

**BY COUNCIL MEMBER EVANS**

**ORDINANCE NO. 2014-32**

**TO PROVIDE FOR THE REQUESTING AND OBTAINING OF CRASH REPORTS PREPARED BY THE CENTRAL POLICE DEPARTMENT AND THE ESTABLISHMENT OF FEES ASSOCIATED WITH SUCH REQUESTS, AND TO PROVIDE FOR ALL RELATED MATTERS**

WHEREAS, the Central Police Department investigates vehicle accidents that occur within the corporate limits of the City of Central, and in doing so, prepares crash reports relative to such accidents;

WHEREAS, the Council for the City of Central acknowledges that, where a request is submitted, Louisiana law requires the Central Police Department to provide copies of crash reports to any interested person;

WHEREAS, the Council for the City of Central acknowledges that, where a request is submitted, Louisiana law also requires the Central Police Department to provide copies of any relevant photographs of accidents, video tapes, audio tapes, extraordinary-sized documents, and any documents stored on electronic media to any interested person;

WHEREAS, the Council for the City of Central acknowledges that Louisiana law allows the Central Police Department to charge a fee for the providing of such crash reports, photographs, video tapes, audio tapes, extraordinary-sized documents, and other documents stored on electronic media;

WHEREAS, the Council for the City of Central desires to enact an ordinance relative to requesting and obtaining such crash reports, photographs, video tapes, audio tapes, extraordinary-sized documents, and other documents stored on electronic media;

WHEREAS, the Council for the City of Central desires to enact an ordinance to establish the fees to be charged by the Central Police Department for the providing of such crash reports, photographs, video tapes, audio tapes, extraordinary-sized documents, and other documents stored on electronic media;

BE IT ORDAINED by the Council of the City of Central, State of Louisiana as follows:

**Section 1:**

An interested party may request that he/she be provided with crash reports, photographs, video tapes, audio tapes, extraordinary-sized documents, or other documents stored on electronic media related to vehicle accidents investigated by the Central Police Department. Such a request must be made in writing.

For purposes of this Ordinance only, an “interested party” includes any party to the accident, parents or guardians of a minor who is a party to the accident, insurers of any party which is the subject of the report, succession representatives of parties to the accident, attorneys of any party to the accident, a succession representative of any party to the accident, and news-gathering organizations that request documents related to the accident.

**Section 2:**

Crash reports and any photographs, video tapes, audio tapes, extraordinary-sized documents, or other documents stored on electronic media will be available within ten business days (excluding weekends and holidays) after the crash, but in any event, no later than seven working days following the completion of the accident investigation.

**Section 3:**

Prior to obtaining such documents, photographs, or tapes, the interested party must submit the balance of the requisite fees, if any, in accordance with Section 4 of this Ordinance.

**Section 4:**

The fees for crash reports, photographs, video tapes, audio tapes, extraordinary-sized documents, or other documents stored on electronic media are as follows:

Hard copy of 1-2 page report	\$5.00 per report
Hard copy of report exceeding 2 pages	\$7.50 per report
Photographs	\$20.00 per CD
Video recording	\$20.00 per CD
Audio recording	\$20.00 per CD
Extraordinary-sized documents	\$20.00 per CD
Other documents stored on electronic media	\$20.00 per CD

Where a video tape, audio tape, extraordinary-sized document, or other document stored on electronic media is requested, the interested party shall be notified of the exact amount of the fee prior to the video tape, audio tape, extraordinary-sized document, or other document stored on electronic media being copied or otherwise prepared by the Central Police Department. Where the interested party agrees in advance to the payment of such a fee, the request should then be processed in accordance with Section 1 of this Ordinance.

**Section 5:**

Governmental agencies or departments may request crash reports, photographs, video tapes, audio tapes, extraordinary-sized documents, and other documents stored on electronic media, in accordance with Louisiana law. Such agencies or departments are exempt from the payment of fees identified in section 4 of this Ordinance.

**Section 6:**

Where an criminal investigation is ongoing related to the vehicle accident, the Central Police Department will not release copies of the related crash report or photographs without first

obtaining written approval from the District Attorney's Office or Attorney General's Office, where applicable.

**Section 7:**

At its discretion, the Central Police Department may refuse to release gruesome photographs unless a court order mandates otherwise.

**Section 8: Conflicts**

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**Section 9: Severability**

If any section, subsection, sentence, clause, or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

**Section 10: Effective Date**

This Ordinance shall be effective upon publication.

Introduced before the Council on this 11<sup>th</sup> day of November, 2014.

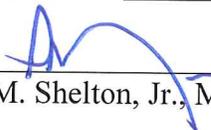
Notice of the public hearing was published in The Advocate on the 18<sup>th</sup> day of November, 2014.

This Ordinance having been submitted to a vote, the vote thereon is as follows:

For: Ellis, Evans, Fralick, Messina, Vance  
Against: None  
Absent: None

Adopted this 25<sup>th</sup> day of November, 2014.

Signed this 1<sup>st</sup> day of December, 2014.

  
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I.M. Shelton, Jr., Mayor

Attest:  
  
\_\_\_\_\_  
Mark Miley, City Clerk

Adopted ordinance published in The Advocate on the 5<sup>th</sup> day of December, 2014.