

<b>CITY OF SISTERS</b>	
POLICY: PUBLIC RECORDS REQUESTS	NUMBER: CMO 103
EFFECTIVE DATE: 04/23/2015	APPROVAL: CITY COUNCIL

**I. PURPOSE:**

To outline procedures for public records requests in order to comply with ORS guidelines.

**II. SCOPE:**

This policy applies to all City Employees.

**III. POLICY:**

The City strives to provide timely and open access to public records and information not specifically exempted from access as set forth in ORS. 192.501 and 192.502.

This policy does not apply to City employees seeking records from other City employees for use in the performance of their duties.

**IV. GUIDELINES:**

**Requests:** A copy of all public records requests should be forwarded to the City Recorder even if the request is one to which the employee can easily respond. It is important for the City to have documentation of all records provided to the public.

**Documentation:** All public records requests must be documented. The three acceptable forms of documentation are:

1. Completion of the Public Records Request form.
2. A request made via email that contains the following: date of request, requestors name and contact information and information on documents requested.
3. A letter that contains the following: date of request, requestors name and contact information and information on documents requested.

**Notification Process:** Timeliness is key to public records requests. If a request can be filled promptly, it should be. If there is a reason why the request cannot be filled promptly (within 48 hours), then notification must be sent to the requester acknowledging receipt of the request and an estimate on the time it will take to either fill the request or determine an estimated cost for the request.

**Exempt Records:** Some records are exempt from disclosure per ORS 192.501 and 192.502. If an employee has any doubt as to whether a record is exempt, please check with the City Recorder prior to releasing any information. If necessary, the City Recorder will check with the City Attorney.

**Fees:** ORS 192.440 authorizes public bodies to charge fees associated with requests, including prepayment prior to research beginning. Fees associated with Public Records Requests are maintained in the City’s Master Fee Schedule. In addition, the charges may include the actual cost to the City for contracted services to gather the records and for the legal review of the records if necessary. Consideration must be given

to the expenditure of staff resources in providing public records. The City Council has determined it will allow any individual to obtain up to five requests that require ½ hour or less of staff time to produce in a calendar year. After that time an hourly charge, as listed in the Master Fee Schedule, will apply to all further requests charged at a 15 minute minimum charge.

**Reduced Fee or Fee Waiver:** Whenever the City determines that providing copies of public records at a reduced fee or without cost would be in the public interest, the City may authorize such per ORS 192.440(5)