

RESOLUTION NO. 305

A RESOLUTION ESTABLISHING CITY OF AURORA PUBLIC RECORDS/INFORMATION REQUEST POLICY.

WHEREAS, City Hall receives and responds to a number of requests for public information on a daily basis, and

WHEREAS, ORS 192.410 - 192.500 define public information and the limited circumstances under which a public body may decline to release certain information, and

WHEREAS, the Aurora City Council has determined the need exists to provide a timely and cost effective method of providing "public information" in accordance with Oregon law, now therefore,

THE CITY OF AURORA HEREBY RESOLVES:

Section 1. Written Requests. Unless otherwise provided by these rules, request for inspection of records other than current year's meeting minutes and existing City of Aurora ordinances shall be in writing on a form prescribed by the City. In addition, copies of records other than current year's meeting minutes and existing City of Aurora ordinances shall be in writing on same said form.

Section 2. Procedure.

2.1 Requests for public records shall include the following:

- (a) The name, address and signature of the person making the request or their authorized representative.
- (b) A statement of sufficient specificity to determine the nature, content and probable department within which such record may be located.
- (c) The date of such request.

2.2 Upon receipt, the request shall be date stamped.

2.3 The person making the request should be advised that the requested materials will not be released without the City's receipt of the fee for providing such service as prescribed by the City Recorder or the City Recorder's designee as described in this resolution. Failure to so advise the requesting party of such obligation shall not relieve the requesting party of the obligation to pay the prescribed fee.

2.4 Written requests for inspection or copies of City records shall be submitted to the City Recorder who shall keep on file a list of fees prescribed by the City Council for processing public records/information requests and who shall respond to all such requests.

2.5 If the request is not complied with, a written response explaining why the City is unable to process the request shall be prepared and mailed to the requesting party.

2.6 The City shall respond to requests for public records within a reasonable time, but in any event not more than thirty (30) days from the date of receipt. This time limit may be increased when the request is not sufficiently specific to enable location of the records or when the volume, size or location of such records makes

their collection, retrieval or reproduction difficult. In this case, the requesting party shall be advised of the reason for the delay.

Section 3. Payment of Fees. Except as otherwise provided by these rules, public records shall not be released for inspection or as copies to members of the public unless the City has received payment of the established fee for providing the same from the requesting party.

Section 4. Fees to Reflect Costs. When establishing the fees to be charged to the requesting party for meeting public information requests, the City Recorder or designee shall base such fees on costs the City incurs for processing the request. These costs shall include, but not be limited to, personnel costs and costs associated with materials used in processing the request.

4.1 Personnel costs shall include, but are not limited to, employee's time spent while locating, reviewing and copying records and supervising public inspection of records. Costs shall be at an hourly rate equivalent to the salary plus benefits (computed at an hourly rate) of each employee involved in processing the request.

4.2 Costs for photographs, audio tapes and other non-paper materials shall be reimbursed at actual costs as determined by the City Recorder or City Recorder's designee.

Section 5. Records Requested for Court Proceedings. The City shall not charge fees for costs incurred by the City when an employee of the City, in the employee's role as custodian of the records, is a witness in a trial or other court proceeding. When the City is a party to a court proceeding and a request for copies of public records is made by a party or representative of a party to such proceeding in the course of discovery, then the cost to be charged for providing such copies shall be limited to those indicated in Section 4.2

Section 6. City Recorder Authority. The City Recorder shall have the authority to:

- (a) waive the requirement that the request must be in writing or on a form provided by the City;
- (b) Waive fees if the request is of a one-time nature, requires copying five or less pages and involves less than one-half hour of staff time to process;
- (c) waive required compliance with this resolution in special cases where the public interest in supplying a public record free of charge outweighs the cost of furnishing the record;
- (d) establish a particular charge or fee for routinely requested documents where the charge is a reasonable approximation of the City's cost; and
- (e) periodically adjust fees to cover increased costs of providing public records and information.

Section 7. Exemption from Fees. The following individuals, groups or organizations shall be exempt from the fees prescribed for providing public records:

- (a) any person requesting public records pertaining to a matter which specifically affects the person and is pending before the City Council or a Board or Commission of the City;

(b) any member of the City Council or a Board or Commission of the City, other government agencies or the media; and

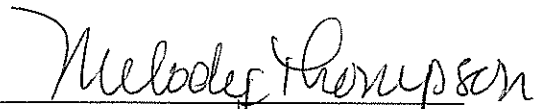
(c) any crime victim requesting a copy of a police report pertaining to the crime in which they have been made a victim (applies to first copy only).

APPROVED by the Aurora City Council at its regular meeting on the 8th day of October, 1996.



Loretta Scott - Mayor

ATTEST:



Melody Thompson - City Recorder

Public Records Information Request

(Not a request for Police Records)

Disclosure:

"Public information," is defined in ORS 192.410-192.400 and in the Oregon Attorney General's Public Meetings and Record's Manual. The sources referred also list several limited circumstances under which a public body may decline or release certain information.

Because the identity and motive of the person seeking disclosure of a particular public record may be relevant in determining whether a record is exempt from mandatory disclosure under a conditional exemption, please provide the following information:

Requester's Identity: (Please print)

Name: _____

Phone: _____

Address: _____
Street City State Zip

Signature: _____

Date: _____

Requested Information/Record(s): (Please print)

Please give a brief statement describing the requisition information/record(s), being specific enough for the City to determine the nature, content and probable department within which the record(s) you are requesting might be located: _____

Purpose of Request: (Please print) _____

Please Note: All requests for inspection or copies of City records shall be submitted to the City Recorder for review and response. The City Recorder's response will be pursuant to the City of Aurora's policy for requests, inspection and copying of City records. A copy of such policy is attached for your review. In most cases, there will be fee charged for providing this service. Payment of the fee for meeting your request must be received prior to requested material being released. You will be advised by the City Recorder of the fee required for your request.

For office use: Date request re'd _____ by _____ Date request approved _____ by _____
Date request filled _____ by _____ Amount charged \$ _____ Paid _____

updated 10/2004

PUBLIC INFORMATION RECORDS REQUEST

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Requester's Identity:

Name _____

Address _____

Phone _____ Date _____

Signature _____

Requested Information/Record(s): Please give a brief statement describing the requisition information/record(s), being specific enough for the City to determine the nature, content and probable department within which the record(s) you are requesting might be located:

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