

CITY OF LAKESHIRE

County of St. Louis, Missouri

Bill No.: 15

Ordinance No.: 1167

Introduced by Alderman Biking

AN ORDINANCE OF THE CITY OF LAKESHIRE, MISSOURI AMENDING TITLE I, CHAPTER 105, SECTION 105.130: GOVERNMENTAL BODIES – MEETINGS, RECORDS, VOTES, RELATED TO COLLECTION OF FEES FOR PUBLIC RECORD REQUESTS.

WHEREAS, Section 105.130 of the Code of Ordinances of the City of Lakeshire (the “City”) governs requests for public records including the fees and procedures for such requests in accordance with § 610.026, RSMo; and

WHEREAS, House Bill 145, signed by the Governor on July 14, 2025, amended § 610.026, RSMo, regarding requests for clarification and fees for copying public records, effective August 28, 2025; and

WHEREAS, the Board of Alderman wishes to amend Section 105.130 of the Code of Ordinances of the City regarding requests for clarifications and fees for copying public records to comply with § 610.026 RSMo; and

WHEREAS, the Board of Aldermen finds that is in the best interests of the City and its residents to amend Chapter 105 of the Code of Ordinances to comply with § 610.026 RSMo.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF LAKESHIRE AS FOLLOWS:

Section 1. Subsections G and H of Section 105.130 of the Code of Ordinances of the City of Lakeshire is hereby amended to read as follows (with added language appearing in red and deletions struck through):

TITLE I

GOVERNMENT CODE

CHAPTER 105

MAYOR AND BOARD OF ALDERMAN

Section 105.130

Governmental Bodies – Meetings, Records, Votes.

G. Public Records.

1. The custodian responsible for maintaining the public records of the City of Lakeshire shall be the City Clerk, who shall be responsible for carrying out the provisions of this Subsection.
2. Each public governmental body shall make available for inspection and copying by the public of that body's public records. No person shall remove original public records from the office of a public governmental body or its custodian without written permission of the designated custodian.

3. Each request for access to a public record shall be acted upon as soon as possible, but in no event later than the end of the third business day following the date the request is received by the custodian of records of a public governmental body. If access to the public record is not granted immediately, the custodian shall give a detailed explanation of the cause for further delay and the place and earliest time and date that the record will be available for inspection. This period for document production may exceed three (3) days for a reasonable cause.
4. If a request for access is denied, the custodian shall provide, upon request, a written statement of the grounds for such denial. Such statement shall cite the specific provision of law under which access is denied and shall be furnished to the requester no later than the end of the third business day following the date that the request for the statement is received.
5. If the City responds to a request for public records in order to seek a clarification of the request and no response to the request for clarification is received by the City within ninety (90) days, or within one hundred fifty (150) days if the requested fees are greater than one thousand dollars (\$1,000), of sending the request for clarification, then such request for public records shall be considered withdrawn. This shall not apply if a lawsuit has been filed against the City with regard to the records that are the subject of the request. The request for clarification by the City shall include notice to the requester that if the requester fails to respond within ninety (90) days, or within one hundred fifty (150) days if the requested fees are greater than one thousand dollars, then the request shall be considered withdrawn.

H. Copying Of Public Records.

1. Each public governmental body may prescribe reasonable fees for providing access to or furnishing copies of public records subject to the following:
 - a. Fees for copying public records shall not exceed the actual cost of document search and duplication. Documents may be furnished without charge or at a reduced charge when the public governmental body determines that waiver or reduction of the fee is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the public governmental body and is not primarily in the commercial interest of the requester.
 - b. Fees for providing access to public records maintained on computer facilities, recording tapes or discs, video tapes or films, pictures, slides, graphics, illustrations or similar audio or visual items or devices, shall include only the cost of copies and staff time required for making copies.
2. Payment of such copying fees ~~may~~ shall be ~~requested~~ required prior to ~~the making of copies~~ fulfilling any request.
3. Except as otherwise provided by law, each public governmental body of the City shall remit all moneys received by or for it from fees charged pursuant to this subsection to the City Treasurer.
4. The City shall provide notice that a request for public records shall be considered withdrawn if the requester fails to pay all fees within ninety (90) days, or within one hundred fifty (150) days if the fees are greater than one thousand dollars (\$1,000). Any request for records to the City that is pending on August 28, 2025,

shall be considered withdrawn if the requester fails to remit all fees by January 1, 2026.

5. If the same or substantially similar request for public records is made within six months after a request was deemed withdrawn for failure to respond to a request for clarification in accordance with Subsection (G)(5) of Section 105.130 or failure to remit fees as required herein, then the City may request payment of the same fees for the original request in addition to any allowable fees necessary to fulfill the subsequent request.
6. Subsections (H)(4) and (H)(5) of this Section shall not apply if a lawsuit has been filed against the City with regard to the records that are the subject of the request.

Section 2. All other Sections and Subsections of Chapter 105, including all other subsections of Section 105.130, of the Code of Ordinances of the City of Lakeshire shall remain in full force and effect, except to the extent that such Sections or Subsections are in conflict with the amendments enacted herein.

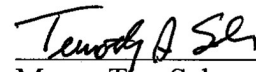
Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered by the codification company servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

Section 5. It is hereby declared to be the intention of the Board of Aldermen that the sections, paragraphs, sentences, clauses, phrases and words of this ordinance are severable, and if any section, paragraph, sentence, clause, phrase or word(s) of this ordinance shall be declared unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, phrases and words or this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid portion of the ordinance


Section 6. This Ordinance shall be in full force and effect from and after the date of its passage by the Board of Aldermen and approval by the Mayor.

Passed this 10th day of November, 2025.
Approved this 10th day of November, 2025.



Mayor Tim Seher

Attest:



City Clerk