

RESOLUTION NO. 546-2026

**RESOLUTION OF THE VILLAGE OF ELIDA
SETTING STANDARDS FOR AND COST
STRUCTURE FOR THE VILLAGE OF ELIDA
POLICE DEPARTMENT PUBLIC RECORDS
REQUESTS AND DECLARING AN EMERGENCY**

Vote	1 st	2 nd	3 rd
Jon T. Jenkins	✓		
Michael Campbell	✓		
John Heltman	✓		
Joseph Shehata	✓		
Burlin Sherrick	✓		
Ken Hall	✓		
Darryl Nichols, Mayor			
Total	6-0		

Whereas, The Village of Elida's Village Council, Allen County, Ohio, met in regular session at the office of the Village Council.

Whereas, the Village of Elida, Ohio is desirous to ensure public records requests are timely addressed for the Village of Elida, Ohio's Police Department, and necessitates fees for such responses.

Whereas, such regulations are the benefit the health, safety, and welfare of the Village and its residents.

Whereas, such structure and fee schedule is needed to be established as an emergency resolution under suspension of the rules in order to protect the health, safety and welfare of the residents.

THEREFORE, Be It Resolved, by at minimum two thirds of council herein approving:

Section 1.

I. PROCEDURE

A. Request Submission and Cost Estimate

1. Requests must be made in a manner in compliance with the requirements of the Ohio Revised Code and should include sufficient details to identify the specific video(s) or documents being requested.
2. Upon receipt of a public records request for body-worn or in-car camera video, Elida Police Department will provide the requestor with a written estimate of the actual cost of redacting the requested video.
3. The written estimate will be provided within Fifteen (15) business days of receiving the request.

4. The requestor must pay the estimated actual cost before Elida Police Department begins preparing the redacted video.

B. Cost Structure and Billing

1. The actual cost of redacting video footage will be charged at first hour \$75.00. Additional costs will be from 1 minute to 20 minutes and additional \$25.00, 21 minutes to 40 minutes and additional \$25.00 and 41 minutes to 60 minutes and additional \$25.00.
2. The billing rate for redaction services will not exceed seventy-five dollars (\$75) per hour. The total charge for video redaction services shall not exceed seven hundred fifty dollars (\$750) per request.
3. If the actual cost of redaction exceeds the estimated cost, the requestor will be notified in advance of the final actual cost.
4. Payment methods accepted: cash, credit card, or money order.
 - a. Credit card payments are subject to a fee
5. The Elida Police Department shall not charge the actual cost for the preparation of law enforcement video records for inspection or production for law enforcement video records requested by the following individuals, persons, or entities:
 - a. The victim, or potential victim, of a crime where a police report has been filed.
 - b. A parent or legal guardian of a juvenile minor victim, or potential victim, of a crime where a police report has been filed.
 - c. A person having durable or limited Power of Attorney (POA) on behalf of a victim, or potential victim, of a crime, provided that a police report has been filed and provided that proper documentation can be furnished evidencing the same.
 - d. A person requesting the video record on behalf of any state, federal, or local government agency or any state, federal, or local law enforcement agency, for any lawful government purpose, including the administration of any lawful administrative or law enforcement activities.
 - e. A person requesting the video record on behalf of any public school or any private school or institution recognized, operating, and licensed as such in the State of Ohio.

C. Fulfillment of Request

1. EPD will begin preparing the redacted video only after receiving the estimated payment from the requestor. If the final actual cost exceeds the initial estimate, the requester must pay the balance before receiving the redacted video.

D. Compliance and Legal Considerations

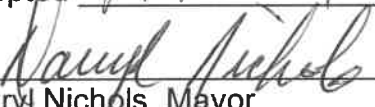
1. The agency shall comply with all applicable legal requirements for redacting and reviewing video footage before production.
2. Requests that involve sensitive, exempt, or legally protected information may require additional processing time.

The agency reserves the right to deny or restrict access to footage as permitted by law.


Section 2. This resolution is found to have passed under suspension of the rules and declaring an emergency.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were so adopted in an open meeting of this Council, and that all formal actions, were in meetings open to the public, in compliance with all legal requirements.

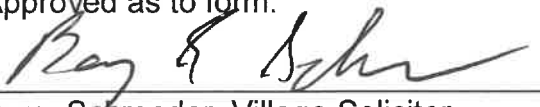
Section 4. That the Council of the Village of Elida, Ohio authorizes the Fiscal Officer to make publication and approval from the earliest period prescribed by law.

