

ORDINANCE 2026-30

AN ORDINANCE TO PROHIBIT THE COMMERCIAL USE OF PUBLIC RECORDS
FROM ELECTRONIC DATA STORAGE SYSTEM

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 City of Columbia City ("the City") makes every effort to comply with the Indiana Access to Public Records Act;

WHEREAS, the City receives requests for public records from individuals and entities that use or intend to use public records from the City's electronic data storage systems for commercial purposes;

WHEREAS, in order to respond to a request for public records, contained in the City's electronic data storage systems, to be used for commercial purposes, the City commits considerable, time, resources, and taxpayer money;

WHEREAS, Ind. Code § 5-14-3(e) specifically permits the City to prohibit the use of public records from electronic storage systems requested under Ind. Code § 5-14-3-3(d) 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

WHEREAS, the provision of public records for commercial purposes is not an essential function of a representative government, and such provision unnecessarily exhausts public resources for the benefit of for-profit businesses.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA CITY, INDIANA, 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 shall be prohibited from obtaining a copy or any further data under Ind. Code § 5-14-3-3(d).

Section 3. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the

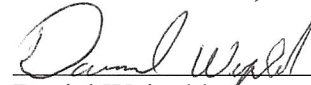
other sections, sentences, provisions, or applications of this ordinance in which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 4. This ordinance shall be in full force and effect from and after their passage by the Common Council, signature by the Mayor and publication as provided by law.

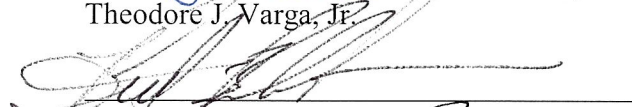
Section 5. The Recitals set forth hereinabove shall be incorporated as if fully set forth herein.

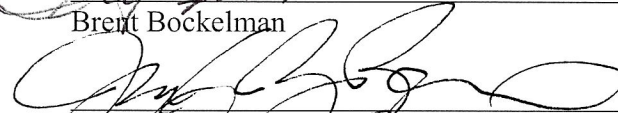
PASSED AND ADOPTED by the Common Council of the City of Columbia City, Indiana, this 22nd day of September, 2026.

COMMON COUNCIL OF THE CITY OF
COLUMBIA CITY, INDIANA, BY:


Daniel Weigold

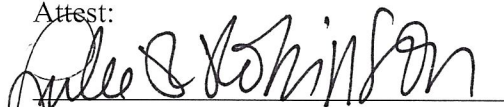

Theodore J. Varga, Jr.


Brent Bockelman

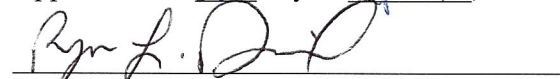

Jennifer B. Zartman-Romano


Ryan Adamson

Attest:


Leslee R. Robinson, Clerk-Treasurer

Approved this 22nd day of September, 2026.


Ryan L. Daniel, Mayor
City of Columbia City