

Title:	PUBLIC RECORDS POLICY
Written by:	Corlies Delf
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PUBLIC RECORDS POLICY

Eugene Rural Fire Protection District #1

Compliance

The district shall fully comply with the Oregon Public Records Law, ORS 192.410 -192.505.

Making a Public Records Request

A request for public records that are in the custody of Eugene Rural Fire Protection District #1 may be made by submitting a written request to:

Eugene Rural Fire Protection District #1
P. O. Box 50054
Eugene, OR 97405

or by email to:

EugRFPD1@gmail.com.

The request must:

- Include the name and address of the person requesting the public record;
- Include the email address, mailing address, telephone number and/or other contact information for the person requesting the public record;
- State whether the request is for inspection and copying of records, or for written records. If the request is for written records, the request shall specify the form in which the records are requested.
- Be dated.

Specificity of Request

In order to facilitate the public's access to records in the district's possession, and to avoid unnecessary expenditure of board members' time, persons requesting access to public records for inspection or copying, or who submit written requests for copies of public records, shall specify the records requested with particularity, furnishing the dates, subject matter and such other detail as may be necessary to enable board members to readily locate the records sought.

Time of District's Response

When a request is submitted in writing, the district must respond within five business days acknowledging the receipt of the request. The district will then have an additional 10 business days to fulfill the request or issue a written response estimating how long fulfillment will take. The district will not be subject to this response timeframe if it is awaiting a response from the requester clarifying the inquiry or if the requester has not paid for the records, provided that the cost is \$25 or more. Other considerations that apply are:

- Complicated requests
- Large volume of requests
- Requests involving documents not readily available or if the board members are unavailable to fulfill the request

Access

The district shall permit inspection and examination of its nonexempt public records during regular business hours in a place nearby, designated by the district.

Form of Records

Copies of nonexempt public records maintained in machine readable or electronic form shall be furnished, if available, in the form requested. If not available in the form requested, such records shall be made available in the form on which they are maintained.

Prepayment of Fees

- The district shall require prepayment of estimated fees before taking further action on a request.

- The district shall estimate the total cost to be incurred in responding to the records request. If the fees will exceed \$25.00, the requester will be provided with a written notification of the estimated amount of the fees. The requester must then confirm that he/she wants the district to proceed, and pay the estimated fees. If the actual time and costs are less than estimated, the excess shall be refunded to the requester. If the actual costs and time are in excess of the estimate, the difference shall be paid by the requester at the time the records are produced.

Fees for Public Records

Fees will be limited to no more than \$25.00 unless the requester is provided with a written notification of the estimated amount of the fee and the requester confirms that he/she wants the public body to proceed.

In order to recover its costs for responding to public records requests, the following fee schedule is adopted by the district:

- Copies of public records; certified copies: Copies of public records shall cost 25 cents per page for standard, letter size copies. Copies shall be certified for an additional charge of \$25.00 for each true-copy certification.
- Copies of sound recordings: The district does not make sound recordings of its meetings. However, if such recordings exist at the time of the request, they shall be provided at the cost of \$50.00 per copy.
- 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 district.
- The cost of records transmitted by email is \$5.00 per email and is limited to 0.5MB in size per email.
- The cost of records transmitted by fax is \$3.00 for the first page and \$1.00 for each additional page, limited to a 25-page maximum, not including the cover page.
- Upon request, copies of public records, if they are stored in the District's computer system, may be provided on a new compact disk (CD) or thumb drive. Disks will be provided at a cost of \$5.00 per disk; thumb drives will be provided at a cost of \$10.00 per drive. Either medium may contain as much information as the medium will hold. Due to the threat of computer viruses, the District will not permit requesters to provide disks or drives for electronic reproduction of computer records.

- Actual attorney fees charged to the District for the cost of time spent by an attorney in reviewing the public records, redacting material from the public records or segregating the public records into exempt and nonexempt records.
- Research fees: If a request for records requires district personnel to spend more than 15 minutes searching or reviewing records prior to their review or release for copying the minimum fee shall be \$60 per hour and additional charges shall be in 1/4-hour increments. A prorated fee is not available for less than a quarter-hour. These fees shall be paid to the person or persons doing the work.
- Additional charges: If a request is of such magnitude and nature that compliance would disrupt the district's normal operation, the district may impose such additional charges as are necessary to reimburse the district for its actual costs of producing the records.
- The actual cost for delivery of records such as postage and courier fees.
- Reduced Fee or Free Copies: Whenever it determines that furnishing copies of public records in its possession at a reduced fee or without costs would be in the public interest, the board of directors may so authorize. ORS 192.440(4).

Form of Payment

The district will accept payment only by money order or cashier's check.

On-Site Review of Original Records

If a request to review original records is made, the District shall permit such a review, by appointment only, of non-exempt records, provided that search fees are paid in advance in accordance with the Fees for Public Records section, above. A representative shall be present at any time original records are reviewed, and the charges for standing by while the records are reviewed shall be the same as the charges for searching or reviewing records.

Authorization Required for Removal of Original Records

At no time shall an original record of the district be removed from the district's files or the place at which the records are being reviewed, except upon authorization of the board of directors.

Unauthorized Alteration, Removal, or Destruction of Records

If any person attempts to alter, remove or destroy any district record, the district representative shall immediately terminate such person's review, and notify the attorney for the district.

Prepared by Corlies Delf, Secretary
of the Board of Directors,
following a sample policy provided
by Special Districts Association of Oregon
and guidance contained in the
Oregon Attorney General's Public Records
and Meetings Manual 2019

Approved and adopted by the Board of Directors
June 24, 2020