

PLAINFIELD TOWN COUNCIL

ORDINANCE NO. 25-2023

AN ORDINANCE TO PROHIBIT THE UNLAWFUL 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 Plainfield ("Town") 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 public records from the Town's electronic data storage systems for commercial purposes;

WHEREAS, in order to respond to a request for public records, contained in the Town's electronic data storage systems, to be used for commercial purposes, the Town 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 § 5-14-3-3 "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

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PLAINFIELD, 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 or publication of news, for nonprofit activities, or for academic research.

Section 2. A person who uses information in a manner contrary to this Ordinance may be prohibited by the Town from obtaining a copy of any further data under subsection 5-14-3-3 (d).

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval and any publication required by law.

PASSED AND ADOPTED by the Town Council of the Town of Plainfield, Indiana this 14th day of August , 2023.

TOWN COUNCIL, TOWN OF PLAINFIELD
HENDRICKS COUNTY, INDIANA

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Robin G. Brandgard

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Robin G. Brandgard, President

DocuSigned by:

Bill Kirchoff

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Bill Kirchoff, Vice President

DocuSigned by:

Kent McPhail

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Kent McPhail

DocuSigned by:

Dan Bridget

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Dan Bridget

DocuSigned by:

Lance Angle

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Lance Angle

ATTESTED BY:

DocuSigned by:

Mark J. Todisco

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Mark Todisco, Clerk-Treasurer
Town of Plainfield, Indiana