

## **ADMINISTRATIVE POLICY NO. 14 PUBLIC ACCESS TO DOCUMENTS**

### **OBJECTIVE**

Defines conditions by which an individual may obtain, through public access laws, documents and/or copies of documents.

### **Record Classification**

- All records shall be considered public unless they are listed as exempt.
- All new correspondence or testimony related to City, Council or Commission business shall be delivered to the main office at city hall so they can be classified and scanned if the documents are to be added to the document library.
- Documents exempted from the document library include the following:
  - e-mail
  - phone calls
  - bills, invoices, advertisements, magazines, catalogs
  - utility billing records
  - payroll data
  - draft staff records including preliminary budgets and CIP work papers (capital improvement planning)
  - audit work papers
  - personnel records
  - large format documents like engineering plans, maps, as-built diagrams may be excluded when the City lacks the ability to scan documents and digital version are not available.

All organizations performing work for the city that results in a written document shall submit a digital copy to the City Recorder along with the print version. This requirement shall be included in all future contract documents.

### **Public Access:**

- All public records since July 1st 2004 shall be available in the on-line Document Library.
- All active plans, studies, reports related to plans or projects shall be available in the Document Library.
- The final version of draft documents shall be marked as "Final Version"

- Documents with confidential information may be exempted or sensitive information shall be redacted.
- The public can obtain printed copies from computers at the Yachats Library if they do not have a printer at home. The cost per page shall be the prescribed amount for using the library public printer.
- Original documents shall be retained in the archive of printed public records stored at the sewer plant

1. The City shall provide a copy of this Policy as a written procedure for public records requests. Requests for information shall be in writing on a form provided by the City Recorder. The form shall also serve as the City's response as required in Section 11.

2. Any single document, which is easy to access, to which the public has access must be shown upon request.

3. Copies of up to five pages in length will be copied immediately at a cost of 15 cents per page upon request.

4. A request for more than 5 pages will be supplied at a cost of 15 cents per page as time constraints on the staff allow.

5. The person requesting the documents has the option of paying the staff overtime for the requested documents, or paying for the time of a part time person, hired by the City, to do the copying. The 15 cents per page charge shall also apply.

6. Persons with requests for documents which will require extensive research and copying may apply to City Council, or their designee for authorization to conduct the research, and make the copies themselves. All research will be conducted at the City Hall office, and all copies will be made on-site. City staff will assist in, and supervise all original document review, and equipment operations. The 15 cents per page charge shall apply.

7. All documents that will assist citizens in effectively participating in the planning process will be made available to the public, if the Council determines they are consistent with State and local laws for the protection of personal privacy, confidentiality, and exempt records law.

8. The Citizen Involvement Program, as adopted by City Council will be followed concerning public access to all planning and land-use documents.

9. The City Recorder may obtain legal advice from the City Attorney before releasing any documents if there is a question regarding exemption status.

10. The City Council may establish fees that are reasonably calculated to reimburse the City for its actual cost in making such records available. This fee may include the costs for summarizing, compiling, or tailoring a record, either in organization or media, to meet the person's request; a charge for time spent by the City staff in locating the requested records, reviewing the records in order to delete exempt material, supervising a person's inspection of original documents in or-

der to protect the records, coping records, certifying documents as true copies, or sending records by special methods such as express mail; and, a charge for attorney time reviewing and segregating records.

11. A written response must formally acknowledge the receipt of the request and include at least one of the following:

- A statement that the public body is not in possession of the requested records;
- A request from the public body clarifying the request;
- Copies of the requested records;
- A statement that the public body is in possession of at least some of the requested records, the amount of time the public body needs before the records will be available to the requestor and a cost estimate for providing the records;
- A statement that the public body is uncertain if it is in possession of the records and the amount of time the public body needs to search for the records; or
- A statement that the public records are exempted from public disclosure under state and federal law.

When appropriate citizens shall be informed about the document library.

Fees as established by Resolution No. 2005-04-03

### Research Fee

A fee of \$25 per hour shall be charged for any public document request that requires more than minimal time for City Hall staff to locate the requested documents and/or produce copies. If the estimated time will exceed one hour, the individual making the request shall pre-pay up to \$100 of the estimated fee before the research is initiated. When the deposit has been used staff will contact applicant for authorization to continue the research. Upon completion of the research the individual shall pay any additional costs based on the actual time at the hourly rate. The City will refund any un-used portion of the pre-payment. Copy charges shall apply to any copies made.

### Photocopies

#### Photocopies

Single-side, letter or legal size	15¢
Double side, letter or legal size	10¢ per side
Over-Size (11 x 14)	50¢
Color Copies	\$1.00

#### FAX

1-5 pages	\$2.50
each additional page	50¢

#### Transcription

Actual Cost - (hourly wage x hours)