



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

March 8, 2010

Mr. Leonard V. Schneider
Ross, Banks, May, Cron & Cavin, P.C.
Attorneys for the City of Huntsville
2 Riverway, Suite 700
Houston, Texas 77056-1918

OR2010-03360

Dear Mr. Schneider:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 372999.

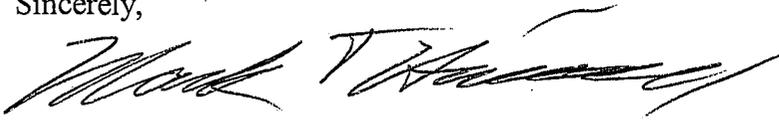
The City of Huntsville (the "city"), which you represent, received an oral request for information regarding a city ordinance and a list of complaints made by the requestor's neighbor. The requestor also asks whether law enforcement personnel may enter private property without permission and whether an individual may be forced to sign a citation. You assert the Act does not require the city to answer questions. You state the city will release the ordinance and has released redacted versions of the requested complaints to the requestor. You claim portions of the submitted information are excepted from disclosure under section 552.101 of the Government Code.

We note, however, that the Public Information Act is not implicated unless a governmental body receives a written request for information. *See* Gov't Code § 552.301(a), (c); Open Records Decision No. 304 at 2 (1982). Therefore, the city need not release the requested information to the requestor in this instance and may require the requestor to submit his request in writing. Based on this finding, we do not reach your argument under section 552.101 of the Government Code.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Mack T. Harrison
Assistant Attorney General
Open Records Division

MTH/rl

Ref: ID# 372999

Enc. Submitted documents

c: Requestor
(w/o enclosures)