

## PUBLIC RECORDS REQUESTS

Requests for records of the City of Redmond must be made under the Oregon Public Records Law. The City may require the records request to be in writing. This assists in identifying the records requested. It also establishes the reason the City released the record, if releasing the record results in a legal challenge.

Oregon law states that every person has a right to inspect any non-exempt public record. ORS 192.410(4) defines a "public record" as any writing containing information relating to the conduct of the public's business, including but not limited to court records, mortgages, and deed records, prepared, owned, used or retained by a public body regardless of physical form or characteristic. ORS 192.410(6) defines "writing" as handwriting, typewriting, printing, photographing and every means of recording, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, files, facsimiles or electronic recordings.

The City's custodian of public records will provide proper and reasonable opportunities for inspection and examination of the records in the office of the custodian during usual business hours to persons seeking access to public records within a reasonable period of time. The amount of time that is reasonable will depend upon the volume of records requested, the staff available to respond to the records request and the difficulty in determining whether any of the records are exempt from disclosure.

If the public record is maintained in a machine readable or electronic form, the custodian shall provide copies of the public record in the form requested, if available. If the public record is not available in the form requested, it shall be made available in the form in which it is maintained.

If there is doubt that the records requested for inspection are not clearly within the definition of "public record", or are exempt records, the request may be referred to the city's attorney for review and recommendation.

**WRITTEN REQUESTS:** All requests to inspect a public record should be in writing, when possible, via a Public Records Request Form. Requests shall provide sufficient descriptive information to enable staff to identify and locate the records requested.

**FEES:** The fees set out below and adopted by the City Council are reasonably calculated to reimburse the City for its actual cost in making such records available, including the cost of compiling or tailoring such record, either in organization or media, to meet the person's request. The City may estimate charges for responding to a records request and may require prepayment of the estimated charges before acting on the request.

<b>E-Mail:</b>	There is no charge, at this time, for electronic versions of documents.
<b>Fax:</b>	\$1 per page
<b>Hard Copy:</b>	\$.25 per page
<b>Tape Recording:</b>	\$17 per tape

**Staff Time:** Copies of documents provided by a routine file search will be charged at the copy rate only. Actual staff time will be added if the request is of an extraordinary nature and would significantly disrupt the regular discharge of duties of a staff person or if the request involves more than fifteen minutes of staff time for identification and location of the requested records. This rate will be determined based on the hourly wage/benefits of the staff involved. The requestor will be notified if the cost is estimated to exceed \$25.00. Fees for City Attorney time will be charged at \$130.00 per hour.

**Payments:** Fees will be collected by the Finance Department at the time of or prior to delivery of the records. Receipts will be provided.

**Pre-Payment:** Staff will estimate charges for responding to a records request and require pre-payment of the estimated charges before acting on a request. This is advisable as requests may require extensive staff time to locate or process records. If the actual charges are less than the pre-payment, any over-payment must be promptly refunded.

**Lien Search Fees:** Charges associated with on-line lien search will be \$20.00, set by Resolution #2003-06, passed on January 28, 2003 and effective February 17, 2003. External lien searches will be \$20.00, requiring advance payment.

**Copies of Maps and other Nonstandard Documents:** Charges for maps, large documents, or other nonstandard size documents shall be charged in accordance with the actual costs incurred by the City to reproduce them.

**Waiving/Reducing Fees:**

The City may furnish copies without charge or at a substantially reduced fee if it is determined that the waiver or reduction of fees is in the public interest because making the record available primarily benefits the general public.

Any requests for fee waivers or reductions must be made in writing and referred to the appropriate department director for consideration.

Copies of routine materials requested by the news media will be made without charge; any extraordinary request will be charged according to this regulation.

Copies of routine materials requested by any Redmond elected official or advisory committee member will be furnished without charge if the request relates to information needed in their official capacity.

Copies of routine materials personal to a requestor will be furnished without charge except for police reports. Any extraordinary request will be charged according to this regulation.

**PUBLIC RECORDS REQUEST FORM**

TO: \_\_\_\_\_  
(Person in charge of record and department)

Date: \_\_\_\_\_

I request inspection/copies of the following records in your office:  
(circle one)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If any material contained in this request is exempt from disclosure, I understand you will provide the name of the document and the reason for the exemption.

\_\_\_\_\_  
(Name of Requestor)

\_\_\_\_\_  
(Address of Requestor)

\_\_\_\_\_  
(Daytime Phone Number)

\_\_\_\_\_  
(Signature of Requestor)

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(To be completed by receiving department and returned to the City Recorder)

Your request for these records has been approved / denied (circle one).

The request has been **APPROVED** and the following estimated fees will be charged/refunded for costs associated with this public records request:

Number of copies made _____ x \$.25/sheet	= \$ _____
Number of recording tapes made _____ x \$17.00/tape	= \$ _____
Number of Fax copies x \$1.00/each page	= \$ _____
Staff time at \$36.23/hour x _____ hours (custodian)	= \$ _____
City Attorney Time at \$130.00/hour x _____ hours	= \$ _____
Estimated Amount due	= \$ _____

The request has been **DENIED** based on ORS \_\_\_\_\_ as the following records are exempt from disclosure, in whole or in part, for these reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Custodian Name)

\_\_\_\_\_  
(Custodian Title)

\_\_\_\_\_  
(Custodian Signature)

\_\_\_\_\_  
(Date)