

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING CHAPTER 1.17 OF TITLE 1 OF THE SAN JOSE MUNICIPAL CODE TO ADD A NEW SECTION 1.17.015 TO PERMIT WAIVER OF COSTS ASSOCIATED WITH REQUESTS FOR RECORDS PURSUANT TO THE CALIFORNIA PUBLIC RECORDS ACT AND MAKING THE EFFECTIVENESS AND APPLICABILITY OF THE PROVISIONS OF THIS ORDINANCE RETROACTIVE TO NOVEMBER 10, 2011**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. Chapter 1.17 of Title 1 of the San José Municipal Code is hereby amended to add a new section, to be numbered, entitled and read as follows:

**1.17.015 Waiver of Costs Associated with Requests for Public Records**

In responding to a request for records pursuant to the California Public Records Act, each Council Appointee or his or her designee, upon a determination that disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester, may waive the direct cost of duplication or the cost of programming and computer services necessary to construct a record as such waiver is specified in the Schedule of Fees and Charges, as may be amended from time to time.

SECTION 2. The provisions of this Ordinance shall be applied retroactive to November 10, 2011.

RD:LH  
11/03/11

PASSED FOR PUBLICATION of title this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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CHUCK REED  
Mayor

ATTEST:

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DENNIS D. HAWKINS, CMC  
City Clerk