

# Fishers Police Department

Four Municipal Drive  
Fishers, IN 46038

WHEREAS, Indiana Code (“I.C.”) § 5-14-3-1 et seq., the Access to Public Records Act (the “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 Fishers ("City") makes every effort to comply with the 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, the City commits considerable, time, resources, and taxpayer money;

WHEREAS, I.C. § 5-14-3(e) specifically permits the City to prohibit the use of public records requested under the Act that are used for commercial purposes;

WHEREAS, under I.C. § 5-14-3-3(e) the definition of “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 CITY COUNCIL OF THE CITY OF FISHERS, INDIANA, THAT:

**Section 1.** Section 35.60 is hereby created and added to the City of Fishers Code of Ordinances as follows:

## **§35.60 Public Records – Commercial Use**

Any individual or entity receiving public records or information, pursuant to a request made under I.C. § 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. A person who uses information in a manner contrary to this Section may be prohibited by the City from obtaining a copy of any further data under I.C. § 5-14-3-3(d).

Telephone: 317.595.3300 Fax: 317-595-3344 Web: <https://police.fishers.in.gov>



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