



CITY COUNCIL ACTION ITEM

Date April 3, 2009

TO: Mayor and City Council

FROM: John Szerlag, Acting City Manager
Gary G. Mayer, Acting Chief of Police

SUBJECT: Chapter 60 – Fees and Bonds Required– Police Department Records Section Service Fees

Background:

- The attached fee schedule establishes the fees collected by the Police Department Records Section for the purchase of Police records and services.
- The Police Department proposes fee changes to the current fees to reflect pay increases for those employees involved in the duplication or publication of police records, actual costs for audio and video reproduction media and consistency with fees other fees established in Chapter 60 of the Troy City Code.
- It is requested that the Police Department Records Section Service fees be incorporated into Chapter 60 of the Troy City Code, as attached.

Financial Consideration:

- The anticipated increase in revenue of approximately \$19,000, annually, is proposed to cover the increase in incurred costs, labor and supplies. The current fee structure has been in place since August 1, 2005 as shown on the attached.

Legal Consideration:

- There is no legal consideration associated with this item.

Policy Consideration:

- The increase in Police Department Records Section service fees complies with the Troy City Council's objective in rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world (Outcome Objective III).

Options:

- City Council can approve the proposed amendments.
City Council can deny the proposed amendments.
City Council can direct City staff to modify the proposed amendments.

Attachment:

- Chapter 60 – Fee and Bonds Required proposed amendments
- The current Records Section Service Fees, effective on August 1, 2005

CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 60 OF THE CODE
OF THE CITY OF TROY

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 60, Fees and Bonds Required, of the Code of the City of Troy.

Section 2. Amendment

60.04 Fee Schedule. (POLICE DEPARTMENT RECORDS SECTION FEES-EXCERPT)

POLICE RECORDS SECTION SERVICE FEES	
REPORTS	
Labor charge-Except CAD Short Report (first 15 minutes)	\$ 7.00
Charge for each additional 15 minute interval	\$ 7.00
Each page, after the first 10 pages	\$ 0.32
CAD Short Report	\$ 3.50
These fees also apply to true copies of reports as required by subpoena	
AUDIO/VIDEO TAPES	
Labor charge (first 30 minutes)	\$ 18.00
Charge for each additional 15 minute interval	\$ 9.00
Plus actual mailing costs, if applicable	
Plus actual cost of tape(s), CD(s) and/or DVD(s):	
Audio cassette tape	\$ 1.29
VHS tape	\$ 1.84
Compact Disc	\$ 0.40
Digital Video Disc	\$ 0.50
LIQUOR LICENSES (Chapter 101) – Relocate this fee within Section 60.04	
Application and investigation fee	\$1,000.00
Application for additions or amendments to existing liquor licenses	\$ 300.00
One-day liquor license	\$ 10.00
ALARM REGISTRATION (Chapter 88)	
Annual permit renewal registration fee for any alarm system designed to summon emergency help	\$ 10.00
PRELIMINARY BREATH TEST ADMINISTRATION FEES	
City of Troy residents	\$ 5.00
Non-residents	\$ 10.00
FINGERPRINTS / CRIMINAL CLEARANCES	
Fingerprint processing fee	\$ 14.00
Local criminal history check/certified copy of local arrest record	\$ 18.00 ¹
Applicant fingerprint criminal clearance fee*	\$ 14.00 ²
*Plus State of MI processing fee	

¹ This fee is for verification of applicant's information, checking the LEIN wanted persons file and criminal clearance processing, along with a certified copy of report, if necessary	
² The total fee includes a \$14.00 Troy Police Department fingerprint processing fee. It also includes a State of Michigan fingerprint processing fee. State of Michigan fees vary depending upon the reason for the applicant fingerprints.	
TAXICAB/LIMOUSINE DRIVER AND PEDDLER LICENSE CLEARANCES	
Taxicab / Limousine driver license processing fee (Chapter 65)	\$ 24.00 ³
Peddler license processing fee (Chapter 74)	\$ 24.00 ³
³ The fee includes \$10.00 for the clearance, plus a \$14.00 fingerprint processing fee Fees collected by City Clerk as part of application and permitting process.	

Section 3. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, 2009.

