the direct or indirect use of any part of a public record, in any form, for sale, resale, solicitation, rent, or lease of a service or any use by which the user expects a profit either through commission, salary or fee.

**CERTIFICATION OF COMMERCIAL
PURPOSE ADDENDUM TO
PUBLIC RECORDS INSPECTION
APPLICATION**

Please state the commercial purpose(s) for which the record(s) will be used:

Carefully read the following and sign the verification:

Kentucky Revised Statute 61.874 (5) states, it shall be unlawful for a person to obtain a copy of any part of a public record for a:

- (a) Commercial purpose, without stating the commercial purpose, if a certified statement from the requestor was required by the public agency pursuant to subsection (4)(b) of this section; or
- (b) Commercial purpose, if the person uses or knowingly allows the use of the public record for a different commercial purpose; or
- (c) Noncommercial purpose, if the person uses or knowingly allows the use of the public record for a commercial purpose. A newspaper, periodical, radio or television station shall not be held to have used or knowingly allowed the use of the public record for a commercial purpose merely because of its publication or broadcast, unless it has also given its express permission for that commercial use.

According to Kentucky Revised Statute 61.8745, a person who violates subsections (2) to (6) of KRS 61.874 shall be liable to the public agency from which the public records were obtained for damages in the amount of:

- (a) Three (3) times the amount that would have been charged for the public record if the actual commercial purpose for which it was obtained or used had been stated;
- (b) Costs and reasonable attorney's fees; and
- (c) Any other penalty established by law.

VERIFICATION

I, _____, state that I have read the forgoing Certification of Commercial Purpose-Addendum to Public Records Inspection Application and that the statements therein are true and correct as I verily believe. I understand that falsification of this information is subject to penalties set out hereinabove. I also understand that if I am requesting copies for a commercial purpose or an attorney requesting body camera footage, I may be required to enter into a contract with the City of Franklin in order to obtain this information and to pay a fee for the cost of the copies as well as the cost of staff required to produce a copy of the record(s) and cost to the City of the creation, purchase or other acquisition of the public record(s).

Signature of Applicant: _____

State of _____)
County of _____)

SUBSCRIBED AND SWORN to before me by _____ on this ____ day of _____, 20____.

NOTARY PUBLIC
My Commission Expires: _____
Notary ID #: _____