Adopted March 24, 2026,


Darryl Nichols, Mayor

Attest:


Sandy L Langhals, Clerk and Fiscal Officer

Approved as to form:


Barry Schroeder, Village Solicitor

ELIDA POLICE DEPARTMENT VIDEO REDACTION ADDENDUM

Pursuant to Ohio Revised Code §149.43, prior to the release of any video, the Elida Police Department is required to make redactions to the requested video as follows:

- Records the release of which is prohibited by State or Federal law. R.C. §149.43(A)(1)(v).
- Driver's Licenses. 18 U.S.C. §2721.
- LEADS. O.A.C. §4501:2-10-06.
- Non-record information. R.C. §149.011(G);
- United States and Ohio constitutional privacy interest. R.C. §149.43(A)(1)(v) and State of Ohio and U.S. Constitutions.
- Restricted portions of a body-worn camera or dashboard camera recording. R.C. §149.43(A)(1)(jj):
 - The image or identity of a child or information that could lead to the identification of a child who is a primary subject of the recording when the law enforcement agency knows or has reason to know the person is a child based on the law enforcement agency's records or the content of the recording, R.C. §149.43(A)(17)(a).
 - The death of a person or a deceased person's body, unless the death was caused by a peace officer or, subject to division (H)(1) of this section, the consent of the decedent's executor or administrator has been obtained, R.C. §149.43(A)(17)(b).
 - The death of a peace officer, firefighter, paramedic, or other first responder, occurring while the decedent was engaged in the performance of official duties, unless, subject to division (H)(1) of this section, the consent of the decedent's executor or administrator has been obtained, R.C. §149.43(A)(17)(c).
 - Grievous bodily harm, unless the injury was effected by a peace officer or, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained, R.C. §149.43(A)(17)(d).
 - An act of severe violence against a person that results in serious physical harm to the person, unless the act and injury was effected by a peace officer or, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained, R.C. §149.43(A)(17)(e).
 - Grievous bodily harm to a peace officer, firefighter, paramedic, or other first responder, occurring while the injured person was engaged in the performance of official duties, unless, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained, R.C. §149.43(A)(17)(f).

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- An act of severe violence resulting in serious physical harm against a peace officer, firefighter, paramedic, or other first responder, occurring while the injured person was engaged in the performance of official duties, unless, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained, R.C. §149.43(A)(17)(g).
- A person's nude body, unless, subject to division (H)(1) of this section, the person's consent has been obtained, R.C. §149.43(A)(17)(h).
- Protected health information, R.C. §149.43(A)(17)(i).
- The identity of a person in a health care facility who is not the subject of a law enforcement encounter, R.C. §149.43(A)(17)(i).
- Any other information in a health care facility that could identify a person who is not the subject of a law enforcement encounter, R.C. §149.43(A)(17)(i).
- Information that could identify the alleged victim of a sex offense, menacing by stalking, or domestic violence, R.C. §149.43(A)(17)(j).
- Information, that does not constitute a confidential law enforcement investigatory record, that could identify a person who provides sensitive or confidential information to a law enforcement agency when the disclosure of the person's identity or the information provided could reasonably be expected to threaten or endanger the safety or property of the person or another person, R.C. § 149 .43(A)(1 7)(k).
- Personal information of a person who is not arrested, cited, charged, or issued a written warning by a peace officer, R.C. §149.43(A)(17)(l).
 - Personal information includes:
 - Any government-issued identification number
 - Date of birth
 - Address
 - Financial information
 - Criminal justice information from the law enforcement automated data system or similar database
- Proprietary police contingency plans or tactics that are intended to prevent crime and maintain public order and safety, R.C. §149.43(A)(17)(m).
- A personal conversation unrelated to work between peace officers, R.C. §149.43(A)(17)(n).
- A personal conversation unrelated to work between a peace officer and an employee of a law enforcement agency, R.C. §149.43(A)(17)(n).

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- A conversation between a peace officer and a member of the public that does not concern law enforcement activities, R.C. §149.43(A)(17)(o).
- The interior of a residence, unless the interior of a residence is the location of an adversarial encounter with, or a use of force by, a peace officer, R.C. §149.43(A)(17)(p).
- Any portion of the interior of a private business that is not open to the public, unless an adversarial encounter with, or a use of force by, a peace officer occurs in that location, R.C. §149.43(A)(17)(q).
- Recordings pertaining to the criminal investigation are being withheld or redacted pursuant to the work product exception found in the Public Records Act. *State ex rel. Cincinnati Enquirer v. Ohio Dept. of Public Safety*, 148 Ohio St.3d 433, 2016-Ohio-7987 and R.C. 149.43(A)(2).