



Kenny Barger
Office of the Madison County Clerk
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www.madisoncountyclerk.us

MADISON COUNTY CLERK'S OFFICE
OPEN RECORDS RULES AND REGULATIONS

JULY 1, 2021

PRINCIPAL OFFICE: Madison County Clerk
101 W. Main Street
Richmond, Ky 40476

REGULAR OFFICE HOURS: Monday-Friday (8:00am-4:30pm EST)

CUSTODIAN OF RECORDS: Kenny Barger, Madison County Clerk

FEE CHARGED FOR COPIES: Non-commercial requests—\$.10 per page
Commercial requests—\$.50 per page

PROCEDURES TO BE FOLLOWED IN REQUESTING PUBLIC RECORDS:

Request to inspect records: Application forms for the inspection of the public records of this agency are available on our website, www.madisoncountyclerk.us and may also be obtained from the Kentucky Attorney General's website at ag.ky.gov. Assistance in completing the application form will be provided upon request. The request should be made to the official custodian of the public agency's records, Kenny Barger, Madison County Clerk. The request may be hand-delivered or mailed to Madison County Clerk—101 W. Main St., Richmond, Ky 40475. Requests may also be sent via fax to (859) 624-4954 or by email to clerkopenrecords@madisoncountyky.us. Public inspection will be permitted during regular office hours. All requests should be made in writing and at minimum include:

- a. The signature of the applicant.
- b. The legible, printed name of the applicant.
- c. A mailing or email address of the applicant if copies are requested.
- d. Whether the records will be used for commercial purposes.
- e. A clear description of the records requested.
- f. A statement that the person making the request is a resident of the Commonwealth of Kentucky as described in KRS 61.876(10).

Response to request: A determination will be made within five (5) working days from the date an application is received (excluding Saturdays, Sundays, and legal holidays) regarding the approval of the request. The requestor will be notified in writing within the five (5) day period.

Records not available: If the record requested is in active use, in storage, or not otherwise available, the public agency must notify the requestor in writing and indicate a place, time and date for inspection not to exceed five (5) days from the receipt of the request. If the record cannot be retrieved within five (5) days, the agency must notify the requestor in writing and provide a detailed explanation of the cause for the delay.

Overly burdensome request: The public agency may refuse to permit inspection, or mail copies, if the request places an unreasonable burden on the agency in producing records or if the custodian believes that repeated requests are intended to disrupt the agency's essential functions. Refusal for either of these reasons will be supported by clear evidence.

Copies of records: A requestor has the right to obtain copies of all nonexempt public records upon payment of a reasonable fee, including postage where appropriate. The agency may require prepayment for copies of records. Nonexempt public records must be made available for copying in either standard electronic or standard paper format, depending on the requestor's wishes, if the agency maintains the records in both formats. If the agency maintains the records in paper format only, it must make the records available in paper format. Agencies are not required to convert paper format records to electronic format or to compile information or to create a document that does not already exist in response to an open records request.