

REQUEST FOR INFORMATION POLICY

RESOLUTION 1997-6

A RESOLUTION OF THE ESTACADA CITY COUNCIL ADOPTING REASONABLE MEASURES TO ENSURE THE INTEGRITY OF ITS RECORDS AND EFFECTIVENESS OF ITS OFFICE OPERATIONS.

WHEREAS, according to ORS 192.420, every person has the right to inspect any nonexempt public record of the City of Estacada subject to reasonable procedure, and

WHEREAS, the City of Estacada recognizes and respects the public's right to public documents and the importance of maintaining orderly files to facilitate public access in an efficient and cost-effective manner, and

WHEREAS, the State Attorney General suggests that public bodies establish protective measures to maintain the integrity of public records or to prevent interference with the duties of the records custodians, and

WHEREAS, the State Attorney General recommends there be a process in which the public has opportunity to comment on these measures.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Estacada, Oregon, that:

1. The City shall permit inspection and examination of its non-exempt public records during regular business hours in the City's offices, or such other locations as the City may reasonably designate from time to time.
2. All requests to inspect a public record should be in writing when possible with the date, name, address, and signature of the person making the request.
3. The request form must contain, the specific records requested, furnishing the dates, subject matter and such other detail as necessary to enable City personnel to readily locate the records sought.
4. The City shall respond to all public document requests within five working days or explain why more time is needed for a full response.
5. The City shall not create any new documents or customize any existing documents in response to a records request.
6. If the public record is maintained in machine readable or electronic form, staff shall provide copies of the public record in the form requested, if available. If the record is not available in the form requested, it shall be made available in the form in which it is maintained.
7. A person making a public record request may personally inspect the requested document during normal business hours. A City staff member must be present while any original public records are being inspected to insure protection of the documents.
8. Providing nonexempt public records is a governmental activity covered by the American with Disabilities Act (ADA). The City will provide an opportunity for individuals with disabilities to request an alternative form.
9. A staff member must review the requested document to make certain the record does not contain any exempt information before releasing the public record for inspection. If a document does contain exempt information, a copy, in lieu of the original, will be provided for inspection with the exempt portion blanked out.
10. Original public documents may not be taken out of the City's custody.
11. City records shall be released only under the conditions that the records are "public" records; the records are not exempt from disclosure under ORS 192.410 - 192.505.
12. In order to recover its costs for responding to public records requests, the following fee schedule is adopted:

Copies of Public Records: Copies of public records shall be \$.25 cents per copy for standard, single-sided, letter size copies.

Copies of Sound Recordings: Copies of sound recordings of meetings shall be \$10.00.

Copies of City Code or Comprehensive Plan: Copies of the City Code and/or Comprehensive Plan shall be \$20.00 each.

Copies of Other Bound Documents: The fee for copying any other bound document (such as a Water Master Plan, Budget or Audit) shall be \$15.00 each.

City Lien Searches: Lien search's shall be \$15.00 per tax lot.

Copies of Zoning Maps: City Zoning maps shall be \$5.00 each.

Copies of Maps and Other Nonstandard Documents: Charges for copying maps or other nonstandard size documents shall be charged in accordance with the actual costs incurred by the City.

Research Fees: If a request for records requires City personnel to spend more than 30 minutes compiling a record to meet the person's request, the minimum fee shall be \$25.00 per hour or portion of a half hour unit, with a minimum charge for one half hour. Such calculations shall include time spent by staff in locating the requested records, review the records in order to delete exempt material, supervising the inspection of original documents, and copying the records. The City shall estimate the total amount of time required to respond to the records request, and the person making the request shall make payment for the estimated cost of the search and copying of the records in advance. If the actual time and costs are less than estimated, the excess money shall be refunded to the person requesting the records. If the actual costs and time are in excess of the estimated time, the difference shall be paid by the person requesting the records at the time the records are produced.

Additional Charges: If a request is of such magnitude and nature that compliance would disrupt the City's normal operation, the City may impose such additional charges as are necessary to reimburse the City for its actual costs of producing records.

Fee Waivers or Reduction:

- Copies of public records may be furnished without cost or at a substantial reduction if the department head determines the waiver is in the public interest because making the record available primarily benefits the general public.
- A person requesting a waiver of charges shall file a written request to include his/her identity, the purpose for which he/she intends to use the information, and whether he/she can demonstrate the ability to disseminate the information to the public. The department head will review the waiver request while also considering the requester's ability to pay and any financial hardship on the City that might arise from granting the waiver.
- Copies of routine materials requested by the news media will be made without charge. Any non-routine materials requested by the news media will be charged at the fee described above.
- Copies of routine materials personal to a requester will be furnished without charge. Any non-routine materials requested will be charged at the fee described above.
- Copies of routine materials requested by any Estacada elected official or appointed advisory body member will be furnished without charge if the request relates to information needed in his/her official capacity. Any other materials requested will be charged at the fee described above.
- Routine materials are defined as those items already regularly produced during the city's regular course of business.

