



Data Practices Policy for Members of the Public

City of Apple Valley, Minnesota

Right to access 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 is a term that means all recorded information a government entity has, including paper, email, flash drives, CDs, DVDs, photographs, etc.

The Government Data Practices Act also provides that the City of Apple Valley must keep all government data in a way that makes it easy for you, as a member of the public, 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 Government Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

How to make a data request

You can look at data or request copies of data that the City of Apple Valley keeps by making a written request. Make your written request for data to the appropriate individual listed in the Data Practices Contacts on page 4. You may make your written request by mail, fax, or email using the data request form on page 7.

If you choose not to use the data request form, your written request should include:

- You are making a request for public data under the Government Data Practices Act (Minnesota Statutes, Chapter 13).
- Whether you would like to inspect the data, have copies of the data, or both.
- A clear description of the data you would like to inspect or have copied.

The City of Apple Valley cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want us to process your request (if, for example, you want us to mail you copies of data), we may need some information about you. If you choose not to give us any identifying information, we will provide you with contact information so you may check on the status of your request. In addition, please keep in mind that if we do not understand your request and have no way to contact you, we will not be able to begin processing your request.

How we respond to a data request

Upon receiving your written request, we will work to process it.

- If it is not clear what data you are requesting, we will ask you for clarification.
- If we do not have the data, we will notify you within 10 business days.
- If we have the data, but the data are not public, we will notify you as soon as reasonably possible and state which specific law says the data are not public.
- 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 to inspect data, for free, if your request is to look at the data, or
 - Provide you with copies of the data as soon as reasonably possible. You may choose to pick up your copies, or we will mail or fax them to you. We will provide electronic copies (such as email or CD) upon request if we keep the data in electronic format.

Information about copy charges is on page 5. We will provide notice to you about our requirement to prepay for copies.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will give you an explanation if you ask.

The Government Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, 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.

In addition, we are not required under the Government Data Practices Act to respond to questions that are not specific requests for data.

Requests for summary data

Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. The City of Apple Valley will prepare summary data if you make your request in writing and prepay for the cost of creating the data.

Upon receiving your written request, we will respond within 10 business days with the data or details of when the data will be ready and how much we will charge. You may use the data request form on page 7 to make a request for summary data.

City of Apple Valley Data Practices Contacts

Responsible Authority

Pamela Gackstetter, City Clerk
7100 147th Street West
Apple Valley, MN 55124
Phone: 952-953-2506 / Fax: 952-953-2515
pgackstetter@cityofapplevalley.org

Data Practices Compliance Official

Pamela Gackstetter, City Clerk
7100 147th Street West
Apple Valley, MN 55124
Phone: 952-953-2506 / Fax: 952-953-2515
pgackstetter@cityofapplevalley.org

The following persons are officially designated by the Responsible Authority as “Designees” to be in charge of individual files or systems containing government data and to receive and comply with the requests for government data.

Designee for Building Inspection Property File Data

Penny Stewart
7100 147th Street West
Apple Valley, MN 55124
Phone: 952-953-2586 / Fax: 952-953-2515
pstewart@cityofapplevalley.org

Designee for Fire Department Data

Nealon Thompson
7100 147th Street West
Apple Valley, MN 55124
Phone: 952-953-2605 / Fax: 952-953-2515
nthompson@cityofapplevalley.org

Designee for Human Resources Data

Melissa Haas
7100 147th Street West
Apple Valley, MN 55124
Phone: 952-953-2548 / Fax: 952-953-2515
mhaas@cityofapplevalley.org

Designee for Law Enforcement Data

Stephanie Mellesmoen
7100 147th Street West
Apple Valley, MN 55124
Phone: 952-953-2712 / Fax: 952-953-2515
smellesmoen@cityofapplevalley.org

Designee for Government Data

Charles Grawe
7100 147th Street West
Apple Valley, MN 55124
Phone: 952-953-2508 / Fax: 952-953-2515
cgrawe@cityofapplevalley.org

Copy Costs – Members of the Public

The City of Apple Valley charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c).

You must pay for the copies before we will give them to you. Charges for copies of \$5.00 and less are waived.

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¢ for a one-sided copy, or 50¢ for a two-sided copy.

Most other types of copies – actual cost

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 transmitting the data (e.g., sending the data by email).

In determining the actual cost of making copies, we factor in employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). The cost of employee time to search for data, retrieve data, and make copies will equal the actual cost of the employee's wages and benefits. If, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage.

If your request is for copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

Note: Inspection is free



CITY OF APPLE VALLEY
DATA REQUEST FORM – MEMBERS OF THE PUBLIC

Minnesota Government Data Practices Act, Chapter 13

Date of Request: _____

I am requesting access to data in the following way:

- ☐ Inspection *(free)*
☐ Copies *(cost*)*
☐ Both inspection and copies *(cost for copies*)*

**Charges of \$5.00 and less are waived*

These are the data I am requesting:

Note: Describe the data you are requesting **as specifically as possible**. If you need more space, please use the back of this form.

Contact Information

Name: _____

First

Last

Address: _____

Street

City

State

Zip

Phone Number: _____ Email Address: _____

You do not have to provide any of the above contact information. However, if you want us to mail/email you copies of data, we will need some type of contact information. In addition, if we do not understand your request and need to get clarification from you, without contact information we will not be able to begin processing your request until you contact us.

City of Apple Valley will respond to your request as soon as reasonably possible.

01/16

For Office Use Only

Code to: 1001-4211

Date request received: _____ Public Data / Nonpublic Data Approved / Denied

Date paid: _____ Amount \$: _____ Receipt no.: _____

Request handled by: _____ Date data provided: _____