Louise E. Schilling, Mayor

Tonni Bartholomew. City Clerk



TROY POLICE DEPARTMENT

SPECIAL ORDER

RECORDS SECTION SERVICE FEES		
Date of Issue: July 28, 2005	Effective Date: August 1, 2005	Number 2005-01
Rescinds: N/A	Revision Dates:	
Distribution: Executive Offices, Shift Commanders, Records Section, Master Books, Memo Books		

BACKGROUND

The Michigan Freedom of Information Act allows the Police Department to recover actual costs incurred in responding to FOIA requests that result in an unusually high cost to the Department. According to MCL 15.234, the fees the Department may charge in filling FOIA requests are limited to "actual mailing costs, and to the actual incremental cost of duplication or publication including labor, the cost of the search, examination, review, and the deletion and separation of exempt from nonexempt information."

The service fees established in this Special Order attempt to achieve uniformity and consistency with fees allowed by FOIA for all other requests for police records.

PROCEDURE

Department employees shall calculate FOIA request fees as established in the City of Troy's Procedures and Guidelines Regarding Freedom of Information Act and Enhanced Access to Public Record Requests.

Effective August 1, 2005, the Troy Police Department shall charge the following service fees for all other requests for police records, not made through the Freedom of Information Act.

1.1 REPORTS

Minimum charge (first 15 minute interval) (except CAD Short Report)	\$	5.25
Charge for each additional 15 minute interval	\$	5.25
Each additional page, after the first 20 pages	\$	0.05
CAD Short Report	\$	2.50
Plus actual mailing costs, if applicable		

These fees also apply to true copies of reports as required by subpoena

1.2 PHOTOGRAPHS

3" x 5"	\$	0.45
4" x 6"	\$	0.49
5" x 7"	\$	3.23
8" x 10"	\$	4.50
11" x 14"	\$	9.89

Plus any fees for minimum order, etc. charged by the photo lab, actual mailing costs, or any labor costs to process the order, if applicable¹

1.3 AUDIO/VIDEO TAPES

Minimum charge (first 30-minute interval)	\$	15.00
Charge for each additional 15 minute interval	\$	7.25
Plus actual mailing costs, if applicable		
Plus actual cost of tape(s):		
Audio tape	\$	0.49
VHS tape	\$	1.38
8mm tape	\$	4.06
Compact disc & case	\$	0.46

1.4 LICENSE FEES

Public vehicle license processing fee	\$	21.00 ²
Peddler's license processing fee	\$	21.00 ³

¹ Records Clerks process photograph orders
Labor costs are calculated in 15-minute intervals at \$5.25 per interval

² This includes \$10.00 for the clearance, plus an \$11.00 fingerprint processing fee
Fees collected by City Clerk as part of application and permitting process

³ This includes \$10.00 for the clearance, plus an \$11.00 fingerprint processing fee
Fees collected by City Clerk as part of application and permitting process

1.5 LIQUOR LICENSE APPLICATION FEES

Class-C, B-Hotel, A-Hotel, Tavern, Club, SDD, SDM (new quota, transfer, resort)	\$1,000.00
Additional permit/Stock transfer requests	\$ 500.00
One-day liquor license	\$ 5.00

1.6 FINGERPRINTS/CRIMINAL CLEARANCES

Fingerprint processing fee	\$ 11.00 ⁴
Local criminal history check/ certified copy of local arrest record	\$ 15.00 ⁵
Applicant fingerprint criminal clearance fee	\$ 11.00, plus State of Michigan processing fee ⁶

1.7 ALARM REGISTRATION

Annual permit renewal registration fee for any alarm system designed to summon emergency help	\$ 10.00
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1.8 MISCELLANEOUS

Precious gems dealer applications	\$ 50.00
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Charles T. Craft
Chief of Police

⁴ Fee includes check of the LEIN wanted persons file

⁵ This fee is for verification of applicant's information, checking the LEIN wanted persons file and criminal clearance processing, along with a certified copy of report, if necessary

⁶ The total fee includes an \$11.00 Troy Police Department fingerprint processing fee. It also includes a State of Michigan fingerprint processing fee. State of Michigan fees vary depending upon the reason for the applicant fingerprints. Fees currently range between \$30-\$54.